

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99021-SCT

IN THE MATTER OF THE RULES AND REGULATIONS GOVERNING CERTIFIED COURT REPORTERS

ORDER

This matter has come before the Court en banc on Petition filed by the Board of Certified Court Reporters seeking amendments to the Rules and Regulations Governing Court Reporters which would make certain changes in the regulation of temporary non-certified court reporters and provide for an examination for certification to be administered by the Board. Having considered the petition, the Court finds that the proposals, as modified herein, are in the interest of and will promote the fair and efficient administration of justice and should be approved.

IT IS THEREFORE ORDERED that the Rules and Regulations Governing Court Reporters are amended as set forth in Exhibit "A" hereto.

IT IS FURTHER ORDERED that the Clerk of this Court shall spread this Order upon the minutes of the Court and shall forward a true certified copy hereof to West Publishing Company for publication in the next edition of the *Mississippi Rules of Court* and in the *Southern Reporter, Second Series, (Mississippi Edition)*.

SO ORDERED, this the 26th day of July, 2000.

/s/ William L. Waller, Jr.

WILLIAM L. WALLER, JR., JUSTICE

FOR THE COURT

MILLS, J. NOT PARTICIPATING

EXHIBIT "A" TO ORDER

AMENDMENTS TO RULES AND REGULATIONS GOVERNING CERTIFIED COURT REPORTERS

(Note: Additions are shown by underscoring and deletions by strikeout.)

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IV. TEMPORARY PERMISSION

(A) Non-Certified Court Reporters

A non-certified court reporter ~~who has not yet taken the Registered Professional Reporter examination~~ may make application to the Board for temporary permission to do verbatim reporting within the State. To be granted temporary permission, the applicant must make application on the same forms as required of other applicants, must pay the Board a fee of \$100, and must (1) furnish proof that he/she has previously been a competent practicing reporter or (2) furnish proof of attendance at a court reporting program with a passing grade at the speed of 200 words per minute of Question and Answer.

Temporary status may be granted upon a finding by the Board that the applicant is at least twenty-one (21) years of age, is of good moral character, is a resident of the State of Mississippi, and has previously been a competent practicing reporter or attended a court reporting program with a passing grade at the speed of 200 words per minute of Question and Answer. Temporary status shall be renewed on or before January 2nd of the succeeding year upon payment of the annual fee.

A non-certified court reporter who is granted temporary status must take the next scheduled examination. The court reporter shall immediately notify the Board in writing when he/she passes the examination and request permanent certification. If the applicant does not pass one of the three (3) consecutive examinations given after temporary permission is granted, such permission shall be ~~deemed revoked~~ further extended only under the provisions of Miss. Code Ann. § 9-13-121 (2). The court reporter shall no longer be eligible for temporary status and must reapply to the Board for permanent certification.

[Amended effective July 27, 2000]

(B) Non-Resident Court Reporters

Non-resident reporters wishing to make a verbatim record of any testimony of a proceeding, the jurisdiction of which is within the courts of Mississippi or where appeal to any court of the State of Mississippi is allowable by law, shall make annual application for a non-resident certificate. The applicant must make application on the same forms as required of other applicants, must pay the Board a fee of \$100, and must present proof that he/she is a competent practicing reporter in another state. The Board shall issue a non-resident certificate upon a finding that the applicant is at least twenty-one (21) years of age, is of good moral character, and is a competent practicing reporter in another state. Such certificate

shall be valid for a period not greater than one year. A non-resident reporter must reapply annually. An annual fee of \$100 or such fee as the Board may hereafter set is required.

V. EXAMINATION

(A) Certified Shorthand Reporter Examination Defined

The State of Mississippi's Certified Shorthand Reporter examination shall be either the Mississippi Court Reporter Examination or the Registered Professional Reporter (RPR) examination. The Mississippi Court Reporter Examination shall be administered under the direction of the Board of Certified Court Reporters. For the Mississippi Court Reporter Examination, all grading decisions of the Board of Certified Court Reporters shall be final. Such The Registered Professional Reporter examination shall be administered by the National Court Reporters Association in accordance with their specifications for the RPR designation. For the Registered Professional Reporter examination all All grading decisions of the National Court Reporters Association will be final.

(B) Mississippi Court Reporter Examination

(1) Fees for the Mississippi Court Reporter Examination shall be as follows:

Application fee \$35.00

Examination fee, written only \$50.00

Examination fee, oral only \$75.00

Examination fee, written and oral \$75.00

The \$35.00 application fee is a one-time, non-refundable fee. If only the written portion of the examination is to be taken, the examination is \$50.00; if only the oral portion is to be taken, or if both are to be taken, the examination fee is \$75.00. This \$75.00 fee is the same regardless of how many legs of the Part A Oral Examination are to be taken. First time applicants must pay both the application fee and the examination fee.

Payments are due thirty (30) days before the examination, upon registration. Refunds of the examination fees will be given if the cancellation is received before the deadline of thirty (30) days prior to the examination, or the applicant may apply payment to the next scheduled test. Payments may be in the form of a check or a money order. All checks must be made payable to the Administrative Office of Courts.

(2) Administration of Mississippi Court Reporters Examination

(a) Oral Examination-Part A

The oral portion of the test consists of 5 minutes of 2 voice (Question and Answer) dictation of testimony given at 225 words per minute, 5 minutes of dictation of jury charge given at 200 words per minute, and 5 minutes of dictation of selected literary material given at 180 words per minute. Each of these legs will have one minute of warm up material. Each applicant shall personally take down the test, either in his/her own writing (or by stenotype machine) or his/her own voice, and reduce to writing the takedown on a typewriter, word processor or CAT (computer aided transcription) equipment. The minimum passing grade

on each section of Part A of the test shall be ninety-five percent (95%) accuracy. An error shall be charged for each wrong word, each omitted word, for each added word not dictated, for each contraction where read as two words, for two words where read as a contraction, for each misspelled word, for each plural or singular where the opposite was dictated, and for each wrong number. Applicants may use a dictionary during Part A of the test. Applicants have three (3) hours to type Part A of the test. If time permits, the applicant may review his transcript but shall use only his/her original takedown from which his/her transcript was prepared to review that transcript. If applicant passes any one leg of Part A of the test with ninety-five percent (95%) accuracy, he/she need not retake that leg on reexamination and may consider that leg passed.

All steno notes, disks, and any printed material becomes property of the Board of Certified Court Reporters. These must be turned in after the examination, and all tests must be deleted from the hard drive of the applicant's word processor or computer.

The approximate allowable number of errors for each leg of the oral examination is:

Testimony 57

Jury Charge 50

Literary 45.

(b) Written Examination-Part B.

The written examination is a forty-five (45) minute, fifty (50) question, multiple choice test based on the following areas of court reporting. Approximately thirty percent (30%) of the questions will be on reporting, thirty percent (30%) on transcription; twenty percent (20%) Mississippi court procedures, and twenty percent (20%) grammar and punctuation. These approximations are intended for general guidance only.

Materials recommended for study in preparation for the written portion of the examination include, but are not limited to:

National Court Reporters Association Professional Education Series, (a) English, (b) law, and (c) medical;

National Court Reporters Association Publications: (a) Systematic Guide to Medical Terminology, (b) Grammar for Shorthand Reporters, and (c) Punctuation for Shorthand Reporters;

Mississippi Rules of Civil Procedure applying to the duties and responsibilities of court reporters;

Mississippi Rules of Appellate Procedure.

Rules and Regulations Governing Certified Court Reporters

(c) Test Results

Test results are mailed four (4) to six (6) weeks after the examination. No results will be given over the telephone. The written examination candidates receive the numeric scores, in addition to Pass or Fail conclusions. The oral examination candidates receive numeric scores as well as a Pass or Fail conclusion on

each leg.

(d) Appeals

All appeals must be in writing to the Board of Certified Court Reporters and must be postmarked no more than twenty (20) days from the mailing date of the examination results. Applicants may request a regrade. The regrade fee is \$35.00 and is due at the time of the appeal.

[Amended effective July 27, 2000.]

VI. CERTIFICATION

(A) Requirements

Upon payment of the appropriate application fee, proof of residence in the State of Mississippi, and meeting all other requirements of the Board for certification, the applicant who has successfully passed the examination administered by the Mississippi Board of Certified Court Reporters, National Court Reporters Association or an equivalent state exam from ~~this state or~~ another state shall be eligible to become a certified shorthand reporter in the State of Mississippi without further testing. Where applicable ~~the~~ applicant must ensure that his/her scores are furnished by the National Court Reporters Association to the Board of Certified Court Reporters.

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[Amended effective July 27, 2000.]

[The remainder of these rules remain unchanged]