

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
AMENDING ARIZONA CODE OF)	Administrative Order
JUDICIAL ADMINISTRATION § 7-206:)	<u>No. 2011 - 32</u>
CERTIFIED REPORTER)	(Affecting Administrative
)	Order No. 2008-82)
)	

An amendment to the above-captioned section of the Arizona Code of Judicial Administration having come before the Arizona Judicial Council on December 7, 2010, and having been approved and recommended for adoption,

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that Arizona Code of Judicial Administration § 7-206 is amended as indicated on the attached document. All other provisions of § 7-206, as originally adopted, remain unchanged and in effect.

Dated this 24th day of February, 2011.

REBECCA WHITE BERCH
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 7: Administrative Office of the Courts
Chapter 2: Certification and Licensing Programs
Section 7-206: Certified Reporter

A. through I. [no changes]

J. Code of Conduct

1. Ethics

a. through f. [no changes]

g. ~~Contracts for reporter services between persons~~ A person holding a certificate under this section or any person for whom the reporters act as agents, shall not enter into an employment, independent contractor, or agency relationship, which requires the certificate holder to and any attorney at law or agent or any insurance company or agent or any other person, are prohibited.:

~~(1) This subsection shall not apply to contracts for certified reporting services for the courts, agencies, or instrumentalities of the United States or of the state of Arizona.~~

~~(2) A reporter may upon request of an attorney or an agent of an attorney or an insurance company, quote rates for both originals and copies of depositions for a particular deposition to be taken, or for all depositions in a case, provided the same rate is charged to all other parties obtaining copies and disclosure is made to all parties involved in the case. Quoting rates for all depositions in a case does not constitute a contract.~~

~~(3) A certified reporter shall not relinquish control of transcript production, distribution and invoicing to any entity in a manner which prevents the certified reporter from complying with the requirements of this section, and the applicable state and local laws, rules and regulations.~~

(1) Relinquish control in a manner that prevents the certificate holder's monitoring, oversight and review of the preparation, production and distribution of the transcript and copies of the transcript before it is certified and delivered to the custodial attorney;

(2) Relinquish control in a manner that prevents the certificate holder's inspection and copying of records of charges, billings, and invoicing to all parties relating in any way to the reporting of the proceedings or cases and production of the transcript provided by the certificate holder and any products or services ancillary thereto;

(3) Provide special financial terms or other services that are not offered at the same time and on the same terms to all other parties in the litigation;

(4) Give any economic or other advantage to any party, or their attorney, representative, agent, or insurer; or

(5) Expressly or impliedly requires the certificate holder reporting any proceeding or case to perform court reporting services in any other proceeding or case at a specific rate of compensation or compels, guarantees, regulates, or controls the use of particular court reporting services in other proceedings or cases.

This subsection shall not apply to contracts for certified reporting services for the courts, agencies, or instrumentalities of the United States or of the State of Arizona.

h. and i. [no changes]

j. The provisions of section 7-206 may not be waived by disclosure, agreement, stipulation, or otherwise.

2 through 6 [no changes]

K through M [no changes]