

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, Fifth Floor
Post Office Box 45029
Newark, New Jersey 07101
Attorney for the New Jersey State
Board of Court Reporting

SHORT REPORTING

George L. Tomaragos

FILED

March 25, 2009

By: Olga E. Bradford
Deputy Attorney General
Tel. No. (973) 648-3696

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

IN THE MATTER OF :
: Administrative Action
:
DONNA E. KELLS, C.C.R. :
Certificate No. 30XI00120700 : CONSENT ORDER
:
TO PRACTICE COURT REPORTING :
IN THE STATE OF NEW JERSEY :
:
:

This matter was opened to the State Board of Court Reporting, (hereinafter the "Board") upon receipt of a reinstatement application for certification as a court reporter in this State filed by Donna E. Kells, C.C.R., on or about December 10, 2007.

Review of this matter revealed that Ms. Kells was licensed as a Court Reporter in this State on or about March 1, 1983. The Board's records indicate however that Ms. Kells' certificate expired on June 30, 2004 and that she failed to renew

her certificate since that date. Ms. Kells' certificate was automatically suspended without a hearing, pursuant to N.J.S.A. 45:1-7.1, based on her failure to renew her certificate. On or about December 10, 2007, Ms. Kells paid the renewal fee for the biennial period of 2004-2007.

Having reviewed the entire record, it appears to the Board, and Ms. Kells admitted, that she engaged in the practice of Court Reporting without a certificate after July 2004, in violation of N.J.S.A. 45:1-7.1(c). Specifically, Ms. Kells submitted information which indicated that she had engaged in the practice of court reporting in this state without a valid certificate after July 1, 2004 through and until December 2007.

It appearing that Donna Kells, C.C.R., desires to resolve this matter without the need for formal disciplinary proceedings; and the certificate holder acknowledging and not contesting the findings of fact and conclusions of law made by the Board; and the Board having been satisfied that the within resolution adequately protects the public health, safety and welfare, and other good cause appearing;

IT IS ON THIS ^{25th} DAY OF FEBRUARY 2009

HEREBY ORDERED AND AGREED THAT:

1. Donna E. Kells, C.C.R., is hereby formally reprimanded for her conduct as described above, namely, the unlicensed practice of court reporting, in violation of N.J.S.A.

45:1-7.1(c).

2. Ms. Kells is assessed a civil penalty in the amount of **\$1,000.00** for engaging in the unlicensed practice of court reporting in violation of N.J.S.A.45:1-7.1(c). Payment of the civil penalty shall be made by certified check or money order made payable to the State of New Jersey and submitted to the State Board of Court Reporting, to the attention of Dianne L. Tamaroglio, Executive Director of the Board, at 124 Halsey Street, Post Office Box 45019, Newark, New Jersey 07101 and sent simultaneously with the entry of this Order.

In the alternative, Ms. Kells may notify the Board office, prior to the entry of this Order, that she will pay the civil penalty, totaling \$1,000.00 in equal monthly installments of \$100.00 for a total of ten (10) months. The first payment shall be due on the fifteenth of each month beginning March 15, 2009 and every month thereafter until the total amount is paid in full.

Any failure to make any installment payment within ten (10) days of the due date shall cause the entire remaining balance to become immediately due and payable without further notice. Further, failure to pay the penalty within the time period allotted above will result in the filing of a Certificate of Debt, including the applicable interest permitted by the New Jersey Court Rules.

3. Ms. Kells has paid all past due renewal fees and the current renewal fee, totaling \$510.00 and her certificate was reinstated effective in or about January 2008.

4. Failure on the part of the respondent to pay the civil penalty or, in the alternative, the installment payments timely will result in the filing of a certificate of debt. Additionally, failure to pay the civil penalty or to comply with any of the terms of this Consent Order would constitute a violation of the Order, proof of which would constitute grounds for disciplinary action by the Board.

STATE BOARD OF MEDICAL EXAMINERS

By: 
MARIANNE CAMMAROTA, C.C.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 into this Order.


DONNA E. KELLS, C.C.R.

DATED:

3/4/09

MULTIPLE CHECKS SUBMITTAL FORM

Board Name:		COURT REPORTING		Board #:	1330	3/25/2009								
Prepared By:		DIANNE L. TAMAROGGIO												
Phone Number of Preparer:		6329												
#	Applicant/Licensee Name (Last/first)	12 Digit License #		FEE TYPE	Fines/Pen/Costs Complaint #	FEE AMOUNT	(Choose One) Waive or Cancel	Exec. Dir. Initials for Waive/Cancel of Fee	For Fiscal Use Only			Reject (Check)	Comments	
		OR	App ID#						Check/Money Order #	Process Receipt #	Process Date			Initials
1	KELLS, DONNA	427339	FINE		63421 2752	\$100.00								
3														
4														

2752

55-138/212

DATE 3/4/09 \$ 100.00 DOLLARS

PAY TO THE ORDER OF State of New Jersey

One hundred dollars

FOR 1st of 10 payments to state (car)

LIC# D 002752 # 021201383 # 040831825

Donna Kelly

Valley National Bank
 PACKAWACK OFFICE
 1804 ROUTE 25
 WAYNE, NEW JERSEY 07470

14														
15														
												# of Cks	1	\$100.00

COURT REPORTING

Applicant Name: **DIANNE L. TAMAROGGIO**
 Phone Number of Preparer: **6329**

Board #:

1330

3/25/2009

#	Applicant/Licensee Name (Last/first)	12 Digit License #		FEE TYPE	Fines/Pen/Costs		(Choose One)		Exec. Dir. Initials for Waive/Cancel of Fee	For Fiscal Use Only			Comments	
		OR	App ID#		Complaint #	Check/Money Order #	FEE AMOUNT	Waive or Cancel		Process Receipt #	Process Date	Initials		Reject (Check)
1	KELLS, DONNA		427339	FINE	63421 2752	\$100.00				857914	4/24/09	DR	✓	Please create schedule for Donna Kells. in compliance/ compliance module \$100.00 month 3/26/09 Barb
3														
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7														
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14														
15														
										# of Cks		1	\$100.00	



JON S. CORZINE
Governor

State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
PO Box 45029
NEWARK, NJ 07101

ANNE MILGRAM
Attorney General

ROBERT J. GILSON
Director

March 11, 2009

Donna E. Kells, C.C.R.
19 Forest Terrace
Wayne, New Jersey 07470

Re: I/M/O DONNA E. KELLS, C.C.R.

Dear Ms. Kells:

I am in receipt of your voice messages and your correspondence, dated March 4, 2009 in the above captioned matter, in which you indicate that you are accepting the settlement terms offered by the State Board of Court Reporting ("Board") following its finding that you engaged in the practice of court reporting without a valid certificate, contrary to the mandates of N.J.S.A. 45:1-7.1.

I will have the executed Consent Order signed and dated by the Board President and finalized in the Board office shortly. A fully executed and filed copy of the Order will then be sent to you for your records. I have noted that you have elected to pay the imposed civil penalty via equal installment payments for ten months. Thank you very much for your cooperation in this matter. Please do not hesitate to contact me if you have any further questions.

Very truly yours,

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY

By: *Olga E. Bradford*
Olga E. Bradford
Deputy Attorney General

cc: Dianne L. Tamaroglio, Executive Director
State Board of Court Reporting

