

CHAPTER 43**STATE BOARD OF SHORTHAND REPORTING****Authority**

N.J.S.A. 45:15B-1.

Source and Effective Date

R.2004 d.83, effective January 23, 2004.
See: 35 N.J.R. 4040(b), 36 N.J.R. 1196(a).

Chapter Expiration Date

Chapter 43, State Board of Shorthand Reporting, expires on January 23, 2009.

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Reporting, was readopted as R.1993 d.471, effective August 26, 1993, and Subchapter 2, Administrative Hearings, was repealed by R.1993 d.471, effective September 20, 1993.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: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. STATE BOARD OF SHORTHAND REPORTING; METHODS OF OPERATION**13:43-1.1 State Board of Shorthand Reporting; description**

(a) The Board of Shorthand 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 shorthand 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 Shorthand Reporting is charged with the responsibility to certify shorthand reporters and to discipline persons violating provisions of the Shorthand Reporting Act, 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".

13:43-1.2 Methods of operation

(a) The State Board of Shorthand 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 Shorthand 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 Shorthand Reporting should be directed to the Office of the State Board of Shorthand 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).

SUBCHAPTER 2. CERTIFICATION OF SHORTHAND REPORTERS

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

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

1. Be at least 18 years of age;
2. Be of good moral character, as established by references;
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 shorthand reporters; and

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

(b) An applicant who possesses a Registered Professional Reporter (RPR) Certification issued by the National Court Reporters Association shall successfully complete the four-voice section of the certification examination required by (a)6 above and maintain current RPR Certification in good standing to become certified by the Board.

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).

13:43-2.2 Temporary employment of non-certified shorthand reporters

(a) Non-certified shorthand reporters who possess an RPR Certification and who comply with the requirements of N.J.A.C. 13:43-2.1(a), with the exception of paragraphs (a)4 and (a)7, or applicants who have successfully completed two parts of the examination and have obtained conditional credit status attained in N.J.A.C. 13:43-4.3, may be utilized for temporary employment as referenced in N.J.S.A. 45:15B-9.

(b) An employer of a certified shorthand reporter, or owner of a shorthand reporting agency, or certified shorthand reporter may utilize non-certified shorthand reporters referred to in (a) above in circumstances where a certified shorthand reporter is unavailable. In such circumstances where a certified shorthand reporter is unavailable, the employer, owner of a shorthand reporting agency, or certified shorthand reporter shall contact five shorthand reporting agencies to seek an available certified shorthand reporter. The employer, owner of a shorthand reporting agency, or certified shorthand reporter shall record the five contacts in an affidavit supplied by the Board which shall include the names of the agencies contacted, the dates and times of the contacts, and the specific job for which the certified shorthand reporter is sought, including the names of the agencies contacted, the dates and times of the contacts, and the specific job for which the certified shorthand 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 shorthand reporter, and the name of the case for which the certified shorthand reporter is sought.

1. The employer, owner of a shorthand reporting agency, or certified shorthand reporter shall retain the affidavits referred to in (b) 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.

(c) All transcripts completed by a non-certified shorthand reporter shall be signed by a New Jersey certified shorthand reporter in responsible charge of the work product of the non-certified shorthand reporter and shall attest to the accuracy of the transcription of the original shorthand notes. An employer or owner of a shorthand reporting agency who is not a certified shorthand reporter shall secure a New Jersey certified shorthand reporter to be in responsible charge of the work product of the non-certified shorthand reporter and attest to the accuracy of the transcription of the original shorthand notes. A certified shorthand reporter may secure another certified shorthand reporter to be in responsible charge of the non-certified shorthand reporter to attest to the accuracy of the transcription of the original shorthand notes. For purposes of this subsection, a New Jersey certified shorthand reporter in responsible charge shall mean the regular and effective supervision by a competent certified shorthand reporter of individuals performing services which directly and materially affect the quality and competence of shorthand reporting services rendered by the non-certified shorthand reporter.

(d) A certified shorthand reporter shall render regular and effective supervision of a non-certified shorthand reporter as follows. The certified shorthand reporter shall:

1. Personally inspect or review the work of a non-certified shorthand reporter;
2. Provide an appropriate review of the transcript prepared by the non-certified shorthand reporter; and
3. Be personally available on a reasonable basis or with adequate advance notice for consultation and inspection where circumstances require personal availability.

(e) An employer, owner of a shorthand reporting agency, or certified shorthand reporter shall verbally inform all the parties or their legal representative who utilize the shorthand reporting services of any shorthand reporter who will report the proceedings and is not certified of the reporter's non-certified status, and shall provide to the parties or their legal representative a consent form which sets forth that the parties or their legal representative were informed of and consented to the use of the non-certified shorthand reporter. The parties or their legal representative who utilize the shorthand reporting services shall evidence their consent to the use of the non-certified shorthand reporter by signing and dating the consent form.

(f) An employer, owner of a shorthand reporting agency, or certified shorthand reporter shall retain the consent forms referred to in (e) above for a period of three calendar years to be 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 subsection, 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.2002 d.238, effective July 15, 2002.
See: 33 N.J.R. 3876(a), 34 N.J.R. 2464(a).

SUBCHAPTER 3. CERTIFICATION OF SHORTHAND REPORTERS IN REALTIME REPORTING

13:43-3.1 Definitions

The following word terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicate otherwise:

"Certified shorthand realtime reporter" or "C.S.R.R." means one who possesses a voluntary certification to perform realtime reporting.

"Realtime reporting" means a computer-aided method of translation performed by a certified shorthand realtime reporter (who must also hold a current New Jersey certificate as a certified shorthand 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.

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".

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

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

1. Hold a current New Jersey certified shorthand reporting certification in good standing;
2. Submit a completed application from which contains the following information:
 - i. Proof of certification as a shorthand 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 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.

SUBCHAPTER 3A. CERTIFICATE 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 shorthand 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.

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 from two to five years shall complete 15 credits of continuing education.

(c) A certificate holder who has been on inactive status for a period of five or more years shall take an examination that has been determined by the Board to test the applicant's ability to practice shorthand reporting.

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 3.1, 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 shorthand reporting during the period the certificate was suspended in this State;

2. Certification by the applicant stating that he or she has practiced shorthand 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 shorthand reporting, in this or any other jurisdiction during the period the certificate was suspended in this State.

(b) An individual who has practiced shorthand 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.

SUBCHAPTER 4. EXAMINATIONS

13:43-4.1 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

(a) The examination for certification as a certified shorthand reporter shall be held at least once per 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) As part of the examination, a candidate:

1. Shall be required to write shorthand from dictation, under simulated reporting conditions, at speeds ranging from 180 to 225 words per minute and shall write shorthand with either pen, pencil or stenotype machine;

2. Shall be required to transcribe the dictated matter on a typewriter, word processor, or computer furnished by the candidate or in such other manner as may be approved by the Board; and

3. Shall be required to furnish his or her own transcript paper and all other materials, such as dictionaries.

(c) Upon completion of the examination, all shorthand notes, transcripts and other examination papers shall become the property of the Board.

(d) Candidates who do not complete transcription of the examination must surrender the stenographic notes and partial transcript to the Board members for purposes of disposal.

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.

13:43-4.2 Grading of the examination

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

1. The candidate's ability to accurately transcribe notes;
2. The amount of time taken to produce the transcript;
3. The general style of the transcript; and
4. Accuracy relating to:
 - i. Terminology;
 - ii. Spelling; and
 - iii. Punctuation.

13:43-4.3 Conditional credit rule

(a) A candidate who passes two sections of the examination for certification as a certified shorthand reporter (by attaining at least 95 percent on each) may receive conditional credit for passing these sections provided a grade of at least 93 percent is received in the one remaining section failed.

(b) In the event that a candidate fails to receive a passing grade in the one remaining section for six examinations immediately following the examination at which conditional credit was earned, the candidate shall forfeit the conditional credit and revert to the status of a new applicant, unless the candidate can demonstrate good cause why he or she should

be given an additional opportunity to pass the remaining section.

(c) An RPR applicant who does not successfully complete the four-voice section of the next available certification examination shall be considered a conditional credit applicant for the purposes of N.J.A.C. 13:43-2.2 and shall be required to obtain a minimum score of 95 percent on the four-voice section within the next six consecutive examination periods. In the event that the RPR applicant fails to receive a passing grade on the four-voice section within the next six consecutive examination periods, the applicant shall forfeit the conditional credit and revert to the status of new applicant and shall be required to successfully complete all sections of the certification examination.

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).

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

(a) The examination for certification as a certified shorthand realtime 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).

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 review 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 shorthand 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 shorthand realtime 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".

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".

13:43-5.2 (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 holder of the Board of Shorthand 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. Notice shall be given not less 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 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 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.

13:43-5.4 Prohibited practices

(a) A certified shorthand reporter shall not:

1. Provide incentives or rewards to attorneys, clients or their representatives or agents to use the services of a certified shorthand reporter. Certified shorthand 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;

3. (Reserved); or

4. Enter into or arrange any contract or financial relationship that compromises the impartiality of the certified shorthand reporter or that may result in the appearance that the impartiality of the certified shorthand reporter has been compromised.

(b) A violation of any provisions in (a) above shall constitute professional misconduct and shall be grounds for disciplinary action, including suspension or revocation of certification as a certified shorthand reporter in the State of New Jersey 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".

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

(a) A certified shorthand reporter or a certified shorthand realtime reporter shall indicate his or her title in the form of the abbreviation "C.S.R." (certified shorthand reporter) or "C.S.R.R." (certified shorthand realtime reporter) 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 person who is not a certified shorthand reporter or certified shorthand realtime reporter of New Jersey shall not use misleading titles or abbreviations such as C.S.R., C.S.R.R., Shorthand Reporter of the State of New Jersey, Realtime Reporter of the State of New Jersey, Court Reporter or S.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.

13:43-5.6 Note and transcript retention policy

(a) A certified shorthand reporter 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 shorthand reporter shall retain all notes in accordance with the procedures established by such court.

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) A certified shorthand reporter 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 shorthand 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 shorthand 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 including the notary number, expiration date and certified shorthand reporter certificate 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).

13:43-5.9 Transcript format

(a) A certified shorthand 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.

New Rule, R.2002 d.77, effective March 18, 2002.
See: 33 N.J.R. 2408(a), 34 N.J.R. 1270(a).

SUBCHAPTER 6. FEES

13:43-6.1 Fee schedule

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

1. Application fee:
 - i. Certified shorthand reporter \$150.00
 - ii. Certified shorthand realtime reporter ... 150.00
2. Examination fee:
 - i. Certified shorthand reporter 100.00
 - ii. Certified shorthand realtime reporter ... 100.00

3. Initial certification fee (certified shorthand 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 shorthand realtime 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. Biennial renewal fee:
 - i. Certified shorthand reporter 250.00
 - ii. Certified shorthand realtime reporter ... 100.00
6. Late renewal fee 100.00
7. Reinstatement fee 150.00
8. Duplicate certification fee 20.00
9. Replacement wall certificate 40.00
10. Continuing education program review fee .. 100.00
11. 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.

SUBCHAPTER 7. CONTINUING EDUCATION

13:43-7.1 Certificate renewal: continuing education requirement

(a) A certified shorthand 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.

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.

1. For the biennial certification period ending on June 30, 2002, certificate holders shall only be required to complete eight credits of continuing education.

(b) A certificate holder who completes more than the minimum continuing education credits set forth in (a) above 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 lapsed for two years or more 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.

13:43-7.3 Continuing education programs and courses

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

1. 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 Shorthand 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;

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

i. English composition;

ii. English grammar;

iii. Computer training;

iv. Business recordkeeping and/or accounting and/or marketing; and

v. Specialty courses relating to the certificate holder's area of practice;

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

i. Teaching and research appointments; and

ii. Program development;

4. Authorship of textbooks, articles or manuals as they specifically relate to shorthand reporting; and

5. 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.

13:43-7.4 Credit hour calculations

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

1. Attendance at programs, courses or seminars approved by the Board pursuant to N.J.A.C. 13:43-7.7: one 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;

2. Successful completion of post-secondary course work pursuant to N.J.A.C. 13:43-7.3(2): one continuing education credit for each course credit awarded;

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

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

5. Teaching, research appointments and program development: five 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; and

6. Correspondence, televised, videotaped, teleconference and internet courses: one credit per course with a maximum of five credits per biennial certification period.

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 verification 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.