

**PROPOSED REGULATION OF THE CERTIFIED  
COURT REPORTERS' BOARD OF NEVADA**

**LCB File No. R014-04**

January 23, 2004

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

AUTHORITY: §§1, 2, 4-7, 9, NRS 656.130; §3, NRS 656.130 and 656.200; §8, NRS 656.130 and 656.250.

**Section 1.** Chapter 656 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

**Sec. 2.** *“Designated firm owner” means a person who:*

- 1. Is an owner of a firm;*
- 2. Is not a court reporter;*
- 3. Is chosen by a firm to represent the firm pursuant to NAC 656.250; and*
- 4. Has passed the examination required by section 3 of this regulation.*

**Sec. 3. 1.** *Each designated firm owner must, before acting as a designated firm owner, pass a written examination administered by the Board.*

*2. The Executive Secretary of the Board shall prepare a schedule for applicants to take the examination required pursuant to subsection 1. The fee for an initial examination is \$100 and \$50 for each subsequent examination taken by an applicant during a year.*

*3. Each examination will consist of 100 multiple-choice questions that test the knowledge of the applicant in the following subjects:*

- (a) Technical advances in the practice of court reporting;*
- (b) Ethics and professionalism in the practice of court reporting;*

*(c) Management of the business activities and economics of court reporting; and*

*(d) Any other subject relating to court reporting that the Board determines to be appropriate for inclusion in the examination.*

*4. The Board will give each applicant 90 minutes to complete the examination. During the examination, the applicant shall not refer to or otherwise use any book, paper or other material.*

*5. Within 7 days after an applicant takes an examination pursuant to this section, the Board will mail the results of the examination to the applicant. If the applicant passed the examination, the Board will include with the results of the examination a certificate of completion. If the applicant failed the examination, the Board will include in the results of the examination a statement indicating that the applicant:*

*(a) Failed the examination; and*

*(b) Is not eligible for a certificate of completion.*

*6. An applicant who fails the examination may take not more than four subsequent examinations during the 12 consecutive months after failing the examination. To apply for a subsequent examination, an applicant must submit a written request to the Board and pay the fee required pursuant to subsection 2.*

*7. If an applicant receives a certificate completion pursuant to this section, the Board will issue a license to the firm for which the applicant is the designated firm owner if the firm is otherwise qualified for that license.*

**Sec. 4.** NAC 656.010 is hereby amended to read as follows:

656.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 656.020 to 656.060, inclusive, *and section 2 of this regulation*, have the meanings ascribed to them in those sections.

**Sec. 5.** NAC 656.150 is hereby amended to read as follows:

656.150 1. Not more than 8 weeks after the administration of the examination, the *Board will, at a public hearing held for that purpose, certify the score of each applicant who took the examination. As soon as practicable after conducting the public meeting, the* Chairman of the Board shall provide official written notice to each applicant of the results of the examination of the applicant. The results of an examination must not be given to an applicant by telephone.

2. After the Chairman of the Board provides official notice of the results of the examinations, a successful applicant may submit an application for a certificate on a form provided by the Board. The application must include:

- (a) The fee required ~~[by NAC 656.200]~~ for *the* original issuance of a certificate;
- (b) The residential address and telephone number of the applicant;
- (c) The business address and telephone number, if any, of the applicant;
- (d) The date on which the applicant successfully passed the examination;
- (e) In accordance with NRS 656.155, the statement prescribed by the Welfare Division of the Department of Human Resources pursuant to NRS 425.520; and
- (f) Complete answers to the questions contained on the form.

↪ Upon receipt of a complete application, the Board will process an application for a certificate.

3. A successful applicant shall not practice court reporting in this state until he receives a certificate from the Board.

4. An applicant may submit a written request to the Board to review his examination. Upon *receipt of* such a request, the Board will provide a copy of the section on transcription if the applicant pays the Board for the actual expenses incurred by the Board in photocopying the examination and mailing the examination to the applicant. An applicant may , *within 45 days after the Board certifies the score of the applicant pursuant to subsection 1*, review the written section of the examination at the office of the Board. The Board will not mail the written section of the examination to an applicant. *An applicant may not copy or otherwise reproduce the written section of the examination.*

**Sec. 6.** NAC 656.270 is hereby amended to read as follows:

656.270 1. Each *designated* firm ~~[that is registered with the Board shall comply with the statutes, regulations, rules and standards of conduct that are applicable to court reporters.]~~ *owner shall, every 2 years, complete at least 15 hours of continuing education relating to the practice of court reporting or the business practices of the firm.*

2. The Board will apply the statutes and regulations governing court reporters, including, but not limited to, suspension or revocation of a certificate, to a firm ~~[that practices court reporting]~~ in the same manner as the Board applies those statutes and regulations to court reporters. The provisions of this subsection do not negate an independent contractual relationship between a court reporter and a firm.

**Sec. 7.** NAC 656.280 is hereby amended to read as follows:

656.280 1. Each ~~[owner of a firm that practices court reporting must be]~~ *firm:*

*(a) Except as otherwise provided in paragraph (b), must have at least one owner who is a court reporter* ~~[;]~~ *; or*

*(b) If the firm does not have an owner who is a court reporter, shall choose an owner of the firm to be the designated firm owner.*

2. Each firm that practices court reporting must provide the service of court reporting by court reporters only.

3. If a court reporter whose certificate is suspended or revoked provides service as a court reporter for a firm in which he is a shareholder, the income attributable to the court reporter must not be paid or otherwise accounted to the court reporter.

**Sec. 8.** NAC 656.320 is hereby amended to read as follows:

656.320 1. A court reporter shall not accept work or assignments from a firm that is ~~engaged in the practice of court reporting if the owner of the firm is not a court reporter.~~ *not registered with the Board.* A court reporter may make inquiries to the Board to determine whether ~~an owner of~~ a firm is ~~a court reporter.~~

~~—2.—A]~~ *registered with the Board.*

2. *Except as otherwise provided in subsection 3, a* court reporter may provide service as a court reporter in ~~a proceeding~~ *any litigation that is commenced or maintained* in a foreign jurisdiction if the court reporter complies with the requirements of the regulatory body that governs the practice of court reporting in the foreign jurisdiction.

3. *A court reporter shall not provide service pursuant to subsection 2 if, by providing that service, the court reporter is in violation of a law of this state.*

**Sec. 9.** NAC 656.200 is hereby repealed.

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**TEXT OF REPEALED SECTION**

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**656.200 Fees for issuance or renewal of certificate.** The following fees must be paid:

- 1. For the original issuance of a certificate..... \$100
- 2. For the annual renewal of a certificate..... \$100