

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

**LCB File No. R021-10**

Effective June 30, 2010

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

AUTHORITY: §1, NRS 656.130 and 656.200; §§2 and 3, NRS 656.130 and 656.250.

A REGULATION relating to certified court reporters; authorizing the Certified Court Reporters' Board of Nevada to verify compliance with requirements of continuing education; prohibiting a court reporter or firm from providing a courtesy copy of a transcript of a deposition under certain circumstances; and providing other matters properly relating thereto.

**Section 1.** NAC 656.220 is hereby amended to read as follows:

656.220 1. The Board will mail to a court reporter with the annual notice of renewal of certification a form on which to report his compliance with the requirements of continuing education set forth in NAC 656.210.

2. A court reporter shall complete and return the form to the Board on or before May 15.

*3. The Board may take such action as the Board determines is necessary to verify that a court reporter has complied with the requirements of continuing education set forth in NAC 656.210.*

**Sec. 2.** NAC 656.330 is hereby amended to read as follows:

656.330 1. A court reporter or firm shall not:

(a) Provide or arrange for the provision of services if he is financially interested in the litigation;

(b) Enter into or arrange a financial relationship that:

- (1) Compromises the impartiality of the court reporter; or
  - (2) Creates or may create the appearance that the impartiality of the court reporter has been compromised;
  - (c) Enter into any contract or other agreement to provide services that restricts the ability of an attorney or party to repudiate the contract or agreement;
  - (d) Allow a person, other than the court reporter or firm, to establish the rates charged by the court reporter or firm; ~~(e)~~
  - (e) *Provide or arrange for the provision of a courtesy copy of a transcript of a deposition to any attorney, party or witness if provision of the courtesy copy might create an appearance of impropriety on the part of the court reporter or firm; or*
  - (f) Except as otherwise provided in subsection 2, enter into a contract or other agreement with a person or entity to provide ongoing services as a court reporter or ongoing services which relate to the practice of court reporting if:
    - (1) The ongoing services relate to litigation that has not been commenced;
    - (2) The impartiality of the court reporter or firm may be reasonably questioned;
    - (3) The court reporter or firm is required to relinquish control of an original transcript of a deposition and copies of that transcript before the transcript is certified and delivered in accordance with NAC 656.370; or
    - (4) The provisions of the contract or agreement confer or appear to confer an unfair advantage upon a party.
2. The provisions of paragraph ~~(e)~~ (f) of subsection 1 do not apply to:
- (a) The provision of services to a governmental body; or

(b) A court reporter who agrees to provide services for a matter that is not related to litigation.

**Sec. 3.** NAC 656.370 is hereby amended to read as follows:

656.370 1. ~~Unless the manner of delivering the original transcript of a deposition is otherwise approved by the parties to a proceeding, a~~ A court reporter shall, in accordance with any applicable statute, rule ~~or~~ *or* order : ~~custom or practice.~~

(a) Deliver the original transcript of a deposition to the party who orders the original; and

(b) Deliver a copy of the transcript to each party who orders such a copy. A court reporter shall not prepare more than one original transcript of a deposition.

2. If a court reporter receives a request for a transcript of a proceeding or a portion of a transcript of a proceeding, the court reporter shall take reasonable steps to notify each party to the proceeding or each attorney who represents a party to the proceeding of the request in a timely manner that allows a party or his attorney to order a copy of the transcript that was requested.



**State of Nevada  
Certified Court Reporters Board**

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**SEVERIN CARLSON, Esq. – Chairman**  
**LORI JUDD – Vice Chairperson**  
**DENISE PHIPPS – Board Member**  
**SHERRILL GROTHEER – Board Member**  
**MARY CAMERON – Board Member**

**Informational Statement**

Date: Monday, June 14, 2010  
Start Time: 3:42pm  
End Time: 4:08pm  
Las Vegas Location: Esquire Solutions – An Alexander Gallo Company  
2300 West Sahara Avenue, Suite 770  
Las Vegas, Nevada 89102  
Reno Location: Aevos Office Suites  
10775 Double R Boulevard  
Las Vegas, NV 89521  
Present in Las Vegas: Lori Judd Sherrill Grotheer Gloria Perry Alycia Hansen  
Debbie Uehara Debbie Hines  
Present in Reno: Mary Cameron Severin Carlson Denise Phipps

The adoption hearing on proposed permanent regulations was called to order by Legislative Committee Chairperson, Mary Cameron.

Board member roll call:

Severin Carlson – Present  
Lori Judd – Not Present  
Denise Phipps – Present  
Sherrill Grotheer – Present  
Mary Cameron - Present

**1. Description of how public comment was solicited, a summary of public response and an explanation of how other interested persons may obtain a copy of the summary.**

Notice of public hearing for adoption of permanent regulations for the state of Nevada Certified Court Reporters Board was noticed on May 14, 2010 at the following locations:

Certified Court Reporters Board 6628 Sky Pointe Drive, Suite 104 Las Vegas, NV 89131	8th Judicial District Court 200 Lewis Avenue Las Vegas, NV 89155	2nd Judicial District Court 75 Court Street Reno, NV 89520
Office of the Attorney General 885 East Musser Street, #2030 Carson City, NV 89701	Grant Sawyer Building 555 E. Washington Avenue Las Vegas, NV 89101	Carson City Library 900 N Roop Street Carson City, NV 89702
Churchill County Library 553 South Main Street Fallon, NV 89406	Clark County District Library 833 Las Vegas Boulevard Las Vegas, NV 89101	Douglas County Library 1625 Library Lane Minden, NV 89423
Elko County Library 720 Court Street Elko, NV 89801	Esmeralda County Library Corner of Crook & 4th Streets Goldfield, NV 89013	Humboldt County Library 85 East 5th Street Winnemucca, NV 89445
Lander County Library 625 S Broad Street Battle Mountain, NV 89820	Lincoln County Library 63 Main Street Pioche, NV 89043	Lyon County Library 20 Nevin Way Yerington, NV 89447
Mineral County Public Library Library 110 1st Street Hawthorne, NV 89415	Pershing County Library 1125 Central Avenue Lovelock, NV 89419	Storey County Public Library 95 South R Street Virginia City, NV 89440
Tonopah Public Library 167 Central Street Tonopah, NV 89049	Washoe County Library 301 South Center Street Reno, NV 89501	White Pine County Library 950 Campton Street Ely, NV 89301

Notice of the workshop and adoption hearings instructed interested persons of the public to contact Debbie Uehara at the Nevada Certified Court Reporters Board at 702-489-8787 to obtain copies of the comment summaries.

**2. A statement indicating the number of persons who attended each meeting or workshop, testified at each hearing, and submitted written statements regarding the proposed permanent regulations.**

Workshop – Wednesday, April 14, 2010

Number of persons who attended Las Vegas location: 8  
Number of persons who attended Reno location: 4 (2 via teleconference)  
Number of persons who testified: 0  
Number of written comments: 1

Adoption Hearing – Monday, June 14, 2010

Number of persons who attended Las Vegas location: 5  
Number of persons who attended Reno location: 3  
Number of persons who testified: 0  
Number of written comments: 0

3. **A description of how comment was solicited from affected businesses, a summary of their response, and an explanation of how interested persons may obtain a copy of the summary.**

Notices of the workshop and adoption hearing to solicit comments were sent out to each active and inactive court reporter and designated firm representative registered with the Nevada Certified Court Reporters Board. Notice of the workshop and adoption hearing instructed interested persons of the public to contact Debbie Uehara at the Nevada Certified Court Reporters Board at 702-489-8787 to obtain copies of the comment summaries.

4. **If the permanent regulations were adopted without changing any part of the proposed permanent regulation, a summary of the reasons for adopting the permanent regulation without change. The statement should also explain the reasons for making any changes to the permanent regulation as proposed.**

The introduction of new language and general housekeeping amendments will keep NAC Chapter 656 consistent with NRS Chapter 656 and will provide clarification regarding certification exam fee refunds and court reporting practices in this state. A copy of the permanent regulations as adopted with corrections is attached.

5. **The estimated economic effect of the permanent regulations on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:**

- a) **Both adverse and beneficial effects.**

The Board does not anticipate any adverse economic effect on the proposed permanent regulations.

- b) **Both immediate and long-term effects.**

The effects of the proposed permanent language will keep NAC Chapter 656 consistent with NRS Chapter 656 and provide clarification regarding court reporting practices in the state of Nevada to better safeguard the public.

6. **The estimated cost to the agency for enforcement of the proposed permanent regulation.**

None anticipated at the time of this posting.

7. **A description of any regulations of other state or government agencies which the proposed permanent regulations overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the permanent regulations overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

None known at the time of this posting.

8. **If the permanent regulations includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of those provisions.**

None known at the time of this posting.

9. **If the permanent regulations establishes a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used.**

No new fees established.

MOTION by Mary Cameron: That the Board move to adopt the proposed NAC language identified as LCB File #R020-10 with corrections made to Section 1 and 2. Motion seconded by Denise Phipps, all in favor, motion moves forward. (A copy of the language in its entirety is attached)

MOTION by Mary Cameron: That the Board move to adopt the proposed NAC language identified as LCB File #R021-10 with corrections made to Section 2 and 3. Motion seconded by Denise Phipps, all in favor, motion moves forward. (A copy of the language in its entirety is attached)

MOTION by Mary Cameron: That the Board move to adopt the proposed NAC language identified as LCB File #R075-10 with a correction made to Section 4. Motion seconded by Denise Phipps, all in favor, motion moves forward. (A copy of the language in its entirety is attached)

MOTION by Severin Carlson: To adjourn at 4:08pm.