

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: Alabama Board of Court Reporting
Rule No.: **Chapter 257-X-3**
Rule Title: **Licensure**

_____ New Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly Harm or endanger the public health, welfare, or safety? _____ Yes

Is there a reasonable relationship between the state's Police power and the protection of the public health, Safety, or welfare? _____ Yes

Is there another, less restrictive method of regulation Available that could adequately protect the public? _____ No

Does the proposed rule have the effect of directly or Indirectly increasing the costs of any goods or services Involved and, if so, to what degree? _____ No

Is the increase in cost, if any, more harmful to the public Than the harm that might result from the absence of The proposed rule? _____ No

Are all facets of the rulemaking process designed solely For the purpose of, and so they have, as their primary Effect, the protection of the public? _____ Yes

Does the proposed rule have an economic impact? _____ No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama, 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer  _____
Paula McCaleb, Executive Director 334.215.7232

Date: February 15, 2017

(DATE FILED)
(STAMP)

Alabama Board of Court Reporting

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board of Court Reporting

RULE NO. & TITLE:

257-X-3 – Licensure

INTENDED ACTION:

To amend the Rules and Regulations

SUBSTANCE OF PROPOSED ACTION:

To amend the Rules and Regulations. Specifically, to strike expired grandfathering language, clarify renewal processes, define acceptable proof of graduation, and clarify examination legs accepted for licensure.

TIME, PLACE, MANNER OF PRESENTING VIEWS:


Written comments, views, or arguments will be received by the Alabama Board of Court Reporting until 4:30 p.m. on April 5, 2017. Comments should be directed to Paula McCaleb, Executive Director, at P.O. Box 241565, Montgomery, AL 36124.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

April 5, 2017

CONTACT PERSON AT AGENCY:

Paula McCaleb
334-215-7232



Paula McCaleb, Executive Director

CHAPTER 257-X-3 – Licensure

~~257-X-3-.01 Licensure by Grandfathering by work experience:~~

~~Any person who has been engaged in the practice of court reporting on June 1, 2006, may apply for licensure by grandfathering on or before December 31, 2012. The Application for Grandfathering will require evidence that the court reporter is proficient in court reporting. The application will include:~~

- ~~(a) — Affidavit of past education and work experience as a court reporter;~~
- ~~(b) — Affidavit from a judge for whom he or she has worked as an official court reporter; or~~
- ~~(c) — Three (3) affidavits from licensed attorneys, unrelated by blood or marriage to the person and who have utilized the services of the court reporter;~~
- ~~(d) — Payment of licensure fee.~~

~~Author: Alabama Board of Court Reporting~~

~~Statutory Authority: Code of Alabama, 1975, § 34-8B-1 thru § 34-8B-18~~

~~Effective Date: August 7, 2012~~

257-X-3-.02 Temporary Licensure

- (1) Effective on April 21, 2010, any person who is a graduate of a school of court reporting may apply for temporary licensure.
- (2) Temporary licenses shall expire eighteen (18) months after issuance.
- (3) Temporary licenses are not renewable. In the event that a temporary license expires without the temporary licensee having passed the examination for full licensure, court reporting services by the temporary licensee shall cease and desist immediately upon the expiration of the temporary license. The Board will issue a Cease and Desist notice upon the expiration of an expired Temporary License and copy the employer of record. The Board Investigator will follow up with the expired temporary licensee to ensure the individual is not operating with an expired temporary license (if the individual has not been issued their full licensure). Upon expiration of a temporary license, the temporary license number will be listed under the expired listing on the Board web site. The Board may not be held liable for lost income to the temporary licensee or to the court reporting firm.
- (4) The temporary license application will consist of the following:
 - (a) Proof of graduation from a school of court reporting in a the form approved by the Board of: Official Transcripts, Copy of Diploma, or Official Letter from the Court Reporting Program's Director;
 - (b) Complete application forms as approved by the Board;

- (c) Application and temporary license fee as approved by the Board.
- (5) The temporary license allows the applicant to practice as a court reporter without passing the examination, subject to the following stipulations:
- (a) The court reporter with a temporary license shall function under the supervision of a currently licensed court reporter;
 - (b) Temporary licensees may not direct bill for court reporting services provided; such services may be billed through the employing court reporter firm or a fully licensed court reporter.
 - (c) The temporary license will be reflected by the initials, "TL" for "Temporary License" followed by their assigned number.
 - (d) All individuals, having been issued a temporary license, shall be subject to regulation pursuant to any rules promulgated by the Alabama State Board of Court Reporting and Alabama Code Section 34-8B-1, et seq.
 - (e) Failure of any temporary licensee to meet any of the requirements enunciated in Reg. 257-X-3-.03 shall subject the temporary licensee to disciplinary action provided by Reg. 257-X-5.

Author: Alabama Board of Court Reporting

Statutory Authority: Code of Alabama, 1975. § 34-8B-1 thru . § 34-8B-18

Effective Date: August 7, 2012

257-X-3-.03 Traditional Application for Licensure

- (1) Proof of graduation from court reporting program or its equivalent in the form of: Official Transcripts, Copy of Diploma, or Official Letter from the Court Reporting Program's Director;
- (2) Pass the Licensure Examination;
- (3) Complete application and appropriate fees.

Author: Alabama Board of Court Reporting

Statutory Authority: Code of Alabama, 1975. § 34-8B-1 thru . § 34-8B-18

Effective Date: August 7, 2012

257-X-3-.04 Examination

Applicants for licensure must pass the Written Knowledge Examination administered by NCRA and provide documentation of having passed the NCRA Registered Professional Reporter Examination (RPR), or NVRA CRA Examination, or Alabama Skills Examination administered by ACRA. Passage of examination legs from the State and National Examination may be combined.

Author: Alabama Board of Court Reporting

Statutory Authority: Code of Alabama, 1975. § 34-8B-1 thru . § 34-8B-18

Effective Date: August 7, 2012

257-X-3-.05 Renewal

- (1) Every Court Reporter License in Alabama shall expire on September 30th of each year. The holder of the license may renew such license during the sixty (60) days preceding the expiration date thereof by paying the required fee and completion of the application for renewal.
- (2) It is the responsibility of each licensee to notify the Board of any change of address or legal name within thirty (30) days. Failure to receive a renewal form from the Board shall not constitute an excuse for failure to renew licensure.
- (3) Late renewals may be received up to sixty (60) days following expiration of license with the required late renewal fee and application for renewal. An individual may not provide court reporting services under an expired license.
- (4) All Licensees have a deadline of November 29th of the renewal year to submit the required CEUs for license renewal, to prevent the Board from pursuing any Disciplinary action.
- (5) The Board will issue a Cease and Desist notice to all individuals with expired licenses, copy the employer of record, and post all expired licenses on the Board web site. The Board Investigator will follow up on each expired license to ensure that court reporting services are not being provided under an expired license.

Author: Alabama Board of Court Reporting

Statutory Authority: Code of Alabama, 1975. § 34-8B-1 thru . § 34-8B-18

Effective Date: April 4, 2013