

3. Respondent failed to submit proof of having completed the requisite continuing education courses. A review of her renewal application indicated that Ms. Koehler answered "no" to the question of whether she had completed the required continuing education courses.

4. In a letter issued in October 2004, Ms. Koehler was requested to provide information to the Board explaining her response to the continuing education question on her renewal application. To date, the respondent has failed to respond to the Board's directive.

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 continuing education credit hours.

2. 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 provisionally imposed a suspension of the respondent's certificate to practice court reporting in the State, a formal reprimand and a civil penalty totaling \$1,000.00, was entered on July 22, 2005 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.

As indicated earlier, a copy of the Provisional Order was sent to the respondent, via both certified and regular mail, on or about July 23, 2005 , to her address of record of: 26 Fleetwood Drive, Newburgh, New York 12550-2337. The green receipt card of the certified mail, indicating that proper service of the document was made on July 27, 2005, was returned to the Board office. The Board has however, to date, not received a response to the Provisional Order from the respondent.

This matter was considered by the Board at its November 2005 meeting. Following its review of this matter, the Board concluded that it had met its obligation of proving adequate service by mailing of the proper documents to the certificate holder's address of record filed with the Board. Additionally, the Board concluded that, despite proof that the respondent had received the Provisional Order, the respondent had failed to comply with the Board's directives and submit proof that she had completed the required continuing education credits for the 2002-2004 certificate biennial renewal period. Moreover, the Board concluded that the respondent had failed to provide any compelling reasons why the preliminary findings detailed in the July 22, 2005 Provisional Order should be vacated or modified in any way. The Board further noted that Ms. Koehler's certificate is presently administratively suspended due to her failure to renew her certificate for a licensure period subsequent to the 2002-2004 period. Finally, the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. Thus, the Board voted to finalize the Provisional Order without modification.

ACCORDINGLY, IT IS ON THIS 31st DAY OF
AUGUST 2010, ORDERED THAT:

1. Respondent Charlene Koehler, C.C.R, is hereby formally reprimanded for her failure to complete the required continuing education credits for the 2002-2004 certificate biennial renewal period.

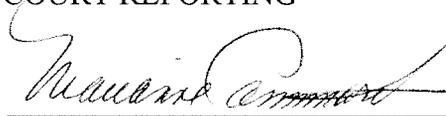
2. Respondent's certificate to practice court reporting in the State of New Jersey is hereby suspended effective upon the entry of this Final Order and shall remain suspended until respondent submits proof that she has fully complied with all continuing education requirements for the 2002-2004 certificate biennial renewal period.

3. Ms. Koehler is hereby assessed a civil penalty in the amount of \$1,000.00, pursuant to the mandates of N.J.S.A. 45:1-25, for violation of N.J.S.A. 45:15B-3.1, N.J.A.C. 13:43-7.1 and 7.2, and N.J.S.A. 45:1-21(h). Payment shall be made by certified check or money order made payable to the State of New Jersey and shall be submitted to Dianne L. Tamaroglio, Executive Director of the State Board of Court Reporting, at 124 Halsey Street, Sixth Floor, Post Office Box 45019, Newark, New Jersey 07101, within thirty (30) days from the date this Order is finalized.

4. Failure to comply with any provisions of this Order or remit the civil penalty required by this Order will result in the filing of a Certificate of Debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD
OF COURT REPORTING

By:



MARIANNE CAMMAROTA, C.C.R.
President