

Chapter 656 of NAC

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

LCB File No. T002-10

(Filed with the Secretary of State on November 1, 2010)

New language ***bolded and italicized***, omitted language in brackets and strikeout

NAC 656.120 Examination: Administration. (NRS 656.130, 656.160)

1. The Executive Secretary of the Board shall assign a unique identification number to each application that is approved by the Board. An applicant must register on the day of the examination by presenting the original of the photo identification that accompanied his application and by signing the sheet for registration provided by the Board. The Board or a member of the staff of the Board will open the examination room on the day of the examination at 8 a.m. for registration. The Board or a member of the staff of the Board will provide a seat for the applicant in the examination room according to the identification number that is assigned to his application.

2. A member of the Board shall give oral instructions and remarks of introduction at approximately 9 a.m. on the day of the examination. Unless special arrangements are made pursuant to subsection 7 or 8, all applicants shall register and be present for the oral instructions and remarks of introduction.

3. The Board will administer two sections of the examination. An applicant who takes the examination for the first time must complete both sections of the examination. The name of the applicant or his identification number, or both, must not be written or otherwise appear on the examination provided by the Board.

4. The examination of an applicant and all other material relating to the examination must not be removed from the examination room during the administration of the examination. If an applicant removes the examination or material relating to the examination, the Board will fail the applicant for the purposes of the current application and will, if deemed appropriate by the Board, disqualify the applicant from participation in future examinations. After an applicant completes the examination, he shall return the examination and material to the registration desk.

5. An applicant shall not:

(a) Ask questions during the examination except for questions that are necessary for clarification of the examination; or

(b) Leave the room in which the examination is administered without permission from a person who is monitoring the examination or a member of the staff of the Board who is present at the registration desk.

6. An applicant shall bring to the examination room a pen or pencil, stenographic ***or voice writing*** equipment and any other equipment required by the Board. The Board will not:

(a) Provide stenographic, ***voice writing*** or any other equipment.

(b) Replace equipment for an applicant if his equipment malfunctions during the examination.

7. Upon the written request of an applicant with a disability at least 10 working days before the examination, the Executive Secretary of the Board shall make special arrangements for the administration of the examination to the applicant if those arrangements are:

- (a) Feasible;
- (b) Reasonable; and
- (c) In compliance with the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 to 12213, inclusive.

8. Upon the request of an applicant whose religious beliefs prevent him from taking the examination on the date of the examination, the Executive Secretary of the Board shall make special arrangements for the administration of the examination to the applicant if the request is made before the date of the examination.

9. If an applicant cheats on the examination, the Board will expel the applicant from the examination room and fail the applicant.

10. Questions concerning the administration, procedure or content of the examination must be submitted in writing to the Board.

(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98; A by R101-03, 2-18-2004; R029-07, 10-31-2007)

NAC 656.130 Examination: Written section. (NRS 656.130, 656.160)

1. After the presentation of the oral instructions and remarks of introduction by a member of the Board, the Board will provide for the administration of the written section of the examination. Unless special arrangements are made pursuant to subsection 7 of NAC 656.120, the Board will give an applicant 1 hour and 45 minutes to complete *and submit* the written section *to the Board or a member of the staff*. A grade of at least 70 percent is required to pass the written section.

2. The written section of the examination consists of not less than 150 and not more than 200 questions that test the knowledge of the applicant in:

- (a) Vocabulary;
- (b) Punctuation;
- (c) Grammar;
- (d) Spelling;
- (e) Medical terminology;
- (f) Legal terminology;
- (g) The provisions of the Nevada Rules of Civil Procedure relating to the practice of court reporting;
- (h) The provisions of the Supreme Court Rules relating to the practice of court reporting; and
- (i) Any other subject relating to the duties of a court reporter specified by the Board.

↪ The Executive Secretary of the Board shall include material to prepare for the written section of the examination in the letter of admittance to the examination mailed to the applicant.

3. An applicant shall not refer to or otherwise use books, papers or other material during the written section of the examination. All books, papers and other such material must be placed on the floor during the examination.

(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98; A by R101-03, 2-18-2004)

NAC 656.140 Examination: Section on transcription. (NRS 656.130, 656.160)

1. After the administration of the written section of the examination, the Board will administer the section of the examination that tests the ability of the applicant to transcribe. Before the section on transcription, an applicant will have a warm-up period of approximately 3 minutes to establish voice familiarity and clarity. An accuracy of 97.5 percent is required to pass the section on transcription.

2. The section on transcription consists of dictation of not less than 200 nor more than 225 words per minute. ~~Before dictation begins,~~ ~~the~~ The Board will provide to each applicant a glossary of proper names for use during the examination.

3. After completion of the dictation, the applicant shall transcribe the dictation. Unless special arrangements are made pursuant to subsection 7 of NAC 656.120, the Board will give each applicant 3 hours to complete *and submit* the transcription *to the Board or a member of the staff*. An applicant may use a dictionary. If an applicant elects not to complete the section on transcription, he must sign an affidavit acknowledging that he forfeits the examination. An applicant who signs such an affidavit shall turn in all notes *and/or electronic storage media of voice recording* taken *or made* by him during the examination and include on the notes *or electronic storage media* his name, the date and the identification number assigned to him.

4. An applicant shall prepare the transcription in the manner prescribed by the Board. In preparing the transcript, ~~the applicant~~ *a stenographic writer applicant* shall not use handwriting or any *audio recording device, and a voice writer applicant shall not use handwriting nor stenotype writing, but may use an [electronic] audio recording of his voice [device]*.

5. The Board will count each of the following as one error on the section on transcription:

- (a) One wrong word;
- (b) Misuse of the singular or plural of a word;
- (c) Misuse of the present or past tense of a word;
- (d) Omission of a word;
- (e) Addition of a word;
- (f) Transposition of a word;
- (g) A word that is spelled incorrectly, including, but not limited to, typographical errors and keyboard errors;
- (h) A name that is wrong;
- (i) A period that is omitted or placed incorrectly;
- (j) A question mark that is omitted or placed incorrectly;
- (k) A contraction of a word that is incorrectly typed as two words;
- (l) Two words that are incorrectly typed as a contraction;
- (m) Omission of a question or answer;
- (n) A number or figure that is incorrectly typed; and
- (o) A capital letter that is omitted if the Board determines that the capitalization is necessary.

6. The Board will not count the following as errors on the section on transcription:

- (a) Punctuation that is included if the Board determines that the punctuation is optional;
- (b) Words that are incorrectly capitalized if the Board determines that the capitalization is optional;
- (c) Use of paragraphs;
- (d) Crossing out words by use of a typewriter;
- (e) Typing dates with the use of ordinal or cardinal numbers;

- (f) Errors in the use of spacing; or
 - (g) Use of hyphenation, including, but not limited to, compound words.
- (Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98; A by R101-03, 2-18-2004)

NAC 656.150 Certification and notice of results of examination; action by successful applicant; review of examination. (NRS 656.130, 656.155, 656.160, 656.180)

1. Not more than 8 weeks after the administration of the examination, the Board will, at a public meeting 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 Division of Welfare and Supportive Services of the Department of Health and Human Services 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 and* section *on transcription* of the examination at the office of the Board. The Board will not mail the written *and* section *on transcription* of the examination to an applicant. An applicant may not copy or otherwise reproduce the written *and* section *on transcription* of the examination.

5. Any applicant wishing to appeal any aspect of the examination shall do so by written request within 30 days of the Board's official ratification of the exam results.

6. All decisions of the Board are final.

(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98; A by R101-03, 2-18-2004)

NAC 656.160 Failure and retaking of examination; receipt of passing grade on either section of examination. (NRS 656.130, 656.150, 656.160, 656.180)

1. If an applicant fails one or both sections of the examination, he is ineligible for a certificate. Such an applicant may retake the examination if he submits an application and the fee required for examination to the Board.

2. 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. An applicant who has a passing grade on either section of the examination that is valid for the examination is required to be present for the oral instructions and remarks of introduction by a member of the Board, but is not required to be present for the section of the examination that he passed.

3. An applicant who passes both sections of the examination shall have up to 2 years to submit an application to the Board for a certificate.

(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98; A by R101-03, 2-18-2004; R029-07, 10-31-2007)

**INFORMATIONAL STATEMENT
Adoption Hearing Meeting Minutes**

Date: Monday, October 18, 2010
Start Time: 5:30pm
End Time: 5:55pm

Las Vegas Location: Esquire Deposition Services, LLC
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 Rose Marie Reynolds
Debbie Uehara Andrea Angwin Cheryl Gardner Kevin Daniel
Mary Cox Daniel Kathy Shelburne Sharon Sherr Remy Peggy Isom
Present in Reno: Severin Carlson Lori Urmston

The adoption hearing on proposed permanent and temporary regulations was called to order by Severin Carlson.

Board member roll call:

Severin Carlson – Present
Lori Judd – Present
Sherrill Grotheer – 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.

Copies of the proposed permanent and temporary regulations, notices of workshop and notices of intent to act upon the regulations were sent by U.S. mail and email to persons who were known to have an interest in the subject of court reporting practices as well as any persons who had specifically requested such notice. These documents were also available at the website of the State of Nevada Certified Court Reporters Board at www.crptr.state.nv.us, mailed to all county libraries in Nevada and posted at the following locations on September 16, 2010:

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
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 intent to act upon the regulations instructed interested persons of the public to contact Debbie Uehara at the State of 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 and temporary regulations.**

Workshop – Tuesday, August 10, 2010

Number of persons who attended Las Vegas location: 2

Number of persons who attended Reno location: 0

Number of persons who testified: 0

Number of written comments: 0

Adoption Hearing – Monday, October 18, 2010

Number of persons who attended Las Vegas location: 12

Number of persons who attended Reno location: 2

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 State of Nevada Certified Court Reporters Board. Notice of the workshop and adoption

hearing instructed interested persons of the public to contact Debbie Uehara at the State of Nevada Certified Court Reporters Board at 702-489-8787 to obtain copies of the comment summaries.

4. **If the permanent and temporary regulations was adopted without changing any part of the proposed permanent and temporary regulations, a summary of the reasons for adopting the permanent and temporary regulation without change. The statement should also explain the reasons for making any changes to the permanent and temporary 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 continuing education requirements for designated firm representatives and certification exam procedures for exam applicants. A copy of the permanent and temporary regulations as adopted is attached.

5. **The estimated economic effect of the permanent and temporary 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 and temporary regulations.

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

The effects of the proposed permanent and temporary language will keep NAC Chapter 656 consistent with NRS Chapter 656 and provide clarification regarding continuing education requirements for court reporting firms and certification exam applicants in the state of Nevada to better safeguard the public.

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

There is no additional cost to the agency for enforcement of these regulations.

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

There are no other state or government agency regulations that the proposed amendments duplicate.

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

Not applicable.

- 9. If the permanent or temporary regulation 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.**

Not applicable.

MOTION by Lori Judd: That the Board move to adopt proposed permanent language identified as LCB File #R021-10, specifically NAC 656.270(2). Motion seconded by Sherrill Grotheer, all in favor, motion moves forward. (A copy of the language in its entirety is attached.)

MOTION by Lori Judd: That the Board move to adopt proposed temporary language identified as LCB File T002-10 with changes made to NAC 656.120(6a), NAC 656.150(4,5) and NAC 656.160(3). Motion seconded by Sherrill Grotheer, all in favor, motion moves forward. (A copy of the language in its entirety is attached.)

MOTION by Severin Carlson: To adjourn at 5:55pm.