

Regular Session, 2010

ACT No. 700

HOUSE BILL NO. 429

BY REPRESENTATIVE CHANDLER AND SENATOR GUILLORY

1 AN ACT

2 To amend and reenact R.S. 37:2554 and 2556(A) and (B) and to enact R.S. 37:2555(F) and
3 2558(A)(4), relative to court reporters; to provide for qualifications; to provide for
4 definitions; to provide for the appointment of court reporters; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 37:2554 and 2556(A) and (B) are hereby amended and reenacted and
8 R.S. 37:2555(F) and 2558(A)(4) are hereby enacted to read as follows:

9 §2554. Qualifications; examinations; certificates

10 A. The board shall determine the qualifications of persons applying for
11 examination under this Chapter, make rules for the examination of applicants and for
12 the issuance and maintenance of certificates herein provided for which shall be
13 subject to legislative oversight review pursuant to the Administrative Procedure Act,
14 and shall grant certificates to such applicants as may, upon examination, be qualified
15 in professional shorthand reporting and in such other subjects as the board may deem
16 advisable.

17 B.(1) The board may, at its discretion, waive regular examination of any
18 person duly holding a comparable C.S.R. certificate from another state and desiring
19 to ~~move to Louisiana as a verbatim reporter~~ practice as a certified reporter in the
20 state of Louisiana.

21 (2) Any person duly holding a certification in digital reporting from a
22 recognized authority as defined in R.S. 37:2555, or any person employed as an
23 official court reporter or deputy official court reporter by a court of record utilizing
24 electronic or audio recording as a method of official court reporting on or before

1 December 31, 2010, shall be certified as long as they remain employed by that court
 2 as an official or deputy official court reporter. The provisions of this Paragraph shall
 3 not be applicable to the Fifteenth, Sixteenth, Seventeenth, Nineteenth, Thirty-
 4 Second, Thirty-Fourth, and Fortieth Judicial District Courts, the Orleans Parish Civil
 5 District Court, the Orleans Parish Criminal District Court, the Jefferson Parish First
 6 and Second Parish Courts, the New Orleans First and Second City Courts, the New
 7 Orleans Municipal and Traffic Courts, and on and after the effective date of its
 8 creation, the Forty-First Judicial District Court.

9 C. A certificate holder shall be restricted from changing from the system of
 10 reporting under which the certificate holder was certified to any other shorthand
 11 system as defined in R.S. 37:2555, until the certificate holder has been certified by
 12 the board under a different system of reporting. Violation of this restriction may
 13 result in the suspension or revocation of a certificate.

14 D. The board shall in no way restrict the use of electronic equipment to
 15 certificate holders hereunder in the performance of their duties, but shall exclude the
 16 use of all electronic recording equipment, except stenomask and digital recording
 17 equipment, to all applicants at the time and place of examination.

18 E. Every general or freelance certificate holder hereunder shall be deemed
 19 a certified court reporter, entitled to use the abbreviation "C.C.R." after his name,
 20 and at his expense shall receive from the board, and may keep while his certificate
 21 remains in effect, a ~~metal~~ seal imprinting his name and "Certified Court Reporter of
 22 the State of Louisiana". Such certificate and seal shall authorize the holder thereof
 23 to issue affidavits with respect to his regular duties, to subpoena witnesses for
 24 depositions, to administer oaths and affirmations, and to take depositions, sworn
 25 statements, court proceedings, and related hearings.

26 F. The board shall promulgate by rule a procedure to ~~convert to the certified~~
 27 ~~court reporter, or C.C.R., certificate, all certificates previously issued by the board,~~
 28 ~~including the certified shorthand reporter, or C.S.R., and the certified general~~
 29 ~~reporter, or C.G.R., certificates, which remain in effect subject to the regulatory~~
 30 ~~authority of the board pending conversion~~ issue the certified digital reporter, or

C.D.R., certificate. The board may also establish by rule appropriate designations by which the various capabilities of certified ~~court~~ digital reporters may be identified, including the system of ~~shorthand~~ reporting under which a certificate holder is certified, the means by which a certificate was obtained, and other criteria ~~by which the public may be better informed in contracting for shorthand reporting services.~~

G. The maintenance and continued validity of any license issued by the board as provided for in this Chapter shall be dependent upon the satisfactory performance and completion by a certified ~~court~~ reporter of those continuing education requirements as established by the board, subject to legislative oversight pursuant to the Administrative Procedure Act.

~~H. Repealed by Acts 1993, No. 908, §2, eff. June 23, 1993.~~

~~I. Repealed by Acts 1993, No. 908, §2, eff. June 23, 1993.~~

~~J.~~(H)(1) The board shall contract with a third party for the preparation and grading of the examination required in this Section.

(2) Each school which provides programs in court reporting shall annually report to the board and to the Senate Committee on Judiciary B and the House Committee on the Judiciary the number of program completers, the number of such completers who sit for the examination, and the number of examination takers who successfully pass the test.

§2555. Definitions

* * *

F. The "practice of digital reporting" is defined as the making of a verbatim record of any oral court proceeding through the use of digital, electronic, or audio recording equipment transcribed into a written record of the proceeding by an official or deputy official reporter who has been certified to engage in the practice of digital reporting as a certified electronic reporter and transcriber by the American Association of Electronic Reporters and Transcribers or any other national or state recognized association or organization which is approved by the board and authorized or licensed to provide education and certification for professionals engaged in digital reporting and transcribing a verbatim record of oral court

1 proceedings, and which is approved by the judge or court employing the services of
 2 the court reporter, or any official or deputy official reporter who has satisfied
 3 equivalent testing and certification requirements established by the board.

4 §2556. Appointment of reporter

5 A.(1) Official court reporters and deputy official court reporters employed
 6 as such in a court of record, as defined in R.S. 37:2555(C) and (D), shall be subject
 7 to the certification requirements of this Chapter and shall be subject to the regulatory
 8 authority of the board during their employment or appointment as court reporters for
 9 ~~purposes of either official and general or freelance reporting.~~ The board shall
 10 recognize and provide by rule for a new method of digital reporting for use by an
 11 official or deputy official certified digital reporter, or C.D.R., in court proceedings.
 12 ~~However, on~~ On or before December 31, ~~1992,~~ 2010, the board will accept, upon
 13 payment of a fee fixed by the board, applications for certification without
 14 examination from any person furnishing due proof that he or she was employed as
 15 an official court reporter or deputy official court reporter, as defined in R.S.
 16 37:2555(C) and (D), as of ~~September 1, 1991.~~ December 31, 2010, and that he or she
 17 performed the duties of an official or deputy official court reporter utilizing
 18 electronic, audio, or digital recording equipment and transcribing as the method of
 19 producing an official record. The board may establish and administer an
 20 examination for digital reporting and may issue certificates to qualified applicants
 21 after December 31, 2010.

22 (2) No person employed as an official court reporter or deputy official court
 23 reporter, as defined in R.S. 37:2555(C) and (D), shall perform duties as a general or
 24 free-lance reporter, as defined in R.S. 37:2555(E), unless certified by the board to
 25 engage in such reporting outside of the court where such person is employed and on
 26 the payroll of the court to act as official court reporter or deputy official court
 27 reporter.

28 B. No person shall practice general reporting or freelance reporting unless
 29 he currently holds a valid certificate ~~or has paid the fee, provided the required proof~~

1 ~~of employment, and received certification from the board as required in Subsection~~
2 ~~A as a certified court reporter, or C.C.R.~~

3 * * *

4 §2558. Fees

5 A. The board shall collect fees from each applicant for a certificate as
6 hereinafter provided. The board shall have power to require a reinstatement fee for
7 suspended or revoked delinquent certificates, a reciprocal fee for certification
8 without examination, and an annual renewal fee for all certificates and to collect
9 therefor a fee of such amount as may be fixed by the board according to the
10 following schedule:

11 * * *

12 (4) The fee for issuance of a new certificate to a reporter admitted to practice
13 as a certified court reporter, or C.C.R., shall not exceed one hundred twenty-five
14 dollars.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____