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 Sequence Number: 04-23-20
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 File Date: 4/16/2020

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Board of Court Reporting
Division:	Department of Commerce & Insurance, Division of Regulatory Boards
Contact Person:	Hugh Cross, Assistant General Counsel
Address:	500 James Robertson Parkway
Phone:	(615) 741-3072
Email:	Hugh.Cross@TN.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	500 James Robertson Parkway
Phone:	(615) 741-6500
Email:	Don.Coleman@TN.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway		
Address 2:			
City:	Nashville		
Zip:	37243		
Hearing Date:	09/25/2020		
Hearing Time:	9:00 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

N/A

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0455-01-03	Licensure
Rule Number	Rule Title
0455-01-03-.02	Application for Licensure – Standard Process

Chapter Number	Chapter Title
0455-01-04	Standards of Professional Conduct
Rule Number	Rule Title
0455-01-04-.01	Standards of Professional Conduct

Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

AMENDMENT
0455-01-03-.02
LICENSURE

0455-01-03-.02 APPLICATION FOR LICENSURE – STANDARD PROCESS.

- (1) Any person may submit an application to be licensed as a court reporter. The application shall include:
- (a) Proof of passage of the National Court Reporters Association registered professional reporter examination (RPR), passage of the National Verbatim Reporters Association certified verbatim reporter examination (CVR), or passage of both the American Association of Electronic Reporters and Transcribers certified electronic court reporter (CER) examination and certified electronic transcriber (CET) examination.
 - (b) Applications for licensure shall be signed and sworn by the applicants and submitted on forms furnished by the Board.
 - (c) Payment of licensure fee.

Authority: T.C.A. §§ 20-9-605, 20-9-607, 20-9-609, and 20-9-613.

AMENDMENT
0455-01-04-.01
STANDARDS OF PROFESSIONAL CONDUCT

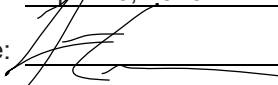
0455-01-04-.01 STANDARDS OF PROFESSIONAL CONDUCT.

- (1) In order to establish and maintain a high standard of integrity in the practice of court reporting, the following Standards of Professional Conduct shall be binding on every person holding a license, of any type, from the Board. A Tennessee Licensed Court Reporter:
- (a) Shall be fair and impartial toward each participant in all aspects of reported proceedings.
 - (b) Should only accept an assignment if their level of competence will result in the preparation of an accurate transcript, shall refuse an assignment if they believe their abilities are inadequate, and shall recommend or assign an assignment to another licensee only if such licensee has the competence required for such assignment.
 - (c) Shall provide information regarding services to be rendered regarding administration of professional services to all parties and shall make timely delivery of transcripts.
 - (d) Must immediately disclose any conflict of interest or appearance of impropriety as soon as it arises pursuant to T.C.A. § 24-9-136.
 - (e) Should immediately seek inactive status and refrain from practice if they become impaired and unable to function according to the standards of practice.
 - (f) Shall preserve the confidentiality and ensure the security of information, oral or written, entrusted to the licensee by any and all of the parties in the proceeding.
 - (g) Shall establish a plan for the security and preservation of un-transcribed notes and any backups, both paper and electronic. All such plans shall preserve notes and backups for a period of time that complies with statutory requirement or rules and guidelines of the court. In the absence of a law or rule, notes and backups must be retained for no less than five (5) years.
 - (h) Shall affix the licensee's signature, license number and expiration date to a transcript to certify to its accuracy.

- (i) Shall not authorize the use of the licensee number on any transcript not produced through the personal effort or supervision, or both.
- (j) Shall not permit the use of the licensee name or firm's name, nor shall a licensee be associated in business ventures with persons or firms that the licensee has reason to believe to be engaging in fraudulent or dishonest business practices.
- (k) Shall inform the Board of Court Reporting if they have knowledge that another court reporter has committed a violation of these Standards of Professional Conduct or the Tennessee Court Reporter Act of 2009 that raises a substantial question as to that court reporter's honesty, trustworthiness, or fitness as a court reporter.
- (l) Shall cooperate with any investigation resulting from a complaint for disciplinary action.
- (m) Shall not commit a criminal act that reflects on the court reporter's honesty, trustworthiness or fitness as a court reporter.
- (n) Shall be truthful and accurate when making public statements or when advertising qualifications or services provided.
- (o) Shall meet all mandated continuing education requirements and should keep abreast of current literature and technological advances and developments.
- (p) Shall refrain from giving, directly or indirectly, any gift, incentive, reward or anything of value to attorneys or any other persons or entities associated with the litigation, except for items that do not exceed twenty-five dollars (\$25.00) in the aggregate per individual each year.

Authority: T.C.A. §§ 20-9-605 and 20-9-607. Administrative History: Original rule filed July 26, 2010; effective October 24, 2010. Amendments filed November 17, 2016; effective February 15, 2017.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: April 16, 2020
 Signature: 
 Name of Officer: Hugh P. Cross
 Title of Officer: Assistant General Counsel

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Filed with the Department of State on: 4/16/2020


 Tre Hargett
 Secretary of State

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