

SHORTHAND REPORTING

Deane & Tomeraga

FILED

September 20, 2010

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>
	:	
CARRIE ZIPF, C.C.R.	:	
License No: 30XI00179900	:	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 Carrie Zipf, C.C.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, Carrie Zipf, C.C.R., is a certified court reporter in the State of New Jersey and has been licensed at all times relevant hereto.

2. In or about August 2006, the Board office reviewed the respondent'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 received by the Board office on December 12, 2006, Ms. Zipf provided documentation that indicated she had completed several continuing education courses, in 2004 and 2005, for a total fourteen (14) credits.

4. In a letter dated May 10, 2007, the Board directed Ms. Zipf to comply with the applicable statute and regulations governing the practice of court reporting and granted her an extension, until June 30, 2007, to fulfill the requirement for the completion of fifteen (15) continuing education credits. Further, the respondent was advised that failure to complete all of the required continuing education credits could subject her to disciplinary action.

5. To date, Ms. Zipf has failed to demonstrate that she has complied with the Board's directive and completed the outstanding one (1) credit for the 2006-2008 licensure period.

CONCLUSIONS OF LAW

1. Respondent has not satisfied the requirements of N.J.S.A. 45:15B-3.1, 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 May 10, 2007 directives to furnish it with proof that she 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 provisionally suspended the respondent's certificate to practice court reporting and imposed a formal reprimand and a civil penalty totaling \$500.00, was entered on March 25, 2009, 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.

On or about July 15, 2009, respondent submitted a written response for Board consideration. In this response, Ms. Zipf advised, among other things, that she had not been actively practicing court reporting in New Jersey since 1993 when she moved out of the United States. She further requested that the Board rescind the Provisional Order and that her court reporting

certificate be placed in inactive status as authorized by N.J.S.A. 45:1-7.3.

Respondent's submissions were reviewed by the Board at its September 21, 2009 meeting. Based upon the reviewed submissions, the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board agreed to grant the respondent's request that her court reporting certificate be placed in inactive status but concluded that the outstanding continuing education credits would have to be completed prior to a return to active status by Ms. Zipf. Thus, the Board determined that the respondent's certificate should not be suspended, that she should not be reprimanded and that the civil penalty should be rescind. Thereafter, the Board voted to finalize the Provisional Order with the modifications as stated above.

ACCORDINGLY, IT IS on this 31ST day of

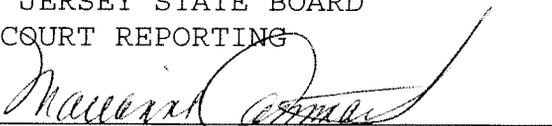
AUGUST 2010 ORDERED that:

1. The provisional suspension of the respondent's certificate to practice court reporting in the State of New Jersey, the provisional formal reprimand and the intended civil penalty of \$500.00 are 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.C.R.
President