

CHAPTER 43

STATE BOARD OF SHORTHAND REPORTING

Authority

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

Source and Effective Date

R.1993 d.471 effective August 26, 1993. See: 25 N.J.R. 3079(a), 25 N.J.R. 4499(a).

Executive Order No. 66(1978) Expiration Date

Chapter 43, State Board of Shorthand Reporting, expires on August 26, 1998.

Chapter Historical Note

All provisions of this chapter became effective prior to September 1, 1969.

1977 Revisions: Amendments to the chapter became effective March 23, 1977 as R.1977 d.98. See: 8 N.J.R. 399(d), 9 N.J.R. 186(a).

1988 Revisions: This chapter was readopted pursuant to Executive Order 66(1978) effective September 1, 1988 with amendments effective October 3, 1988 as R.1988 d.457. See: 20 N.J.R. 1666(a), 20 N.J.R. 2465(a).

Pursuant to Executive Order No. 66(1978), Chapter 43 was readopted as R.1993 d.471. See: Source and Effective Date. Subchapter 2, Administrative Hearings, was repealed by R.1993 d.471, effective September 20, 1993.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). See, also, section annotations for specific rulemaking activity.

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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 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 license certified shorthand reporters and to punish 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).

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. (RESERVED)

SUBCHAPTER 3. GENERAL PROVISIONS; RULES

13:43-3.1 Certification; examination

(a) Rules concerning examination and certification are:

1. A request for an initial official application form shall include the applicant's name, address and telephone number, where available, along with a certified check or money order made payable to "State of New Jersey, Board of Shorthand Reporting". Such fee and request shall be required only for the initial application.

2. An applicant for initial examination shall make written application under oath on the form furnished by the board. Such application must be filed with the board not less than three weeks before the announced date of examination and must be accompanied by a certified check or money order made payable to "State of New Jersey, Board of Shorthand Reporting", and a certification from the school of shorthand reporting attended of having passed a qualifying test of four-voice dictation at 225 words per minute, together with test papers and stenographic notes. If the board determines that an applicant is not qualified to take the examination it shall notify the applicant of that fact. Note: Fees are not refundable.

3. An applicant for subsequent examination shall forward a certified check or money order to the board, along with a letter indicating intent to take the examination, and the applicant's name, address and telephone number, where available.

4. An applicant for examination must be at least 18 years of age, of good moral character, a holder of a high school diploma or in possession of an equivalent education, and must reside in the State of New Jersey for at least six months prior to the date of certification or have a place for the regular transaction of business within the State of New Jersey.

5. Examinations shall be held at least once each year at such times and places as may be necessary in the opinion of the board, providing sufficient applications are on file with the board. The time and place of holding an examination shall be advertised by the board at least 30 days prior to the date of such examination.

i. Candidates shall be required to take an examination in shorthand reporting in the form prescribed by the board and shall be required to write shorthand from dictation, of such matter as may be selected by the board, under simulated reporting conditions at speeds ranging from 180 to 225 words a minute. Candidates may write shorthand with either pen, pencil or stenotype machine.

ii. Candidates shall be required to transcribe the dictated matter. Such transcription shall be done by each candidate on a typewriter furnished by the candidate or in such other manner as may be approved by the Board.

iii. Candidates may be required to read aloud such part of the dictated matter as the board may require upon prior notice to the candidates.

iv. Candidates shall be required to furnish their own transcript paper and all other materials, such as dictionaries.

v. Upon completion of the examination, all shorthand notes, transcripts and other examination papers shall become the property of the board.

vi. 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.

6. Grading:

i. The board shall grade each candidate's examination paper on the basis of the candidate's ability to accurately transcribe notes, the time occupied in the transcription, accuracy relating to terminology, spelling and punctuation, and the general style of the transcript.

ii. In order for a candidate to be awarded a certificate, he must attain a mark of 95 percent on each of the sections dictated and transcribed;

iii. The board shall notify each candidate who completes transcription of the examination of the result of his examination.

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

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

Revised (a).

Amended by R.1993 d.471, effective September 20, 1993.

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

13:43-3.2 Unprofessional conduct

The use of any lottery, sweepstakes, give-away or other promotional contest as a means to induce others to use or to continue to use the services of a certified shorthand reporter shall be deemed unprofessional conduct.

13:43-3.3 Disclosure of title and license number; the use of misleading titles and abbreviations

(a) A Certified Shorthand Reporter shall indicate his or her title in the form of the abbreviation "C.S.R." and a license number 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 of New Jersey shall not use misleading titles or abbreviations such as C.S.R., Shorthand 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).

13:43-3.4 Conditional credit rule

(a) A candidate who passes two sections of the examination (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 shall 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.

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).

13:43-3.5 Change of address

A licensee 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 license. Such notice shall be given not later than 30 days following the change of address.

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).

13:43-3.6 Licensure without examination

An applicant for licensure who presents proof of having earned the National Certificate of Merit awarded by the National Court Reporters Association shall be deemed to have satisfied the examination requirement set forth in N.J.A.C. 13:43-3.1(a)5.

New Rule, R.1993 d.471, effective September 20, 1993.
 See: 25 N.J.R. 3079(a), 25 N.J.R. 4499(a).

13:43-3.7 Hearing to conform to law

The conduct of all hearings shall conform to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., 52:14F-1 et seq. and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

New Rule, R.1993 d.471, effective September 20, 1993.
 See: 25 N.J.R. 3079(a), 25 N.J.R. 4499(a).

13:43-3.8 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).

SUBCHAPTER 4. FEES

13:43-4.1 Fee Schedule

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

1. Application fee	\$ 75.00
2. Examination fee	75.00
3. Initial license fee:	
i. During the first year of a biennial renewal period	110.00
ii. During the second year of a biennial renewal period	55.00
4. Biennial renewal fee	110.00
5. Late renewal fee	50.00
6. Reinstatement fee	125.00
7. Duplicate license fee	20.00
8. Replacement wall certificate	40.00

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).