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Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XXI. Certified Shorthand Reporters

Chapter 1. Certification

§101. Application for Certification

A. An applicant for a certificate shall file an application on a form provided by the board (Board of Examiners of Certified Shorthand Reporters), accompanied by any applicable fees, and such evidence, statements or documents required by said form. If an examination is required, said application must be filed with the board at least 30 days prior to an examination date. A new application is required for each examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 14:530 (August 1988), LR 16:393 (May 1990), LR 19:1537 (December 1993).

§103. Qualifications for Certification

A. Any person over the age of 18 years, who has not committed any acts, crimes, or omissions constituting grounds for suspension or revocation of a certificate issued by the board pursuant to R.S. 37:2557(A), who has a high school education or its equivalent as determined by the board, and who has satisfactorily passed each portion of the examination described in Chapter 3 of these rules, in accordance with the rules of the board, shall be entitled to a certified court reporter certificate.

B. Effective January 1, 1994, the board shall convert all licenses held by a certified shorthand reporter or certified general reporter to that of a certified court reporter. Thereafter, any person who on December 31, 1993, held a license in good standing as a certified shorthand reporter or certified general reporter may apply to the board for issuance of a license as a certified court reporter, subject to the payment of all applicable renewal fees, satisfaction of continuing education requirements, and compliance with other conditions imposed by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and 37:2557(A).

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 17:31 (January 1991), LR 19:1537 (December 1993).

Chapter 3. Examinations

§301. Applications for Examinations

A. Examinations shall be held at such times and places as the board may designate.

B. Applications must be received by the board at least 30 days prior to the examination date.

C. Applicant must furnish a diploma, official transcript or certificate from a licensed court reporting school that he has passed a qualifying test consisting of five minutes of two-voice Q and A at 225 wpm with 95 percent accuracy within one year prior to application to the board for examination; or a CSR certificate from another state issued with a minimum requirement of 225 wpm; or participate in a equivalent qualifying test administered by the board on a date designated by the board. An application fee of \$25 shall be paid to the board by the applicant participating in a qualifying test administered by the board, which fee shall be refundable to the applicant upon completion of the qualifying test. An applicant who fails to timely appear for the qualifying examination by the board shall be deemed to have abandoned the application and shall forfeit the application fee for said qualifying test. Proof of passing said qualifying test must accompany the application for examination.

1. After passing any segment, the applicant must sit without exception for each examination thereafter administered by the board until all three segments have been passed.

2. Should the applicant fail to take any segments, applicant must either:

a. take a qualifying examination given by the board; or

b. appear before the board with an explanation for not taking the exam, the validity of which explanation will be determined by the board in its sole discretion.

3. If the applicant fails to appear for any examination administered by the board and does not thereafter either:

a. pass a qualifying test administered by the board; or

b. present to the board a valid reason for failing to appear for the examination, then the passed segments of the skills test will expire before the date of the next examination following the examination for which the applicant failed to appear, and applicant will be required to pass all three segments.

4. If applicant does not pass all three segments of the skills examination within a three-year period, beginning the last day of the month in which any segment was first passed, applicant will be required to pass a qualifying examination administered by the board. If applicant fails the qualifying examination, the passed segments will expire.

D. Applicants who have been found to be qualified for the examination shall be notified in writing of the time and place of their assigned examination.

E. An applicant who fails to timely appear for examination after being notified of eligibility shall be deemed to have abandoned the application and shall forfeit the application fee. In order again to become eligible for an examination, such person shall file a new application and otherwise comply in all respects with the provisions of the Act and these regulations in the same manner as required of an original applicant.

F. An applicant who commences but does not finish the examination or who otherwise fails such examination shall not be eligible for any future examination except upon complying in all respects with the provisions of the Act and these regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 14:530 (August 1988), LR 16:393 (May 1990), LR 17:578 (June 1991), LR 19:1537 (December 1993), LR 27:183 (February 2001), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters LR 29:1086 (July 2003).

§303. Examination to be under Direction of the Board

A. The examination shall be under the direction and control of the board, but the board may employ assistants to prepare the questions, conduct the examination and submit recommended grades.

B. Examination questions together with the answers or keys, shall not be disclosed prior to the announced results of the examinations.

C. The identity of each candidate shall be and remain unknown to the board until after the final results are announced. Before the commencement of the examination an identifying number shall be assigned to each candidate, who shall enter such number on each group of papers used in the examination and shall not enter his name at any place on the examination papers.

AUTHORITY NOTE: Promulgated in accordance with R. S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 14:530 (August 1988), LR 27:183 (February 2001).

§305. Notification

A. Each examinee shall be notified in writing whether he has passed or failed the examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983).

§307. Content of Examination

A. The examination shall consist of:

1. written knowledge test;
2. dictated tests at the following speeds:
 - a. 5 minutes at 180 wpm (literary, one voice);
 - b. 5 minutes at 200 wpm (jury charge, one voice);
 - c. 5 minutes at 225 wpm (Q and A, two voices).

B. The written knowledge test will consist of 100 multiple choice questions which will include 50 questions on English, grammar, spelling and word comprehension, 25 questions on medical terms and 25 questions on legal terms. The use of reference material will not be allowed.

C. Completion time for the written knowledge test is one and one-half hours. Four hours are allowed for transcribing the three segments of the dictated test. The time allocated for an applicant taking fewer than three segments of the dictated test shall be reduced proportionately. Transcripts must be typed.

D. Candidates may be required to read aloud any part of the dictated matter required by the board.

E. No candidate will be allowed to use electronic recording equipment, except stenomask during the examination.

F. Upon completion of the examination all shorthand notes, stenomask tapes, transcripts, and other examination materials shall become the property of the board.

G. Stenomask applicants will also be tested according to NVRA standards for silence.

AUTHORITY NOTE: Promulgated in accordance with R. S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Shorthand Reporters, LR 14:530 (August 1988), LR 16:394 (May 1990), LR 27:183 (February 2001).

§309. Grading of Examination

A. Each candidate's examination will be graded on the basis of his ability to accurately transcribe his notes, the time occupied in the transcription, his knowledge of court reporting procedure, and its related terminology, spelling, and punctuation, and the general style of the transcript.

B. Seventy-five percent accuracy is required on the written knowledge test with a maximum of 25 errors.

C. The maximum number of errors allowed to pass the dictated and transcribed portions of the skills test is 57 errors on the Q and A portion; 50 errors on the jury charge portion; and 45 errors on the literary portion.

D. If the examinee passes the written knowledge portion of the test but fails the dictated and transcribed portions; he will be exempt from taking the written knowledge portion of all subsequent tests.

E. If an examinee passes any segments of the skills test, the examinee is exempt from retaking those segments under the following conditions.

1. After passing any segment, the applicant must sit without exception for each examination thereafter administered by the board until all three segments have been passed.

2. Should the applicant fail to take any segments, applicant must either:

a. take a qualifying examination given by the board;
or

b. appear before the board with an explanation for not taking the exam, the validity of which explanation will be determined by the board in its sole discretion.

3. If the applicant fails to appear for any examination administered by the board and does not thereafter either:

a. pass a qualifying test administered by the board;
or

b. present to the board a valid reason for failing to appear for the examination, then the passed segments of the skills test will expire before the date of the next examination following the examination for which the applicant failed to appear, and applicant will be required to pass all three segments.

4. If applicant does not pass all three segments of the skills examination within a three-year period, beginning the last day of the month in which any segment was first passed, applicant will be required to pass a qualifying examination administered by the board. If applicant fails the qualifying examination, the passed segments will expire.

F. For the purpose of grading stenotype tests, errors will be assessed in accordance with the guidelines accepted by the National Court Reporters Association. For the purpose of grading stenomask tests, errors will be assessed in accordance with guidelines accepted by the National Verbatim Reporters Association.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 14:530 (August 1988), LR 16:394 (May 1990), LR 19:1010 (August 1993), LR 19:1537 (December 1993), LR 27:184 (February 2001), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters LR 29:1087 (July 2003).

§311. Review of Examinations

A. Examinees will have a period of 90 days from the release of the test results to review examinations in the offices of the board. Written notification of an examinee's intent to review the examination must be received at the board's office five days prior to the review of the examination. Examinations may be reviewed only during normal working hours. On request in writing from an applicant, the board may release to applicant a copy of applicant's transcribed portion of the skills test upon payment by applicant of \$0.25 per page for said copy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 14:530 (August 1988), LR 19:1538 (December 1993).

§313. Failure of Examination

A. Petition for Regrading. Within 15 days after receipt of notice from the board that applicant has failed the examination, the applicant may petition for regrading by sending a written notice of the request for regrading to the board.

B. Review Committee. Within 30 days of receipt of a petition for regrading, the board shall submit applicant's examination to a review committee approved by the board.

C. Regrading Procedure. The applicant's prenumbered examination shall be submitted to the board with no indication as to applicant's identity. The review committee shall review the entire examination of any applicant requesting a regrading. The review committee may raise applicant's grade, leave the grade as originally determined by the graders, or lower the grade.

D. Request for Hearing. If the applicant is not satisfied with the results of the review committee's action, the applicant may request a hearing before the board. Such request for hearing shall be in writing and shall be filed with the board within 10 days after receipt of notice of the review committee's action from the board.

E. Hearing Procedures. The rules set forth in Chapter 7 hereof shall govern appeals taken by an applicant who fails an examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 19:1538 (December 1993).

§315. Reapplication to Take Examination

A. An applicant denied certification by reason of failure to pass the examination administered by the board may apply for retesting at any time such tests are conducted in the future.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983).

§317. National Examinations

A. The board will accept as an examination from any reporter domiciled in Louisiana under Section 2554(A) an NCRA-RPR and/or CM examination or an NVRA examination with the equivalent or current standards of the CCR examination requirement in Louisiana. Upon proper application, and upon satisfactory proof that applicant has passed such an examination, a certificate shall be issued.

AUTHORITY NOTE: Promulgated in accordance with R. S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 14:531 (August 1988), LR 21:931 (September 1995), LR 27:184 (February 2001).

Chapter 5. Certificates

§501. Expiration of Certificate

A. All certificates shall be suspended as of 12 p.m. on December 31 of each year if not, in each instance, renewed. To renew a certificate, the certificate holder shall, on or before the date on which the certificate would otherwise be suspended, pay the renewal fee established by the board. A suspension under this Section shall be effective until all delinquent fees have been paid in full.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 14:531 (August 1988), LR 19:1538 (December 1993).

§503. Certificate Number

A. A reporter shall indicate the reporter's certificate number in the certification on each transcript prepared by the reporter and shall attest that the certificate number is in good standing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:678 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 14:531 (August 1988), repealed LR 17:31 (January 1991), promulgated LR 19:1538 (December 1993).

§505. Cause for Suspension, Revocation, or Non-Issuance of Certificate

A. The causes for suspension, revocation, or non-issuance of a certificate by the board shall consist of one or more of the following:

1. conviction of felony;
2. conviction of a misdemeanor involving moral turpitude;
3. fraud, dishonesty, corruption, willful violation of a duty, or gross incompetency in the practice of the profession;
4. failure to satisfy and complete the continuing education requirements, for two consecutive years, as set forth by the board. The failure to comply with this Subsection shall be cause for the suspension by the board of a certificate;
5. failure to restrict the practice of court reporting to the system under which a certificate holder is certified;
6. failure to comply with regulations promulgated by the board pursuant to the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:679 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 17:32 (January 1991), LR 19:1538 (December 1993).

§507. Inactive Status

A. A licensed reporter may, upon proper application and satisfactory proof, attain inactive status. A reporter on inactive status is prohibited from engaging in the practice of court reporting in Louisiana. A reporter on inactive status is not required to pay the annual renewal fee or to obtain continuing education credits.

B. The board will consider as due proof of eligibility for inactive status any of the following:

1. an affidavit signed by the applicant and stating that the applicant has not taken or transcribed depositions, investigations, conventions, hearings, court proceedings, or other such matters within the state of Louisiana as a court reporter for a period of two or more years;
2. an affidavit signed by the applicant or by the applicant's physician stating that due to medical reasons the applicant will be unable to practice as a court reporter for a period of two or more years in the future. The board may request and the applicant must afford any medical records necessary to verify the representations of medical incapacity;
3. an affidavit signed by the applicant stating that the applicant will be absent from the state of Louisiana for a period of two or more years in the future. The board may request and the applicant must afford any requested proof of relocation (e.g., voter registration card) to verify the representations contained in the affidavit.

C. A reporter may reactivate the license that prevailed before attaining inactive status by making application to the board accompanied by payment of all fees in effect at that time for other similarly situated reporters engaged in active practice during the current calendar year. In deciding whether to permit the return to active status, the board shall

consider the duration of the applicant's inactive status, the applicant's current medical condition, the applicant's current capability to perform proficiently the tasks required of a reporter, any continuing education credits obtained or any practice of shorthand reporting conducted in another state during the period while on inactive status, and such other matters as the board may deem appropriate. In making its evaluation of an applicant's request for a return to active status, the board may require copies of the applicant's medical records, may require the applicant to take a proficiency test, or may request such other information as it deems appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 19:1538 (December 1993).

§509. Notice of Suspended, Revoked, or Inactive Certificates

A. Twice a year the board will issue to all court reporters, court reporting agencies, bar associations, and courts within the state of Louisiana a public notice identifying all reporters who within the preceding six months have had certificates suspended, revoked, or placed on inactive status.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 19:1539 (December 1993).

§511. Methods of Reporting

A. Each reporter shall be certified in one of the following four methods of reporting.

1. Stenotype. A stenotype reporter is anyone who uses a stenotype machine and shorthand symbols to produce a verbatim transcript of any oral court proceeding, sworn statement, public hearing, deposition, or related proceeding.

2. Stenomask. A stenomask reporter is anyone who uses a stenomask machine, which consists of a microphone enclosed in a mask, to produce a verbatim transcript of any oral court proceeding, sworn statement, public hearing, deposition, or related proceeding.

3. Penwriter. A penwriter reporter is anyone who uses handwritten shorthand symbols to produce a verbatim transcript of any oral court proceeding, sworn statement, public hearing, deposition, or related proceeding.

4. Electronic. An electronic reporter is anyone who converts an electronic recording into a verbatim transcript of any oral court proceeding, sworn statement, public hearing, deposition, or related proceeding.

B. A reporter shall identify on the certification page of any verbatim record prepared by that reporter the method of reporting in which the reporter holds certification by the board.

C. A reporter shall practice only the method of reporting for which certified by the board and shall not mislead the public by purporting to utilize other methods for which the reporter has not been certified.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 20:997 (September 1994).

Chapter 6. Continuing Education

§601. Continuing Education Requirement

A. The maintenance and continued validity of any license issued by the board shall be dependent upon the satisfactory performance and completion of those continuing education requirements as established and enforced herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 17:32 (January 1991).

§603. Continuing Education Credits

A. Beginning January 1, 1991, and thereafter, each holder of a certificate issued by the Board of Certified Shorthand Reporters shall be required to obtain at least 12 continuing education credits during a period of two consecutive calendar years.

B. Any holder of a certificate issued by the board is exempt from the requirement of continuing education for the calendar year in which the certification is initially issued. If the holder is certified in an odd numbered year, the certificate holder shall be required to obtain at least six continuing education credits during the calendar year following the year in which the certification was issued. If the holder is certified in an even numbered year, the certificate holder shall be required to obtain at least 12 continuing education credits during the two calendar years following the year in which the certification was issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 17:32 (January 1991), amended LR 20:412 (April 1994).

§605. Prohibited Excess Credits

A. Any continuing education credit obtained for a requirement of the board in excess of the required amount of at least 12 continuing education credits per reporting period shall not be applied to any subsequent or future continuing education requirements.

B. The board shall suspend or revoke the certification of a certified reporter in the event the reporter fails to satisfy and complete the continuing education requirements, pursuant to R.S. 37:2557.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

PROFESSIONAL AND OCCUPATIONAL STANDARDS

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 17:33 (January 1991).

§607. Maintenance of Record

A. Each reporter issued a certificate by the board shall maintain a record of the satisfaction and completion of the continuing education credits required by the board.

B. On or before January 31 of each calendar year, each reporter issued a certificate by the board shall submit to the board a written record of continuing education credits earned by the reporter for the preceding calendar year on a form provided by the board. The report shall contain information of the continuing education credits earned by the reporter for participation in approved seminar activities, formal courses, and special activities approved by the board and conducted on a national, regional, or state basis as contained in a standardized system of seminar registration, attendance control, and reporting as approved by the board and adhered to by the sponsoring organization or entity of the seminar activity, formal course, or special activity.

C. The form to record the attendance, satisfaction and completion of the continuing education activity shall be forwarded to the designated reporter at each respective seminar and forwarded to the board no later than 30 days after the completion of the activities of the seminar by the sponsoring entity.

D. Any recordation of continuing education credit earned by a reporter certified by the board through participation in an academic course or classwork which does not maintain any documentation of the attendance and satisfaction of the course shall be forwarded to the board by adequate confirmation through a certified report of attendance, report card, or related record issued by the academic institution evidencing successful completion of the continuing education activity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 17:33 (January 1991), amended LR 17:578 (June 1991), LR 19:1539 (December 1993).

§609. Continuing Education Guidelines

A. The following general subject matter and enumerated continuing education credits may be approved by the board in the event the subject matter contributes to the professional competence of the practitioner of court reporting.

1. Seminars and workshops sponsored by or at National Court Reporters Association (NCRA) regional, state, or local meetings, public institutions of higher learning, and judicial organization, including the following subjects:

- a. English;
- b. medical;
- c. legal;
- d. technical subjects presented by experts dealing with terminology and concepts encountered by the reporter during depositions and at trials;

e. new developments and knowledge in the field directly related to making the record;

f. general court and deposition procedures;

g. general court and deposition transcript preparation;

h. management;

i. professionalism; or

j. office procedures, record-keeping, health, and the "consummate" person.

2. Formal courses sponsored by or instituted for universities and colleges, postgraduate courses held by court reporting schools, duly licensed by the state, adult education schools, duly licensed by the state, and related organizations, established and approved by the appropriate educational authority, to administer continuing education courses, subject to the approval of the Board of the Academy of Professional Reporters with formal enrollment and recordation by official transcript of the completion of the courts, including:

a. Universities and Colleges

i. A reporter who has formally enrolled in an accredited university or college and has successfully completed an academic or technical subject and received a passing grade of C or better shall receive the following credits:

- (a). one semester credit—four C.E. credits;
- (b). one trimester credit—three C.E. credits;
- (c). one quarter credit—two C.E. credits.

ii. A reporter who has formally enrolled in an academic or technical subject at an accredited university or college shall receive the following credits:

- (a). one semester credit—two C.E. credits;
- (b). one trimester credit—one C.E. credit;
- (c). one quarter credit—one C.E. credit.

b. Postgraduate Courses in Court Reporting Schools—A reporter who successfully completes a postgraduate course (excluding dictation practice) in an accredited court reporting school and receives a passing grade shall receive two C.E. credits for every postgraduate course completed.

c. Adult Education School—A reporter who successfully completes an adult education course in an academic subject at an accredited school shall receive one C.E. credit for every two contact hours.

d. The board may recognize credits from other institutions and organizations giving continuing education courses if the course concerns subject matter that meets the needs of the reporter's professional or career goals in shorthand reporting.

3. Special activities including a certificate of merit test or speed contest administered by the National Court Reporters Association (NCRA) or a board-sponsored speed contest or award of excellence, with the award of excellence credit limited to no more than one continuing education credit per reporting period, as follows.

a. Certificate of Merit Test

i. An NCRA-tested Registered Professional Reporter (RPR) passing any one section of the Certificate of Merit Test for the first time shall receive five C.E. credits.

ii. A state-tested Certified Court Reporter (C.C.R.) holding RPR status passing all three parts of the skills section at the same time shall receive five C.E. credits for each part.

b. NCRA Speed Contest. A reporter qualifying on any one section of the NCRA Speed Contest shall receive five C.E. credits.

c. State-Sponsored Speed Contest or Award of Excellence. A reporter qualifying on any one section of state-sponsored speed contest or an Award of Excellence shall receive the following credits, provided such section equals or exceeds the requirements of the NCRA Certificate of Merit Exam:

- i. state-sponsored speed contest—four credits;
- ii. Award of Excellence—four credits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 17:33 (January 1991), amended LR 19:1539 (December 1993).

§611. Activities Not Acceptable for Continuing Education Credits

A. Completion of any certified pulmonary respiratory course will not be accepted for continuing education credits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 21:931 (September 1995).

Chapter 7. Hearings

§701. Accused Person

A. The board may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation of a certificate, investigate the actions of any person who applies for, holds or represents that he holds a certificate. Such person is hereinafter called the accused.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:679 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 19:1540 (December 1993).

§703. Written Notification

A. Before refusing to issue, suspending or revoking any certificate, the board shall at least 10 days prior to date set for the hearing, notify in writing the accused of any charges made and shall afford such accused person an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of the same personally to the accused person, or by mailing the same by registered or certified mail to the address last theretofore specified by the accused person in his last notification to the board. At the time and place fixed in the notice, the board shall proceed to hearing of the charges and both the accused person and the complainant shall be accorded ample opportunity to present in person, or by counsel, such statements, testimony, evidence and argument as may be pertinent to the charges or to any defense thereto. The board may continue such hearing from time to time. If the board shall not be sitting at the time and place fixed in the notice or at the time and place at which the hearing shall have been continued, the board shall continue such hearing for a period not to exceed 30 days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:679 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 19:1540 (December 1993).

§705. Subpoena of Witnesses; Administration of Oaths

A. The board shall have power to subpoena and bring before it any person in this state and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law in judicial procedure in civil cases in courts of this state.

B. The chairman, and any member of the board shall each have power to administer oaths to witnesses at any hearing which the board is authorized by law to conduct, and any other oaths required or authorized in any act administered by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:679 (October 1983).

§707. Attendance of Witnesses

A. Upon the application of the accused person or complainant or of the board, by order duly entered, the board may require the attendance of witnesses and the production of relevant books and papers before the board in any hearing relative to the application for or refusal, recall, suspension or revocation of certificate or registration, and the board may compel obedience to its order by proceedings for contempt.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:679 (October 1983).

§709. Record of Proceedings

A. The board, at its expense, shall provide a reporter to take down the testimony and preserve a record of all proceedings at the hearing of any case wherein a certificate may be revoked or suspended. The notice of hearing, complaint and all other documents in the nature of pleadings and written motion filed in the proceedings, the transcript of testimony, the report of the board and the orders of the board shall be the record of such proceedings. The board shall furnish a transcript of such record to any person interested in such hearing upon payment therefor of \$3 per page for each original transcript and \$1.50 per page for each carbon copy thereof ordered with the original.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:679 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 19:1540 (December 1993).

§711. Report of Findings and Recommendations

A. The board shall present to the chairman its written report of its findings and recommendations, and the chairman shall have the right to take the action recommended by the board. Upon the suspension or revocation of a certificate, certificate holder shall be required to surrender the certificate and seal to the board, and upon the failure or refusal to do so, the board shall have the right to seize the same. A copy of such report shall be served upon the accused person and the complainant, either personally or by registered or certified mail.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:679 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 19:1540 (December 1993).

§713. Appeal

A. An appeal of the decision of the board must be filed with a court of competent jurisdiction within 30 days from notice of suspension, revocation, or refusal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:679 (October 1983), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 19:1540 (December 1993).

§717. Restoration of Certificate

A. At any time after the suspension or revocation of any certificate, the board may restore it to the accused person without examination but only at an official meeting of the board, after written notice, and by vote of a majority of the members of the board present and voting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:680 (October 1983).

§719. Other Remedies

A. Nothing herein shall be deemed to limit the board's authority to seek enforcement of the law through a court of competent jurisdiction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:680 (October 1983).

Chapter 9. Fees

§901. Fees

A. The following fees shall be paid to the board.

1. The fee to be paid for the issuance of a certificate of registration without board examination is \$75.
2. The fee to be paid for the purchase of a list of labels that include names and addresses of current reporters for seminars shall be \$40.
3. The fee to be paid upon the renewal of the certificate of registration is \$75.
4. The fee to be paid for the purchase of a list of names and addresses of current reporters shall be \$25.
5. The fee to be paid for the reinstatement of a certificate shall be the payment of all delinquent fees, plus \$15.
6. The fee to be paid for regrading an examination shall be \$30.
7. The fee to be paid for a C.C.R. seal is \$30.
8. The fee to be paid for the purchase of examination materials is \$.25 per page and \$10 per cassette.
9. The fee to be paid for the qualifying test of Q and A at 225 wpm shall be \$25, which fee shall be refundable upon completion of the qualifying test, or forfeited should the applicant fail to appear for the taking of said qualifying test.
10. The fee to be paid for an NSF check issued to the board shall be \$15.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 9:680 (October 1983), amended LR 10:279 (April 1984), amended by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 14:531 (August 1988), LR 17:34 (January 1991), LR 17:578 (June 1991), LR 19:1541 (December 1993).

Chapter 11. Court Reporting Procedures

§1101. Transcript Format Guidelines (Freelance Reporters)

A. Every freelance certified reporter shall use the following transcript format rules on every deposition transcript prepared by that reporter.

1. Transcripts shall contain no fewer than 25 typed lines on standard 8 1/2 x 11 paper exclusive of page numbers and footers.

2. Transcripts shall contain no fewer than eight characters to the typed inch.

3. The distance between the left and right margins shall be no less than 6 3/8 inches.

4. Each question and answer shall begin on a separate line.

5. Either of the following may be used.

a. Each question and answer shall begin no more than five spaces from the left-hand margin. The text shall begin no more than five spaces following the question and answer. Carryover question and answer lines shall begin at the left-hand margins.

b. Block Version. Each question and answer shall begin at the left-hand margin. The text shall begin no more than five spaces following the question and answer. Carryover question and answer lines shall begin no more than six spaces from the left-hand margin.

6. Either of the following may be used.

a. Colloquy material shall begin no more than 15 spaces from the left-hand margin, with carryover lines commencing no more than 10 spaces from the left-hand margin.

b. Colloquy material shall begin with the speaker ID on a separate line no more than 10 spaces from the left-hand margin. The actual text shall begin on the next line 15 spaces from the left-hand margin, with carryover lines no more than 12 spaces from the left-hand margin.

7. Quoted material shall be treated in the same manner as either question and answer (Subparagraphs 5.a or 5.b) or colloquy material (Subparagraphs 6.a or 6.b). Quoted material shall be single-spaced or double-spaced.

8. Parentheticals and exhibit markings shall begin no more than 15 spaces from the left-hand margin with carryover lines commencing no more than 15 spaces from the left-hand margin.

9. There shall be no numbered lines that are blank on a transcript page, excluding the last page of a transcript, title page, contents page, appearance page, stipulation page and certificate pages.

B. The board recognizes that technological advances in the court reporting profession may from time to time require the board to render advisory interpretations of the foregoing

transcript format guidelines or may require modification of them in response to innovations and the evolving technology in court reporting. Technological advances are desirable and should be encouraged. The board needs a mechanism to accommodate technological changes while also maintaining enforceable standards to protect the profession from abuses in court reporting. The board hereby acknowledges its authority to issue advisory opinions on a case-by-case basis in response to petitions for declaratory orders and rulings in order to take account of technological innovation, customary practices, and unanticipated questions or ambiguities in the application of the foregoing transcript format guideline. Any interested person may petition the board for a declaratory order or ruling in writing no less than 30 days prior to a board meeting. If timely filed, the matter will be placed on the agenda for discussion at the board's next meeting and will be finally disposed of by the board within 90 days after the meeting. Further review of such final disposition by the board may be sought in the same manner as review of agency decisions or orders in adjudicated cases, as provided in R.S. 49:962.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2551.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 21:548 (June 1995), amended LR 22:1211 (December 1996).

§1103. Certification of Transcript

A. Each certified court reporter shall attest to the accuracy of every transcript prepared by that reporter by dating, signing, and sealing a certification page containing substantially the following language.

This certification is valid only for a transcript accompanied by my original signature and original raised seal on this page.

I, [reporter's name], Certified Court Reporter in and for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that [name of person(s) to whom oath was administered], after having been duly sworn by me upon authority of R.S. 37:2554, did testify as hereinbefore set forth in the foregoing [number of] pages; that this testimony was reported by me in the [stenotype; stenomask; penwriter; electronic] reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding; that I am not related to counsel or to the parties herein, nor am I otherwise interested in the outcome of this matter.

B. No certified court reporter shall execute the foregoing certification without having first reviewed and approved the accuracy of the transcript to which such certification is attached.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 21:21 (January 1995).

§1105. Disclosure

A. Upon request by any party present at a deposition each certified court reporter shall disclose the complete arrangement, financial or otherwise, made between the

reporter or any person or entity making arrangements for the reporter's services and the attorney or other party making such arrangements with the reporter, person, or entity. Each reporter is responsible for inquiring about and discovering such information before accepting any assignment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 21:21 (January 1995), amended LR 22:445 (June 1996).

§1107. Comparable Services

A. A reporter shall offer any work product to all parties and counsel at the same time as it is offered to any other party or counsel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 21:21 (January 1995).

Chapter 13. Code of Ethics

§1301. Guidelines for Professional Practice

A. The mandatory Code of Ethics defines the ethical relationship the public, the bench, and the bar have a right to expect from a Certificate Holder. It sets out the required conduct of the Louisiana Certified Court Reporter when dealing with the user of reporting services, and acquaints the user, as well as the Certificate Holder, with guidelines established for professional behavior. The Guidelines for Professional Practice are goals for which every Certificate Holder should strive. Certificate Holders are urged to comply with the Guidelines, which do not exhaust the moral and ethical considerations with which the Certificate Holder should conform, but provide the framework for the practice of reporting. Not every situation a Certificate Holder may encounter can be foreseen, but fundamental ethical principles are always present. By complying with the Code of Ethics and Guidelines for Professional Practice, Certificate Holders maintain their profession at the highest level.

B. A current certificate holder shall:

1. be fair and impartial toward each participant in all aspects of reported proceedings, treat all parties equally, and always offer comparable services and prices to all parties in a proceeding;

2. be alert to situations that are conflicts of interest or that may give the appearance of a conflict of interest. If a conflict or a potential conflict arises, the Certificate Holder shall timely disclose said conflict or potential conflict to all parties in the proceeding or take the action(s) necessary for extraction from said conflict or potential conflict;

3. guard against not only the fact but the appearance of impropriety;

4. preserve the confidentiality and ensure the security of information, written, entrusted to the Certificate Holder by any of the parties in a proceeding;

5. be truthful and accurate when making public statements or when advertising the Certificate Holder's qualifications or the services provided;

6. refrain, as an official reporter, from freelance reporting activities that interfere with official duties and obligations;

7. determine fees independently, except when established by statute or court order, entering into no unlawful agreements with others, whether for services or charges;

8. deliver requested transcripts of testimony timely to all parties on the same day. Delivery shall be by hand, if reasonable, or by proper posting if hand delivery is not reasonable;

9. refrain from giving, directly or indirectly, any gift, incentive, reward, or anything of value to attorneys, clients, witnesses, insurance company personnel or any other persons or entities associated with (the) litigation, or to the representatives or agents of any of the foregoing, except for:

a. items that do not exceed \$100 in the aggregate per recipient each year; or

b. pro bono services as defined by the National Court Reporters Association Guidelines for Professional Practice or by applicable state and/or local laws, rule, and regulations;

10. abide by the applicable nation/state/local laws and court rules and the rules promulgated by the Louisiana Board of Examiners of Certified Shorthand Reporters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and 37:2557(A).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 25:1215 (July 1999).