

Brandy

From: Heather Spier <heatherspier@comcast.net>
Sent: Thursday, January 31, 2013 8:22 PM
To: brandyisenhour@gmail.com
Subject: In support of the proposed change

Hi Brandy – I can't be in Montgomery tomorrow to support the ABCR amendment regarding ethics, but please note that I support the amendment, and feel it is a very important change for our profession.

I appreciate this Board and all you do!! I hope tomorrow goes well and we're able to implement this change. What a difference it will make!

Heather Spier, Court Reporter
Huntsville, Alabama
ACCR # 403

Brandy

From: Dana Gordon <danagordon531@gmail.com>
Sent: Thursday, January 31, 2013 9:14 PM
To: brandyisenhour@gmail.com
Subject: Code of Ethics

Brandt,

I have been a freelance reporter in Alabama for 19 years. ABCR has my total support in their attempt to pass the proposed Code of Ethics. It's the right thing to do.

Dana Gordon
Bain & Associates

Brandy

From: Donna <deh@hendersondepo.com>
Sent: Friday, February 01, 2013 4:50 AM
To: Brandy
Subject: Fwd: ABCR SUPPORT FOR RULE CHANGES

Brandy, another email supporting changes.

Donna Henderson

Begin forwarded message:

From: Linda McSwain <lindamcswain@bellsouth.net>
Date: January 31, 2013 9:34:09 PM MST
To: Donna Henderson <deh@hendersondepo.com>
Subject: Re: ABCR SUPPORT FOR RULE CHANGES

Donna,

As I've stated before, we are our worst enemies. Court reporters need to stick together to better our profession. I support the Code of Ethics bill, and hope that the Alabama reporters will finally pull together for the benefit of our association and our profession.

Linda McSwain, CCR, RPR

Sent from my iPhone

On Jan 29, 2013, at 3:38 PM, "Donna Henderson" <deh@hendersondepo.com> wrote:

Hey Everyone!!! Just a reminder to make sure you let ABCR know how you feel about the proposed changes in our rules. I am taking a packet of emails up from various reporters of support. Send your thoughts to me or to Brandy at ABCR as indicated below! Let me know if you would like to go to Montgomery with us on Friday for the hearing!!! Thanks everyone!!! Have a great day!!!

TO: Alabama Board of Court Reporting
FROM: Shannon R. Ball, ACCR#2, RPR, RMR
DATE: January 31, 2013
IN RE: Proposed Ethics

I am writing as a past board member of ABCR, a past president of ACRA, a former freelance reporter that worked for firms that did not participate in gift-giving and firms that did, and as a current official court reporter. The fact that we are still dealing with this issue in 2013 in the state of Alabama is a disgrace, but confirms why Alabama is usually at the bottom of all relevant change in the nation.

It is my understanding that ABCR has proposed adopting the National Court Reporters Association's Code of Ethics. Most of us would think that that should be the end of it and we would move on. In a perfect world, where those in a profession look out for what is best for the public and put ethics first, that would be the case, but here we are.

The fact that legal secretaries and paralegals have expressed opposition to this, in and of itself, shows the magnitude of the problem we have in this state. The fact that legal secretaries and paralegals have any interest in what ABCR is doing is shocking. The ethics that are lacking are when legal secretaries and paralegals receive gifts on the backs of the clients that the attorneys they work for are representing. The clients are not told that included in the fees they are paying to their attorney are fees going to court reporters who will then give gifts to various individuals in the attorney's firm. The clients are not reimbursed for these gifts as they should be. I cannot envision any client agreeing to this. I challenge anyone to produce one client that would agree to this. I challenge all of the attorneys in the state to disclose this to their clients. Can you imagine the response?

I would also like to know if these gifts have been claimed for tax purposes. I believe that the IRS, as well as the Alabama Department of Revenue, need to be notified immediately of this practice in the state involving paralegals, secretaries, and attorneys. I imagine an investigation by the IRS and Alabama Department of Revenue could result in a subpoena to the court reporting firms in the state to determine individuals receiving gifts and determine whether they were claimed for tax purposes.

It is also my understanding that the paralegals and legal secretaries are concerned that this will prohibit court reporting firms from sponsoring their conferences. Court reporters could rent a booth at their conference to show them the latest technology that they have and the services that they offer, but to give gifts is ridiculous. The court reporters have vendors at their conferences to demonstrate the latest technology and products that they have, but they are not "sponsoring a conference." Why are court reporters supporting legal secretaries and paralegals? Is it not the job of the attorneys to support their employees? Why are legal secretaries and paralegals relying and almost demanding support in the form of gifts and support at their conferences from court reporters? ABCR, we have a problem!

The Alabama State Bar has not addressed this issue with their attorneys to date. Let me be clear when I say that all attorneys do not employ court reporters that participate in gift-giving and many would not dare do so. However, there are those that choose to do so. I wonder how many of them have even stopped to give this careful consideration from an ethical standpoint, from a tax standpoint, and from their client's standpoint. I would hasten to say not many, because if they had, I do not believe their ethics or their conscience would allow them to permit this practice in their firm. Yet, once again, here we are. That is why we must step up to Protect the Public. Yes, we are protecting them from the attorney's staff, but they themselves have failed to do so. The unsuspecting client who is paying thousands of dollars for representation is the one that is ultimately being hurt by this practice.

The Alabama Board of Court Reporting was established by the state legislature to protect the public. It is what every member of the board has been sworn to do. The board was not established to allow practices to continue that are unethical because those that benefit from said unethical practices want them to continue.

I want to reiterate that this is the same Code of Ethics that the National Court Reporters Association utilizes. You are not reinventing the wheel, you are simply putting the wheel back on the wagon. The board has the opportunity to clean up the court reporting profession in this state instead of allowing it to drop to the bottom. I believe to fail to adopt this Code of Ethics, because someone wants to continue to get gifts, is a complete failure of the board to act to "protect the public." The very thing it is sworn to do.

Brandy

From: Lyn Vickers <lyndvickers@charter.net>
Sent: Thursday, January 31, 2013 9:11 AM
To: deh@hendersondepo.com
Cc: brandyisenhour@gmail.com

I support the proposed the rule change/ amendment that will be before the Board on February 1, 2013.
[Lyn D. Vickers](#)
[ACCR #66](#)

Brandy

From: Deborah Banks <banks.deborah@att.net>
Sent: Thursday, January 31, 2013 11:36 AM
To: brandyisenhour@gmail.com
Subject: Code of Ethics

Brandy,

I totally support the ACRA in the attempt to adopt the code of ethics regarding gifting. I cannot imagine the argument supporting the idea of gifting except for personal gain for large reporting firms. Thanks for standing up for the independent freelance reporters of this state.

Deborah Banks
Court Reporter
banks.deborah@att.net
256 442-6005
256 490-4236 (cell)

Brandy

From: Yvonne <yvonnearia@comcast.net>
Sent: Thursday, January 31, 2013 10:00 PM
To: Brandy Isenhour
Subject: ethics

Dear Brandy, I support wholeheartedly the new rules regarding ethics by the Alabama Board of Court Reporting. So my answer is "YES" on the new rules.

Thank you. Regards, Yvonne

Brandy

From: Donna Henderson <deh@hendersondepo.com>
Sent: Thursday, January 31, 2013 10:11 AM
To: brandyisenhour@gmail.com
Subject: Support ABCR ethics rule change

Brandy, another email of support. Thanks

-----Original Message-----

From: Paula Price [<mailto:Paula.Price@alacourt.gov>]
Sent: Thursday, January 31, 2013 9:44 AM
To: deh@hendersondepo.com
Subject: ethics rule change

Donna-

Just so you know, I do support Ethics First and I sent the ABCR an email (below) stating such.

Thank you for the work you do for our profession, girl! :)

Paula Morgan Price
Official Court Reporter to Judge Wilters
251-937-0226
Post Office Box 605
Bay Minette, Alabama 36507
paula.price@alacourt.gov

From: Paula Price
Sent: Thursday, January 31, 2013 9:38 AM
To: brandyisenhour@gmail.com
Cc: Paula Price
Subject: ethics rule change

ABCR-

As an Official Court Reporter in our great State of Alabama, I strongly support the proposed change the ABCR is proposing to the Board's Rules and Regulations. Specifically, CHAPTER 257-X-4-.02 ABCR Ethics. I believe in Ethics First as set out by NCRA. I honor ethics in our profession and I expect all reporters to do so.

Thank you for your help in protecting our profession and making us the best we can be.

Paula Morgan Price
Official Court Reporter to Judge Wilters
251-937-0226
Post Office Box 605
Bay Minette, Alabama 36507
CCR# 171

Brandy

From: Mpcprolegal@aol.com
Sent: Monday, January 28, 2013 4:23 PM
To: brandyisenhour@gmail.com
Subject: Support

As a small business owner I strongly support Section 8. I support it 100%

Michael Cannon
Pro Legal Copies, Inc.
2514338777
prolegalcopies.com

Section 8: Refrain from giving, directly or indirectly, any gift or anything of value to attorneys or their staff, other clients or their staff, or any other person or entities associated with any litigation, which exceeds \$100 in the aggregate per recipient each year. Nothing offered in exchange for future work is permissible, regardless of its value. Pro bono services as defined by NCRA Guidelines for professional Practice or by applicable state and local laws, rules and regulations are permissible in any amount.

Michael Cannon
Pro Legal Copies, Inc.
2514338777
prolegalcopies.com

Brandy

From: David Green <rjygha@gmail.com>
Sent: Thursday, January 31, 2013 8:24 AM
To: brandyisenhour@gmail.com
Subject: Ethics in Court Reporting

Good morning, Brandy. My name is David Green. I am a retired law enforcement officer with forty years of service. Fifteen of those years were spent as an investigator for the Alabama Ethics Commission.

I send this correspondence in support of the adoption of an ethics rule by the Alabama Board of Court Reporting. I learned long ago that people often don't do what you expect, but they will generally do what you *inspect*. It is my belief that the adoption of an ethics rule would serve as a form of inspection that would only enhance the quality of court reporting in Alabama.

I fully support the institution of an ethics rule in Alabama and I encourage the Board to do the same.

Thank you for your consideration.

**David Green
512 StoneyBrooke Way
Montgomery, Alabama 36117**

Brandy

From: Gina Haislip <gina@haisliprigan.com>
Sent: Thursday, January 31, 2013 7:35 AM
To: deh@hendersondepo.com
Cc: brandyisenhour@gmail.com
Subject: Proposed Amendment

I support the proposed the rule change/ amendment that will be before the Board on February 1, 2013.

Gina L. Haislip, RPR
ACCR No. 263

Brandy

From: Donna <deh@hendersondepo.com>
Sent: Thursday, January 31, 2013 5:13 PM
To: Brandy
Subject: Support ABCR Proposed Rule Changes

Two more supporters

Donna Henderson

Begin forwarded message:

From: "Rod Polion" <rod@hendersondepo.com>
Date: January 31, 2013 1:55:13 PM MST
To: "Donna Henderson" <deh@hendersondepo.com>
Subject: ABCR Proposed Rule Changes

Hi Donna,

This is an email to support ABCR Code of Ethics being enforced. I have been in Litigation Support for over 10 years and know the nightmares of gift giving and receiving. As employees of LGS, we all here support the efforts to limit gift giving, and the Standards of Professional Conduct.

Ashley Mathews

&

Rod Polion

205-563-4968

Brandy

From: Donna <deh@hendersondepo.com>
Sent: Thursday, January 31, 2013 5:11 PM
To: Brandy
Subject: SUPPORT ABCR rule change

Brandy, supporting email.

Donna Henderson

Begin forwarded message:

From: "lisa ." <tigerett007@yahoo.com>
Date: January 31, 2013 1:56:53 PM MST
To: "deh@hendersondepo.com" <deh@hendersondepo.com>
Subject: Rule Change
Reply-To: "lisa ." <tigerett007@yahoo.com>

Donna,

First of all, I'd like to say thank you for your hard work in pushing for a statewide rule regarding gift giving to the legal firms. I am behind you one hundred percent.

I have been a court reporter for about 14 years, working with Court Reporting Associates in Dothan. We have lost clients over court reporting firms providing the secretaries with gift cards, et cetera. It becomes very frustrating whenever they have called us for many, many years, and then they have a secretary that would like to get a Dillard's gift card, or American Express.

We have some wonderful clients that are not interested in how many points they, or their secretary, are going to get, or how much they get in a gift card. They are very dedicated to us. On the otherhand, I can't control those offices who are not looking out for their client, but themselves.

I'm behind you one hundred percent. If there is anything I can do, please let me know.

Lisa Bryan

Brandy

From: Leann Maroney <lmaroney615@bellsouth.net>
Sent: Thursday, January 31, 2013 5:29 PM
To: brandyisenhour@gmail.com
Subject: Proposed ABCR Code of Ethics

Hi, Brandy. I have been a freelance reporter in Alabama for 29 years. ABCR has my total support in their attempt to pass the proposed Code of Ethics. It's the right thing to do.

LeAnn Maroney
Bain & Associates
1250 Financial Center
Birmingham, AL 35203

and obligations.

7) Determine fees independently, except when established by statute or court order, entering into no unlawful agreements with other reporters on the fees to any user.

8) Refrain from giving, directly or indirectly, any gift or anything of value to attorneys or their staff, other clients or their staff, or any other persons or entities associated with any litigation, which exceeds \$100 in the aggregate per recipient each year. Nothing offered in exchange for future work is permissible, regardless of its value. Pro bono services as defined by the NCRA Guidelines for professional Practice or by applicable state and local laws, rules and regulations are permissible in any amount.

9) Maintain the integrity of the reporting profession.

10) Abide by the ABCR Rules and Regulations and Statutes.

|
Your support is appreciated! Let's hold Alabama court reporters to the highest ethical standards.

**Sincerely,
Greta Duckett, AL-CCR, RPR, CRR**



This message was sent to marla@mintercourtreporting.com from:

Greta Duckett | 3821 Robbins Road | Montgomery, Alabama 36109

[Manage Your Subscription](#)

Email
Marketing
by

Greta Duckett, CCR, RPR, CRR
3821 Robbins Road
Montgomery, AL 36109
(334)322-1340

Addendum to comments on proposed rule 257-X-4-.02 ABCR ETHICS

Alabama Board of Court Reporting:

Please allow me to submit an addendum to my comments regarding the above-referenced rule.

Opponents of the proposed ethics rule argue that section 8 in the rule would prohibit court reporters from sponsoring exhibits, etc. at secretaries/paralegals/bar associations' conventions. This is a very broad and hysterical interpretation of what the rule may or may not allow. I understand that the ABCR will interpret its own rules, but I requested an opinion from NCRA regarding this position. I believe that the NCRA statement is a good interpretation to rely on until the rule is in place and ABCR may make its own interpretations of the rule.

As a result of my inquiry to NCRA, I received the following response from NCRA Ethics Counsel.

Dear Greta – Adam forwarded your email to me since I am Ethics Counsel for NCRA and the staff liaison to COPE. Provision 8 of the Code limits the amount of gifts that can be given by an NCRA member to any persons or entities (I'm paraphrasing here) associated with any litigation. I discussed this with the COPE chair and we believe that an association is not associated with any litigation, so a sponsorship, exhibit, ad, etc. connected to an association would not be a gift.

I hope this helps. If you would like an official opinion from COPE, please feel free to request one. All you need to do is send an email to me outlining the issue and requesting the opinion. Please don't hesitate to contact me directly if you have any other questions.

Regards,

**Mona
Mona Savino
Ethics Counsel
NCRA: Setting the Standard for Capturing the Record
8224 Old Courthouse Road
Vienna, VA 22182
www.ncra.org**



National Court Reporters Association
8224 Old Courthouse Road
Vienna, VA 22182-3808
Tel: 703-556-6272
Fax: 703-556-6291
www.ncra.org

January 31, 2013

Alabama Board of Court Reporting
P.O. Box 241565
Montgomery, AL 36124

Re: Proposed Rule 257-X-4-.02 Concerning Ethics

To Whom it May Concern:

On behalf of the National Court Reporters and the 19,000 stenographic court reporters, captioners, and CART providers that we represent nationwide, I am writing in support the Proposed Rule 257-X-4-.02, offered by the Alabama Board of Court Reporting.

With the general subject of ethics being held in such high esteem by NCRA, we remain a major proponent of ensuring general ethical obligations in court reporters. I would like to single out Provision 8 due to the potential controversy regarding its inclusion. This rule is quite comparable to the requirements set out in NCRA's Code of Professional Ethics and can be broken into two parts for explanation.

The first part of ABCR's proposed Provision 8 states that a court reporter shall "refrain from giving, directly or indirectly, any gift or anything of value to attorneys or their staff, other clients or their staff, or any other person or entities associated with any litigation, which exceeds \$100 in the aggregate per recipient each year." This section of Provision 8 prevents court reporters from offering excessive gifts to clients without preventing legitimate and acceptable business practices like taking a client out to dinner, offering a gift-basket during the holiday season, or other similar practices, as long as the cumulative total remains below the \$100 limit per client per year. NCRA worked closely with the Department of Justice to help develop these requirements ensuring that they do not limit fair competition between court reporters and court reporting firms while maintaining the integrity of the judicial system and the official record.

This section also includes the statement, "Nothing offered in exchange for future work is permissible, regardless of its value." In particular, this statement prevents certified court reporters from offering clients incentive gifts of any kind to receive their business. Incentive gifts provide the appearance of a "quid pro quo" where an incentive is offered to a potential client who then tenders business opportunities to the court reporter. This sort of ethical dilemma can impugn the integrity of the court reporter effectively calling into question the neutrality of the reporter themselves. By banning incentive gifts in court reporting, the ABCR prevents even the

appearance of impartiality which will help ensure that the Alabama public maintains their faith in the American judicial system.

Once again, NCRA strongly supports the ethical obligations offered by Proposed Rule 257-X-4-.02. By requiring that all certified court reporters adhere to specific and measurable standards, consumers of court reporting services and the public can be assured that the services and products provided by a court reporter are without reproach and all parties are treated fairly.

If you have any questions or if NCRA can serve as a resource with regards to ethics with court reporting, please contact me directly at president@ncra.org, or Senior Government Relations Specialist Adam Finkel at 703-584-9059.

Sincerely,

A handwritten signature in cursive script that reads "Tami Smith".

Tami Smith, CSR, RPR, CPE
2012-2013 NCRA President

Brandy

From: Jim Cudahy <jcudahy@ncra.org>
Sent: Tuesday, February 05, 2013 2:59 PM
To: brandyisenhour@gmail.com
Cc: Adam Finkel; Tami Smith
Subject: Alabama ethics rule - NCRA opinion
Attachments: Letter of Support - AL.pdf

I just want to make sure you received NCRA's letter of support from President Tami Smith and want to reiterate that NCRA believes that the Alabama Board of Court Reporting has been given the responsibility by the legislature to promulgate and enforce rules and has express responsibility over the court reporting profession and the behaviors and sanctions of professionals providing court reporting services in the state of Alabama.

Establishing a Code of Ethics and corresponding best practices is critical to protecting the integrity of the record and those who provide the record. As with any governing board, it is prudent to listen to all sides and in the end the Board is charge with deciding what is best for the rules governing the profession. We support your charge of creating rules that will establish fair and impartial guidelines that will ultimately lead to a stronger profession based on consumer fairness and protection.

The citizens of Alabama deserve no less.

Best regards,

Jim Cudahy, CAE
NCRA Executive Director & CEO

TO: Alabama Board of Court Reporting
FROM: MARGE TEILHABER
DATE: January 30, 2013
RE: I am in favor of instituting an ethics rule.

Court reporters need to be held to a high standard and an ethics rule should be put in place to achieve this goal. You could use this from the NCRA:



CODE OF PROFESSIONAL CONDUCT

Preamble

The mandatory Code of Professional Ethics defines the ethical relationship the public, the bench, and the bar have a right to expect from a Member. The Code sets out the conduct of the Member when dealing with the user of reporting services and acquaints the user, as well as the Member, with guidelines established for professional behavior. The Guidelines for Professional Practice, on the other hand, are goals which every Member should strive to attain and maintain. Members are urged to comply with the Guidelines and must adhere to local, state and federal rules and statutes. It should be noted that these guidelines do not exhaust the moral and ethical considerations with which the Member should conform, but provide the framework for the practice of reporting. Not every situation a Member may encounter can be foreseen, but a Member should always adhere to fundamental ethical principles. By complying with the Code of Professional Ethics and Guidelines for Professional Practice, Members maintain their profession at the highest level.

CODE OF PROFESSIONAL ETHICS

A Member Shall:

Be fair and impartial toward each participant in all aspects of reported proceedings, and always offer to provide comparable services to all parties in a proceeding.

Be alert to situations that are conflicts of interest or that may give the appearance of a conflict of interest. If a conflict or a potential conflict arises, the Member shall disclose that conflict or potential conflict.

Guard against not only the fact but the appearance of impropriety.

Preserve the confidentiality and ensure the security of information, oral or written, entrusted to the Member by any of the parties in a proceeding.

Be truthful and accurate when making public statements or when advertising the Member's qualifications or the services provided.

Refrain, as an official reporter, from freelance reporting activities that interfere with official duties and obligations.

Determine fees independently, except when established by statute or court order, entering into no unlawful agreements with other reporters on the fees to any user.

Refrain from giving, directly or indirectly, any gift, incentive, reward or anything of value to attorneys, clients, witnesses, insurance companies or any other persons or entities

Brandy

From: Sherry Wilson <sherry.wilson420@gmail.com>
Sent: Monday, February 04, 2013 4:58 PM
To: brandyisenhour@gmail.com
Subject: Rule and Reg Amendment regarding Ethics

This is just a quick note to say I support ABCR proposed rule and regulation amendment regarding ethics.

Thanks so much!

--

Sherry Wilson, CCR, ACCR-118
Official Court Reporter to
Hon. Robert T.R. Bailey
Circuit Judge
15th Judicial Circuit
(334)240-7359
(205)908-1860
sherry.wilson420@gmail.com
sherry.wilson@alacourt.gov

Brandy

From: deborah schaffer <dschaffer.associates@gmail.com>
Sent: Tuesday, February 05, 2013 7:55 AM
To: Brandy
Subject: Re: ABCR Newsline now available!

Brandy, yes, I am in support of the proposed rule and regulation amendment regarding ethics. Please, count on me for support on the proposed amendment.
Deborah Schaffer
ACCR # 136

On Mon, Jan 28, 2013 at 4:40 PM, Brandy <brandyisenhour@gmail.com> wrote:

Important proposed Rules and Regulations inside Please read!

<http://www.abcr.alabama.gov./pdfs/newsletters/NewslineIssueIII01-13.pdf>



Leadership Alliance
www.leadershipalliance.com

Brandy L. Isenhour
Executive Director

Leadership Alliance, LLC
Professional Asset Management
421 E. 12th St., Suite 200
Tomball, TX 77375
Phone: 281.291.2200
Fax: 281.291.2201
brandy@leadershipalliance.com

Associations

- Alabama Board of Court Reporting
www.abcr.alabama.gov
- Alabama Board of Examiners of Marriage and Family Therapists
www.abemf.org
- Alabama Board of Home Medical Equipment Services Providers
www.abhmes.com
- Alabama Licensed Board of Engineers and Architects
www.ala-engineers.com
- Alabama State Board of Respiratory Therapists
www.abrt.alabama.gov

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Brandy

From: Donna Henderson <deh@hendersondepo.com>
Sent: Monday, February 04, 2013 9:27 AM
To: brandyisenhour@gmail.com
Subject: SUPPORT ABCR Proposed Amendment

Brandy, another email of support.

-----Original Message-----

From: Tracie Blackwell [<mailto:tsblackwell@charter.net>]
Sent: Thursday, January 31, 2013 7:22 AM
To: deh@hendersondepo.com
Subject: Proposed Amendment

I support the proposed the rule change/ amendment that will be before the Board on February 1, 2013.

Tracie Sadler Blackwell
ACCR No. 294

Brandy

From: Nanekberg@aol.com
Sent: Monday, February 04, 2013 10:16 AM
To: brandyisenhour@gmail.com
Subject: ethics practices

Dear Friends,

I am aware of a practice among some employees in law firms who steer clients to certain court reporting companies because they receive gifts from the court reporting firms to their law firms called "points" for doing so. These "points" are converted into gifts to the employee as a favor for the recommendation to the client to use the specific court reporting firm. This should be against ethics practice...and according to your standard of ethics...it is:

8) Refrain from giving, directly or indirectly, any gift or anything of value to attorneys or their staff, other clients or their staff, or any other persons or entities associated with any litigation, which exceeds \$100 in the aggregate per recipient each year. Nothing offered in exchange for future work is permissible, regardless of its value. Pro bono services as defined by the NCRA Guidelines for professional Practice or by applicable state and local laws, rules and regulations are permissible in any amount.

I hope you will work to end this practice.
Nancy Ekberg
Birmingham Alabama

TO: Alabama Board of Court Reporting
FROM: Celeste O. Riddle, ACCR #127, RPR, RMR
DATE: February 1, 2013
IN RE: Proposed Ethics

I am writing as a Retired Official Court Reporter with 30+ years and a current freelance court reporter. I am in support of ABCR adopting the National Court Reporters Association Code of Ethics.

Brandy

From: Donna Henderson <deh@hendersondepo.com>
Sent: Monday, January 28, 2013 3:15 PM
To: brandyisenhour@gmail.com
Subject: Support of ABCR rules changes

Another support email

From: Swedoodin@aol.com [<mailto:Swedoodin@aol.com>]
Sent: Monday, January 28, 2013 3:15 PM
To: deh@hendersondepo.com
Subject: Re: MEETING ON ABCR PROPOSED RULE CHANGES -- PLEASE READ ASAP AND LET YOUR VO...

Hi, Donna

Unfortunately, I won't be able to attend the meeting on February 1st, but you have my FULL support on the rule change. I wish this would have been addressed a long time ago! Thanks so much for being an advocate of this new change!

Kaye Ruiz
Elite Reporting Agency
P.O. Box 1126
Gadsden, AL 35902
256-546-2411 (office)
256-312-2010 (cell)

In a message dated 1/28/2013 1:06:40 P.M. Central Standard Time, deh@hendersondepo.com writes:

DATE CORRECTION: February 1, 2013, 9:00 a.m., ABCR office, 2011 Berry Chase Place, Montgomery, AL 36117

From: Donna Henderson [<mailto:deh@hendersondepo.com>]
Sent: Monday, January 28, 2013 12:34 PM
To: deh@hendersondepo.com
Cc: deh@hendersondepo.com
Subject: FW: MEETING ON ABCR PROPOSED RULE CHANGES -- PLEASE READ ASAP AND LET YOUR VOICE BE HEARD...

Please read below. Thanks so much.

From: Donna Henderson [<mailto:deh@hendersondepo.com>]
Sent: Monday, January 28, 2013 12:22 PM
To: deh@hendersondepo.com
Cc: deh@hendersondepo.com; Michael Woolley; ashley.arrowood@gmail.com; kimdowdy@hendersondepo.com;

Brandy

From: Deh562@aol.com
Sent: Monday, January 28, 2013 3:38 PM
To: brandyisenhour@gmail.com
Subject: Support of ABCR proposed changes

Brandy, another lawyer in support of the changes

Henderson & Associates Court Reporters, Inc.
5 North Royal Street, Suite 200
Mobile, Alabama 36602
251-694-0950
251-508-0443

From: mworel@DKOLAW.COM
To: Deh562@aol.com
Sent: 1/28/2013 3:35:49 P.M. Central Standard Time
Subj: Re: ABCR proposed changes -- adopting a National Code of Ethics for Court Re...

Absolutely I'm in support -M

Sent from my iPad

On Jan 28, 2013, at 2:13 PM, "Deh562@aol.com" <Deh562@aol.com> wrote:

Please read below. Thank you so much!

Henderson & Associates Court Reporters, Inc.
5 North Royal Street, Suite 200
Mobile, Alabama 36602
251-694-0950
251-508-0443

From: Deh562@aol.com
To: deh@hendersondepo.com, Deh562@aol.com
Sent: 1/28/2013 2:53:32 P.M. Central Standard Time
Subj: ABCR proposed changes -- adopting a National Code of Ethics for Court Reporting

To all concerned with court reporters following a National Code of Ethics: It is urgent to review the following information and make your decision on whether you are for or against the following recommended rule change by our licensing board (ABCR). Please read below.

Brandy

From: kfc21 <kfc21@bellsouth.net>
Sent: Thursday, January 31, 2013 10:54 AM
To: brandyisenhour@gmail.com
Subject: Proposed ABCR Rule Change

Ms. Isenhour,

As a court reporter working in Mobile, Alabama, I am strongly in favor of the recommended rule change regarding gifting in our code of ethics. I believe it is a necessary rule which court reporters and court reporting firms should follow.

Thank you for your consideration in this matter and have a wonderful day.

Sincerely,
Kathy Cavazos, CCR, RPR

Brandy

From: Donna Henderson <deh@hendersondepo.com>
Sent: Monday, January 28, 2013 2:31 PM
To: brandyisenhour@gmail.com
Subject: In support of ABCR rule changes

Brandy, a support letter from an attorney!!!

From: Brian Murphy [<mailto:brian@dbmurphy.com>] **On Behalf Of** Brian Murphy
Sent: Monday, January 28, 2013 2:29 PM
To: Donna Henderson
Subject: Re: ABCR proposed changes -- adopting a National Code of Ethics for Court Reporting

I support you Donna! And the proposed changes.

-Brian

Brian Murphy
Braswell Murphy, LLC
59 Saint Joseph Street

Mobile, Alabama 36602
t: 251.438.7503

c: 251.689.7972

f: 251.438.7949

www.braswellmurphy.com

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Thank you

Brandy

From: Donna Henderson <deh@hendersondepo.com>
Sent: Monday, January 28, 2013 2:33 PM
To: brandyisenhour@gmail.com
Subject: Support of ABCR rule changes

Brandy, another attorney in support of changes

From: Michael Upchurch [<mailto:meu@FrazerGreene.com>]
Sent: Monday, January 28, 2013 2:37 PM
To: Donna Henderson
Subject: RE: ABCR proposed changes -- adopting a National Code of Ethics for Court Reporting

I support this.

Michael E. Upchurch, Esquire
Frazer, Greene, Upchurch & Baker, L.L.C.
P.O. Box 1686
Mobile, Alabama 36633
PH: (251) 431-6020
FX: (251) 431-6030

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From: Donna Henderson [<mailto:deh@hendersondepo.com>]
Sent: Monday, January 28, 2013 2:23 PM
To: deh@hendersondepo.com
Cc: deh@hendersondepo.com
Subject: ABCR proposed changes -- adopting a National Code of Ethics for Court Reporting

To all concerned with court reporters following a National Code of Ethics: It is urgent to review the following information and make your decision on whether you are for or against the following recommended rule change by our licensing board (ABCR). Please read below.

Donna Henderson

From: Arrnewton <arrnewton@aol.com>
Sent: Tuesday, January 29, 2013 4:11 PM
To: deh@hendersondepo.com
Subject: Re: ABCR SUPPORT FOR RULE CHANGES

Just wanted to send my support of this bill. We need to get this passed. Thanks for making sure our voices are heard!

Amber Newton

-----Original Message-----

From: Donna Henderson <deh@hendersondepo.com>
To: deh <deh@hendersondepo.com>
Cc: deh <deh@hendersondepo.com>
Sent: Tue, Jan 29, 2013 3:46 pm
Subject: ABCR SUPPORT FOR RULE CHANGES

Hey Everyone!!! Just a reminder to make sure you let ABCR know how you feel about the proposed changes in our rules. I am taking a packet of emails up from various reporters of support. Send your thoughts to me or to Brandy at ABCR as indicated below! Let me know if you would like to go to Montgomery with us on Friday for the hearing!!! Thanks everyone!!! Have a great day!!!

To all concerned with court reporters following a National Code of Ethics: It is urgent to review the following information and make your decision on whether you are for or against the following recommended rule change by our licensing board (ABCR). Please read below.

I am asking each of you who have an interest in our Code of Ethics being enforced to send me an email of support. If not me, then you may send an email of support to the Alabama Board of Court Reporting, ABCR, orandyisenhour@gmail.com, or more importantly if you can attend the meeting in Montgomery, Alabama, on Friday,

Subj: **ABCR Proposed Rule Changes**
Date: 1/29/2013 1:55:26 P.M. Central Standard Time
From: shelly@hendersondepo.com
To: Deh562@aol.com
Donna,

While I have only worked for this firm for about 1 year, I have quickly learned from you and your employees how to operate ethically in this industry. You have taught us to produce a quality product and we will get business in return. I believe the practice of gifting puts independent reporters at a particular disadvantage. Unfortunately, not everyone makes their decisions based on quality but rather on what is in it for them.

I fully support the ABCR proposed rule changes. When gifting is no longer allowed, then all reporters whether independent or associated with a court reporting firm will be on a level playing field.

Shelly Davis
Office Assistant
HENDERSON & ASSOCIATES
Court Reporters, Inc
5 North Royal Street, Suite 200
Mobile, AL 36602
(251) 694-0950
www.hendersondepo.com

Go to www.hendersondepo.com to access our Online Repository!

View transcripts on your iPhone, iPad or Blackberry device!

Donna Henderson

From: annchef@gulftel.com
Sent: Tuesday, January 29, 2013 1:08 PM
To: deh@hendersondepo.com
Subject: ABCR rule changes

Three years ago when I started working for Henderson & Associates I never thought much about how or why a firm chose a court reporter to work with. I guess I just assumed that it would be the one that provided the best service not the one that offered gifts or a rewards system. I now see how, like in other areas of life, some choose to not do what is right and ethical but what is easiest and the most beneficial to #1(themselves). As a mother of 3 I have taught my children that right is right and wrong is wrong and try hard to stay away from the grey areas. Sometime doing the right thing is not popular and it may upset others but down the road you will be blessed. I am proud to say that I work for a company that chooses to stay away from those grey areas and do what is ethical and right even if it means not gaining the business of some firms. Obviously Henderson & Associate have received the blessing of trying to operate an ethical business because they have been successful since 1996. I find it a bit amusing that the educators of our children are not allowed to except gift that exceed \$25 as a simple Thank You, Merry Christmas, Happy Valentine's Day, etc. Especially since they are the ones spending a large amount of time with the most important things in our lives, our children, BUT others professions can accept very extravagant gifts just for giving someone their business.

I support ABCR proposed rule changes.

Ann Ellison

Donna Henderson

From: Mary Caylor Mosley <mcc@hendersondepo.com>
Sent: Tuesday, January 29, 2013 1:15 PM
To: 'Donna Henderson'
Subject: ABCR PROPOSED RULE CHANGES

I have been blessed to work for Henderson & Associates for twelve years. Along my journey at Henderson & Associates I have been very educated about ethics in a court reporting firm. I was taught from day one the rights and wrongs in this industry. As the years have gone by I have been at times very shocked to discover other firm's practices. At Henderson, I have learned to always do the right thing, this is a service first industry and our business strives to be the best we can be. I understand other firms practice this as well, but one thing has always set us apart and that is being an ethical firm.

Gift giving is a wrong and unethical practice.

I fully support ABCR and the proposed rule changes.

Mary Caylor Mosley

Office Manager

HENDERSON & ASSOCIATES

Court Reporters, Inc

An Ethics First firm...

5 North Royal Street, Suite 200

Mobile, AL 36602

(251) 694-0950

WWW.HENDERSONDEPO.COM

Go to www.hendersondepo.com to access our Online Repository!

View transcripts on your iPhone, iPad or Blackberry device.



National Court Reporters Association
8224 Old Courthouse Road
Vienna, VA 22182-3808
Tel: 703-556-6272
Fax: 703-556-6291
www.ncra.org

January 31, 2013

Alabama Board of Court Reporting
P.O. Box 241565
Montgomery, AL 36124



Re: Proposed Rule 257-X-4-.02 Concerning Ethics

To Whom it May Concern:

On behalf of the National Court Reporters and the 19,000 stenographic court reporters, captioners, and CART providers that we represent nationwide, I am writing in support the Proposed Rule 257-X-4-.02, offered by the Alabama Board of Court Reporting.

With the general subject of ethics being held in such high esteem by NCRA, we remain a major proponent of ensuring general ethical obligations in court reporters. I would like to single out Provision 8 due to the potential controversy regarding its inclusion. This rule is quite comparable to the requirements set out in NCRA's Code of Professional Ethics and can be broken into two parts for explanation.

The first part of ABCR's proposed Provision 8 states that a court reporter shall "refrain from giving, directly or indirectly, any gift or anything of value to attorneys or their staff, other clients or their staff, or any other person or entities associated with any litigation, which exceeds \$100 in the aggregate per recipient each year." This section of Provision 8 prevents court reporters from offering excessive gifts to clients without preventing legitimate and acceptable business practices like taking a client out to dinner, offering a gift-basket during the holiday season, or other similar practices, as long as the cumulative total remains below the \$100 limit per client per year. NCRA worked closely with the Department of Justice to help develop these requirements ensuring that they do not limit fair competition between court reporters and court reporting firms while maintaining the integrity of the judicial system and the official record.

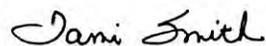
This section also includes the statement, "Nothing offered in exchange for future work is permissible, regardless of its value." In particular, this statement prevents certified court reporters from offering clients incentive gifts of any kind to receive their business. Incentive gifts provide the appearance of a "quid pro quo" where an incentive is offered to a potential client who then tenders business opportunities to the court reporter. This sort of ethical dilemma can impugn the integrity of the court reporter effectively calling into question the neutrality of the reporter themselves. By banning incentive gifts in court reporting, the ABCR prevents even the

appearance of impartiality which will help ensure that the Alabama public maintains their faith in the American judicial system.

Once again, NCRA strongly supports the ethical obligations offered by Proposed Rule 257-X-4-.02. By requiring that all certified court reporters adhere to specific and measurable standards, consumers of court reporting services and the public can be assured that the services and products provided by a court reporter are without reproach and all parties are treated fairly.

If you have any questions or if NCRA can serve as a resource with regards to ethics with court reporting, please contact me directly at president@ncra.org, or Senior Government Relations Specialist Adam Finkel at 703-584-9059.

Sincerely,

A handwritten signature in cursive script that reads "Tami Smith".

Tami Smith, CSR, RPR, CPE
2012-2013 NCRA President

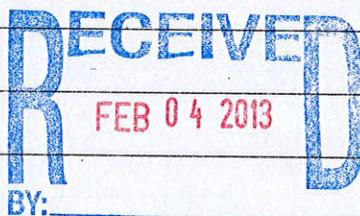
Feb 2, 2013

Dear Sir or Madam,

As a freelance reporter in the state of Alabama, I would like to show my support of the adoption of the Ethics First proposal to the Board's Rules and Regulations.

Sincerely,

Jimmy R. Gregory
CCR #B11



DEBORAH BANKS, CSR

COURT REPORTER

399 RAINBOW HAVEN
RAINBOW CITY, ALABAMA 35906

Phone: 256-442-6005
Email: banks.d@att.net

February 1, 2013

To whom it may concern:

As a freelance reporter in the State of Alabama, I wish to add my support to the adoption of the Ethics First proposal to the Board's Rules and Regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah L. Banks", with a long, sweeping flourish extending to the right.

Deborah L. Banks
CCR #137

Brandy

From: Guthans & Howard Court Reporting <t.guthans@harboraccess.com>
Sent: Thursday, February 07, 2013 6:32 PM
To: brandyisenhour@gmail.com
Subject: Support of New Ethics

Brandy,

I just got off the phone with Tammy August regarding some work we had done together. She brought up the New Ethics Rule vote, that you all had not heard from me. I sincerely apologized to her and I apologize to you and the Board, as well. I have been so overwhelmed with work for the last several months, on a couple of very large cases.

I am totally in support of the New Ethics Rule. I realize the deadline has passed, but I did not want you all to think by my not responding, that I was opposed. Better late than never? Just so you know where I am on this, I vote YES for the change.

Tami S. Guthans, CCR
Guthans & Howard Court Reporting
109 N. Conception Street, Suite 100
Mobile, Alabama 36602
(251)432-8703
(251)432-9707 Fax
t.guthans@harboraccess.com

Mailing Address:
Post Office Box 9245
Mobile, Alabama 36691

*Bain & Associates
Court Reporting Service, Inc.
505 20th Street North
Suite 1250
Birmingham, AL 35203*

February 4, 2013

Dear Board Member:

I would like to take the time to thank each board member for your time on this matter. To understand my view, you have to know something about my court reporting career which started back in 1979 when I graduated from Gadsden State Junior College with a degree in court reporting, an A.S. Degree, Magna Cum Laude.

I was taught that our position, whether freelance or official, was looked upon as an Officer of the Court. We are a neutral party, and as such, should conduct ourselves in this manner at all times when creating the record.

Here are a couple of scenarios I have run across in my career at Bain & Associates, that began in 1983 that involves ethics and contracting.

- 1. The attorney is impressed with my technology and abilities as a court reporter. He tells his secretary to call me. She calls, and if I do not offer points I do not get the work.*
- 2. Or they will call the firm and say, do you offer points? No. Click.*
- 3. I had a situation where my firm was the court reporter for Judge Hanes in the Jefferson County Courthouse. One of the attorneys for State Farm asked to bring a court reporter that is on contract with State Farm to "report" the case. It was pointed out to her by Judge Hanes that my firm was neutral and as such he preferred us to make the record. As a judge he was trying to protect his reputation along with the record.*

From as far back as in the '90s it is my contention that playing on a level field is all that reporting firms want. If ethics is not the answer, then give us a format that is used by all reporters throughout the state, same number of lines per page and characters per line. (pitch)

It is easy to say that attorneys are being charged a fair amount for their transcripts and that you choose to "give" some of it back, whether for charity, or out of the goodness of your heart to the secretaries. But, if you are cheating on your format and squeezing an extra page or two out of the transcript, you can afford to give the secretaries and attorneys a "rebate" because you are sliding in that extra cost per page. So, to me, the argument of "I choose to give back to my clients" may not hold water unless we are competing on a level playing field.

Give us freelancers the ability to compete! If I have a comparison of apples and oranges, what is the truth in that?

Back to the ethics question. As a reporter, I have been proud to be associated with the National Court Reporters Association and the Alabama Court Reporters Association. They are the backbone of our profession. All professionals, whether lawyers, accountants, etc. have professional associations that they look to for guidance in all areas of their career. They have CLEs which keeps us all abreast of new techniques and everyone benefits from that endeavor. Why are court reporters' ethics and rules looked at any differently than other professionals? Why should we accept lower standards to live by?

These are the questions I wrestle with every day as a firmowner. And as such, this is my dilemma. See, I was the only major firm in Birmingham that did not offer points up until about 5 years ago. I was out there by myself for over 20 years. I have been a leader in providing the legal community in technology and in bringing new ideas to the marketplace; i.e., Trial Presentation using Trial Director, Digital scanning of documents and Summation training and database work as an outsource for document management. I have been thinking outside of the box to bring business in. I did this without giving points to clients to get in the door. But I could not break the inside code on the points program and gifts which left us with less court reporting work.

So, I decided I would level the playing field and go with all the firms in B'ham giving bonus points and go over to "their" side. Not because I want to but because my court reporters have to survive.

Please take note that there is a wave of consciousness going on with the firms in Birmingham and throughout the state. More and more some of the major law firms are coming out against taking "bonus points" from vendors. Some of these are: Bradley, Arant, Lightfoot, Franklin, and Adams Reese more recently. There must be a reason they are taking the time to address this issue on ethics and to police their workplace.

This is not for me a win or lose situation. I have tried to level the field the best I can. I will leave to the Board and its attorneys the questions that came up at the meeting to be ruled on, such as the question of taking a friend to dinner that goes over \$100.00, or the sponsorship of an event, or even whether an attorney can get married at her mom and dad's house! I have full confidence that the legal matters will be handled by those more in a position to do so than I.

This is a cry from those of us who have high standards in regard to court reporting, who have graduated from an accredited school and have taken the time over the years to share our love and passion for the profession by mentoring students, teaching them what "neutral" means and what keeping the record entails. This is asking to do what is right for our profession.

Our court reporting schools' enrollment is down, the morale of the court reporters out in the field is low, and it's time for us to step up and start putting the pendulum back to the middle so that those coming behind us can say they are proud to be a court reporter again.

Sincerely,

*Sandy Bain Moon
President*

Brandy

From: Vila Davenport <viladavenport@gmail.com>
Sent: Wednesday, February 06, 2013 9:28 AM
To: brandyisenhour@gmail.com
Subject: Ethics Rule Changes

I agree wholeheartedly with the proposed rule changes for our professional conduct. You may count me as an affirmative vote.

Thanks for your work on this proposal

Vila Davenport

Sent from my iPhone

Brandy

From: Laura H. Nichols <lnichols@tylereaton.com>
Sent: Wednesday, February 06, 2013 9:03 AM
To: brandyisenhour@gmail.com
Subject: I would like the ethics rule to pass

Laura H. Nichols
lnichols@tylereaton.com
205.612.1901

Brandy

From: Janet Smith <janet.smith@alacourt.gov>
Sent: Wednesday, February 06, 2013 7:08 AM
To: brandyisenhour@gmail.com

For the rules of ethics

*Janet Smith, CCR
Official Court Reporter - 195
37th Judicial Circuit
2311 Gateway Drive, Ste. 206
Opelika, AL 36801*

Brandy

From: Shelagh . <shelagh56@gmail.com>
Sent: Wednesday, February 06, 2013 6:59 AM
To: brandyisenhour@gmail.com
Subject: Support of CHAPTER 257-X-4-.02 ABCR Ethics

To the ABCR Board:

This is to inform you that I AM IN SUPPORT of the proposed changes of CHAPTER 257-X-4-.02. I believe the integrity of our profession depends on it.

Shelagh Dunckley

Consultant, Thirty-One Gifts

Visit My Webpage at:

www.mythirtyone.com/shelagh

Brandy

From: parianrnr@aol.com
Sent: Tuesday, February 05, 2013 8:14 PM
To: brandyisenhour@gmail.com
Subject: Proposed Rule Change Regarding Ethics

Dear Brandy,

I am writing in support of the Rule Change being proposed by the Board. I am a member of both NCRA and ACRA and they both adhere to this high standard of ethics. It is my hope that all court reporters in the state of Alabama will do the same.

It was wonderful to meet you in Birmingham. Again, thanks for the all the great work you do on your behalf.

Sincerely,
Parian

*Parian T. Holderfield
Registered Merit Reporter
Certified Realtime Reporter
Official Court Reporter*

*Madison County Courthouse
100 N. Side Square
Huntsville, Alabama 35801*

256-532-3436

Brandy

From: Jeana Boggs <jmboggs@boggsreporters.com>
Sent: Tuesday, February 05, 2013 7:34 PM
To: brandyisenhour@gmail.com
Cc: 'Greta Duckett'; ilovedigitalcat2@hotmail.com
Subject: Proposed Rule for ABCR Certified Court Reporters
Attachments: Boggs LLC (jmboggs@boggsreporters.com).vcf; Boggs LLC (jmboggs@boggsreporters.com).vcf

Hello, Brandy,

This is to advise you that I am in favor of the "Proposed Rule," **257-X-4-.02 ABCR ETHICS**.

Even though you have no jurisdiction over court reporting firms and what they do as a corporation, this would only apply to the individual court reporter, unless a DQR (designated qualifying representative) is included in this Rule, i.e. Alabama Home Builders Licensure Board. The HBLB board establishes and enforces the rules and regulations for individual home builders and/or their designated qualifying representative of a corporation.

This is something that needs to be studied; otherwise, the ABCR would not and does not have jurisdiction over court reporting firms and their gifts to attorneys and charitable organizations.

Thank you,
Jeana Boggs

Jeana S. Boggs • CSR, CCR, CIOV

Boggs Reporting & Video LLC
492 South Court Street, Montgomery, AL
334.264.6227 • 800.397.5590
www.boggsreporters.com

Brandy

From: Rick Tyler <rtyler@elmore.rr.com>
Sent: Tuesday, February 05, 2013 6:13 PM
To: brandyisenhour@gmail.com
Subject: Ethics rules

I am in support of the new ethics rules regarding gifting, et cetera.

Ricky Tyler
CCR#19

Sent from my iPad

Brandy

From: Jennifer Lee <rossl576@aol.com>
Sent: Tuesday, February 05, 2013 5:37 PM
To: brandyisenhour@gmail.com
Subject: Amendment

I support the new amendment. It's good for our profession.
Thanks,
Jennifer Lee, CCR 97
205-613-5907
Sent from my iPhone

Brandy

From: Eddie Howard <havoc10@bellsouth.net>
Sent: Tuesday, February 05, 2013 5:05 PM
To: brandyisenhour@gmail.com
Subject: Ethics

I wholeheartedly agree with the amendment.
Thank you for your hard work on behalf of our profession

Eddie Howard
CCR #419

Brandy

From: MARLA AVERY MINTER <marla@mintercourtreporting.com>
Sent: Tuesday, February 05, 2013 4:51 PM
To: Greta Duckett; Brandy Isenhour
Cc: clarkcourtrptg@aol.com
Subject: Re: Support ethics for court reporters

To Whom It May Concern,

I am in full support of this long overdue ethics requirement for the court reporting profession in the State of Alabama. As the owner of a small, independent court reporting firm, I find that we are often bypassed for jobs based upon the unscrupulous gifting and giving of larger court reporting firms.

This practice of gifting is reprehensible, and is a blight on our profession. It one hundred percent creates an atmosphere of favoritism, which is in conflict with the oath we take as a court reporting and the certificate pages we sign with each and every job. Furthermore, this practice calls into question of violation of federal and state laws by attorneys, paralegals, and legal secretaries who benefit by receiving thousands of dollars in tax-free benefits each year from these gift-giving court reporting firms.

In a profession where honesty, integrity, and ethics are the key elements of our viability and sustainability, if these standards are not adopted and these unethical practices are not halted, how long will it be before we begin to receive reports where transcripts are being changed by court reporters and court reporting firms who pass along the vast majority of these gifts for fear of losing their clients or even losing their "contracts"?

I fully support the adoption of this Code of Ethics. It is imperative to our survival, more so than the dreaded "electronic recording" issue at this particular time.

Sincerely,

Marla Avery Minter
ACCR #114
Minter Court Reporting
P. O. Box 741
Hamilton, AL 35570

----- Original Message -----

From: [Greta Duckett](#)
To: marla@mintercourtreporting.com
Sent: Wednesday, January 30, 2013 9:33 PM
Subject: Support ethics for court reporters



Please support ABCRCR proposed rule and regulation amendment regarding ethics

Dear Court Reporting Colleagues,

The [Alabama Board of Court Reporting](#) has proposed a code of ethics for court reporters, and I urge you to support this effort and send written comments to the Board.

(Text of rule below.) NCRA and ACRA both support and adhere to this code of ethics. It is a well-established code, and many states have adopted the code as a rule. Ethics is a very important issue in the court reporting profession. We must, as court reporters, hold ourselves to the highest possible ethical standard.

The ABCR will receive written comments regarding the proposed Rule and Regulation change through February 5, 2013.

Mail to:
ABCRCR
PO Box 241565
Montgomery, AL 36124

NCRA has recognized the importance of enforcing ethical behavior and has created a program called [Ethics First](#), a public awareness program that seeks to positively educate court reporters, colleagues, firms, and in particular, their clients and consumers about how and why the impartiality and neutrality of the court reporter is of the utmost importance in maintaining an unbiased legal system.

PROPOSED RULE

(The following may be found on the website of ABCRCR [here](#).)

The ABCRCR is proposing a change to the Board's

Rules and Regulations. Specifically, CHAPTER 257-X-4-.02 ABCR Ethics. For your convenience, the proposed rule change in its entirety is as follows:

"257-X-4-.02 ABCR ETHICS

The mandatory Code of Professional Ethics defines the ethical relationship the public, the bench, and the bar have a right to expect from a Licensee. The Code sets out the conduct of the member when dealing with the user of reporting services and acquaints the user, as well as the Member, with the guidelines established for professional behavior. The Guidelines for Professional Practice, on the other hand, are goals which every Member should strive to attain and maintain. Members are urged to comply with the Guidelines and must adhere to local, state and federal rules and statutes. It should be noted that these guidelines do not exhaust the moral and ethical considerations with which the Member should conform, but provide the framework for the practice of reporting. Not every situation a Member may encounter can be foreseen, but a Member should always adhere to fundamental ethical principles. By complying with the Code of Professional Ethics and Guidelines for Professional Practice, Members maintain their profession at the highest level.

A member shall:

- 1) Be fair and impartial toward each participant in all aspects of reported proceedings, and always offer to provide comparable services to all parties in a proceeding.
- 2) Be alert to situations that are conflicts of interest or that may give the appearance of a conflict of interest. If a conflict or a potential conflict arises, the Member shall disclose that conflict or potential conflict.
- 3) Guard against not only the fact but the appearance of impropriety.
- 4) Preserve the confidentiality and ensure the security of information, oral or written, entrusted to the Member by any of the parties in a proceeding.
- 5) Be truthful and accurate when making public statements or when advertising the Member's qualifications or the services provided.
- 6) Refrain, as an official reporter, from freelance reporting activities that interfere with official duties