

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

**LCB File No. R021-10**

March 16, 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, NRS 656.130 and 656.187; §§3 and 4, 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 656.270 is hereby amended to read as follows:

656.270 1. Each designated representative of a court reporting firm who is not a certified court reporter 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 may take such action as the Board determines is necessary to verify that a designated representative of a court reporting firm has complied with the requirements of continuing education set forth in this section.*

3. 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 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. 3.** 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 ~~or~~ *or proceeding;*

(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; ~~or~~

(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 *or a proceeding* 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 ~~(e)~~ *or a proceeding*.

**Sec. 4.** 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 ~~(e)~~ *or* order : ~~(e) 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.