

CHAPTER 43

STATE BOARD OF COURT REPORTING

Authority

N.J.S.A. 45:1-15.1 and 45:15B-3.2.a.

Source and Effective Date

Effective: December 21, 2015.
See: 48 N.J.R. 139(a).

Chapter Expiration Date

Chapter 43, State Board of Court Reporting, expires on December 21, 2022.

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Reporting, was readopted as R.1993 d.471, effective August 26, 1993, and Subchapter 2, Administrative Hearings, was repealed by R.1993 d.471, effective September 20, 1993.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: 41 N.J.R. 851(a), 41 N.J.R. 2674(a).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 43, State Board of Court Reporting, was scheduled to expire on May 27, 2016. See: 43 N.J.R. 1203(a).

Chapter 43, State Board of Court Reporting, was readopted, effective December 21, 2015. See: Source and Effective Date.

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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 Report-

ing 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 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".

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;

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).

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).

13:43-5.10 On the record/off the record

(a) For purposes of this section, "on the record" means every word spoken during a proceeding is recorded stenographically for inclusion in the transcript and "off the record" means that portion of the proceeding that is not recorded for inclusion in the transcript.

(b) When determining whether to go on the record or off the record, certified court reporters and temporary registered reporters shall follow the requirements of this section.

(c) In a judicial setting or administrative setting or hearing, the presiding officer shall determine whether the proceeding shall be on the record or off the record.

(d) In a deposition, a certified court reporter or a temporary registered reporter shall stay on the record unless all parties to, or involved in, the deposition agree that the reporter should be off the record.

(e) In a non-judicial setting, a court reporter or a temporary registered reporter shall stay on the record, unless all parties agree that the reporter shall be off the record. In any dispute between the parties concerning whether to be on the record or off the record, the determination of the presiding officer shall be dispositive.

(f) The certified court reporter or a temporary registered reporter shall make a parenthetical notation in the record when an off the record discussion takes place.

(g) Nothing in this subsection shall prohibit a certified court reporter or a temporary registered reporter from accepting an assignment from a third party at the conclusion of any proceeding before any referee, board, commission or other body created by statute in this State in order to record a statement, provided the transcript of the subsequent statement is bound separately and not made part of the transcript of the initial proceeding.

(h) Nothing contained in this section shall be interpreted to conflict with any rules relating to the proceedings in any Federal or State court of competent jurisdiction. If there is any conflict between this section and any Federal or State court rule, the applicable court rule shall take precedence.

New Rule, R.2009 d.271, effective September 8, 2009.
See: 41 N.J.R. 1162(a), 41 N.J.R. 3307(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 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;