



State of Nevada
CERTIFIED COURT REPORTERS BOARD

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LORI JUDD – Chairperson
SHERRILL GROTHEER – Vice Chairperson
PEGGY ELIAS – Board Member
PEGGY HOOGS – Board Member
SEVERIN CARLSON – Board Member

Notice of Workshop to Solicit Comments on Proposed Temporary Regulations

The State of Nevada Certified Court Reporters Board is proposing the amendments of permanent regulations pertaining to chapter 656 of the Nevada Administrative Code. The workshop is set for:

Tuesday, June 26, 2012 @ 5:30pm

Esquire Deposition Services, LLC
2300 West Sahara Avenue, Suite 770
Las Vegas, Nevada 89102

For those who live outside of Las Vegas, you may call in:

Dial: 424-203-8075
Access Code: 172200#

*Note: You may earn 1 continuing education credit by personal attendance or calling in.
You must be present for roll call at the start and end of meeting.*

1. Workshop called to order.

Speaker: Peggy Elias – Legislative Committee Chairperson

2. Public Comments.

Members of the public will be invited to speak before the Committee; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda. Prior to the commencement and conclusion of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual, the Committee may refuse to consider public comment. See NRS 233B.126. Public comments may be limited to 3 minutes per person at the discretion of the chairperson.

3. Discussion and comments to conduct a review of all regulations in General Provisions and Disciplinary Procedure of Chapter 656 of the Nevada Administrative Code to determine whether amendment or repeal of any of the regulations is recommended pursuant to NRS 233B050(1e).

4. Discussion and comments regarding clarification of NAC 656.350, Accuracy of reporting; alteration of records and the exception thereto under NRCP 30(d) and NRCP 26(c).

5. Discussion and comments to determine potential Bill Draft Requests for the 77th Legislative Session resulting from the review of Disciplinary Procedure of Chapter 656 of the Nevada Administrative Code.

6. Public comments.

7. Next scheduled workshop for new or amended regulations.

Adjournment

A copy of all materials relating to the proposed language will be provided to you at the workshop. If you wish to obtain a copy prior to the meeting, please contact our office and request that a copy be sent to you.

Debbie Uehara - Executive Secretary
State of Nevada Certified Court Reporters Board
6628 Sky Pointe Drive, Suite 104
Las Vegas, Nevada 89131
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This notice of Workshop to Solicit Comments on Proposed Permanent Regulations has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations:

State of Nevada Certified Court Reporters Board
6628 Sky Pointe Drive, Suite 104
Las Vegas, Nevada 89131

Eighth Judicial District Court
200 Lewis Avenue
Las Vegas, Nevada 89155

Second Judicial District Court
75 Court Street
Reno, Nevada 89520

Office of the Attorney General
885 East Musser Street, #2030
Carson City, Nevada 89701

Grant Sawyer Building
555 East Washington Avenue
Las Vegas, Nevada 89101

Date Posted: June 5, 2012

NAC CHAPTER 656
(Includes amended language from R005-11)

New language is in bold and italics. Strikethrough indicates deleted language.

GENERAL PROVISIONS

NAC 656.010 Definitions. ([NRS 656.130](#)) As used in this chapter, unless the context otherwise requires, the words and terms defined in [NAC 656.015](#) to [656.070](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Cert. Court Reporters' Bd., eff. 11-6-95; A by R120-97, 4-13-98; R101-03, 2-18-2004; R029-07, 10-31-2007; R030-09, 10-27-2009)

NAC 656.015 "Advisory opinion" defined. ([NRS 656.130](#)) "Advisory opinion" means an opinion rendered by the Board upon request pursuant to [NAC 656.415](#).

(Added to NAC by Cert. Court Reporters' Bd. by R030-09, eff. 10-27-2009)

NAC 656.020 "Board" defined. ([NRS 656.130](#)) "Board" has the meaning ascribed to it in [NRS 656.030](#).

(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98)

NAC 656.030 "Certificate" defined. ([NRS 656.130](#)) "Certificate" has the meaning ascribed to it in [NRS 656.030](#).

(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98)

NAC 656.035 "Complainant" defined. ([NRS 656.130](#)) "Complainant" means any person who submits a written complaint to the Board regarding any act of a holder of a certificate.

(Added to NAC by Cert. Court Reporters' Bd. by R101-03, eff. 2-18-2004; A by R030-09, 10-27-2009)

NAC 656.040 "Court reporter" defined. ([NRS 656.130](#)) "Court reporter" has the meaning ascribed to it in [NRS 656.030](#).

(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98)

NAC 656.045 "Designated representative of a court reporting firm" defined. ([NRS 656.130](#)) "Designated representative of a court reporting firm" has the meaning ascribed to it in subsection 5 of [NRS 656.030](#).

(Added to NAC by Cert. Court Reporters' Bd. by R029-07, eff. 10-31-2007)

NAC 656.050 "Firm" defined. ([NRS 656.130](#)) "Firm" has the meaning ascribed to "court reporting firm" in [NRS 656.030](#).

(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98; A by R030-09, 10-27-2009)

NAC 656.055 "Litigation" defined. ([NRS 656.130](#)) "Litigation" means:

1. Any suit at law or in equity; or
2. Any arbitration that is subject to judicial review.

(Added to NAC by Cert. Court Reporters' Bd. by R101-03, eff. 2-18-2004)

NAC 656.060 "Practice of court reporting" defined. ([NRS 656.130](#)) "Practice of court reporting" has the meaning ascribed to it in [NRS 656.030](#).

(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98)

NAC 656.065 "Proceeding" defined. ([NRS 656.130](#)) "Proceeding" means any hearing or other matter that is conducted or considered during litigation, including, but not limited to:

1. Any final decision of an agency that is subject to judicial review pursuant to [chapter 233B](#) of NRS;
2. Any examination, deposition or other hearing relating to discovery as provided by statute or the Nevada Rules of Civil Procedure; and

3. Any other matters subject to judicial review.

(Added to NAC by Cert. Court Reporters' Bd. by R101-03, eff. 2-18-2004; A by R030-09, 10-27-2009)

NAC 656.070 "Respondent" defined. (NRS 656.130) "Respondent" means a holder of a certificate who is charged in a formal or informal complaint with a violation of a provision of this chapter or [chapter 656](#) of NRS.

(Added to NAC by Cert. Court Reporters' Bd. by R101-03, eff. 2-18-2004)

DISCIPLINARY PROCEDURE

NAC 656.420 Informal complaint: Filing; action by Board and its staff; response; failure of respondent to cooperate or respond. (NRS 656.130)

1. A person may file an informal complaint with the Board or the Board may, on its own initiative, cause an informal complaint to be filed concerning the acts of or services provided by a holder of a certificate.

2. Each informal complaint must be filed with the Board on a form provided by the Board. A complainant shall include in his or her informal complaint information that is sufficiently detailed so as to enable the Board to investigate and verify each accusation set forth in the informal complaint.

3. Upon receipt of an informal complaint, the staff of the Board shall examine the informal complaint to determine whether it:

- (a) Is within the jurisdiction of the Board;
- (b) Has been properly verified; and
- (c) Alleges sufficient facts to warrant further proceedings.

4. If the staff of the Board determines that an informal complaint does not meet the requirements of subsection 3, the Board shall so inform the complainant by certified mail. If the staff of the Board determines that an informal complaint meets the requirements of subsection 3, the staff shall notify the respondent by certified mail. The notice must include:

- (a) A statement setting forth each violation of this chapter or [chapter 656](#) of NRS alleged in the informal complaint;
- (b) A copy of the informal complaint; and
- (c) A request for a written response for review by the staff of the Board.

5. The transmission of a notice pursuant to subsection 4 will be deemed to be a notice of intended action pursuant to subsection 3 of [NRS 233B.127](#). Upon receipt of a copy of an informal complaint filed against him or her, the respondent shall submit to the Board a written response within 30 days after the service of the notice. The written response must:

- (a) Address each allegation set forth in the informal complaint; and
- (b) Be accompanied by all documentation that would be useful to the staff of the Board in its review.

6. Failure by a respondent to cooperate with the Board or the staff of the Board during an investigation of an informal complaint filed against the respondent, including, without limitation, failure by the respondent to respond in a timely manner regarding the informal complaint, is a ground for disciplinary action.

7. If a respondent fails to respond to an informal complaint pursuant to subsection 5, the respondent shall be deemed to have admitted each allegation set forth in the informal complaint. The Board may, based on such an admission, impose appropriate disciplinary action against the respondent.

~~8. If a respondent responds to an informal complaint pursuant to subsection 5, and the respondent admits each allegation set forth in the informal complaint and agrees to the imposition of the proposed disciplinary action, the Board shall consider the matter settled and will take no further action regarding the informal complaint.~~

(Added to NAC by Cert. Court Reporters' Bd. by R101-03, 2-18-2004)

NAC 656.430 Informal complaint: Review and investigation; production and copying of records and other evidence. (NRS 656.130)

1. If a response is filed pursuant to subsection 5 of [NAC 656.420](#) and the Board does not settle the matter or ~~impose disciplinary action against the respondent~~, the staff of the Board shall review the informal complaint and the responses made thereto, may enlist the aid of a member of the Board or any other qualified person in conducting the review and may take any other reasonable action required to further the review. After reviewing the informal complaint and the responses thereto, the staff of the Board may:

- (a) Investigate each allegation set forth in the informal complaint and employ any person required by the staff to further the investigation;
- (b) Consult with a person who is an expert in an appropriate field, including, without limitation, employing such a person for the purpose of an investigation or hearing;
- (c) Investigate any new information discovered or allegation made during the course of the investigation;
- (d) Enlist the aid of a member of the Board or any other qualified person to conduct the investigation; and
- (e) Take any other reasonable action required to further the investigation.

2. During an investigation of an informal complaint, the staff of the Board or any investigator employed by the staff may demand that the respondent produce his or her records or other evidence for inspection or copying, with or without notice to the respondent, and with or without a subpoena. A respondent shall not deny any such demand for records or other evidence if the record or evidence is not confidential as provided by law. If a respondent refuses or fails to cooperate with a request for records in violation of this section, the Board may immediately suspend the certificate of the respondent until he or she complies with the request. If the respondent continues to refuse or fail to comply with a request for records or other evidence in violation of this section, the Board may take such further disciplinary action against the respondent as the Board determines necessary.

3. If the staff of the Board or any investigator employed by the staff determines that a record or other evidence is required for an investigation, the staff or investigator may copy the record or evidence. If the record or other evidence can be readily copied at the location of the record or evidence, the respondent shall copy the record or evidence and submit the copy to the staff or investigator at that location. If a record or other evidence cannot be readily copied at the location of the record or evidence, the respondent shall copy the record or evidence and submit the copy to the staff or investigator within 10 business days after the staff or investigator requests the record or evidence.

(Added to NAC by Cert. Court Reporters' Bd. by R101-03, 2-18-2004)

NAC 656.440 Action following investigation of informal complaint; notice of hearing and formal complaint; answer by respondent; exchange of lists of witnesses and evidence; joining of complaints.
[\(NRS 656.130\)](#)

1. When an investigation of an informal complaint is complete, the staff of the Board and any investigator employed by the staff shall determine whether substantial evidence exists to sustain the alleged violation of a statute or regulation set forth in the informal complaint. If the staff and the investigator determine that no allegation of a violation of a statute or regulation set forth in the informal complaint is sustainable, the staff shall provide a written notice of that determination to the respondent and the complainant. If the staff and the investigator determine that an allegation of a violation of a statute or regulation set forth in the informal complaint is sustainable, the Board or the legal counsel for the Board shall:

- (a) Offer to:
 - (1) Engage in mediation;
 - (2) Enter into a settlement agreement;
 - (3) Stipulate to any fact or to the existence or extent of any liability; or
 - (4) Conduct any informal hearing; or
- (b) Prepare a notice of hearing and a formal complaint.

2. The notice of hearing and the formal complaint prepared pursuant to subsection 1 must:

- (a) Set forth a plain statement of the facts asserted and any applicable provision of the statute or regulation allegedly violated by the respondent;
- (b) Include the date, time and place for the hearing; and
- (c) Be signed by the legal counsel for the Board and, if a member of the Board participated in the investigation, by that member of the Board.

3. If a notice of hearing and a formal complaint are prepared pursuant to subsection 1, the staff of the Board shall, by certified mail, send the notice of hearing and formal complaint to the respondent named in the notice of hearing and formal complaint.

4. ***After being served with the charging document, the licensee may, but is not required to, file an answer to the charging document. The licensee may file such an answer not later than 20 days after the date of service of the charging document.*** ~~A respondent who receives a notice of hearing and a formal complaint~~

~~pursuant to subsection 3 shall file an answer to the notice of hearing and the formal complaint not later than 15 days after the date of service of the notice of hearing and formal complaint. The answer must respond to each allegation and statement made in the notice of hearing and the formal complaint by admitting to or denying each allegation and statement. If the respondent fails to file an answer as required pursuant to this subsection, he or she shall be deemed to have admitted each allegation and statement set forth in the notice of hearing and the formal complaint. The Board may, based on such an admission, enter a finding and impose appropriate disciplinary action against the respondent in the same manner as if the allegation or statement had been proven by substantial evidence at a hearing held by the Board on the formal complaint.~~

~~5. Not ***less than 7 days before the hearing***, later than 10 days after the respondent files an answer to a notice of hearing and a formal complaint pursuant to subsection 4, the respondent and the legal counsel for the Board shall exchange a list of the witnesses and any evidence that will be used at the hearing. A party may not present any testimony or other evidence obtained by the party after the date of the exchange required pursuant to this subsection unless the party demonstrates to the Board that:~~

~~(a) The evidence or witness providing the testimony was not available upon diligent investigation before the date the exchange was required; and~~

~~(b) The evidence or the name of the witness was given or communicated to the other party immediately after it was obtained.~~

~~6. The Board may join two or more formal complaints into a single formal complaint if:~~

~~(a) The causes of action set forth in each formal complaint are against the same person and allege the same or substantially similar violations of statutes or regulations; and~~

~~(b) The joining of the formal complaints will serve the best interests of the Board, complainants and respondent.~~

~~(Added to NAC by Cert. Court Reporters' Bd. by R101-03, 2-18-2004)~~

NAC 656.460 Hearings: Presentation of evidence; participation by interested members of Board. ([NRS 656.130](#), [656.280](#))

1. Upon the request of the Board, the member of the Board who presides at the hearing or the Attorney General who represents the Board shall present the evidence against the respondent at the hearing.

2. A member of the Board who:

(a) Is a relative by blood or marriage to the respondent;

(b) Has a business relationship with the respondent; or

(c) Participated in the investigation of the respondent,

~~↪ shall not participate in the hearing. , and the Chair of the Board shall immediately notify the Governor to appoint an additional member of the Board to take the place of the member for participation in the hearing.~~

~~(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98; A by R101-03, 2-18-2004)~~

NRS CHAPTER 656

New language is in bold and italics. Strikethrough indicates deleted language.

DISCIPLINARY ACTION

NRS 656.240 Grounds for denial, suspension or revocation of certificate or license: False representation; contempt of court; conviction of certain crimes. The Board may refuse to issue or to renew or may suspend or revoke any certificate or license for any one or a combination of the following causes:

1. If the applicant or court reporter has by false representation obtained or sought to obtain a certificate or license for himself or herself or any other person.

2. If the applicant or court reporter has been found in contempt of court, arising out of his or her conduct in performing or attempting to perform any act as a court reporter.

3. If the applicant or court reporter has been convicted of a crime related to the qualifications, functions and responsibilities of a certified or licensed court reporter.

4. If the applicant or court reporter has been convicted of any offense involving moral turpitude.

Ê The judgment of conviction or a certified copy of the judgment is conclusive evidence of conviction of an offense.

(Added to NRS by 1973, 1319; A 1985, 1884; 1993, 1407; [2003, 2732](#); [2009, 158](#))

NRS 656.250 Grounds for denial, suspension or revocation of certificate or license: Miscellaneous grounds. The Board may refuse to issue or renew or may suspend or revoke any certificate or license if the court reporter in performing or attempting to perform or pretending to perform any act as a court reporter has:

1. Willfully failed to take full and accurate stenographic notes of any proceedings;
 2. Willfully altered any stenographic notes taken at any proceedings;
 3. Willfully failed accurately to transcribe verbatim any stenographic notes taken at any proceedings;
 4. Willfully altered a transcript of stenographic notes taken at any proceedings;
 5. Affixed his or her signature to any transcript of his or her stenographic notes or certified to the correctness of such a transcript unless the transcript was prepared by the court reporter or was prepared under the court reporter's immediate supervision;
 6. Demonstrated unworthiness or incompetency to act as a court reporter in such a manner as to safeguard the interests of the public;
 7. Professionally associated with or loaned his or her name to another for the illegal practice by another of court reporting, or professionally associated with any natural person, firm, copartnership or corporation holding itself out in any manner contrary to the provisions of this chapter;
 8. Habitually been intemperate in the use of intoxicating liquor or controlled substances;
 9. Except as otherwise provided in subsection 10, willfully violated any of the provisions of this chapter or the regulations adopted by the Board to enforce this chapter;
 10. Violated any regulation adopted by the Board relating to:
 - (a) Unprofessional conduct;
 - (b) Agreements for the provision of ongoing services as a court reporter or ongoing services which relate to the practice of court reporting;
 - (c) The avoidance of a conflict of interest; or
 - (d) The performance of the practice of court reporting in a uniform, fair and impartial manner and avoiding the appearance of impropriety.
 11. Failed within a reasonable time to provide information requested by the Board as the result of a formal or informal complaint to the Board, which would indicate a violation of this chapter; or
 12. Failed without excuse to transcribe stenographic notes of a proceeding and file or deliver to an ordering party a transcript of the stenographic notes:
 - (a) Within the time required by law or agreed to by verbal or written contract;
 - (b) Within a reasonable time required for filing the transcript; or
 - (c) Within a reasonable time required for delivery of the transcript.
- (Added to NRS by 1973, 1319; A 1985, 1884; 1987, 1574; 1993, 1407; [2003, 440](#); [2005, 194](#); [2009, 158](#))

NRS 656.253 Denial, suspension or revocation of certificate or license. The Board may refuse to issue or renew or may suspend or revoke a certificate or license if, after notice and a hearing as required by law, the Board determines that the licensee or certificate holder has committed any of the acts set forth in [NRS 656.240](#) or [656.250](#).

(Added to NRS by [2001, 1008](#); A [2005, 806](#); [2009, 159](#))

NRS 656.255 Suspension of license or certificate for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license or certificate. [Effective until 2 years after the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Board receives a copy of a court order issued pursuant to [NRS 425.540](#) that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license or certificate issued pursuant to this chapter, the Board shall deem the license or certificate issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the license or certificate by the district attorney or other public agency pursuant to [NRS 425.550](#) stating that the holder of the license or certificate has

complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

2. The Board shall reinstate a license or certificate issued pursuant to this chapter that has been suspended by a district court pursuant to [NRS 425.540](#) if the Board receives a letter issued by the district attorney or other public agency pursuant to [NRS 425.550](#) to the person whose license or certificate was suspended stating that the person whose license or certificate was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to [NRS 425.560](#).

(Added to NRS by [1997, 2185](#); A [2001, 1011](#); [2005, 2807, 2811](#))

NRS 656.257 Probation; administrative fine; hearing.

1. In addition to or in lieu of suspending, revoking or refusing to issue or renew the certificate of a court reporter or the license of a court reporting firm pursuant to [NRS 656.240](#), [656.250](#) or [656.253](#), the Board may, by a majority vote:

(a) Place the court reporter or court reporting firm on probation for a period not to exceed 1 year; or

(b) Impose an administrative fine against the court reporter or court reporting firm in an amount not to exceed \$5,000 for each violation for which the administrative fine is imposed.

2. Any penalty imposed pursuant to this section must be imposed by the Board at a hearing conducted pursuant to [chapter 622A](#) of NRS.

(Added to NRS by [2003, 439](#); A [2009, 159](#); [2011, 219](#))

NRS 656.260 Holder of license or certificate to notify Board of change of name or address; court reporting firm to report certain changes to Board; penalty.

1. A holder of a license or certificate shall notify the Chair or Executive Secretary of the Board in writing within 30 days after changing his or her name or address.

2. Any change of ownership or corporate officers of a court reporting firm or of the designated representative of the court reporting firm must be reported to the Chair or Executive Secretary within 30 days after the change.

3. The Board may suspend or revoke a license or certificate if the holder thereof fails so to notify the Board.

(Added to NRS by 1973, 1319; A 1985, 1885; [2001, 1011](#); [2005, 195](#))

NRS 656.270 Suspension of license or certificate for mental illness. The entry of a decree by a court of competent jurisdiction establishing the mental illness of any person holding a license or certificate under this chapter operates as a suspension of the license or certificate. Such a person may resume his or her business or practice only upon a finding by the Board that the holder of the license or certificate has been determined to be recovered from mental illness by a court of competent jurisdiction and upon the Board's recommendation that the holder be permitted to resume his or her business or practice.

(Added to NRS by 1973, 1320; A [2001, 1011](#))

NRS 656.280 Investigations; procedure upon refusal to issue certificate or license.

1. The Board may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proven would constitute grounds for refusal, suspension or revocation of a certificate or license or other disciplinary action as set forth in [NRS 656.240](#) to [656.300](#), inclusive, investigate the actions of a current or former certificate holder or licensee, including a firm or any other person who applies for, or holds or represents that he or she or the firm holds a license or certificate.

2. The Board shall, before refusing to issue any license or certificate, notify the applicant in writing of the reasons for the refusal. The notice must be served by delivery personally to the applicant or by mailing by registered or certified mail to the last known place of business of the applicant.

3. The time set in the notice must not be less than 10 nor more than 30 days after delivery or mailing.

4. The Board may continue the hearing from time to time.

(Added to NRS by 1973, 1320; A 1981, 103; [2001, 1011](#); [2005, 806](#); [2011, 219](#))

NRS 656.290 Subpoenas; witnesses; restoration of suspended license or certificate; reinstatement of revoked license or certificate.

1. The Board may subpoena and bring before it any person in this State and take testimony orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed in civil cases in courts

of this State.

2. Any district court, upon the application of the accused or complainant or of the Board may, by order, require the attendance of witnesses and the production of relevant books and papers before the Board in any hearing relative to the application for or refusal, recall, suspension or revocation of a license or certificate, and the court may compel obedience to its order by proceedings for contempt.

3. At any time after the suspension of any license or certificate, the Board may restore it to the accused without examination upon unanimous vote by the Board.

4. In a manner consistent with the provisions of [chapter 622A](#) of NRS, after the revocation of any license or certificate, the Board may reinstate the license or certificate without examination upon unanimous vote by the Board.

(Added to NRS by 1973, 1320; A 1981, 104; 1993, 1408; [2001, 1012](#); [2005, 195, 807](#))

NRS 656.300 Practice without certificate and conducting business without license declared public nuisance; injunctive relief; apportionment of costs.

1. The practice of court reporting by any person who has not been issued a certificate or whose certificate has been suspended or revoked, or conducting a business as a court reporting firm without first obtaining a license therefor or with a suspended or revoked license, is hereby declared to be inimical to public health and welfare and to constitute a public nuisance. The Attorney General of the State of Nevada, the district attorney of any county in the State or any resident may maintain an action in the name of the State of Nevada perpetually to enjoin any person from so unlawfully practicing court reporting, or unlawfully conducting business as a court reporting firm, and from doing, committing or continuing such an unlawful act.

2. In all proceedings under this section, the court may apportion the costs among the parties interested in the suit, including the costs of filing the complaint, service of process, witness fees and expenses, charges for a court reporter and reasonable attorney's fees.

3. The proceeding authorized by this section is in addition to and not in lieu of criminal prosecutions or proceedings to revoke or suspend licenses or certificates as authorized by this chapter.

(Added to NRS by 1973, 1321; A 1993, 1408; [2001, 1012](#))

UNLAWFUL ACTS; PENALTIES

NRS 656.340 Unlawful to practice without license or approval of Board.

1. Except as otherwise provided in subsection 2, it is unlawful for any person to practice court reporting or advertise or put out any sign or card or other device which might indicate to the public that the person is entitled to practice as a court reporter without a certificate of registration as a certified court reporter issued by the Board.

2. Any person may, with the approval of the Board, practice court reporting on a temporary basis when there is an acknowledged unavailability of a certified court reporter. A person requesting the approval of the Board to practice court reporting on a temporary basis shall submit to the Board:

(a) Documentation or other proof that the person has at least one continuous year of experience working full-time in the practice of court reporting; and

(b) A copy of:

(1) The certification as a registered professional reporter issued to the person by the National Court Reporters Association;

(2) The certification as a registered merit reporter issued to the person by the National Court Reporters Association; or

(3) A valid certificate or license to practice court reporting issued to the person by another state.

(Added to NRS by 1973, 1316; A 1985, 1886; 1993, 1409; [2005, 196](#))

NRS 656.350 Penalty for violation of chapter. A violation of any provision of this chapter is a misdemeanor.

(Added to NRS by 1973, 1321)

NRS 656.360 Civil penalty for violation of chapter; hearing. In addition to any other penalty provided by law, a person who violates any provision of this chapter or any regulation adopted by the Board is subject to a civil penalty of not more than \$5,000 for each violation. Any such penalty must be imposed by the Board:

1. If the person is a certified court reporter or court reporting firm, at a hearing conducted pursuant to the provisions of [chapter 622A](#) of NRS.
2. If the person is not a licensee, at a hearing for which written notice has been given not less than 30 days before the hearing.

(Added to NRS by [2011, 217](#))

PROFESSIONAL CONDUCT

NAC 656.350 Accuracy of reporting; alteration of records. ([NRS 656.130](#), [656.250](#))

1. Except as otherwise provided in this subsection, a court reporter who provides services as a court reporter shall treat all words spoken during a proceeding to be on the record and shall accurately report all words spoken during the proceeding. This subsection does not apply if the judge or arbiter presiding over the proceeding instructs otherwise and if each party to the proceeding or the party's attorney stipulates otherwise. Except as otherwise provided in [Rule 30\(d\)](#) of the Nevada Rules of Civil Procedure, during the proceeding, if a party or his or her attorney instructs the court reporter to go off the record, the court reporter shall stop reporting unless another party or his or her attorney makes an immediate objection to the instruction.

2. A court reporter shall not alter the record of a proceeding unless:

- (a) Each party to the proceeding or the party's attorney stipulates to the alteration; and
- (b) The judge or arbiter presiding over the proceeding orders the alteration.

(Added to NAC by Cert. Court Reporters' Bd. by R120-97, eff. 4-13-98; A by R101-03, 2-18-2004)

RULE 26. GENERAL PROVISIONS GOVERNING DISCOVERY

(c) Protective Orders. Upon motion by a party or by the person from whom discovery is sought, accompanied by a certification that the movant has in good faith conferred or attempted to confer with the other affected parties in an effort to resolve the dispute without court action, and for good cause shown, the court in which the action is pending may make any order which justice requires to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following:

- (1) that the discovery not be had;
- (2) that the discovery may be had only on specified terms and conditions, including a designation of the time or place;
- (3) that the discovery may be had only by a method of discovery other than that selected by the party seeking discovery;
- (4) that certain matters not be inquired into, or that the scope of the discovery be limited to certain matters;
- (5) that discovery be conducted with no one present except persons designated by the court;
- (6) that a deposition after being sealed be opened only by order of the court;
- (7) that a trade secret or other confidential research, development, or commercial information not be revealed or be revealed only in a designated way;
- (8) that the parties simultaneously file specified documents or information enclosed in sealed envelopes to be opened as directed by the court.

If the motion for a protective order is denied in whole or in part, the court may, on such terms and conditions as are just, order that any party or other person provide or permit discovery. The provisions of Rule 37(a)(4) apply to the award of expenses incurred in relation to the motion.

[As amended; effective January 1, 2005.]

RULE 30. DEPOSITIONS UPON ORAL EXAMINATION

(d) Motion to Terminate or Limit Examination.

(1) Any objection during a deposition shall be stated concisely and in a nonargumentative and nonsuggestive manner. A party may instruct a deponent not to answer only when necessary to preserve a privilege, to enforce a limitation directed by the court, or to present a motion under paragraph (3).

(2) If the court or discovery commissioner finds that any impediment, delay, or other conduct has frustrated the fair examination of the deponent, it may impose upon the persons responsible an appropriate sanction, including the reasonable costs and attorney's fees incurred by any parties as a result thereof.

(3) At any time during the taking of the deposition, on motion of a party or of the deponent and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the court in which the action is pending or the court in the district where the deposition is being taken may order the officer conducting the examination to cease forthwith from taking the deposition, or may limit the scope and manner of the taking of the deposition as provided in Rule 26(c). If the order made terminates the examination, it shall be resumed thereafter only upon the order of the court in which the action is pending. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order. The provisions of Rule 37(a)(4) apply to the award of expenses incurred in relation to the motion.

[As amended; effective January 1, 2005.]