

Chapter 656 of NAC

LCB File No. T023-07

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

**Notice of Public Hearing for the Adoption and Amendment of Temporary Regulations of
the State of Nevada Court Reporters Board**

The Nevada Certified Court Reporters Board (NVCCRB) will hold a public hearing for the purpose of receiving comments from all interested persons regarding the adoption of regulations that pertain to Chapter 656 of the Nevada Administrative Code. The meeting will be held at the following:

**Friday, April 27, 2007 @ 5:30pm
UNLV – Moyer Student Union Building, Second Floor, Room 211
4505 South Maryland Parkway Las Vegas, Nevada 89154**

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and purpose of the proposed temporary regulations.

Topic A: Description of a designated firm representative and requirements to fulfill the role as a designated firm representative. Description and implementation of the firm examination.

Topic B: Description and requirements regarding continuing education credits for a court reporter, firm owner and/or designated firm representative; that two of the 15 credits must comprise a subject matter related to Nevada law.

Topic C: Description and clarification allowing an applicant to hold a passing grade for two succeeding examinations instead of one. Revise language that will negate Board requirement of providing paper to applicants for the transcription portion of the examinations.

2. Terms and substance of the proposed temporary regulations or description of the subjects and issues involved.

Topic A: The general housekeeping amendments will keep the regulation consistent with the existing statutes of NRS 656 whereupon a firm owner is no longer required to be a court reporter and will be identified as the designated firm representative. The designated firm representative will be required to take and pass the firm examination.

Topic B: Each court reporter, firm owner and/or designative firm representative is required to earn 15 continuing education credits per reporting period. To ensure efficiency in court and general reporting we will require that two of the 15 credits must comprise a subject matter related to Nevada law.

Topic C: The certification exam guidelines stipulate that applicants are required to provide their own equipment and supplies for the examination; therefore, the Board feels it no longer needs to provide paper for the transcription portion of the exam. The Board will clarify that an applicant can hold a passing grade for two succeeding examination instead of one.

3. Estimated economic effect of the proposed temporary regulations on the business it is to regulate and the public.

a) Both adverse and beneficial effects; and

Topic A: Not applicable.

Topic B: Not applicable.

Topic C: Not applicable.

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Adoption of Temporary Regulations – April 27, 2007**

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b) Both immediate and long-term effects.

Topic A: Provides for oversight from the Board for a non-court reporter owned court reporting firm.

Topic B: Not applicable.

Topic C: Not applicable.

4. Estimated cost to agency for enforcement of the proposed temporary regulations.

Topic A: None

Topic B: None

Topic C: None

5. Regulations of other state or local government agencies which the proposed temporary regulations overlap or duplicates and the necessity therefore.

Topic A: Not applicable.

Topic B: Not applicable.

Topic C: Not applicable.

6. Establishment of new fee or existing fee increase.

Topic A: New fee of \$100.00 for initial firm owner's examination and \$50.00 for a repeat exam.

Topic B: Not applicable.

Topic C: Not applicable.

Persons wishing to comment upon the proposed action of the NVCCRB may appear at the scheduled public hearing or may address their comments in written form to:

Debbie Uehara – Executive Secretary
NVCCRB
500 North Rainbow Boulevard, Suite 300 Las Vegas, Nevada 89107
Fax: 702-876-9249 Email: NVCCR@aol.com

Written submissions must be received on or before April 12, 2007. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the NVCCRB may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at the NVCCRB at 500 North Rainbow Boulevard, Suite 300, Las Vegas, Nevada, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposal regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the internet at <http://www.leg.state.nv.us>. A reasonable fee may be charged for copies if it is deemed necessary. This does not apply to a public body subject to the Open Meeting Law.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption or incorporate therein its reasons for overruling the consideration urged against its adoption.

NOTICE: Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call Debbie Uehara at (702) 384-1663 prior to the meeting so arrangements may be conveniently made.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency’s mailing list for administrative regulations and posted at the following locations:

Eighth Judicial District Court of the Attorney General 200 Lewis Avenue Musser Street, #2030 Las Vegas, Nevada 89155 89701	Second Judicial District Court 75 Court Street Reno, Nevada 89520	Office 885 East Carson City, Nevada
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3/27/07

Debbie Uehara - Executive Secretary

Date Issued

Notice of Workshop to Solicit Comments on Proposed Regulation

The State of Nevada Certified Court Reporters Board (NVCCRB) will hold a workshop to receive input on proposed language changes to the Nevada Administrative Code Chapter 656 concerning general housekeeping amendments that will keep the regulations consistent with the existing statutes of NRS 656. A workshop has been set for:

**Friday, April 27, 2007 @ 5:00pm
UNLV – Moyer Student Union Building, Second Floor, Room 211
4505 South Maryland Parkway Las Vegas, Nevada 89154**

The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations:

- Description of a designated firm representative and requirements to fulfill the role as a designated firm representative.
- Description and implementation of the firm examination.
- Description and requirements regarding continuing education credits for a court reporter, firm owner and/or designated firm representative; that two of the 15 credits must comprise a subject matter related to Nevada law.
- Description and clarification allowing an applicant to hold a passing grade for two succeeding examinations instead of one.
- Revised language that will negate Board requirement of providing paper to applicants for transcription portion of the examination.

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting Debbie Uehara at 702-384-1663. A reasonable fee for copying and shipping may be charged.

NOTICE: Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call Debbie Uehara at (702) 384-1663 prior to the meeting so arrangements may be conveniently made.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations:

Eighth Judicial District Court
of the Attorney General
200 Lewis Avenue
Musser Street, #2030
Las Vegas, Nevada 89155
89701

Second Judicial District Court
75 Court Street
Reno, Nevada 89520

Office
885 East
Carson City, Nevada

March 26, 2007

Debbie Uehara - Executive Secretary

Date Issued

Chapter 656 of NAC

LCB File No. T023-07

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

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

AUTHORITY: 1, 2, 3, 5-6, 9, 10 NRS 656.130; 4 NRS 656.186 and 656.187; 7 NRS 656.200; 8 NRS 656.130 and 656.186;

Section 1. Chapter 656 of NAC is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this regulation.

Section 2. *“Designated representative of a court reporting firm” has the meaning ascribed to it in NRS 656.030*

Section 3. *“Licensee” has the meaning ascribed to it in NRS 656.030*

Section 4. *1. Each designated representative of a court reporting firm must, before acting as a designated representative of a court reporting firm, pass an 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 representative, if the firm is otherwise qualified for that license.

Section 5. NAC 656.120 is hereby amended to read as follows:

656.120 Examination: Administration

6. An applicant shall bring to the examination room a pen or pencil, stenographic equipment and any other equipment required by the Board. ~~[The Board will provide paper for transcription.]~~

The Board will not:

Section 6. NAC 656.160 is hereby amended to read as follows:

656.160 Failure and retaking of examination.

1. If an applicant fails one or both sections of the examination, he is ineligible for a certificate.

Such applicant may retake the examination if he submits an application and the fee required for examination to the Board.

2. ~~[An applicant who failed one section of the examination may retake the section that he failed during the examination that is administered immediately succeeding the examination that he failed.]~~ *A passing grade on either section of the examination received by an applicant will be valid for the two immediately succeeding examinations administered by the Board.*

Section 7. NAC 656.210 is hereby amended to read as follows:

656.210 Required hours; applicability of credit.

1. Each court reporter shall, every 2 years, complete at least 15 hours of continuing education relating to the practice of court reporting. *Two of the 15 hours must be comprised of subject matter related to Nevada law.*

Section 8. NAC 656.250 is hereby amended to read as follows:

656.250 ~~[Registration]~~ *License* of firm; change in ownership or other information.

1. Each firm that practices court reporting in this state must complete ~~[a form]~~ *an application* for ~~[registration]~~ *license* provided by the Board and file the ~~[form]~~ *application* with

the Executive Secretary of the Board. The ~~[form]~~ *application* for ~~[registration]~~ *license* must include:

- (a) The business address of the firm in this State;
- (b) The residential address of each owner of the firm;
- (c) If applicable, a copy of each certificate filed pursuant to chapter 602 of NRS to do business under an assumed or fictitious name;
- (d) Copies of all business licenses issued to the firm by a local government in this State; and
- (e) All other documents, reports and other information required by the Board.

(f) If applicable, include the name of the person pursuant to NRS 656.185.3.b.

2. Upon receipt of a completed ~~[form]~~ *application* for ~~[registration]~~ *license and payment of fees pursuant to NRS 656.220*, the Executive Secretary of the Board shall ~~[issue to the firm a certificate of registration]~~ *administer the examination, pursuant to NRS 656.186(2), to the designated representative of the firm.*

3. If a change in the ownership of a firm occurs or other change *pursuant to NRS 656.260* ~~[in the information provided in the form for registration]~~ occurs, the firm shall file an amended ~~[form]~~ *application* for ~~[registration]~~ *license* with the Executive Secretary of the Board not more than 30 days after the change occurs.

Section 9. NAC 656.270 is hereby amended to read as follows:

656.270 Compliance with certain provisions; application of certain statutes and regulations.

(NRS 656.130)

1. Each *designated representative of a court reporting* firm ~~[that is registered with the Board shall comply with the statutes, regulations, rules and standards of conduct that are applicable to~~

~~court reporters]~~ *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.

Section 10. NAC 656.280 is hereby amended to read as follows:

656.280 Standards of Practice

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 representative of the court reporting firm.

Section 11. NAC 656.200 is hereby repealed.

TEXT OF REPEALED SECTION

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

1. For the original issuance of a certificate.....\$150
2. For the annual renewal of a certificate.....\$150