

## CHAPTER 43

## STATE BOARD OF COURT REPORTING

## Authority

N.J.S.A. 45:1-3.2, 45:1-7.1 to 7.2, 45:1-15 to 15.1  
and 45:15B-1 et seq.

## Source and Effective Date

R.2009 d.207, effective May 27, 2009.  
See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

## Chapter Expiration Date

Chapter 43, State Board of Court Reporting, expires on May 27, 2014.

## Chapter Historical Note

Chapter 43, State Board of Shorthand Reporting, became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66(1978), Chapter 43, State Board of Shorthand Reporting, was readopted as R.1988 d.457, effective September 1, 1988. See: 20 N.J.R. 1666(a), 20 N.J.R. 2465(a).

Pursuant to Executive Order No. 66(1978), Chapter 43, State Board of Shorthand Reporting, was readopted as R.1993 d.471, effective August 26, 1993, and Subchapter 2, Administrative Hearings, was repealed by R.1993 d.471, effective September 20, 1993. See: 25 N.J.R. 3079(a), 25 N.J.R. 4499(a).

Subchapter 2, Licensing of Shorthand Reporters, Subchapter 3, Certification of Shorthand Reporters in Realtime Reporting, Subchapter 4, Examinations, and Subchapter 5, General Provisions, were adopted as R.1998 d.145, and former Subchapter 4, Fees, was recodified as Subchapter 6 by R.1998 d.145, effective March 16, 1998. See 29 N.J.R. 4383(a), 30 N.J.R. 1048(a).

Pursuant to Executive Order No. 66(1978), Chapter 43, State Board of Shorthand Reporting, was readopted as R.1998 d.466, effective August 4, 1998. See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

Subchapter 7, Continuing Education, was adopted as R.2001 d.93, effective March 19, 2001. See: 32 N.J.R. 3259(a), 33 N.J.R. 1012(a).

Chapter 43, State Board of Shorthand Reporting, was readopted as R.2004 d.83, effective January 23, 2004. As part of R.2004 d.83, Subchapter 3A, Certificate Renewal; Inactive Status; Reinstatement, was adopted as New Rules, effective March 1, 2004. See: 35 N.J.R. 4040(b), 36 N.J.R. 1196(a).

Chapter 43, State Board of Shorthand Reporting, was renamed State Board of Court Reporting; Subchapter 1, State Board of Shorthand Reporting, Methods of Operation, was renamed State Board of Court Reporting, Methods of Operation; Subchapter 2, Certification of Shorthand Reporters, was renamed Certification of Court Reporters; and Subchapter 3, Certification of Shorthand Reporters in Realtime Reporting, was renamed Certification of Court Reporters in Realtime Reporting by R.2008 d.78, effective April 7, 2008. See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Chapter 43, State Board of Court Reporting, was readopted as R.2009 d.207, effective May 27, 2009. As a part of R.2009 d.207, N.J.A.C. 13:43-5.1A, was recodified as Subchapter 1A, Definitions; Subchapter 2, Certification of Court Reporters, was renamed Certification of Court Reporters; Registration of Temporary Registered Reporters; Subchapter 3A, Certificate Renewal; Inactive Status; Reinstatement, was renamed Certificate Renewal; Registration Renewal; Inactive Status; Reinstatement; and Appendix A, Written Notification and Disclosure Form, and Appendix B, Waiver Form, were adopted as new rules, effective July 6, 2009. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. STATE BOARD OF COURT REPORTING; METHODS OF OPERATION

**13:43-1.1 State Board of Court Reporting; description**

(a) The Board of Court Reporting created in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to N.J.S.A. 45:15B-1 et seq., consists of six members appointed by the Governor, three of whom are certified court reporters, two of whom are appointed by the Governor as public members, and the sixth being a member of the executive branch of government.

(b) The State Board of Court Reporting is charged with the responsibility to certify court reporters and to discipline persons violating provisions of N.J.S.A. 45:15B-1 et seq., pursuant to the provisions of the Uniform Enforcement Act, N.J.S.A. 45:1-14 et seq.

Amended by R.1993 d.471, effective September 20, 1993.  
See: 25 N.J.R. 3079(a), 25 N.J.R. 4499(a).  
Amended by R.1998 d.466, effective September 8, 1998.  
See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

In (a), inserted "Public" preceding "Safety"; and in (b), substituted "certify" for "license certified" and "discipline" for "punish".  
Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Section was "State Board of Shorthand Reporting; description". Substituted "Court" for "Shorthand" and "court" for "shorthand" throughout; in (a), substituted "Governor" for "governor"; and in (b), deleted "the Shorthand Reporting Act," following "provisions of".

**13:43-1.2 Methods of operation**

(a) The State Board of Court Reporting elects, from its number, a chairman and a secretary/treasurer to preside over its activities and to assume those duties normally associated with those offices.

(b) The State Board of Court Reporting meets annually for the purpose of conducting business, and at such other times as are necessary.

(c) All communications, submissions and requests to and all inquiries for information from the Board of Court Reporting should be directed to the Office of the State Board of Court Reporting, Post Office Box 45019, Newark, New Jersey 07101.

Administrative Change to (c).  
See: 25 N.J.R. 1516(b).

Amended by R.1993 d.471, effective September 20, 1993.  
See: 25 N.J.R. 3079(a), 25 N.J.R. 4499(a).  
Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Substituted "Court" for "Shorthand" throughout.

SUBCHAPTER 1A. DEFINITIONS

**13:43-1A.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Certified court reporter" or "CCR" means any person who is certified pursuant to the provisions of N.J.S.A. 45:15B-1 et seq.

"Certified realtime court reporter" or "CRCR" means one who possesses a voluntary certification to perform realtime reporting.

"Court reporting" means making, by use of symbols or abbreviations, of a verbatim record of court proceedings, depositions, other judicial proceedings, meetings of boards, agencies, corporations, or other bodies or groups and causing that record to be provided or printed in a readable form or produced on a computer screen in a readable form.

"Realtime reporting" means a computer-aided method of translation performed by a certified realtime court reporter (who must also hold a current New Jersey certificate as a certified court reporter), in order to provide a simultaneous verbatim transcription on a computer screen of any testimony given under oath before any court, referee, board, commission, or other body created by statute of this State.

"Temporary registered reporter" means a non-certified court reporter who has registered with the Board pursuant to N.J.A.C. 13:43-2.2.

Recodified from N.J.A.C. 13:43-3.1 and amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

In the introductory paragraph, substituted "words and" for "word", "chapter" for "subchapter" and "indicates" for "indicate"; added definitions "Certified court reporter" and "Court reporting"; substituted definition "Certified realtime court reporter" or "CRCR" for definition "Certified shorthand realtime reporter" or "C.S.R.R."; and in definition "Realtime reporting", deleted "shorthand" preceding "realtime" and inserted "court" following "realtime" and substituted "court" for "shorthand" following "as a certified".

Recodified from N.J.A.C. 13:43-5.1A and amended by R.2009 d.207, effective July 6, 2009.

See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

Added definition "Temporary registered reporter".

SUBCHAPTER 2. CERTIFICATION OF COURT REPORTERS; REGISTRATION OF TEMPORARY REGISTERED REPORTERS

**13:43-2.1 Eligibility for certification as a certified court reporter**

(a) In order to qualify for certification as a certified court reporter, an applicant shall:

1. Be at least 18 years of age;

2. Be of good moral character, as established by references and a criminal history name search, as set forth in (b) below, which shall be requested and performed in accordance with N.J.A.C. 13:59-1;

3. Have obtained a high school diploma or its equivalent;

4. Have submitted a completed application form to the Board not less than three weeks before the date of the examination required in (a)6 below;

5. Paid the application fee set forth in N.J.A.C. 13:43-6.1;

6. Have successfully passed the Board-approved examination for the certification of court reporters; and

7. Have a place for the regular transaction of business within the State of New Jersey.

(b) An applicant for initial certification as a court reporter shall submit to the Board his or her name, address, date of birth and, in conformity with N.J.A.C. 13:59-1.4, social security number for the purpose of conducting a criminal history name search to determine whether any criminal history record information exists that the Board may consider in determining whether the applicant shall be certified in the State. The fee for a criminal history name search shall be paid by the applicant for certification as set forth in N.J.A.C. 13:59-1.3. In addition to its use in evaluating an application for initial certification, the Board may obtain criminal history record information from the Division of State Police for any other purpose authorized by statute or rule.

Amended by R.1998 d.466, effective September 8, 1998.

See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

Rewrote the section.

Amended by R.2002 d.238, effective July 15, 2002.

See: 33 N.J.R. 3876(a), 34 N.J.R. 2464(a).

Added (b).

Amended by R.2004 d.83, effective March 1, 2004.

See: 35 N.J.R. 4040(b), 36 N.J.R. 1196(a).

In (a), deleted 4, recodified former 5 through 8 as 4 through 7, and rewrote new 5; rewrote (b).

Amended by R.2008 d.78, effective April 7, 2008.

See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Section was "Eligibility for certification as a certified shorthand reporter". In the introductory paragraph of (a) and in (a)6, substituted "court" for "shorthand", in (a)2, inserted "and a criminal history name search, as set forth in (b) below, which shall be requested and performed in accordance with N.J.A.C. 13:59-1"; and rewrote (b).

### **13:43-2.2 Eligibility for registration as a temporary registered reporter; disclosure forms; penalties**

(a) In order to qualify to register as a temporary registered reporter pursuant to N.J.S.A. 45:15B-9, an applicant shall:

1. Be at least 18 years of age;

2. Be of good moral character, as established by references and a criminal history name search as set forth in

(c) below, which shall be requested and performed in accordance with N.J.A.C. 13:59-1;

3. Have obtained a high school diploma or its equivalent;

4. Have submitted a completed application form to the Board; and

5. Paid the application fee set forth in N.J.A.C. 13:43-6.1;

(b) In addition to (a) above, the applicant must present proof of one of the following:

1. A certificate of completion from a reporting school program;

2. Proof that the applicant has practiced court reporting in at least three out of the last five years preceding the date of application. Such proof shall consist of one of the following:

i. Submission of an affidavit of employment listing each job held during the three-year period that includes the name, address and telephone number of each employer; or

ii. Complete copies of all business records, such as, but not limited to, caption and appearance sheets and invoices, made for each court reporting assignment completed;

3. Proof of an active certificate or license from another state; or

4. A certification issued by the National Court Reporters Association under any of the following titles:

i. Registered Merit Reporter;

ii. Certified Real Time Reporter;

iii. Certified Broadcast Captioner; or

iv. Certified Communications Access Realtime Translation Provider.

(c) An applicant for initial registration as a temporary registered reporter shall submit to the Board his or her name, address, date of birth and, in conformity with N.J.A.C. 13:59-1.4, Social Security number for the purpose of conducting a criminal history name search to determine whether any criminal history record information exists that the Board may consider in determining whether the applicant shall be registered in the State. The fee for a criminal history name search shall be paid by the applicant for registration as set forth in N.J.A.C. 13:59-1.3. In addition to its use in evaluating an application for initial registration, the Board may obtain criminal history record information from the Division of State Police for any other purpose authorized by statute or rule.

(d) A temporary registered reporter who is engaged in court reporting shall disclose to all participants of a pro-

ceeding and obtain from those participants, before commencement of the proceeding, a written acknowledgment that the temporary registered reporter is not certified by the Board but is registered with the Board to practice as a court reporter on a temporary basis. The written acknowledgement referred to above shall be in the form prescribed by the Board attached to these rules as chapter Appendix A and incorporated herein by reference.

(e) A temporary registered reporter who is engaged in court reporting shall abide by the requirements set forth in New Jersey Court Rules, R. 4:14-5. The waiver of the reading and signing of the deposition referred to in R. 4:14-5, shall be in the form prescribed by the Board, attached to these rules as chapter Appendix B and incorporated herein by reference.

(f) The original of the forms referred to in (d) and (e) above shall be placed with the original transcript. All copies of the transcript shall include a copy of the forms referred to in (d) and (e) above.

(g) The transcript shall not be considered complete if the registrant has not complied with the requirements of (f) above.

(h) The temporary registered reporter shall maintain a log of all proceedings, which shall include the date, time, place, caption and appearance sheet and all disclosure forms referred to in (d) above and those forms referred to in (e) above. The log shall be retained for a period of no less than five years.

(i) The Board may randomly audit records maintained by a temporary registered reporter under (h) above for any one-year period as determined by the Board.

(j) A certified court reporter who has had his or her certification suspended and/or revoked for any reason may not apply for temporary registered reporter status.

(k) A person who is in violation of this section shall be subject to a penalty of not more than \$500.00 for the first violation, and not more than a \$1,000 for each violation thereafter, to be sued for by the Board in a summary proceeding and collected in court pursuant to N.J.S.A. 2A:58-10 et seq. A person who fails to comply with the requirements of this section is subject to the suspension or revocation of that individual's certificate or temporary registration pursuant to N.J.S.A. 45:1-21.

New Rule, R.2002 d.238, effective July 15, 2002.

See: 33 N.J.R. 3876(a), 34 N.J.R. 2464(a).

Administrative correction.

See: 40 N.J.R. 2287(b).

Repeal and New Rule, R.2009 d.207, effective July 6, 2009.

See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

Section was "Temporary employment of non-certified court reporters".

#### Case Notes

As applied to a deposition taken in connection with federal litigation, the Federal Rules of Civil Procedure preempt the New Jersey statute and

administrative regulations governing shorthand reporting. However, the Federal Rules do not preempt a claim against a shorthand reporting company under the Consumer Fraud Act, N.J.S.A. 56:8-1 through 56:8-20, that is not dependent upon the statute and administrative regulations governing shorthand reporting. *Quigley v. Esquire Deposition Serv.*, 400 N.J. Super. 494, 948 A.2d 665, 2008 N.J. Super. LEXIS 110 (App.Div. 2008).

### 13:43-2.3 Employment of temporary registered reporters

(a) An employer of a certified court reporter or owner of a shorthand and/or court reporting agency, or certified court reporter may utilize temporary registered reporters referred to in N.J.A.C. 13:43-2.2 only in circumstances where a certified court reporter is unavailable. In such circumstances where a certified court reporter is unavailable, the employer, owner of a shorthand and/or court reporting agency or certified court reporter shall contact five shorthand and/or court reporting agencies to seek an available certified court reporter. The employer, owner of a shorthand or court reporting agency or certified court reporter shall record the five contacts in an affidavit that shall include the names of the agencies contacted, the dates and times of the contacts, and the specific job for which the certified court reporter is sought, including the date, time and location of the job, as well as the name(s) of the party (parties) soliciting the certified court reporter and the name of the case for which the certified court reporter is sought.

1. The employer, owner of a shorthand and/or court reporting agency or certified court reporter shall retain the affidavits referred to above for a period of three calendar years. The records shall be made available to the Board within two business days of the Board's written notice of request, and shall be subject to the Board's random audit. For purposes of this paragraph, a business day is defined as the hours between 9:00 A.M. and 5:00 P.M. Monday through Friday, excluding holidays.

New Rule, R.2009 d.207, effective July 6, 2009.

See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

### SUBCHAPTER 3. CERTIFICATION OF COURT REPORTERS IN REALTIME REPORTING

#### 13:43-3.1 (Reserved)

Amended by R.1998 d.466, effective September 8, 1998.

See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

Changed "Certified realtime reporter" or "C.R.R." definition to "Certified shorthand realtime reporter" or "C.S.R.R."; and in "Realtime reporting" definition, inserted "shorthand" following "certified" and substituted "certificate" for "license".

Recodified to N.J.A.C. 13:43-5.1A by R.2008 d.78, effective April 7, 2008.

See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Section was "Definitions".

**13:43-3.2 Eligibility for certification as a certified realtime court reporter**

(a) In order to be eligible for certification as a realtime court reporter, an applicant shall:

1. Hold a current New Jersey certified court reporting certification in good standing;
2. Submit a completed application that contains the following information:
  - i. Proof of certification as a court reporter;
  - ii. Current residence;
  - iii. Current employment status; and
  - iv. Any past or pending disciplinary actions;
3. Submit the application fee set forth in N.J.A.C. 13:43-6.1;
4. Successfully pass the Board-approved examination for the certification of realtime court reporters; and
5. Have a place for the regular transaction of business within the State of New Jersey.

Amended by R.1998 d.466, effective September 8, 1998.  
See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

In (a), substituted "certification" for "license" in 1.  
Amended by R.2004 d.83, effective March 1, 2004.  
See: 35 N.J.R. 4040(b), 36 N.J.R. 1196(a).

In (a)3, deleted "by certified check or money order made payable to the State of New Jersey, Board of Shorthand Reporting" following N.J.A.C. reference.

Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Section was "Eligibility for certification as a certified shorthand realtime reporter". In the introductory paragraph of (a), and in (a)4, inserted "court", in the introductory paragraph of (a), and in (a)1 and (a)2i, substituted "court" for "shorthand", and in (a)2, substituted "that" for "from which".

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**SUBCHAPTER 3A. CERTIFICATE RENEWAL;  
REGISTRATION RENEWAL; INACTIVE STATUS;  
REINSTATEMENT**

**13:43-3A.1 Certificate renewal**

(a) All certificates issued by the Board shall be issued for a two-year biennial renewal period. A certificate holder who seeks renewal of the certificate shall submit a certificate renewal application and the certificate renewal fee set forth in N.J.A.C. 13:43-6.1 prior to the expiration date of the certificate.

(b) Renewal applications shall provide the applicant with the option of either active or inactive status. A certificate holder electing inactive status shall pay the inactive license fee set forth in N.J.A.C. 13:43-6.1, and shall not engage in the practice of court reporting.

(c) If the certificate holder does not renew the certificate prior to its expiration date, the certificate holder may renew it within 30 days of its expiration by submitting a renewal application, a renewal fee and a late fee, as set forth in N.J.A.C. 13:43-6.1.

(d) A certificate that is not renewed within 30 days of its expiration shall be automatically suspended. An individual who continues to practice with a suspended certificate shall be deemed to be engaged in unlicensed practice.

(e) The Board shall send a notice of renewal to each certificate holder at least 60 days prior to the expiration of his or her certificate. If the notice to renew is not sent 60 days prior to the expiration date, no monetary penalty or fines shall apply to the certificate holder for any uncertified practice during the period following the certificate expiration, not to exceed the number of days short of 60 before the renewal was issued.

Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

In (b), substituted "court" for "shorthand"; and added (e).

**13:43-3A.2 Change of certification status: inactive to active**

(a) A certificate holder, upon application to the Board, may change from inactive to active status upon payment of the renewal fee as set forth in N.J.A.C. 13:43-6.1.

(b) A certificate holder on inactive status shall complete 15 credits of continuing education, which shall be completed by the applicant within one year prior to and one year after the date of application for return to active status. The 15 credits of continuing education earned by the certificate holder under this subsection shall be consistent with the requirements and subject to all provisions of Subchapter 7.

(c) If the certificate holder completes any or all of the 15 credits of continuing education required by (b) above after reinstatement to active status, he or she is required to complete an additional 15 credits of continuing education for the biennial renewal period immediately following reinstatement in the manner set forth in Subchapter 7.

Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

In (c), substituted "court" for "shorthand".

Amended by R.2009 d.207, effective July 6, 2009.  
See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

Rewrote (b) and (c).

**13:43-3A.3 Reinstatement of suspended certificate**

(a) An individual whose certificate has been automatically suspended for failure to renew as provided by N.J.A.C. 13:43-3A.1(d) may be reinstated by the Board, provided the applicant otherwise qualifies for certification pursuant to N.J.A.C. 13:43-2.1 and 3.2, and submits a completed reinstatement application and one of the following to the Board:

1. Certification of licensure or certification in good standing from any other state or jurisdiction in which the applicant has practiced court reporting during the period the certificate was suspended in this State;

2. Certification by the applicant stating that he or she has practiced court reporting in a state or jurisdiction, which does not require certification or licensure, during the period the certificate was suspended in this State; or

3. Certification stating that the applicant has not practiced court reporting, in this or any other jurisdiction during the period the certificate was suspended in this State.

(b) An individual who has practiced court reporting in the manner described in (a)1 or 2 above shall submit written verification, on a form provided by the Board, from all of the applicant's employers. The verification shall document dates of employment from the date the New Jersey certificate was suspended to the date of application for reinstatement, and the name, address and telephone number of each employer.

(c) An individual whose certificate has been automatically suspended for failure to renew as provided by N.J.A.C. 13:43-3A.1(d) for a period of two to five years shall complete 15 credits of continuing education.

(d) An individual whose certificate has been automatically suspended for a period of more than five years shall successfully complete the examination required for initial licensure as set forth in N.J.A.C. 13:43-4.1.

(e) Prior to reinstatement, an applicant shall pay a reinstatement fee and all past delinquent biennial renewal fees pursuant to N.J.A.C. 13:43-6.1.

Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Section was "Reinstatement of suspended certificate." In (a)1, (a)2, (a)3 and (b), substituted "court" for "shorthand"; and in (a)2, inserted a comma following "jurisdiction".

Amended by R.2009 d.207, effective July 6, 2009.  
See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

In the introductory paragraph of (a), substituted "3.2" for "3.1".

#### 13:43-3A.4 Registration renewal for temporary registered reporters

(a) All temporary reporter registrations issued by the Board shall be issued for a one-year period. A temporary reporter registration holder who seeks renewal of the registration shall submit a registration renewal application and the registration renewal fee set forth in N.J.A.C. 13:43-6.1 prior to the expiration date of the registration.

(b) A temporary reporter registration may be renewed for two consecutive one-year periods following initial registration, during which time a registrant shall attempt to complete the certification examination. After the three-year period has expired, the registrant shall not be allowed to register as a temporary registered reporter and shall not practice court re-

porting in the State until he or she has passed the certification examination and has been certified by the Board.

(c) If the temporary reporter registration holder does not renew the registration prior to its expiration date, the temporary reporter registration holder may renew it within 30 days of its expiration by submitting a renewal application, a renewal fee and a late fee, as set forth in N.J.A.C. 13:43-6.1.

(d) A temporary reporter registration that is not renewed within 30 days of its expiration shall be automatically suspended. An individual who continues to practice with a suspended registration shall be deemed to be engaged in unregistered practice.

(e) The Board shall send a notice of renewal to each temporary reporter registration holder at least 60 days prior to the expiration of his or her registration. If the notice to renew is not sent 60 days prior to the expiration date, no monetary penalty or fines shall apply to the temporary reporter registration holder for any unregistered practice during the period following the registration expiration, not to exceed the number of days short of 60 before the notice of renewal was issued.

New Rule, R.2009 d.207, effective July 6, 2009.  
See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

#### 13:43-3A.5 Reinstatement of suspended registration

(a) An individual whose registration has been automatically suspended for failure to renew as provided by N.J.A.C. 13:43-3A.4(c) may be reinstated by the Board, provided the applicant:

1. Otherwise qualifies for registration pursuant to N.J.A.C. 13:43-2.2;
2. Demonstrates competency satisfactory to the Board;
3. Submits a completed reinstatement application; and
4. Pays the reinstatement fee pursuant to N.J.A.C. 13:45-6.1.

(b) An individual with a suspended registration shall submit to the Board:

1. A certification stating that the applicant has not practiced court reporting, in this jurisdiction during the period the registration was suspended in this State; or
2. A written verification from all of the applicant's employers. The verification shall document dates of employment from the date the New Jersey registration was suspended to the date of application for reinstatement, and the name, address and telephone number of each employer.

New Rule, R.2009 d.207, effective July 6, 2009.  
See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

## SUBCHAPTER 4. EXAMINATIONS

**13:43-4.1 Examinations for certification as a certified court reporter; frequency**

(a) The examination for certification as a certified court reporter shall be held at least once per year. The time and place of an examination shall be advertised by the Board at least 30 days prior to the date of such examination.

(b) The National Court Reporters Association Registered Professional Reporter examination shall be the Board-approved examination for certification of court reporters.

(c) The Board will accept a National Court Reporters Association Registered Professional Reporter examination taken on or after May 1, 2006 to satisfy the examination requirement for certification as a court reporter under N.J.A.C. 13:43-2.1.

Amended by R.1998 d.466, effective September 8, 1998.  
See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

In (a), substituted "certification" for "licensure" in the first sentence.  
Amended by R.2004 d.83, effective March 1, 2004.  
See: 35 N.J.R. 4040(b), 36 N.J.R. 1196(a).

In (b), deleted former 3 and recodified former 4 as 3.  
Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Section was "Examinations for certification as a certified shorthand reporter; frequency; components; materials to be furnished by applicant; test materials to be surrendered to the Board; failure to complete the examination; score necessary for certification". In (a), substituted "court" for "shorthand" and deleted "at such times and places as may be deemed necessary by the Board, providing sufficient applications are on file with the Board" following "year"; deleted former (b) through (d), and added new (b) and (c).

**13:43-4.2 (Reserved)**

Repealed by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).  
Section was "Grading of the examination".

**13:43-4.3 (Reserved)**

New Rule, R.1985 d.288, effective June 3, 1985.  
See: 17 N.J.R. 801(a), 17 N.J.R. 1431(a).  
Amended by R.1993 d.471, effective September 20, 1993.  
See: 25 N.J.R. 3079(a), 25 N.J.R. 4499(a).  
Recodified from N.J.A.C. 13:43-3.4 and amended by R.1998 d.145, effective March 16, 1998.  
See: 29 N.J.R. 4383(a), 30 N.J.R. 1048(a).  
In (a), inserted "for licensure as a certified shorthand reporter" following "examination"; and in (b), deleted "shall" following "credit and".  
Amended by R.1998 d.466, effective September 8, 1998.  
See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).  
In (a), substituted "certification" for "licensure".  
Amended by R.2002 d.238, effective July 15, 2002.  
See: 33 N.J.R. 3876(a), 34 N.J.R. 2464(a).  
Added (c).  
Amended by R.2004 d.83, effective March 1, 2004.  
See: 35 N.J.R. 4040(b), 36 N.J.R. 1196(a).  
Rewrote (c).  
Repealed by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).  
Section was "Conditional credit rule".

**13:43-4.4 Examination for certification as a certified realtime court reporter; frequency; components; process; materials to be furnished by the applicant; grading**

(a) The examination for certification as a certified realtime court reporter shall be held at least once a year at such times and places as may be deemed necessary by the Board, providing sufficient applications are on file with the Board. The time and place of an examination shall be advertised by the Board at least 30 days prior to the date of such examination.

(b) A candidate shall be required to write in realtime from dictation of such matters as may be selected by the Board, under simulated conditions at speeds varying between 180 and 200 words per minute.

(c) A candidate shall not be permitted to edit the examination.

(d) A candidate shall furnish a writer and computer system to take the examination.

(e) In order for a candidate to be awarded a certificate, he or she shall attain a grade of 95 percent on the section dictated and written in realtime.

Amended by R.1998 d.466, effective September 8, 1998.  
See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

In (a), substituted "certification" for "licensure" and inserted "shorthand" following "certified" in the first sentence.  
Amended by R.2004 d.83, effective March 1, 2004.  
See: 35 N.J.R. 4040(b), 36 N.J.R. 1196(a).

Rewrote (e).  
Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Section was "Examination for certification as a certified shorthand realtime reporter; frequency; components; process; materials to be furnished by the applicant; grading". In (a), deleted "shorthand" preceding "realtime" and inserted "court".

**13:43-4.5 Grading of the realtime examination**

(a) The Board shall grade each examination on the basis of:

1. The candidate's ability to write accurately in realtime;
2. The general style of the transcript; and
3. Accuracy relating to:
  - i. Terminology;
  - ii. Spelling; and
  - iii. Punctuation.

**13:43-4.6 Examination review process; rescoring; appeals**

(a) Each candidate shall be notified of the results of his or her examination in writing. Such notification shall include a date at which time a candidate will have the opportunity to re-

view his or her examination at the Board office and question a member of the Board about any marks made on the examination.

(b) A candidate may request that the Board rescore his or her examination; the results of the rescoring shall take precedence over the initial grade.

(c) If after rescoring, a candidate is not satisfied with the results, he or she has the right to an appeal before the full Board. Such appeal must be filed with the Board within 45 days after the date of the rescoring.

#### 13:43-4.7 Certification without examination

(a) An applicant for certification as a certified court reporter who presents proof of having earned the designation of Registered Merit Reporter awarded by the National Court Reporters Association shall be deemed to have satisfied the examination requirement set forth in N.J.A.C. 13:43-2.1.

(b) An applicant for certification as a certified realtime court reporter who presents proof of having earned a certificate in realtime reporting awarded by the National Court Reporters Association shall be deemed to have satisfied the examination requirement set forth in N.J.A.C. 13:43-3.2.

New Rule, R.1993 d.471, effective September 20, 1993.  
See: 25 N.J.R. 3079(a), 25 N.J.R. 4499(a).  
Recodified from N.J.A.C. 13:43-3.6 and amended by R.1998 d.145, effective March 16, 1998.  
See: 29 N.J.R. 4383(a), 30 N.J.R. 1048(a).

Rewrote the section.  
Amended by R.1998 d.466, effective September 8, 1998.  
See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

In (a), substituted "certification as a certified shorthand reporter" for "licensure"; and in (b), inserted "shorthand" following "certified".  
Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

In (a), substituted "court" for "shorthand"; and in (b), deleted "shorthand" preceding "realtime" and inserted "court".

### SUBCHAPTER 5. GENERAL PROVISIONS

#### 13:43-5.1 (Reserved)

Amended by R.1998 d.466, effective September 8, 1998.  
See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).  
In (a) and (b), substituted "certification" for "license" throughout.  
Repealed by R.2004 d.83, effective March 1, 2004.  
See: 35 N.J.R. 4040(b), 36 N.J.R. 1196(a).

Section was "Biennial certification for certified shorthand reporters".

#### 13:43-5.1A (Reserved)

Recodified to N.J.A.C. 13:43-1A.1 by R.2009 d.207, effective July 6, 2009.  
See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).  
Section was "Definitions".

#### 13:43-5.2 (Reserved)

Amended by R.1998 d.466, effective September 8, 1998.  
See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

In (a), inserted "shorthand" following "certified"; and in (b), substituted "certification" for "license".

Repealed by R.2004 d.83, effective March 1, 2004.

See: 35 N.J.R. 4040(b), 36 N.J.R. 1196(a).

Section was "Biennial certification for certified shorthand realtime reporters".

#### 13:43-5.3 Change of address; service of process

(a) A certification or registration holder of the Board of Court Reporting shall notify the Board in writing of any change of name or address from that currently registered with the Board and shown on the most recently issued certification or registration. Notice shall be given not more than 30 days following such change.

(b) Service of an administrative complaint or other process initiated by the Board, the Attorney General or the Division of Consumer Affairs at the certified or registered practitioner's address on file with the Board shall be deemed adequate notice for the commencement of any inquiry or disciplinary proceeding against the certified or registered practitioner.

New Rule, R.1985 d.289, effective June 3, 1985.  
See: 17 N.J.R. 801(b), 17 N.J.R. 1431(b).  
Amended by R.1993 d.471, effective September 20, 1993.  
See: 25 N.J.R. 3079(a), 25 N.J.R. 4499(a).  
Recodified from N.J.A.C. 13:43-3.5 and amended by R.1998 d.145, effective March 16, 1998.  
See: 29 N.J.R. 4383(a), 30 N.J.R. 1048(a).

Rewrote the section.  
Amended by R.1998 d.466, effective September 8, 1998.  
See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

In (a), substituted "certification holder" for "licensee" and "certification" for "license" in the first sentence; and in (b), substituted "certified" for "license" throughout.

Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

In (a), substituted "Court" for "Shorthand" and "more" for "less".  
Amended by R.2009 d.207, effective July 6, 2009.

See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

In (a), inserted "or registration" twice; and in (b), inserted "or registered" twice.

#### 13:43-5.4 Prohibited practices

(a) Certified court reporters and temporary registered reporters shall not:

1. Provide incentives or rewards to attorneys, clients or their representatives or agents to use the services of a certified court reporter or a temporary registered reporter. Certified court reporters and temporary registered reporters may distribute promotional items of nominal value, which advertise their business;

2. Provide or arrange to provide reporting services, in a judicial or quasi-judicial matter and/or a deposition, if he or she:

- i. Is a party to the action;
- ii. Is a relative, agent or employee of one of the parties;

iii. Has a financial interest in the action or its outcome; or

iv. Is related to an agent or is an employee of a person or entity with a financial interest in the action or its outcome; or

3. Enter into or arrange any contract or financial relationship that compromises the impartiality of the certified court reporter or temporary registered reporter or that may result in the appearance that the impartiality of the certified court reporter or temporary registered reporter has been compromised.

(b) Temporary registered reporters are prohibited from using the following titles or abbreviations: C.C.R.; C.R.C.R.; Court Reporter of the State of New Jersey; Realtime Reporter of the State of New Jersey; Court Reporter or C.R.

(c) A violation of any provisions in (a) or (b) above shall constitute professional misconduct and shall be grounds for disciplinary action, including suspension or revocation of certification as a certified court reporter in the State of New Jersey or of a registration as a temporary registered reporter, by the Board pursuant to N.J.S.A. 45:1-21 et seq.

Recodified from N.J.A.C. 13:43-3.2 and amended by R.1998 d.145, effective March 16, 1998.

See: 29 N.J.R. 4383(a), 30 N.J.R. 1048(a).

Substituted a reference to professional misconduct for a reference to unprofessional conduct.

Repeal and New Rule, R.2002 d.77, effective March 18, 2002.

See: 33 N.J.R. 2408(a), 34 N.J.R. 1270(a).

Section was "Professional misconduct".

Amended by R.2008 d.78, effective April 7, 2008.

See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Substituted "court" for "shorthand" throughout; in the introductory paragraph of (a), substituted "Certified court reporters" for "A certified shorthand reporter"; in (a)2iv, inserted "or" at the end; deleted former (a)3; and recodified former (a)4 as (a)3.

Amended by R.2009 d.207, effective July 6, 2009.

See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

In the introductory paragraph of (a) and in (a)1, inserted "and temporary registered reporters"; in (a)1, inserted "or a temporary registered reporter"; in (a)3, inserted "or temporary registered reporter" twice; added new (b); recodified former (b) as (c); and in (c), inserted "or (b)" and "or of a registration as a temporary registered reporter".

### 13:43-5.5 Disclosure of title and certification or registration number; the use of misleading titles and abbreviations

(a) A certified court reporter, or a certified realtime court reporter shall indicate his or her title in the form of an abbreviation "C.C.R." (certified court reporter) or "C.R.C.R." (certified realtime court reporter), respectively, on all official documents he or she has prepared including, but not limited to, all transcripts, invoices, business cards, advertising and any other document containing reported and/or recorded information.

(b) A temporary registered reporter shall be identified as such on all business cards, letterhead advertising, and all other work-related documents.

(c) A person who is not a certified court reporter or certified realtime court reporter of New Jersey shall not use misleading titles or abbreviations such as C.C.R., C.R.C.R., Court Reporter of the State of New Jersey, Realtime Reporter of the State of New Jersey, Court Reporter or C.R.

R.1983 d.122, effective April 18, 1983.

See: 15 N.J.R. 80(a), 15 N.J.R. 626(b).

Recodified from N.J.A.C. 13:43-3.3 and amended by R.1998 d.145, effective March 16, 1998.

See: 29 N.J.R. 4383(a), 30 N.J.R. 1048(a).

Rewrote the section.

Amended by R.1998 d.466, effective September 8, 1998.

See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

In (a) and (b), inserted "shorthand" following "certified" throughout.

Amended by R.2008 d.78, effective April 7, 2008.

See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Rewrote the section.

Amended by R.2009 d.207, effective July 6, 2009.

See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

Section was "Disclosure of title and certification number; the use of misleading titles and abbreviations". Added new (b); and recodified former (b) as (c).

### 13:43-5.6 Note and transcript retention policy

(a) All certified court reporters and all temporary registered reporters shall retain all notes in civil matters for no less than five years unless a full transcript has been prepared of the matter, in which case the electronic notes and the transcript shall be retained for at least five years, but the paper notes may be discarded after two years.

(b) In all criminal matters and any other matter heard in the Superior Court of New Jersey, in a Federal District Court, or any other court of competent jurisdiction, a certified court reporter or a temporary registered reporter shall retain all notes in accordance with the procedures established by such court.

(c) All temporary registered reporters shall retain all forms prepared pursuant to N.J.A.C. 13:43-2.2(d), (e) and (h) for no less than five years.

Amended by R.2008 d.78, effective April 7, 2008.

See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Substituted "court" for "shorthand" throughout; in (a), substituted "All" for "A" and "reporters" for "reporter".

Amended by R.2009 d.207, effective July 6, 2009.

See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

In (a), inserted "and all temporary registered reporters"; in (b), inserted "or a temporary registered reporter"; and added (c).

### 13:43-5.7 Validity of rules if any portion declared invalid

If any rule, sentence, paragraph or section of these rules, or the application thereof to any persons or circumstances, shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any rule shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of these rules.

New Rule, R.1993 d.471, effective September 20, 1993.

See: 25 N.J.R. 3079(a), 25 N.J.R. 4499(a).

Recodified from N.J.A.C. 13:43-3.8 by R.1998 d.145, effective March 16, 1998.

See: 29 N.J.R. 4383(a), 30 N.J.R. 1048(a).

### 13:43-5.8 Standards of practice

(a) Certified court reporters and temporary registered reporters shall:

1. Produce an accurate verbatim transcript of the recorded proceeding;
2. Produce a complete transcript of the recorded proceedings, unless an excerpt of a transcript is authorized by court order, agreement of the parties or request of a party;
3. Attach a certification page to all transcripts attesting that the certified court reporter or temporary registered reporter is unrelated to the parties involved in the action; has no financial interest and is not related to an agent of or employed by anyone with a financial interest in the outcome of the action; is a certified court reporter or temporary registered reporter; the transcript is a verbatim record of the testimony provided under oath before any court, referee, board, commission or other body created by statute of the State of New Jersey; and includes the notary number, expiration date and certified court reporter certificate number or temporary registration number;
4. Deliver a transcript to a client or court in a timely manner as determined by law, court rules or by agreement of the parties; and
5. Charge all parties and/or their attorneys in an action the same price for an original transcript and charge all parties and/or their attorneys the same price for a copy of a transcript or for like services performed in an action.

New Rule, R.2002 d.77, effective March 18, 2002.

See: 33 N.J.R. 2408(a), 34 N.J.R. 1270(a).

Amended by R.2008 d.78, effective April 7, 2008.

See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

In the introductory paragraph of (a), substituted "Certified court reporters" for "A certified shorthand reporter"; and in (a)3, substituted "court" for "shorthand" three times and substituted "includes" for "including".

Amended by R.2009 d.207, effective July 6, 2009.

See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

In the introductory paragraph of (a), inserted "and temporary registered reporters"; and in (a)3, inserted "or temporary registered reporter" twice, and "or temporary registration number".

### 13:43-5.9 Transcript format

(a) A certified court reporter or temporary registered reporter shall follow the following transcript format:

1. No fewer than 25 typed lines of transcript shall be on a standard 8½ inch by 11 inch paper not inclusive of the header or footer of a page;
2. Each line shall contain no fewer than nine letters and/or spaces per typed inch, and no less than 52 letters and/or spaces per line;

3. Each question and answer shall begin on a separate line;

4. Each question shall begin no more than seven spaces from the left hand margin with no more than seven spaces from the "Q" and "A" to the text;

5. The carry over "Q" and "A" text shall begin at the left hand margin;

6. The colloquy material shall begin no more than 15 spaces from the left hand margin with the carry over colloquy to begin at the left hand margin;

7. Quoted material shall begin no more than 15 spaces from the left hand margin, and carry over lines shall begin no more than 10 spaces from the left hand margin; and

8. Parentheticals and exhibit markings shall begin no more than 15 spaces from the left hand margin, with the carry over lines beginning no more than 10 spaces from the left hand margin.

(b) A temporary registered reporter shall fulfill the requirements of N.J.A.C. 13:43-2.2(f) for original and copied transcripts.

New Rule, R.2002 d.77, effective March 18, 2002.

See: 33 N.J.R. 2408(a), 34 N.J.R. 1270(a).

Amended by R.2008 d.78, effective April 7, 2008.

See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

In the introductory paragraph of (a), substituted "court" for "shorthand".

Amended by R.2009 d.207, effective July 6, 2009.

See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

In the introductory paragraph of (a), inserted "or temporary registered reporter"; and added (b).

#### Case Notes

As applied to a deposition taken in connection with federal litigation, the Federal Rules of Civil Procedure preempt the New Jersey statute and administrative regulations governing shorthand reporting. However, the Federal Rules do not preempt a claim against a shorthand reporting company under the Consumer Fraud Act, N.J.S.A. 56:8-1 through 56:8-20, that is not dependent upon the statute and administrative regulations governing shorthand reporting. *Quigley v. Esquire Deposition Serv.*, 400 N.J. Super. 494, 948 A.2d 665, 2008 N.J. Super. LEXIS 110 (App.Div. 2008).

## SUBCHAPTER 6. FEES

### 13:43-6.1 Fee schedule

(a) The following fees shall be charged by the Board:

1. Application fee:
  - i. Certified court reporter ..... \$150.00
  - ii. Certified realtime court reporter ..... 150.00
  - iii. Temporary registered reporter ..... 150.00
2. Examination fee
  - i. Certified realtime court reporter ..... 100.00
3. Initial certification fee (certified court reporter only):

|  |        |
|--|--------|
| i. During the first year of a biennial renewal period.....               | 250.00 |
| ii. During the second year of a biennial renewal period.....             | 125.00 |
| 4. Initial certification fee (certified realtime court reporter only):   |        |
| i. During the first year of a biennial renewal period.....               | 100.00 |
| ii. During the second year of a biennial renewal period.....             | 50.00  |
| 5. Initial registration fee (temporary registered reporter only).....    | 125.00 |
| 6. Biennial renewal fee:   |        |
| i. Certified court reporter.....   | 250.00 |
| ii. Certified realtime court reporter.....                               | 100.00 |
| 7. Annual renewal fee temporary registered reporter.....                 | 125.00 |
| 8. Late renewal fee.....   | 100.00 |
| 9. Late registration renewal fee.....                                    | 100.00 |
| 10. Reinstatement fee.....   | 150.00 |
| 11. Duplicate certification fee.....                                     | 20.00  |
| 12. Duplicate registration fee.....                                      | 20.00  |
| 13. Replacement wall certificate or registration                         | 40.00  |
| 14. Continuing education program review fee..                            | 100.00 |
| 15. Inactive license fee..... (to be determined by the Director by rule) |        |

R.1983 d.414, effective October 3, 1983.

See: 15 N.J.R. 873(a), 15 N.J.R. 1667(b).

Amended by R.1992 d.275, effective July 6, 1992.

See: 24 N.J.R. 1232(a), 24 N.J.R. 2460(b).

Amended by R.1998 d.145, effective March 16, 1998.

See: 29 N.J.R. 4383(a), 30 N.J.R. 1048(a).

Rewrote the section.

Amended by R.1998 d.225, effective May 4, 1998.

See: 29 N.J.R. 5053(a), 30 N.J.R. 1619(a).

Inserted a new (a)4 and recodified former 4 as 5; inserted new (a)5i and ii; and recodified former (a)5 through 8 as 6 through 9.

Amended by R.1998 d.466, effective September 8, 1998.

See: 30 N.J.R. 2158(a), 30 N.J.R. 3251(b).

Inserted "shorthand" following "certified" and substituted "certification" for "license" throughout the section.

Amended by R.2001 d.93, effective March 19, 2001.

See: 32 N.J.R. 3259(a), 33 N.J.R. 1012(a).

Added (a)10.

Amended by R.2004 d.83, effective March 1, 2004.

See: 35 N.J.R. 4040(b), 36 N.J.R. 1196(a).

Added (a)11.

Amended by R.2006 d.187, effective May 15, 2006.

See: 37 N.J.R. 4875(a), 38 N.J.R. 2175(a).

Increased the fees in (a)1 through (a)7.

Amended by R.2008 d.78, effective April 7, 2008.

See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

In (a)1i, the introductory paragraph of (a)3 and (a)5i, substituted "court" for "shorthand"; deleted former (a)2i; recodified former (a)2ii as (a)2i; and in (a)1ii, (a)2i, the introductory paragraph of (a)4 and (a)5ii, deleted "shorthand" preceding "realtime" and inserted "court".

Amended by R.2009 d.207, effective July 6, 2009.

See: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

Added (a)1iii, new (a)5, (a)7, (a)9 and (a)12; recodified former (a)5 as (a)6, former (a)6 as (a)8, former (a)7 and (a)8 as (a)10 and (a)11, former (a)9 as (a)13 and former (a)10 and (a)11 as (a)14 and (a)15; and in (a)13, inserted "or registration".

## SUBCHAPTER 7. CONTINUING EDUCATION

### 13:43-7.1 Certificate renewal: continuing education requirement

(a) A certified court reporter applying for biennial certificate renewal shall complete, during the preceding biennial period, continuing education in the continuing education (CE) credits specified in N.J.A.C. 13:43-7.2. Certificate holders are exempt from the continuing education requirements of this subchapter for the initial period of certification.

(b) Each certificate holder shall confirm on the application for biennial certificate renewal that he or she has completed the required number of continuing education credits as provided for in N.J.A.C. 13:43-7.2 and 7.3. Falsification of any information submitted with the renewal application may result in penalties and/or suspension of the certificate pursuant to the Uniform Enforcement Act, N.J.S.A. 45:1-21.

Amended by R.2008 d.78, effective April 7, 2008.

See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

In (a), substituted "court" for "shorthand", and deleted the quotation marks around "CE".

### 13:43-7.2 Credit-hour requirements

(a) An applicant for a biennial certificate renewal shall complete, during the preceding biennial period, a minimum of 15 credits of continuing education in the following manner:

1. At least 10 credits shall be in core areas relating to court reporting, such as:

- i. Computer assisted technology, including computer-aided transcription (CAT), communication access realtime translation (CART) and captioning;
- ii. Speed/accuracy;
- iii. Grammar;
- iv. Real time technology and proficiency;
- v. Ethics;
- vi. Transcript preparation and production; or
- vii. Business practices; and

2. Subjects other than those listed in (a) above may be acceptable for continuing education credit if the certificate holder can demonstrate to the satisfaction of the Board that such subject or specific program contributes to the maintenance of the certificate holder's professional competence.

(b) A certificate holder who completes more than the 15 minimum continuing education credits in any biennial registration period may carry over no more than five of the additional credits into a succeeding biennial period only if the additional credits were earned in the last six months of the preceding biennial period.

(c) A certificate holder whose certificate has been suspended pursuant to N.J.A.C. 13:43-3A.1(d) for a period of two to five years shall complete 15 credits of continuing education within two years prior to reinstatement.

(d) A certificate holder who is required to complete continuing education pursuant to Board disciplinary action shall not receive credit for such Board imposed continuing education toward the mandatory 15 credits of biennial continuing education.

(e) The Board may direct a certificate holder to complete continuing education credits to correct a deficiency in the certificate holder's continuing education requirement.

Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

In the introductory paragraph of (a), substituted "in the following manner:" for a period at the end; rewrote (a)1; added (a)2; in (b), inserted "15" and deleted "set forth in (a) above" following the first occurrence of "credits"; and in (c), substituted "been suspended pursuant to N.J.A.C. 13:43-3A.1(d)" for "lapsed", inserted "a period of" and "to five" and deleted "or more" following the first occurrence of "years".

### 13:43-7.3 Continuing education programs, courses and seminars

(a) A certificate holder may obtain continuing education credits from the following:

1. Successful completion of any course, program or seminar, which has been approved by the National Court Reporters Association and is in one of the core areas listed under N.J.A.C. 13:43-7.2(a)1;

2. Successful completion of continuing education programs, courses or seminars approved by the Board pursuant to N.J.A.C. 13:43-7.7. The Board shall approve only such continuing education programs, courses or seminars as are available and advertised on a nondiscriminatory basis to all persons granted certificates by the New Jersey State Board of Court Reporting. The Board shall maintain a list of approved programs, courses and seminars at the Board office and shall furnish this information to certificate holders upon request;

3. Post-secondary course work, transcripts of which shall be furnished to the Board, in areas relating to court reporting, such as:

- i. English composition;
- ii. English grammar;
- iii. Computer training;
- iv. Business practices; and
- v. Specialty courses relating to the certificate holder's area of practice;

4. Participation, other than as a student, in educational programs such as:

- i. Teaching and research appointments; and

ii. Program development;

5. Authorship of textbooks, articles or manuals, as they specifically relate to court reporting;

6. Correspondence, televised, videotaped, teleconference and internet courses upon verification by the course provider that the course was monitored and successfully completed by the certificate holder;

7. Successful completion of each of the following National Court Reporters Association examinations:

i. National or State Certified Realtime Reporter (CRR) Examination;

ii. National Certified Broadcast Captioner (CBC) Examination;

iii. National Certified CART Provider (CCP) Examination;

iv. National Registered Merit Reporter (RMR) Examination; and

v. Registered Diplomate Reporter (RDR) Examination;

8. Successful completion of the National Certified Manager of Reporting Services (CMRS) course in part or whole; or

9. Successful completion of pro bono events that each required at least one hour of the certified court reporter's time and required the certified court reporter's specific skills and knowledge. A pro bono event shall include, but shall not be limited to, providing services free of charge that result in the completion of a transcript, such as for indigent legal services and moot court.

Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Section was "Continuing education programs and courses". Added new (a)1; recodified former (a)1 through (a)5 as (a)2 through (a)6; in (a)2, substituted "Court" for "Shorthand"; in the introductory paragraph of (a)3, substituted "court" for "shorthand" and inserted a comma following "reporting"; in (a)3iv, substituted "practices" for "recordkeeping and/or accounting and/or marketing"; in (a)5, substituted "court" for "shorthand" and deleted "and" from the end; in (a)6, substituted a semicolon for a period at the end; and added (a)7 through (a)9.

### 13:43-7.4 Credit hour calculations

(a) Credit for continuing education shall be granted as follows for each biennial certification period:

1. Successful completion of any course, program or seminar, which has been approved by the National Court Reporters Association and is in one of the core areas listed in N.J.A.C. 13:43-7.2(a): one continuing education credit for each hour of attendance at an approved course. Credit shall not be granted for courses that are less than one instructional-hour long. An entire course or segment of course instruction shall be completed in order to receive any continuing education credit;

2. Attendance at programs, courses or seminars approved by the Board pursuant to N.J.A.C. 13:43-7.7: one continuing education credit for each hour of attendance at an approved course. Credit shall not be granted for courses, which are less than one instructional-hour long. An entire course or segment of course instruction shall be completed in order to receive any continuing education credit;

3. Successful completion of post-secondary course work pursuant to N.J.A.C. 13:43-7.3(a)3: one continuing education credit for each course credit awarded;

4. Publication in a professional journal of an article related to the practice of court reporting of not less than 500 words: three continuing education credits per article with a maximum of six credits per biennial certification period;

5. Authorship of a textbook or manual of not less than 7,500 words related to the practice of court reporting: five continuing education credits for each textbook or manual with a maximum of 10 credits per biennial certification period;

6. Teaching, research appointments and program development: five continuing education credits for each new course, with a maximum of 10 credits per biennial certification period. "New" means a new course, which the licensee has never taught before in an educational setting;

7. Correspondence, televised, videotaped, teleconference and internet courses: one continuing education credit for each hour of instruction for an approved course. Credit shall not be granted for courses, which are less than one instructional-hour long. An entire course or segment of course instruction shall be completed in order to receive any continuing education credit;

8. Successful completion of each of the National Court Reporters Association examinations as set forth in N.J.A.C. 13:43-7.3(a)7: two continuing education credits may be earned, on a one-time basis, per biennial certification period;

9. Successful completion of the National Certified Manager of Reporting Services (CMRS) course: five continuing education credits for each Part, with a total of 15 continuing education credits for successfully completing the course as a whole, which includes preparing a Thesis; and

10. Pro bono events as set forth in N.J.A.C. 13:43-7.3(a)9: up to three continuing education credits per biennial certification period.

Amended by R.2008 d.78, effective April 7, 2008.  
See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).

Inserted "continuing education" throughout; added new (a)1; recodified former (a)1 through (a)6 as (a)2 through (a)7; in (a)2, inserted a comma following "courses" and substituted "instructional-hour" for "instructional hour"; in (a)3, updated the N.J.A.C. reference; in (a)4 and (a)5, substituted "court" for "shorthand"; in (a)6, inserted a comma following the second occurrence of "course" and deleted "and" from the end; rewrote (a)7; and added (a)8 through (a)10.

### 13:43-7.5 Reporting of continuing credit hours

(a) Certificate holders shall maintain documentation, as set forth in (c) below, of completion of continuing education requirements for a period of five years after the end of the renewal period and shall submit such documentation to the Board upon request.

(b) The Board shall audit certificate holders on a random basis to determine compliance with the continuing education requirements of this subchapter.

(c) Certificate holders shall maintain the following as documentation of completed continuing education:

1. For programs, courses, seminars and conferences approved by the Board pursuant to N.J.A.C. 13:43-7.7: the course provider's written verification of attendance;

2. For post-secondary courses: a transcript;

3. For articles published in a professional journal: the published article;

4. For authored textbooks or manuals: the textbook or manual;

5. For teaching, research appointments or program development: a statement from a school authority verifying the appointment; and

6. Correspondence, televised, videotaped, teleconference and internet courses: verification from the course provider.

### 13:43-7.6 Waiver of continuing education requirements

(a) The Board may waive continuing education requirements on an individual basis for reasons of hardship, such as illness, disability, military service, or other good cause.

(b) A certificate holder seeking a waiver of the continuing education requirements shall apply to the Board in writing and set forth with specificity the reasons for requesting the waiver. The certificate holder shall also provide the Board with such additional information as it may request in support of the waiver application.

(c) A certificate holder shall apply for a waiver of any part(s) of the continuing education requirement within 90 days of the expiration of the biennial renewal period.

### 13:43-7.7 Responsibilities of continuing education course providers

(a) All continuing education course providers shall submit the following, for each program, course or seminar offered, for evaluation by the Board:

1. A detailed description of program or course content and estimated hours of instruction;

2. The curriculum vitae of the lecturer, including specific background which qualifies the individual as a lecturer in the area of instruction; and

3. The program provider fee pursuant to N.J.A.C. 13:43-6.1.

(b) All continuing education course providers shall:

1. Secure Board approval prior to representing that any course, seminar or program has been approved for continuing education;

2. Monitor the attendance at each approved program, course or seminar and furnish to each enrollee a verifica-

tion of attendance, which shall include the following information:

i. The title, date and location of the program, course or seminar;

ii. The name and certificate number of attendee;

iii. The number of credits awarded; and

iv. The name and signature of an officer of the organization; and

3. Evaluate program, course or seminar offerings through solicitation from both the participants and the instructors.



A Temporary Registered Reporter is required to disclose to all parties at a proceeding that he/she is not a certified court reporter in this State and is further required to obtain a written acknowledgment that this information has been disclosed to the parties. Therefore, please sign and date this form below in order to acknowledge and attest to the fact that this proceeding is being recorded by a Temporary Registered Reporter rather than a Board certified court reporter.

Plaintiff/Petitioner/Attorney                      Defendant/Respondent/Attorney

\_\_\_\_\_ Print Name                      \_\_\_\_\_ Print Name

\_\_\_\_\_ Signature                      \_\_\_\_\_ Signature

Plaintiff/Petitioner/Attorney                      Defendant/Respondent/Attorney

\_\_\_\_\_ Print Name                      \_\_\_\_\_ Print Name

\_\_\_\_\_ Signature                      \_\_\_\_\_ Signature

Plaintiff/Petitioner/Attorney                      Defendant/Respondent/Attorney

\_\_\_\_\_ Print Name                      \_\_\_\_\_ Print Name

\_\_\_\_\_ Signature                      \_\_\_\_\_ Signature

Plaintiff/Petitioner/Attorney                      Defendant/Respondent/Attorney

\_\_\_\_\_ Print Name                      \_\_\_\_\_ Print Name

\_\_\_\_\_ Signature                      \_\_\_\_\_ Signature

**REFUSAL TO CONSENT**

I, \_\_\_\_\_, a Temporary Registered Reporter, Registration Number \_\_\_\_\_, hereby certify that, as required by N.J.S.A. 45:15B-9 b(2) and N.J.A.C. 13:43-2.2(d), I disclosed to the participants of the proceeding identified above that I am not certified by the State Board of Court Reporting but that I am registered with the Board to practice as a court reporter on a temporary basis. The parties thereafter chose to postpone the proceeding until a certified court reporter is available. The foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Name and Registration Number of Temporary Registered Reporter



I hereby waive the reading and signing of the deposition transcript in the above-captioned matter, which was recorded by a non-certified court reporter (or temporary registered reporter), of the State of New Jersey.

Plaintiff/Petitioner/Attorney

Defendant/Respondent/Attorney

\_\_\_\_\_ Print Name

\_\_\_\_\_ Print Name

\_\_\_\_\_ Signature

\_\_\_\_\_ Signature

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