

**PROPOSED REGULATION OF THE CERTIFIED COURT
REPORTERS' BOARD OF NEVADA**

LCB File No. R078-22

September 1, 2022

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: § 1, NRS 656.130, 656.186 and 656.220; § 2, NRS 656.130 and 656.186.

A REGULATION relating to court reporting; revising the provisions governing the application process for the examination administered by the Certified Court Reporters' Board of Nevada for a designated representative of a court reporting firm; revising the procedure for certifying and providing notice of the results of that examination; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the Certified Court Reporters' Board of Nevada to adopt necessary regulations to carry out certain statutory duties. (NRS 656.130, 656.186) Existing law requires a court reporting firm to appoint a natural person affiliated with the firm to act as the designated representative for the firm. The designated representative must: (1) hold a certified court reporter's certificate issued by the Board; or (2) pass an examination administered by the Board. (NRS 656.186) **Section 1** of this regulation: (1) provides for a deadline for the submission of an application for such an examination; (2) establishes certain requirements for the contents of such an application; (3) prescribes the manner in which the Board will inform an applicant of the approval or rejection of his or her application; and (4) requires the refunding of the examination fee or its application to a future examination under certain circumstances. **Section 2** of this regulation revises the deadline and manner by which the Board certifies the results of an examination and notifies applicants of those results. The procedures set forth in this regulation are modeled on the procedures in existing regulation used by the Board for an application for a court reporter's certificate. (NAC 656.100, 656.150)

Section 1. NAC 656.261 is hereby amended to read as follows:

656.261 1. Before a person who is not a certified court reporter may serve as a designated representative of a court reporting firm, the person must pass an examination administered by the Board ~~and~~ *pursuant to NRS 656.186.*

2. The Executive Secretary of the Board shall prepare a schedule for the administration of examinations to applicants to become a designated representative of a court reporting firm.

3. The fee for an examination is \$250.

4. The Board will consider applications for the immediately succeeding examination administered by the Board pursuant to NRS 656.186. The Executive Secretary of the Board shall establish a deadline for the submission of applications that is at least 30 days before the examination is administered. If an application is postmarked after the deadline, the Executive Secretary of the Board shall return the application to the applicant and the applicant is ineligible to take the examination.

5. An application must be submitted to the Board in its original form.

6. All questions on the application must be completed. If an application is incomplete, the Executive Secretary of the Board shall return the application to the applicant. An applicant whose application is returned because it is incomplete may resubmit his or her application if the application that is resubmitted is postmarked on or before the date of the deadline.

7. An application must include a photocopy of a photo identification of the applicant.

8. An application must be signed by the applicant under penalty of perjury and include an acknowledgment by the applicant that a misrepresentation or omission in the application may constitute a ground, pursuant to NRS 656.240, for denial, suspension or revocation of the license of the firm for which the applicant is the designated representative. The signature of the applicant attests to the accuracy of all information provided by the applicant, including, without limitation, the information contained in the application and all other evidence and information accompanying the application.

9. *If the Board rejects an application, the Executive Secretary of the Board shall mail to the applicant a letter that explains the reason for the rejection.*

10. *If the Board approves an application, the Executive Secretary of the Board shall mail to the applicant a letter of admission to the examination.*

11. *An applicant may cancel his or her submission of an application and request a refund of the examination fee by submitting a written request to the Board on or before the deadline for submission of applications established by the Executive Secretary of the Board pursuant to subsection 4. If the request is submitted on or before the deadline for submission of applications, the Executive Secretary of the Board shall cancel the applicant's application and refund the examination fee to the applicant. The Executive Secretary of the Board shall not refund an examination fee if the request for a refund is submitted after the deadline for submission of applications.*

12. *An applicant may cancel his or her submission of an application and request that the Board apply the applicant's examination fee to the immediately succeeding examination by submitting a written request to the Board after the deadline for submission of applications established by the Executive Secretary of the Board pursuant to subsection 4, but before the date of the examination. If the request is submitted after the deadline for submission of applications, but before the date of the examination, the Executive Secretary of the Board shall cancel the application of the applicant and apply the applicant's examination fee to the immediately succeeding examination.*

13. *An applicant who is unable to take the examination because of an emergency may submit a written request to the Board not later than 15 days after the date of the examination requesting that the Board apply the applicant's examination fee to the immediately succeeding*

examination. The request must include documented proof of the emergency. If the Board grants the applicant's request, the Executive Secretary of the Board shall apply the examination fee of the applicant to the immediately succeeding examination.

14. As used in this section, "emergency" means a sudden or unforeseen circumstance that makes it impractical or impossible for the applicant to take the examination and includes, without limitation, an illness or injury to the applicant or an injury to or the illness or death of a family member of the applicant.

Sec. 2. NAC 656.265 is hereby amended to read as follows:

656.265 1. Each examination administered pursuant to NAC 656.261 will consist of 125 multiple-choice questions that test the knowledge of the applicant in:

- (a) The applicable laws, regulations, and court and procedural rules governing the practice of court reporting in this State;
- (b) Technical advances in the practice of court reporting;
- (c) Ethics and professionalism in the practice of court reporting;
- (d) Management of the business and economics of court reporting; and
- (e) Any other subject relating to court reporting that the Board determines appropriate for inclusion in the examination.

2. Each applicant will have 90 minutes to complete the examination. During the examination, the applicant must not refer to or otherwise use any book, paper or other material.

3. Not ~~[later]~~ *more* than ~~[7-days]~~ *8 weeks* after *the administration of* an examination, the Board will ~~[mail the results of the examination to each applicant.]~~, *at a public meeting held for that purpose, certify the score of each applicant who took the examination. As soon as practicable after conducting the public meeting, the Board will provide official written notice*

to each applicant of the results of the examination of the applicant. The results of an examination must not be given to an applicant by telephone.

4. If the applicant passed the examination, the Board will include with the results of the examination a certificate of completion. If the applicant failed the examination, the Board will include with the results of the examination a statement that the applicant failed the examination and is not eligible for a certificate of completion.

~~[4.]~~ 5. An applicant may not take more than four examinations during any period of 12 consecutive months. To apply for a subsequent examination, an applicant must submit a written request to the Board and pay the fee required pursuant to NAC 656.261.