

ASSEMBLY BILL NO. 55—COMMITTEE ON COMMERCE AND LABOR

PREFILED FEBRUARY 1, 2007

Referred to Committee on Judiciary

SUMMARY—Provides for the use of voice writing by court reporters. (BDR 54-765)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to court reporting; expanding the definition of “practice of court reporting” to include reporting by the use of voice writing; expanding the definition of “stenographic notes” to include certain records produced by voice writing; revising the circumstances under which a person who has received a passing grade on an examination for certified verbatim reporters may be admitted for examination in this State for a certified court reporter’s certificate; establishing designations for certain court reporters; authorizing the use of certain abbreviations by certain court reporters; prohibiting certified court reporters-voice writers from practicing court reporting by using any method of court reporting other than voice writing; requiring an official reporter to make a record of certain proceedings; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law provides for the certification of court reporters. (Chapter 656 of
- 2 NRS) **Section 1** of this bill expands the definition of “practice of court reporting” to
- 3 include the making of a verbatim record of a court proceeding by speaking into a
- 4 device that either digitally translates the words into text or makes a tape or digital
- 5 recording of the words. **Section 1** also expands the definition of “stenographic
- 6 notes” to include such a record. Existing law requires applicants for certification as
- 7 court reporters to have fulfilled one of a number of specified obligations before
- 8 being permitted to take the certification test. (NRS 656.170) **Section 2** of this bill



allows a person who has passed an examination administered by the National Verbatim Reporters Association to take the certification test.

Current law requires a person who has been issued a certificate of registration as a certified court reporter to be designated a "certified court reporter" and authorizes such a person to use the abbreviation "C.C.R." in connection with the practice of court reporting. (NRS 656.310) **Section 3** of this bill provides that a person who only used voice writing technology to pass the court reporter test be designated a "certified court reporter-voice writer," and that such a person may use the abbreviation "C.C.R.-V.," may not use the abbreviation "C.C.R.," and may only use voice writing in the practice of court reporting.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 656.030 is hereby amended to read as follows:
656.030 As used in this chapter, unless the context otherwise requires:

1. "Board" means the Certified Court Reporters' Board of Nevada.

2. "Certificate" means a certified court reporter's certificate issued under the provisions of this chapter.

3. ~~["Court"]~~ *"Certified court reporter" or "court reporter"* means a person who is technically qualified and registered under this chapter to practice court reporting.

4. "Court reporting firm" means a person who, for compensation, provides or arranges for the services of a court reporter or provides referral services for court reporters.

5. "Designated representative of a court reporting firm" means the person designated to act as the representative of a court reporting firm pursuant to NRS 656.186.

6. "License" means a license issued under the provisions of this chapter to conduct business as a court reporting firm.

7. "Licensee" means a person to whom a license has been issued.

8. "Practice of court reporting" means reporting by the use of *voice writing* or any system of manual or mechanical shorthand writing:

- (a) Grand jury proceedings;
- (b) Court proceedings;
- (c) Pretrial examinations, depositions, motions and related proceedings of like character; or
- (d) Proceedings of an administrative agency if the final decision of the agency with reference thereto is subject to judicial review.

9. "Stenographic notes" means ~~["the"]~~:



1 (a) *The* original manually or mechanically produced notes in
2 shorthand or shorthand writing taken by a court reporter while in
3 attendance at a proceeding to report the proceeding ~~H~~; or

4 (b) *The record produced by the use of voice writing by a court*
5 *reporter while in attendance at a proceeding.*

6 10. *“Voice writing” means the making of a verbatim record*
7 *of a proceeding by repeating the words of the speaker into a device*
8 *that is capable of:*

9 (a) *Digitally translating the words into text; or*

10 (b) *Making a tape or digital recording of those words.*

11 Sec. 2. NRS 656.170 is hereby amended to read as follows:

12 656.170 1. Examinations must be held no less than twice a
13 year at such times and places as the Board may designate.

14 2. No person may be admitted to the examination unless he
15 first presents satisfactory evidence to the Board that he has:

16 (a) Received a passing grade on the National Court Reporters
17 Association’s examination for registered professional reporters;

18 (b) A certificate of satisfactory completion of a prescribed
19 course of study from a school for court reporters which includes
20 English grammar, reading, spelling and vocabulary, medical and
21 legal terminology, transcription, and court reporting at 200 words
22 per minute with an accuracy of 97.5 percent;

23 (c) A certificate as a registered professional reporter or a
24 certificate of merit from the National Court Reporters Association;

25 (d) A valid certificate or license to practice court reporting
26 issued by another state; ~~for~~

27 (e) One year of continuous experience as a full-time court
28 reporter using *voice writing or* any system of manual or mechanical
29 shorthand writing ~~H~~; or

30 (f) *Received a passing grade on the National Verbatim*
31 *Reporters Association’s examination for certified verbatim*
32 *reporters.*

33 Sec. 3. NRS 656.310 is hereby amended to read as follows:

34 656.310 1. ~~Every~~ *Except as otherwise provided in*
35 *subsection 2, each* person to whom a valid existing certificate of
36 registration as a certified court reporter has been issued under this
37 chapter ~~must~~ :

38 (a) *Must* be designated as a certified court reporter ~~and not~~
39 ~~otherwise, and any such registered-certified court reporter may;~~ ;

40 (b) *May*, in connection with his practice of court reporting, use
41 the abbreviation “C.C.R.” ; and

42 (c) *Shall not, in connection with his practice of court*
43 *reporting, use the abbreviation “C.C.R.-V.”*

44 2. *Each person to whom a valid existing certificate of*
45 *registration as a certified court reporter has been issued under this*



chapter and who has only passed the portion of the examination required pursuant to paragraph (b) of subsection 2 of NRS 656.160 through the use of voice writing:

(a) Must be designated as a certified court reporter-voice writer;

(b) May, in connection with his practice of court reporting, use the abbreviation "C.C.R.-V.";

(c) Shall not, in connection with his practice of court reporting, use the abbreviation "C.C.R."; and

(d) Shall engage in the practice of court reporting only through the use of voice writing.

3. No person other than the holder of a valid existing certificate of registration under this chapter may use the title or designation of "certified court reporter," ~~for "C.C.R.,"~~ "certified court reporter-voice writer," "C.C.R." or "C.C.R.-V.," either directly or indirectly, in connection with his profession or business.

~~2-1~~ 4. Every holder of a certificate shall place the number of his certificate:

(a) On the cover page and certificate page of all transcripts of proceedings; and

(b) On all business cards.

Sec. 4. NRS 3.320 is hereby amended to read as follows:

3.320 1. The judge or judges of any district court may appoint, subject to the provisions of this chapter and other laws as to the qualifications and examinations of the appointee, one certified court reporter, to be known as official reporter of the court or department and to hold office during the pleasure of the judge appointing him. The appointee may be any business organization if the person representing it, who actually performs the reporting service, is a certified court reporter.

2. The official reporter, or any one of them if there are two or more, shall:

(a) At the request of either party or of the court in a civil action or proceeding, and on the order of the court, the district attorney or the attorney for the defendant in a criminal action or proceeding, ~~take down in shorthand~~ make a record of all the testimony, the objections made, the rulings of the court, the exceptions taken, all arraignments, pleas and sentences of defendants in criminal cases, and all statements and remarks made by the district attorney or judge, and all oral instructions given by the judge; and

(b) If directed by the court or requested by either party, within such reasonable time after the trial of the case as may be designated by law or, in the absence of any law relating thereto, by the court, write out the ~~shorthand copy,~~ record, or such specific portions thereof as may be requested, in plain and legible longhand, or by



1 typewriter or other printing machine. The reporter shall certify to
2 that copy as being correctly reported and transcribed ~~H~~ and, when
3 directed by the law or court, *shall* file it with the clerk of the court.

4 **Sec. 5.** NRS 3.380 is hereby amended to read as follows:

5 3.380 1. The judge or judges of any district court may, with
6 the approval of the board of county commissioners of any one or
7 more of the counties comprising such district, in addition to the
8 appointment of a court reporter as in this chapter provided, enter an
9 order for the installation of sound recording equipment for use in
10 any of the instances recited in NRS 3.320, for the recording of any
11 civil and criminal proceedings, testimony, objections, rulings,
12 exceptions, arraignments, pleas, sentences, statements and remarks
13 made by the district attorney or judge, oral instructions given by the
14 judge and any other proceedings occurring in civil or criminal
15 actions or proceedings, or special proceedings whenever and
16 wherever and to the same extent as any of such proceedings have
17 heretofore under existing statutes been recorded by the official
18 reporter or any special reporter or any reporter pro tempore
19 appointed by the court.

20 2. For the purpose of operating such sound recording
21 equipment the court or judge may appoint or designate the official
22 reporter or a special reporter or reporter pro tempore or the county
23 clerk or clerk of the court or deputy clerk. The person so operating
24 such sound recording equipment shall subscribe to an oath that he
25 will well and truly operate the equipment so as to record all of the
26 matters and proceedings.

27 3. The court may then designate the person operating such
28 equipment or any other competent person to read the recording and
29 to transcribe it into typewriting. The person transcribing the
30 recording shall subscribe to an oath that he has truly and correctly
31 transcribed it.

32 4. The transcript may be used for all purposes for which
33 transcripts have heretofore been received and accepted under then
34 existing statutes, including transcripts of testimony and transcripts
35 of proceedings as constituting bills of exceptions or part of the bill
36 of exceptions on appeals in all criminal cases and transcripts of the
37 evidence or proceedings as constituting the record on appeal in civil
38 cases and including transcripts of preliminary hearings before
39 justices of the peace and other committing magistrates, and are
40 subject to correction in the same manner as transcripts under
41 existing statutes.

42 5. In civil and criminal cases when the court has ordered the
43 use of such sound recording equipment, any party to the action, at
44 his own expense, may provide a certified court reporter to ~~take~~
45 ~~down in shorthand~~ *make a record of* and transcribe all the matters



1 of the proceeding. In such a case, the record prepared by sound
2 recording is the official record of the proceedings, unless it fails or
3 is incomplete because of equipment or operational failure, in which
4 case the record prepared by the certified court reporter shall be
5 deemed, for all purposes, the official record of the proceedings.

6 **Sec. 6.** This act becomes effective on July 1, 2007.

