

unavailable, the employer, owner of a shorthand reporting agency, or certified court reporter shall contact five shorthand reporting agencies to seek an available certified court reporter. The employer, owner of a shorthand reporting agency, or certified court 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 court 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 court reporter is sought, including the date, time, and location of the job as well as the name(s) of the party (parties) soliciting the certified court reporter, and the name of the case for which the certified court reporter is sought.

1. The employer, owner of a shorthand reporting agency, or certified court 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 court reporter shall be signed by a New Jersey certified court reporter in responsible charge of the work product of the non-certified court 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 court reporter shall secure a New Jersey certified court reporter to be in responsible charge of the work product of the non-certified court reporter and attest to the accuracy of the transcription of the original shorthand notes. A certified court reporter may secure another certified court reporter to be in responsible charge of the non-certified court reporter to attest to the accuracy of the transcription of the original shorthand notes. For purposes of this subsection, a New Jersey certified court reporter in responsible charge shall mean the regular and effective supervision by a competent certified court reporter of individuals performing services which directly and materially affect the quality and competence of shorthand reporting services rendered by the non-certified court reporter.

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

1. Personally inspect or review the work of a non-certified court reporter;
2. Provide an appropriate review of the transcript prepared by the non-certified court 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 court reporter shall verbally inform all the parties or their legal representative who utilize the shorthand reporting services of any court 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 court reporter. The parties or their legal representative who utilize the shorthand reporting services shall evidence their consent to the use of the non-certified court reporter by signing and dating the consent form.

(f) An employer, owner of a shorthand reporting agency, or certified court 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).
Administrative correction.
See: 40 N.J.R. 2287(b).

SUBCHAPTER 3. CERTIFICATION OF COURT REPORTERS IN REALTIME REPORTING

13:43-3.1 (Reserved)

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

Changed "Certified realtime reporter" or "C.R.R." definition to "Certified shorthand realtime reporter" or "C.S.R.R."; and in "Realtime reporting" definition, inserted "shorthand" following "certified" and substituted "certificate" for "license".
Recodified to N.J.A.C. 13:43-5.1A by R.2008 d.78, effective April 7, 2008.

See: 39 N.J.R. 3469(a), 40 N.J.R. 1894(b).
Section was "Definitions".

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

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

1. Hold a current New Jersey certified court reporting certification in good standing;
2. Submit a completed application that contains the following information:
 - i. Proof of certification as a court reporter;
 - ii. Current residence;
 - iii. Current employment status; and

iv. Any past or pending disciplinary actions;

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

4. Successfully pass the Board-approved examination for the certification of realtime court reporters; and

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

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

In (a), substituted "certification" for "license" in 1.
Amended by R.2004 d.83, effective March 1, 2004.

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

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

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

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

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

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 court reporting.

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

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

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

the period following the certificate expiration, not to exceed the number of days short of 60 before the renewal was issued.

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

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

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

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

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

(b) A certificate holder on inactive status 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 court reporting.

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

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

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

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 court reporting during the period the certificate was suspended in this State;

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

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

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

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