

SHORTHAND REPORTING

1/27/2009

FILED

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

*Deanne L. Tomoroff*

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	<u>Administrative Action</u>
	:	
SEYMOUR KOPF, C.S.R.	:	
	:	CONSENT ORDER
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 Seymour Kopf, 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 he had satisfied the continuing education requirements mandatory for the renewal of his 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, Seymour Kopf, 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 May 22, 2006, the Board office reviewed the respondent's renewal application and noted that he advised that he had not completed the required continuing education courses for renewal of his certificate for the 2006-2008 licensure period.

3. In a letter issued in August 2006, the Board directed that the respondent provide a narrative explaining his failure to comply with the licensing renewal requirement of completing fifteen (15) continuing education credits.

4. Mr. Kopf, in a correspondence dated August 25, 2006, advised the Board that he was eighty-one (81) years old, semi-retired and had been a reporter for over forty (40) years. As such, the respondent maintained that continuing education in the reporting field was "not necessary" for him.

5. In a letter dated September 25, 2006, the Board directed Mr. Kopf to comply with the applicable statute and regulations governing the practice of court reporting and granted him a six (6) month extension, until March 31, 2007, to fulfill the requirement for the completion of fifteen (15) continuing education credits. In this correspondence, Mr. Kopf was advised that failure to complete the required continuing education credits could subject him to disciplinary action.

6. To date, the respondent has neither responded to the Board's September 25<sup>th</sup> letter nor demonstrated to the Board that he

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 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 September 2006 directives to furnish it with proof that he has met and completed the continuing education requirements for the biennial renewal period of 2006-2008 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 the 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 June 27, 2007 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.

Bernard F. Boglioli, Esquire, responded to the Provisional Order, on behalf of the respondent, in a correspondence dated July 24, 2007. In this letter, the respondent asserted that he was semi-retired and only intended to practice court reporting until the end of the current licensure period of 2006-2008. He further question whether the continuing education courses would be beneficial to him in this late stage of his professional life, being at eighty-one (81) years old and over forty (40) years of

experience in court reporting. Finally, the respondent advised that he would retire at the end of the 2006-2008 licensure period.

The Board reviewed the respondent's submission at its next available meeting. Based upon the reviewed submission, the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. Specifically, the Board, while recognizing and appreciating the respondent's longevity in life as well as in the practice of court reporting, concluded that a certificate holder is never too old to learn new information relative to the practice and found that if Mr. Kopf wanted to hold an active certificate and to continue to practice court reporting, he was required to comply with the law and complete the required continuing education credits. Thereafter, the Board voted to finalize the Provisional Order without modifications.

Prior to the finalization of this matter, Mr. Kopf contacted the Board office, via his legal counsel and during the time for the biennial renewal for the licensure period of 2008-2010, and agreed to have his certificate placed on inactive status for the new licensure period. The respondent's request was reviewed by the Board at its November 2008 meeting. 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 Mr. Kopf was no longer practicing in New Jersey. Thereafter, the Board voted to grant the

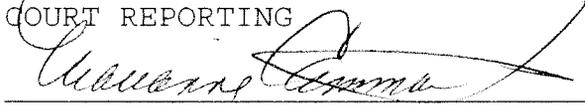
respondent's request that his court reporting certificate be placed in inactive status and to rescind the Provisional Order in its entirety.

ACCORDINGLY, IT IS on this 26<sup>th</sup> day of January 2009  
~~DECEMBER 2008~~ ORDERED that:

1. The Provisional Order entered against the Respondent, Seymour Kopf, C.S.R., on June 27, 2007, is hereby rescinded.

2. The respondent's certificate to practice court reporting in the State of New Jersey is hereby placed on inactive status, pursuant to N.J.S.A. 45:1-7.3(b), effective on the entry of this Final Order.

NEW JERSEY STATE BOARD  
OF COURT REPORTING

By: 

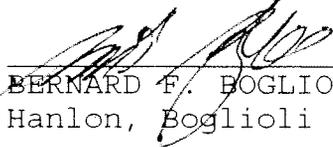
MARIANNE CAMMAROTA, C.S.R.  
President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

  
SEYMOUR KOPF, C.S.R

DATED:

Consented as to form and entry:

  
BERNARD F. BOGLIOLI, ESQUIRE  
Hanlon, Boglioli and Hanlon, P.C.

DATED: