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## Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

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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.

B. An application for a certified digital reporter certificate will be processed according to the following procedure. The board staff will review each application for completeness and will notify the applicant in writing if the application is incomplete or inadequate. The board may request additional information from an applicant at any time during the application process. Each application must be accompanied by the fee to be paid upon issuance and renewal of a certificate as stated in Chapter 9 of these rules. A certified digital reporter certificate authorizes the certificate holder to practice court reporting only as an official or deputy official court reporter performing duties for a court of record. The holder of a CDR certificate is prohibited from engaging in freelance or general reporting. This certificate is only portable to another court if the applicant holds the Electronic Reporters and Transcribers certificate from the American Association of Electronic Reporters and Transcribers (AAERT) or any other national or state recognized association or organization which is approved by the board and authorized or licensed to provide education and certification for professionals engaged in digital reporting and transcribing a verbatim record of oral court proceedings, and which is approved by the judge or court employing the services of the court reporter, or any official or deputy official reporter who has satisfied equivalent testing and certification requirements established by the board. If the certificate is allowed to lapse, the seal(s) shall be returned to the board. Each holder of a CDR certificate is subject to the regulatory authority of the board and must satisfy the requirements applicable to court reporters, such as compliance with continuing education requirements, and adherence to the standards of professional conduct.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and 2556.

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), LR 37:317 (January 2011).

**§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).

**§105. Grandfathering Certification**

A. On or before December 31, 2010, the board will accept applications for the Certificate of Certified Digital Reporter from any person age 18 years or older who submits due proof that the person is employed as an official or deputy official court reporter by a Louisiana court of record and that the person has utilized electronic, audio, or digital recording equipment as a method of official court reporting. The board will accept as due proof of employment the board approved CDR application and judge or court affidavit. The affidavit shall be executed by the judicial administrator or judge of that court of record attesting, that the applicant is employed by that court as of the date of execution. The board will receive and consider applications for a CDR certificate based on grandfathering at any time on or before December 31, 2010. The board will not consider or approve applications for issuance of a CDR certificate by official or deputy official court reporters employed by the following courts: Fifteenth, Sixteenth, Seventeenth, Nineteenth, Thirty-Second, Thirty-Fourth, and Fortieth Judicial District Courts, the Orleans Parish Civil District Court, the Orleans Parish Criminal District Court, the Jefferson Parish First and Second Parish Courts, the New Orleans First and Second

City Courts, the New Orleans Municipal and Traffic Courts, and on and after the effective date of its creation, the Forty-First Judicial District Court. Following submission of satisfactory proof in accordance with the foregoing requirements, the board will approve issuance of a CDR certificate.

AUTHORITY NOTE: Promulgated in accordance with R. S. 37:2554 and 2556.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 37:317 (January 2011).

## 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 \$50 shall be paid to the board by the applicant participating in a qualifying test administered by the board. 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.

G. A certified digital reporter (CDR) applicant who is eligible as an official or deputy official reporter will be scheduled for an examination to be given by a designee of the education or examination committee chair. The examination will not be administered for an individual CDR applicant more frequently on an annual basis than the number of examinations scheduled each year by the board in accordance with Subsection A of this Section. A certified digital reporter applicant is not subject to the qualifying exam.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and R.S. 37:2555(F).

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), LR 35:64 (January 2009), LR 37:3512 (December 2011), LR 43:648 (April 2017).

### §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 hour. 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. A certified digital reporter applicant must pass all three segments in one sitting. Transcripts must be typed.

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

E. Only stenomask and certified digital reporter candidates will be allowed to use electronic recording equipment during an 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), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 37:3512 (December 2011).

### §309. Grading of Examination

A. Each candidate's examination will be graded on the basis of his ability to accurately transcribe his notes or a digital, electronic, or audio recording; 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. Except for a certified digital reporter applicant, an examinee who passes any segments of the skills test 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 and R.S. 37:2555(F).

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), LR 37:3512 (December 2011).

### §311. Review of Examinations

A. Examinees will have a period of 15 days from the release of the test results to petition for review of examinations in the offices of the board. Examinations may be reviewed only during normal working hours.

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), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 35:65 (January 2009).

### §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.

B. The board will accept as an examination the Electronic Reporter and Transcriber certificate from the American Association of Electronic Reporters and Transcribers (AAERT). A certificate holder under this Chapter is prohibited from engaging in freelance or general reporting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and 2556.

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), LR 37:317 (January 2011).

## 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.

B. The certified digital reporter certificate is immediately extinguished by operation of law upon termination of the certificate holder's employment by that court if he or she was grandfathered in as a CDR. A CDR shall immediately

notify the board of any change in employment status and shall surrender the certificate upon termination of employment by that court of record. If a grandfathered CDR certificate lapses, then the certificate holder must begin anew by obtaining the Electronic Reporter and Transcriber certificate from the American Association of Electronic Reporters and Transcribers (AAERT).

**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), LR 37:317 (January 2011).

### **§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 five 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.

5. **Digital.** A certified digital reporter is anyone who converts an electronic, audio, or digital recording into a verbatim transcript of any oral court proceeding, is prohibited from freelance or general reporting, is restricted to duties as an official or deputy official court reporter, and has been certified to engage in the practice of digital reporting as a certified electronic reporter and transcriber by the American Association of Electronic Reporters and Transcribers, or anyone who has submitted due proof on or before December 31, 2010 that the person is employed as an official or deputy official court reporter by a Louisiana court of record on or before December 31, 2010 and that the person has performed the duties of an official or deputy official court reporter utilizing electronic, audio, or digital recording equipment as a method of official court reporting.

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, 2555, 2556 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), LR 37:318 (January 2011).

### §513. Reciprocal Certification for Military Personnel and Spouses

A. The board may issue a license without examination to military personnel or their spouses who hold a current license, certification, or registration in another jurisdiction where requirements are substantially equivalent to the requirements for licensing in Louisiana, if the other jurisdiction grants reciprocity without more onerous requirements for military personnel and their spouses who apply from Louisiana. An applicant must comply with the following requirements.

1. An applicant who has completed a military program of training, been awarded a military occupational specialty, and performed satisfactorily in that specialty at a level that is substantially equivalent to the requirements for licensing in Louisiana is eligible for certification upon presenting the following:

a. verified documentary proof that the applicant has successfully completed a military program of training and been awarded a military occupational specialty in court reporting, identifying the methodology in which the applicant is certified to practice court reporting within the jurisdiction;

b. two affidavits from a lawyer or judge who has worked with the applicant, attesting that the applicant has performed satisfactorily in providing court reporting services;

c. two copies of transcripts produced by the applicant within one year before the date on which an application is submitted; and

d. an affidavit from the licensing authority attesting that the applicant is in good standing and has not been disciplined for an act that constitutes grounds for refusal, suspension, or revocation of a license to practice court reporting in Louisiana.

2. A military spouse who applies for certification must provide the following:

a. verified documentary proof of a current license, certification, or registration from another jurisdiction where requirements for licensing, certification, or registration are substantially equivalent to the requirements for licensing, certification, or registration in Louisiana;

b. an affidavit from the licensing authority in the other jurisdiction attesting that:

i. the applicant is in good standing and has not been disciplined; and

ii. identifying the methodology in which the applicant is certified to provide court reporting services within the jurisdiction;

c. two affidavits from a lawyer or judge who has worked with the applicant, attesting that the applicant performed satisfactorily in providing court reporting services; and



d. an affidavit from the applicant attesting that the applicant is in good standing and has not been disciplined in any jurisdiction for an act that constitutes grounds for refusal, suspension, or revocation of a license to practice court reporting in Louisiana.

3. Paragraphs 1 and 2 of this Subsection do not apply to dishonorably discharged military personnel or the spouses of dishonorably discharged military personnel.

B. An applicant certified pursuant to the provisions of this section must obtain the mandatory hours of continuing education in ethics within not less than 12 months after obtaining a license.

C. An applicant who attains reciprocal admission as a certified digital reporter may only practice for a judge or court.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554, 2555, 2556 and R.S. 37:2557.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 46:1566 (November 2020).

## 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), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2419 (November 2007).

### §603. Continuing Education Credits

A. Beginning January 1, 1991, and thereafter, each certificate holder shall be required to obtain at least 12 continuing education credits during each two-year continuing education cycle. Each continuing education cycle shall consist of two consecutive years beginning January 1 of the odd-numbered year and ending December 31 of the even-numbered year, inclusive. The board shall award one continuing education credit for each half hour of instruction time. For the two-year cycle beginning January 1, 2013 and each two-year cycle thereafter, four of the required 12 continuing education credits shall be instructions pertaining to Louisiana court reporting ethics and CSR board rules and regulations.

B. Any certificate holder is exempt from the requirement of obtaining continuing education credits for the calendar year in which the certification is initially issued. If the certificate 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 certificate 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.

C. Any certificate holder who is or who becomes age 65 or older during a continuing education cycle is exempt from the requirement of obtaining continuing education credits.

D. The board may suspend or revoke the certification of any certificate holder who fails to satisfy and complete the continuing education requirements stated herein, pursuant to R.S. 37:2557.

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

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), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2419 (November 2007), LR 35:1881 (September 2009), LR 39:1040 (April 2013).

### §605. Prohibited Excess Credits

A. Any continuing education credit obtained in excess of 12 credits per reporting period shall not be applied to any subsequent or future continuing education reporting period.

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 17:33 (January 1991), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2419 (November 2007).

### §607. Maintenance of Record

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

B. On or before December 31 of each even-numbered calendar year, each reporter issued a certificate by the board shall submit or cause to be submitted to the board in written record or continuing education credits earned by the reporter for the preceding two calendar years.

C. A certificate holder who teaches a course in which court reporters receive continuing education credit may receive three continuing education credits for each continuing education credit awarded to a reporter enrolled in the course. In order to receive credit for teaching activities, the certificate holder must submit to the continuing education committee the following: a copy of any promotional material or curriculum distributed to attendees, describing the course content; verification that the course was approved for continuing education credit in Louisiana; and a signed statement from the certificate holder attesting to the date and duration of training conducted by the certificate holder.

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), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2419 (November 2007), LR 35:1881 (September 2009), LR 39:1040 (April 2013).

**§609. Continuing Education Guidelines**

A. The following general subject matter and enumerated continuing education credits may be approved by the board or, at the board's direction, by the continuing education committee, in the event the subject matter is germane to the professional competence of the certificate holder.

1. The board may approve seminars and workshops sponsored by the National Court Reporters Association (NCRA) or, the National Verbatim Reporters Association (NVRA) or the American Association of Electronic Reporters and Transcribers (AAERT) at national, regional, state, or local meetings, by public institutions of higher learning, and by judicial organizations, including the following subjects:

- a. English;
- b. medical;
- c. legal;
- d. technical subjects presented by experts dealing with terminology and concepts encountered by the certificate holder 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. financial planning and administration;
- i. professionalism;
- j. office procedures and record-keeping
- k. ethics; or
- l. technology related to new developments in the field of court reporting.

2. The board may approve continuing education credit for courses conducted by universities and colleges. A certificate holder who has enrolled in an accredited university or college and has successfully completed an academic or technical course, the subject matter of which is consistent with §609(A)(1)(a-l) above, and who received a passing grade of C or better shall receive four C.E. credits per academic hour.

3. The board may recognize credits from other institutions and organizations giving continuing education courses if the course concerns subject matter directly related to enhancing the certificate holder's knowledge, ability, or competence to perform reporting duties.

4. The board may award 12 credits for the two-year C.E. cycle within which a certificate holder attains

certification for the first time from a national association as follows:

a. NCRA Registered Professional Reporter (RPR), Registered Merit Reporter (RMR), or Certified Realtime Reporter (CRR) certification; or

b. NVRA Certified Verbatim Reporter (CVR), Certificate of Merit (CM), or Real-time Verbatim Reporter (RVR) certification.

B. A certificate holder will not receive C.E. credit unless the seminar, workshop, course, or other activity has been approved by the board or, at the board's direction, by the continuing education committee.

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), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2420 (November 2007), LR 37:318 (January 2011).

**§611. Activities Not Acceptable for Continuing Education Credits**

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

B. Attendance at or participation in tours, exhibits, entertainment, recreation, committee service, association business, home study, or on-line courses or seminars will not be accepted for continuing education credits, except that live webinars will 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), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2420 (November 2007), LR 46:1565 (November 2020).

**§613. Provider Application Process**

A. A provider must submit the following information to the continuing education committee at least 90 days before the date of a proposed training event:

- 1. the date, time, and place where the training will be conducted;
- 2. a list and detailed description or agenda of the courses that will be taught, identifying for each course the number of minutes allocated to instruction time and the number of credit hours requested;
- 3. a description of the provider's experience and qualifications to conduct such training;
- 4. a description of the registration and course attendance procedures that will be used by the provider;
- 5. a copy of the evaluation form that will be distributed to participants at the end of the training to solicit their assessment of the program's educational value and effectiveness;

6. a copy of the provider verification form that will be given to each participant upon completion of the training, indicating the courses completed and credit hours awarded to that participant;

7. the names and qualifications of instructors, identifying which courses they will be teaching in the training; and

8. a signed statement from the provider agreeing to submit to the continuing education committee within 15 days after the training a list of certificate holders who attended all or a portion of the training event and the number of credit hours for which each is eligible, as well as a summary of the evaluation responses completed by participants in the training.

B. The continuing education committee will respond within 30 days after receiving a completed provider application, approving or denying continuing education credit for courses in the proposed training event. The committee may request further information or clarification from the provider and may extend the 30-day period by the additional days required to receive and consider a response from the provider.

C. A provider may advertise the training as eligible for continuing education credit in Louisiana only after receiving approval from the continuing education committee.

D. Within 15 days after completion of the training, a provider must submit the following information to the continuing education committee:

1. a list of participants in the training, the courses each participant attended, and the credit hours awarded to each participant;

2. a summary of the evaluation forms completed by participants; and

3. a description of any problems encountered or complaints received during the training and the provider's plan for responding to such problems or complaints in this or any future training.

E. A provider who fails to comply with any continuing education requirements or commitments may be rendered ineligible to conduct training in Louisiana upon motion of the continuing education committee and approval by the board.

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

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2420 (November 2007).

## 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 reciprocal certificate of registration without board examination is \$175 plus seal fee(s).

2. The fee to be paid upon the issuance and renewal of a certificate of registration is \$175 plus seal fee(s).

3. The fee to be paid for a seal is \$20. A minimum requirement of one seal must be purchased upon the issuance or renewal of a certificate. The maximum number of seals that may be purchased is three per certificate holder.

4. The fee to be paid for the purchase of a list of names and addresses of current reporters is \$25.

5. The fee to be paid for reinstatement of a suspended or revoked certificate is the payment of all delinquent fees, plus \$50 for a certificate delinquent for a period of up to one year, \$175 for a certificate delinquent for a period of up to two years, \$250 for a certificate delinquent for a period of two or more years.

6. The fee to be paid for the skills portion of the examination is \$125 and the fee to be paid for the written knowledge portion of the examination is \$140. If the board should find an applicant ineligible for examination, it shall refund eighty percent of the fee paid by said applicant. In no other event shall any refund be made.

7. The fee to be paid for the qualifying test of Q and A at 225 wpm is \$50.

8. The fee to be paid for an NSF check issued to the board is the current bank charge.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and 2558.

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), amended by the Office of the Governor, Board of Examiners of Shorthand Reporters, LR 34:434 (March 2008), LR 36:1781 (August 2010), LR 37:318 (January 2011), LR 46:1565 (November 2020).

## 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. Effective January 1, 2015 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 required 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 the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board, and that I am informed about the complete arrangement, financial or

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otherwise, with the person or entity making arrangements for deposition services; that I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board; that I have no actual knowledge of any prohibited employment or contractual relationship, direct or indirect, between a court reporting firm and any party litigant in this matter nor is there any such relationship between myself and a party litigant in this matter. 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.

C. Effective January 1, 2013, each certified official or deputy official 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 certificate is valid only for a transcript accompanied by my original signature and original required seal on this page.

I, [reporter's name], Official or Deputy Official Court Reporter in and for the State of Louisiana, employed as an official or deputy official court reporter by the [court name] for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that this testimony was reported by me in the [stenotype; stenomask; penwriter; electronic; digital] reporting method, was prepared and transcribed by me or under my direction and supervision, and is a true and correct transcript to the best of my ability and understanding; that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board or by the Supreme Court of Louisiana, and that I am not related to counsel or to the parties herein nor am I otherwise interested in the outcome of this matter.

D. No certified official or deputy official 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), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 37:318 (January 2011), LR 38: 1957 (August 2012), effective January 1, 2013, LR 41:334 (February 2015).

### §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).

### §1109. Digital Signature Certification Procedures

A. Effective January 1, 2020, the reporter by whom a deposition is taken may seal the deposition at the request of all parties by using secure electronic means to affix a digital signature certification statement in accordance with procedures approved by the board. A reporter must not seal the deposition electronically without first reviewing and approving the accuracy of the transcript to which the digital signature is affixed. The reporter must promptly and simultaneously distribute the sealed deposition to the party at whose request the deposition was taken and to all other parties to the action who have ordered a copy of the deposition transcript. The party at whose request the deposition was taken shall then become the custodian of the record.

B. Digital Signature Certification means the use by a reporter of technology approved by the board to seal a deposition by using a unique embedded code that identifies the particular reporter and that invalidates the reporter's digital signature if either the text or the format of the deposition is altered after sealing.

C. Digital Signature Certification Statement. Effective January 1, 2020, each certified court reporter who seals a deposition electronically must attest to the accuracy of the transcript by dating, signing, and sealing a digital signature certification statement containing substantially the following language:

This certification is valid only for a transcript accompanied by my original signature and original required 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 the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board, and that I am informed about the complete arrangement, financial or otherwise, with the person or entity making arrangements for deposition services; that I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of

Civil Procedure Article 1434 and in rules and advisory opinions of the board; that I have no actual knowledge of any prohibited employment or contractual relationship, direct or indirect, between a court reporting firm and any party litigant in this matter nor is there any such relationship between myself and a party litigant in this matter. I am not related to counsel or to the parties herein, nor am I otherwise interested in the outcome of this matter.

D. A reporter must not give the reporter's username or password to another or permit their use by a proxy to affix the digital signature certification statement to a deposition.

E. Any indication that the content or format of a transcript has been altered after affixing the reporter's digital signature certification statement to the deposition shall invalidate the digital signature certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and 2558.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 46:1564 (November 2020).

### **§1111. Technological Standards and Criteria**

A. The board is guided in its approval of digital signature certification technology by standards and criteria developed and periodically updated by the following:

1. National Digital Transcript Certification Authority (NDTCA);
2. Adobe Approved Trusted List (AATL);
3. American Society of Notaries.

B. In approving or disapproving digital signature certification technology, the board may consider the long-term viability of an electronically sealed document.

C. The board will maintain on its website a list of approved technologies and may from time to time add or delete technologies upon the affirmative vote of a majority of members attending a board meeting. The board may also list on its website certain technologies that are not approved for use in affixing a digital signature certification statement to a deposition and may from time to time add or delete technologies upon the affirmative vote of a majority of members attending a board meeting. A reporter who uses electronic means to seal a deposition must review the website and assure that only approved technologies are used to affix a digital signature certification statement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and 2558.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 46:1564 (November 2020).

## **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 certificate holder when dealing with the user of reporting services, and acquaints the user, as well as the

certificate holder, with guidelines established for professional behavior.

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.

C. When a deposition is taken, an original transcript must be produced by the reporter in a prompt manner and delivered to the noticing attorney, in satisfaction of the attorney's duty to serve as custodian of the records and in order to assure full compliance with the reporter's statutory and ethical obligations.

AUTHORITY NOTE: Promulgated in accordance with R. S. 37:2553(A), 37:2554 and 37:2557(A).

PROFESSIONAL AND OCCUPATIONAL STANDARDS

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 25:1215 (July 1999), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2421 (November 2007), LR 37:318 (January 2011).

§1303. Employment Relationship with Court Reporting Firm

A. Application and Scope. This Rule protects the integrity, independence, and impartiality of court reporters in their relationships with court reporting firms, as defined in R.S. 37:2555(G) that are doing business in Louisiana.

B. Safe Harbor. A licensed Louisiana court reporter may accept employment from a court reporting firm and shall not be considered an "employee" for purposes of Code of Civil Procedure article 1434 upon furnishing to the board a certification, on a form approved by the board, from an authorized and knowledgeable officer of the court reporting firm that the firm has no prohibited employment or contractual relationship, direct or indirect, under Code of Civil Procedure article 1434 with a party litigant in the matter for which the reporter was retained to provide services. The reporter must file with the board a copy of the certification within 30 days after the date of the deposition. The reporter shall obtain and maintain, for a minimum of three years, the schedule of all charges and other disclosures, which shall be obtained by the reporter concurrently with the original certification from the court reporting firm. Upon request, the reporter shall provide to the board a copy of the schedule of all charges and other disclosures. The Louisiana court reporter shall immediately notify the board, in writing, if a safe harbor request was made upon a court reporting firm and the firm refused or failed to provide the requested certification or the schedule of all charges and other disclosures. The reporter shall include the name of the court reporting firm and the date the request was made.

C. Certification by Court Reporting Firm. Upon request by a licensed Louisiana court reporter, a court reporting firm doing business in Louisiana shall provide a certification on forms adopted by the board and executed by affidavit from an authorized and knowledgeable officer of the firm, attesting that the firm has no prohibited employment or contractual relationship, direct or indirect, under Code of Civil Procedure article 1434 with a party litigant in the matter for which the reporter was retained to provide services.

D. The court reporting firm and the court reporter shall immediately inform the board of any change in relationships or actual knowledge of any relationships, direct or indirect, that are at variance with representations made in the certification by the court reporting firm.

E. Certification Affidavit of Court Reporting Firm

CERTIFICATION AFFIDAVIT OF COURT REPORTING FIRM

STATE OF \_\_\_\_\_
PARISH OR COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, duly qualified to take acknowledgments and administer oaths within the state and locality inscribed above, personally appeared

(“Affiant”), who is representing

a \_\_\_\_\_ [state] corporation [or limited liability company or other form of business organization] that is doing business in Louisiana as a court reporting firm as defined by Acts 2014, No. 839 (hereinafter, “Court Reporting Firm”). The physical address of the entity’s principal place of business is \_\_\_\_\_ [street and suite number, if any] in \_\_\_\_\_ [city], State of \_\_\_\_\_, Zip \_\_\_\_\_, Telephone: ( ) \_\_\_\_\_, Email \_\_\_\_\_.

After being duly sworn, Affiant did attest as follows:

1. Affiant is a knowledgeable representative who is authorized to act on behalf of the Court Reporting Firm in executing this Certification Affidavit.

2. The Court Reporting Firm has engaged a Louisiana licensed court reporter to perform court reporting services in connection with the deposition(s) of \_\_\_\_\_ [identify by name each deponent covered by this certification; attach additional sheets if necessary] to be taken in the following proceeding:

\_\_\_\_\_ vs. \_\_\_\_\_, pending in the \_\_\_\_\_ Court under matter number \_\_\_\_\_.

3. Affiant certifies, after performing due diligence, that the Court Reporting Firm has no prohibited employment or contractual relationship, direct or indirect, under Louisiana Code of Civil Procedure Article 1434 with a party litigant in the matter for which the court reporter’s services have been engaged. Affiant further acknowledges affiant’s duty to provide information and will provide information promptly to the Louisiana Board of Examiners of Certified Shorthand Reporters (hereinafter, “CSR Board”) regarding any change in these relationships or in Affiant’s knowledge of these relationships.

4. Affiant attaches hereto the schedule of all charges and other disclosures that the court reporter must have available at the time of taking the deposition.

5. Affiant further states that Affiant is familiar with the nature of an oath and with penalties as provided by applicable state laws for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that Affiant has read and understands the full facts and content of this Affidavit.

SIGNATURE OF AFFIANT: \_\_\_\_\_

Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Notary Public \_\_\_\_\_

Print name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Form 10/15 Effective July 1, 2016

Each completed Firm Certification Affidavit in the foregoing form must be filed with the CSR Board by the taking court reporter within 30 days of the date of the deposition. The filing does not need to include the schedule of charges.



I, a Louisiana Licensed Court Reporter, as the officer who took the depositions(s), hereby submit this certification affidavit via \_\_\_\_\_ [facsimile/e-mail] within 30 days of the date of the depositions to which this certification applies. I further certify that I have received the required schedule of all charges and other disclosures from the Court Reporting Firm in connection with this certification and acknowledge my obligation to maintain the schedule for a minimum of three years.

I have read and confirmed that the language of the certification affidavit conforms with the form promulgated by the CSR Board. I have listed below or on additional pages, if necessary, the name and contact information for each taking attorney.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
LA CCR NO.

Taking Attorney Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2557(B), R.S. 37:2555(G), and R.S. 37:2556(D).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 41:335 (February 2015), amended LR 42:868 (June 2016).