

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ARIZONA CODE OF JUDICIAL) Administrative Order
ADMINISTRATION § 7-206:) No. 2016 - 119
CERTIFIED REPORTER) (Affecting Administrative
) Order No. 2014-51)
)
_____)

An amendment to the above-captioned section of the Arizona Code of Judicial Administration having come before the Arizona Judicial Council on October 27, 2016, 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 23rd day of November, 2016.

SCOTT BALES
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. Definitions. In addition to the definitions in ACJA § 7-201(A), the following definitions apply:

“Affiliate” means an individual or entity that directly or indirectly, through one or more intermediaries, controls, is controlled by or is under common control with the individual or entity specified.

“Board” means “the board of certified reporters” as provided in A.R.S. § 32-4002(1).

“Certify” means “board authorization to engage in activities regulated by the board” as provided in A.R.S. § 32-4002(4).

“Certification” means certification ~~“a standard certificate that is issued by the board to a person who meets the requirements of §§ 32-4021 and 32-4022 and does not include a temporary certificate” as provided in A.R.S. § 32-4002(2)~~ that authorizes the individual to perform reporting as a certified reporter within Arizona.

“Certified reporter” means “a person who is certified by the board and who records and transcribes a verbatim record in any sworn proceeding by means of written symbols or abbreviations in shorthand, machine writing or voice writing” as provided in A.R.S. § 32-4002(3).

“Chapter” means Title 32, Chapter 40, Board of Certified Reporters, Arizona Revised Statutes.

“Conditional initial certification” means certification granted by the board prior to receipt of state and federal record check results that authorizes the individual certified to perform reporting services only as an official reporter employed by a superior court located in Arizona.

“Registered reporting firm” means an individual or entity that is registered pursuant to this section and for compensation offers to provide or provides reporting services or related services but does not personally provide the service as a certified reporter.

“Report” means “to stenographically or by voice writing record and transcribe sworn proceedings” as provided in A.R.S. § 32-4002(5).

~~“Temporary certificate” means a certificate that has been extended pursuant to Laws 1999, Ch. 335, § 3; Laws 2000, Ch. 41, § 13 and subsection G(4)(a).~~

“Voice writing” means “the making of a verbatim record of the spoken word by means of repeating words of the speaker into a device that is capable of digital translation into text” as

provided in A.R.S. § 32-4002(6).

B. through D. [no changes]

E. Initial Certification.

1. Eligibility for Application.

a. A.R.S. § 32-4021(A) provides:

A. An applicant for standard certification as a certified reporter . . . at a minimum shall:

1. Be at least eighteen years of age.
2. Be a citizen or legal resident of the United States.
3. Satisfy the requirements of § 32-4022.
4. Be of good moral character.
5. Possess a high school diploma or a general equivalency diploma or a similar document or certificate.
6. Pursuant to rules adopted by the supreme court demonstrate reasonable proficiency in making verbatim records of trial or judicial or related proceedings.
7. Comply with the laws and rules and orders adopted by the supreme court governing certified reporters in this state.
8. Pay the fees established pursuant to § 32-4008.

- b. An applicant shall provide proof of passing the registered professional reporter's examination (RPR) or the certified verbatim reporter's examination (CVR) and shall also pass the Arizona Written Examination pursuant to ACJA § 7-201(E) and subsections (E)(3)(b) and (c).

2. Application for Initial ~~Standard~~ Certification. The procedures for application for initial certification are provided in A.R.S. § 32-4021 and ACJA § 7-201. Applicants for certification shall also meet the examination requirements specified in subsection (E)(3) and pursuant to A.R.S. § 32-4021(A)(9) an applicant shall “~~Submit~~submit a full set of fingerprints with the fee prescribed in § 41-1750 to the supreme court for the purpose of obtaining a state and federal criminal records check pursuant to § 41-1750 and Public Law 92-544.”
3. Examination. In addition to the requirements of ACJA § 7-201(E) the following requirements apply:
 - a. Purpose. Pursuant to A.R.S. § 32-4005(B) and ACJA § 7-201(E), the examination for initial certification is to “[d]etermine through testing . . . an applicant’s ability to make a verbatim record of proceedings that may be used in any court by means of written symbols or abbreviations in shorthand, or machine writing or voice writing.”
 - b. Admission to the Arizona Written Examination.
 - (1) A.R.S. § 32-4022(A) provides:
 - A. A person shall not be admitted to an examination without presenting satisfactory evidence to the board that before the date on which the application for examination was filed the person has done at least one of the following:
 1. Obtained one year of experience in making verbatim records of meetings, conferences, hearings or judicial or related proceedings by means of written symbols or abbreviations in shorthand, machine writing or voice writing and in transcribing these records.
 2. Obtained a verified certificate of the satisfactory completion of a prescribed course of study from a court reporting school or a certificate from a school that evidences the equivalent proficiency and the ability to make a verbatim record of material that is dictated pursuant to rules adopted by the supreme court.
 3. Obtained a national court reporters association’s registered professional reporter or registered merit reporter certificate.
 4. Obtained a valid certificate to practice court reporting that is issued by a state other than this state if the other state’s requirements and certifying examination are substantially similar to or more stringent than those in this state.
 5. Demonstrated reasonable proficiency in making verbatim records of trial or judicial or other related proceedings by passing an approved

examination for certification pursuant to rules adopted by the supreme court.

c. Examination Procedures. In addition to the requirements of ACJA § 7-201(E), the procedures for examination are prescribed in A.R.S. § 32-4022:

(1) A.R.S. § 32-4022(B) provides:

B. The examination for certification consists of the following two parts:

1. A national court reporters association's registered professional reporter examination, a national verbatim reporters association's certified verbatim reporters association examination or an alternative demonstration of proficiency approved by the supreme court.

2. A written knowledge test of rules of the supreme court of Arizona and statutes of this state relating to court reporters.

(2) The National Court Reporters Association (NCRA) RPR written knowledge test (WKT) and skills knowledge test (SKT) and the National Verbatim Reporters Association (NVRA) CVR, are the approved proficiency examinations to meet the minimum proficiency examination requirements of A.R.S. § 32-4022(B)(1).

(3) An applicant satisfies the proficiency examination requirements by passing either the RPR or CVR examination as specified in A.R.S. § 32-4022(B)(1) and subsection (E)(3)(c)(2).

(4) An applicant shall perform the duties of the profession using only the method of reporting the applicant used to obtain certification.

(5) A.R.S. § 32-4022(F) provides: "An applicant who fails to pass the written examination . . . may apply for reexamination at any time."

4. Conditional Initial Certification. Conditional initial certification may be granted prior to receipt of state and federal record check results only for employment by the superior court as an official court reporter and authorizes the individual to provide reporting services only while acting in the course and scope of that employment. The board, upon a request from the Division, shall promptly meet to consider the request for conditional initial certification.

a. Except as otherwise set forth in this section, an individual granted conditional initial certification is subject to the professional and ethical responsibilities required by this code section.

b. Conditional initial certification terminates upon the occurrence of any of the following:

- (1) Final action by the board granting or denying certification;
- (2) Identification by division staff of any arrests or convictions that were not disclosed on the initial application; or
- (3) Termination of superior court employment.\

c. Conditional initial certification can be granted only if the applicant has submitted:

- (1) A complete application for initial certification that contains no information that would preclude certification, with the initial certification fees required by ACJA § 7-206(K);
- (2) Satisfactory evidence that the applicant is or will be employed by a superior court;
- (3) Satisfactory proof of compliance with ACJA § 7-206(E)(1)(a)&(b), and (E)(3);
- (4) A full set of fingerprints as required by A.R.S. § 32-4021(A)(9);
- (5) Written acknowledgement that the issuance of conditional initial certification has no precedential or evidential value in the Board’s determination to grant or to deny the person’s application for certification; and
- (6) Written acknowledgment that the conditional initial certification immediately becomes null and void if the continuing background investigation identifies any arrests or convictions that were not disclosed on the initial application.

d. Applications for initial certification for individuals who have been granted conditional initial certification shall be considered at the next board meeting following receipt of the state and federal record check results and completion of the background check.

45. Decision Regarding Certification. In addition to the requirements contained in ACJA § 7-201(E), the procedures for the decision regarding certification are pursuant to A.R.S. §§ 32-4021(B), -4024(A) and -4024(B).

- a. Approval of Initial ~~Standard~~ Certification. These requirements are contained in ACJA § 7-201(E).
- b. Denial of Initial ~~Standard~~ Certification. The requirements are contained in ACJA § 7-201(E).

F. [no changes]

G. Renewal of Certificate. In addition to the requirements contained in ACJA § 7-201(G) the following requirements apply:

- 1. Expiration Date. A.R.S. § 32-4023(A) provides: “A certificate issued pursuant to this article is subject to renewal and expiration as prescribed by rules adopted pursuant to section 32-4005.” All ~~standard~~ certifications expire at midnight, on February 28th of each even numbered year.

2. Application. A.R.S. § 32-4023(B) provides: “The certificate holder is responsible for applying for a renewal certificate.” A certified reporter shall submit a completed renewal application, applicable fees pursuant to subsection (K) and documentation by the renewal application deadline established by the board to remain eligible to serve as a certified reporter in Arizona.
3. Continuing Education. A.R.S. § 32-4023(D) provides: “A certificate holder shall include with the application for renewal documentation satisfactory to the board that the certificate holder has successfully completed at least ten hours of approved continuing education each year.” The certificate holder shall comply with the provisions regarding continuing education contained in subsection (L).

~~4. Types of Certificates.~~

~~a. Temporary Certificate. Pursuant to Laws 1999, Ch. 335, § 3, and Laws 2000, Ch. 41, § 13, "All temporary certificates shall be renewed annually and may not be renewed beyond December 31, 2002, except that the board may renew temporary certificates after December 31, 2002 due to extenuating circumstances." An applicant may request and the board may grant renewal of a temporary certificate if the applicant meets all of the following conditions:~~

- ~~(1) Holds a valid temporary certificate; and~~
- ~~(2) Complies with the policies on requests for extensions of temporary certification based on extenuating circumstances as adopted by the board.~~

~~b. Standard Certificate. An applicant may apply for and the board may renew a standard certificate of an applicant who:~~

- ~~(1) Holds a valid standard certificate; and~~
- ~~(2) Meets all other requirements for renewal.~~

~~54. Decision Regarding Renewal. In addition to the requirements contained in ACJA § 7-201(E) and (G) the following requirements apply:~~

- ~~a. A.R.S. § 32-4023(B) provides: “On receipt of the renewal application and the renewal fee, the board shall issue the applicant a new certificate unless the board finds that the applicant does not meet the requirements for renewal or that section 32-4024 applies.”~~
- ~~b. The board may deny renewal of a certificate for any of the reasons specified in § 32-4024.~~

H. through J. [no changes]

K. Fee Schedule. Pursuant to A.R.S. § 32-4008, the supreme court shall set and collect fees necessary to carry out the provisions of Title 32, Chapter 40, Arizona Revised Statutes pertaining to the certification of certified reporters.

1. ~~Initial~~ Certification Fees.

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|--|----------|
| a. Initial Certification for Two Year Certification Period | \$450.00 |
| (1) For certification expiring more than one year after application date | \$450.00 |
| (2) For certification expiring less than one year after application date | \$225.00 |

b. Fingerprint Processing

(Rate as set by Arizona law and subject to change)

2. Examination Fee for the Arizona Written Test

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| a. Applicants for Initial Certification | \$ 50.00 |
| b. Reexaminations | \$ 50.00 |

(For any applicant who did not pass the examination on the first attempt. The \$50.00 fee applies to each reexamination.)

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|-----------------------------------|----------|
| c. Reregistration for Examination | \$ 50.00 |
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(For any applicant who registers for an examination date and fails to appear at the designated site on the scheduled date and time.)

3. Renewal Certification Fees.

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|------------------------------------|----------|
| a. Certification Renewal | \$400.00 |
| b. Inactive Status | \$100.00 |
| c. Late Renewal | \$ 50.00 |
| d. Delinquent Continuing Education | \$100.00 |

4. Miscellaneous Fees

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| a. Replacement of Certificate or Name Change | \$ 25.00 |
| b. Public Record Request per Page Copy | \$.50 |

c. Certificate of Correctness of Copy of Record \$ 18.00

d. Reinstatement Application \$100.00

(Application for reinstatement to certification after suspension
or revocation of certification.)

5. Registered Reporting Firm Registration Fees

a. Initial Registration \$100.00

b. Renewal Registration \$ 50.00

L. through N. [no changes]