

SHORTMAN REPORTING

Nov 14, 2008

FILED

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF COURT REPORTING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	<u>Administrative Action</u>
	:	
SHAUNNA MORAN, C.S.R.	:	
Certificate #: 30XI00213700	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE COURT REPORTING	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Court Reporting (hereinafter the "Board") upon its review of the 2006-2008 biennial renewal application of respondent Shaunna Moran, C.S.R. A review of this document revealed that the respondent answered "no" to the question in the renewal application inquiring as to whether she had satisfied the continuing education requirements mandatory for the renewal of her court reporting certificate. The Board has reviewed the renewal application, and other relevant documents on which the following findings of facts and conclusions of law are made:

FINDINGS OF FACTS

1. Respondent, Shaunna Moran, C.S.R., is a certified court reporter in the State of New Jersey and has been licensed at all times relevant hereto.

2. On or about August 2006, the Board office reviewed Ms. Moran's renewal application and noted that she advised that she had not completed the required continuing education courses for renewal of her certificate for the 2006-2008 licensure period.

3. In a correspondence dated September 2006, respondent provided an explanation to the Board as to why she had not completed the requisite continuing education. Ms. Moran explained, among other things, that she was unable to complete the credits due to time constraints and financial issues.

4. In a letter dated December 1, 2006, the Board advised Ms. Moran that it had reviewed her September 2006 letter and directed the respondent to comply with the applicable statutes and regulations governing the practice of court reporting. The Board granted her a six (6) month extension, until June 30, 2007, to fulfill the requirement for the completion of fifteen (15) continuing education credits.

5. In a letter dated May 11, 2007, the Board again advised Ms. Moran that it had granted her an extension to acquire the necessary continuing education credits by the extended date June 30, 2007. Additionally, the Board notified, in this correspondence, that failure to complete the required continuing education credits could subject her to disciplinary action.

6. To date, the respondent has neither responded to the Board's December 1, 2006 or May 11, 2007 letter nor demonstrated to the Board that she has satisfied the continuing education requirements for the 2006-2008 biennial renewal period.

CONCLUSIONS OF LAW

1. Respondent has not satisfied the requirements of N.J.S.A. 45:15B-3.1 and N.J.A.C. 13:43-7.1 and 7.2 with regard to the completion of the appropriate number of approved continuing education credits for the 2004-2006 renewal period and is therefore subject to sanctions pursuant to N.J.S.A. 45:1-21(h), namely, the failure to comply with the provisions of an act or regulation administered by the Board. The Board finds that this conduct constitutes grounds for the suspension or revocation of a certificate to practice court reporting as well as grounds for sanction pursuant to N.J.S.A. 45:1-25.

2. Respondent has failed to cooperate with the Board's December 2006 and May 11, 2007 directives to furnish it with proof that she has met and completed the continuing education requirements for both the biennial renewal period of 2004-2006 in violation of N.J.A.C. 13:43-7.1, N.J.A.C. 13:43-7.2 and N.J.A.C. 13:45C-1.3.

3. Respondent is subject to sanctions pursuant to N.J.S.A. 45:1-21(h), failure to comply with the provisions of an

act or regulation administered by the Board, which constitutes grounds for suspension or revocation of any certificate, registration or license, and grounds for sanction pursuant to N.J.S.A. 45:1-25.

DISCUSSION ON FINALIZATION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline, which, among other sanctions, provisionally suspended respondent's certificate to practice court reporting in the State of New Jersey until such time as the respondent completed the required continuing education, was entered on February 8, 2008, and a copy was served on the respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

In response to the Provisional Order, Ms. Moran provided to the Board correspondences dated February 13, 2008 and March 3, 2008. In these letters, she advised that she had been

unable to comply with the Board's requests and was unable to complete the required continuing education credits due to illness. She further indicated that she had registered for courses held in February and March 2008 in order to obtain the requisite credits. Hence, the respondent requested an extension of time within which to comply with the Board's directives and complete the continuing education courses, thereby satisfying her continuing education requirements for the 2006-2008 licensure period. Finally, Ms. Moran provided proof, in her March 2008 correspondence, that she had completed fourteen (14) of the fifteen (15) required continuing education courses.

The Board reviewed the respondent's submission at its May 12, 2008 meeting. Following its review of this matter, the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was persuaded that the submitted materials indicated that Ms. Moran was in the process of meeting her continuing education obligations, in that she had one (1) credit to obtain and had registered for courses to be held during the last week of March 2008.

Thereafter, the Board concluded to finalize the Provisional Order with modifications. Specifically, the Board voted to rescind the proposed suspension of the respondent's

certificate. Further, the Board concluded to give Ms. Moran thirty (30) days to submit proof of completion of the final course credit.

ACCORDINGLY, IT IS on this 30th day
of SEPTEMBER 2008 ORDERED that:

1. The certificate to practice court reporting in the State of New Jersey of the respondent, Shaunna Moran, C.S.R., shall remain active since she has, to date, completed all but one (1) continuing education credit. Respondent submitted proof of having completed all but one of the required continuing education credits as of May 2008. These continuing education credits are **not** to be used to renew respondent's court reporting certificate for the 2008-2010 renewal period. Proof of completion of the one outstanding credit shall be submitted to the Board within thirty (30) days of the entry of this Final Order.

2. Ms. Moran remitted payment in full of the civil penalty in the amount of **\$500.00**, pursuant to N.J.S.A. 45:1-25, on or about February 14, 2008. This amount was imposed for the respondent's failure to completely satisfy the continuing education requirements, in violation of N.J.S.A. 45:15B-3.1 and N.J.A.C. 13:43-7.1 and 7.2, and her failure to cooperate with the Board's written directives of December 2006 and May 11, 2007,

contrary to N.J.A.C. 13:43-7.1, N.J.A.C. 13:43-7.2 and N.J.A.C. 13:45C-1.3.

NEW JERSEY STATE BOARD
OF COURT REPORTING

By: 
MARIANNE CAMMAROTA, C.6.R.
President