

CHAPTER.....

AN ACT relating to court reporters; revising definitions, educational requirements and provisions governing disciplinary actions with regard to certified court reporters; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill revises the definitions applicable to the provisions governing court reporters.

Section 2 of this bill includes reporting procedures as a topic that must be covered in a course of study to fulfill the educational requirements to take an examination for a certified court reporter's certificate.

Sections 3-6 of this bill provide for similar treatment, with regard to disciplinary action, of both certificate holders and licensees. **Section 4** of this bill also includes untimely delivery of a transcript as one of the grounds for disciplinary action under chapter 656 of NRS.

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. "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 ~~in~~ **in this State.**

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 , *in this State*, by the use of voice writing or any system of manual or mechanical shorthand writing:

(a) Grand jury proceedings;

(b) Court proceedings ~~to~~ , *with the exception of proceedings before a federal court*;

(c) Pretrial examinations, depositions, motions and related proceedings of like character; or

(d) Proceedings of ~~an administrative~~ *any* agency if the final decision of the agency with reference thereto is subject to judicial review.

9. "Stenographic notes" means:

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

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

10. "Voice writing" means the making of a verbatim record of a proceeding by repeating the words of the speaker into a device that is capable of:

(a) Digitally translating the words into text; or

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

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

656.170 1. Examinations must be held not less than twice a year at such times and places as the Board may designate.

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

(a) Received a passing grade on the National Court Reporters Association's examination for registered professional reporters, if the Board has approved the examination;

(b) Received a passing grade on the National Verbatim Reporters Association's examination for certified verbatim reporters, if the Board has approved the examination;

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

(d) A certificate as a registered professional reporter, registered merit reporter, certified CART provider, certified broadcast captioner or certified realtime reporter from the National Court Reporters Association, if the Board has approved each such certificate;



(e) A certificate as a certified verbatim reporter or a certificate of merit from the National Verbatim Reporters Association, if the Board has approved each such certificate;

(f) A valid certificate or license to practice court reporting issued by another state; or

(g) One year of continuous experience as a full-time court reporter using voice writing or any system of manual or mechanical shorthand writing.

Sec. 3. NRS 656.240 is hereby amended to read as follows:

656.240 The Board may refuse to issue or to renew or may suspend or revoke any certificate *or license* for any one or a combination of the following causes:

1. If the applicant or court reporter has by false representation obtained or sought to obtain a certificate *or license* for himself or any other person.

2. If the applicant or court reporter has been found in contempt of court, arising out of his conduct in performing or attempting to perform any act as a court reporter.

3. If the applicant or court reporter has been convicted of a crime related to the qualifications, functions and responsibilities of a certified *or licensed* court reporter.

4. If the applicant or court reporter has been convicted of any offense involving moral turpitude.

➤ The judgment of conviction or a certified copy of the judgment is conclusive evidence of conviction of an offense.

Sec. 4. NRS 656.250 is hereby amended to read as follows:

656.250 The Board may refuse to issue or renew or may suspend or revoke any certificate *or license* if the court reporter in performing or attempting to perform or pretending to perform any act as a court reporter has:

1. Willfully failed to take full and accurate stenographic notes of any proceedings;

2. Willfully altered any stenographic notes taken at any proceedings;

3. Willfully failed accurately to transcribe verbatim any stenographic notes taken at any proceedings;

4. Willfully altered a transcript of stenographic notes taken at any proceedings;

5. Affixed his signature to any transcript of his stenographic notes or certified to the correctness of such a transcript unless the transcript was prepared by him or was prepared under his immediate supervision;



6. Demonstrated unworthiness or incompetency to act as a court reporter in such a manner as to safeguard the interests of the public;

7. Professionally associated with or loaned his name to another for the illegal practice by another of court reporting, or professionally associated with any natural person, firm, copartnership or corporation holding itself out in any manner contrary to the provisions of this chapter;

8. Habitually been intemperate in the use of intoxicating liquor or controlled substances;

9. Except as otherwise provided in subsection 10, willfully violated any of the provisions of this chapter or the regulations adopted by the Board to enforce this chapter;

10. Violated any regulation adopted by the Board relating to:

(a) Unprofessional conduct;

(b) Agreements for the provision of ongoing services as a court reporter or ongoing services which relate to the practice of court reporting;

(c) The avoidance of a conflict of interest; or

(d) The performance of the practice of court reporting in a uniform, fair and impartial manner and avoiding the appearance of impropriety.

11. Failed within a reasonable time to provide information requested by the Board as the result of a formal or informal complaint to the Board, which would indicate a violation of this chapter; or

12. Failed without excuse to transcribe stenographic notes of a proceeding and file *or deliver to an ordering party* a transcript of the stenographic notes:

(a) Within the time required by law or agreed to by *verbal or written* contract; ~~for~~

(b) Within ~~any other~~ *a* reasonable time required for filing the transcript ~~H~~; *or*

(c) *Within a reasonable time required for delivery of the transcript.*

Sec. 5. NRS 656.253 is hereby amended to read as follows:

656.253 The Board may refuse to issue or renew or may suspend or revoke a *certificate or* license if, after notice and a hearing as required by law, the Board determines that the licensee *or certificate holder* has committed any of the acts set forth in NRS 656.240 or 656.250.



Sec. 6. NRS 656.257 is hereby amended to read as follows:

656.257 In addition to or in lieu of suspending, revoking or refusing to issue or renew the certificate of a court reporter *or the license of a court reporting firm* pursuant to NRS 656.240 , ~~for~~ 656.250 or ~~the license of a court reporting firm pursuant to NRS~~ 656.253, the Board may, by a majority vote:

1. Place the court reporter or court reporting firm on probation for a period not to exceed 1 year; or
2. Impose an administrative fine against the court reporter or court reporting firm in an amount not to exceed \$5,000 for each violation for which the administrative fine is imposed.

