



General Assembly

February Session, 2020

***Raised Bill No. 5504***

LCO No. 2842



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING STATE REGISTRATION OF ENTITIES THAT PROVIDE COURT REPORTING SERVICES AND THE LICENSURE OF COURT REPORTERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2020*) As used in this section and  
2 sections 2 to 9, inclusive, of this act:

3 (1) "Board" means the State Board of Examiners of Court Reporters  
4 appointed under section 2 of this act;

5 (2) "Commissioner" means the Commissioner of Consumer  
6 Protection;

7 (3) "Court reporting" means the verbatim transcription of the spoken  
8 word of a legal proceeding and the production and billing of the  
9 transcript of a legal proceeding;

10 (4) "Court reporter" means any individual or entity, foreign or  
11 domestic, engaged in court reporting;

12 (5) "Licensed court reporter" means an individual who holds a

13 license, pursuant to sections 6 and 7 of this act, to transcribe verbatim  
14 the spoken word of a legal proceeding in this state. "Licensed court  
15 reporter" does not include an individual who is an official court  
16 reporter;

17 (6) "Final transcript" means the final transcribed version of the spoken  
18 word of a legal proceeding, irrespective of whether such transcribed  
19 version is the original or a copy;

20 (7) "Legal proceeding" includes, but is not limited to: (A) A  
21 deposition; (B) an arbitration proceeding; (C) a mediation proceeding;  
22 (D) an administrative hearing; or (E) any similar proceeding, incident to  
23 an inchoate or pending legal matter in this state; and

24 (8) "Official court reporter" means a court reporter employed, hired  
25 or appointed by a state or federal authority to make a verbatim  
26 transcription of the spoken word of a legal proceeding, Workers'  
27 Compensation Commission proceeding, or other official state or federal  
28 administrative proceeding.

29 Sec. 2. (NEW) (*Effective July 1, 2020*) (a) There is established within the  
30 Department of Consumer Protection the State Board of Examiners of  
31 Court Reporters.

32 (b) The board shall be composed of six members, appointed by the  
33 Governor as follows:

34 (1) An attorney who is admitted to practice law in this state and in  
35 good standing and who shall be selected from a list submitted by the  
36 executive committee of the Connecticut Trial Lawyers Association;

37 (2) Two members of the public; and

38 (3) Three court reporters who shall be selected from a list submitted  
39 by the Connecticut Court Reporters Association.

40 (c) All initial appointments to the board shall be made not later than  
41 September 1, 2020, and shall terminate on August 31, 2023, regardless of

42 when the initial appointment was made. Any member of the board may  
43 serve more than one term.

44 (d) The Governor shall select the chairperson of the board from  
45 among the members of the board. The chairperson shall schedule the  
46 first meeting of the board, which shall be held not later than October 1,  
47 2020.

48 (e) The Commissioner of Consumer Protection shall provide  
49 administrative support to the board.

50 (f) Appointed members of the board shall serve for three-year terms,  
51 which shall commence on the date of appointment. Members shall  
52 continue to serve until their successors are appointed.

53 (g) Any vacancy shall be filled by the Governor. Any vacancy  
54 occurring other than by expiration of term shall be filled for the balance  
55 of the unexpired term.

56 (h) The board shall (1) have oversight and enforcement authority over  
57 the provisions of sections 3 to 9, inclusive, of this act, including, but not  
58 limited to, the registration requirements set forth in section 3 of this act,  
59 the examination and licensure requirements set forth in sections 6 and 7  
60 of this act and the course of conduct requirements set forth in sections  
61 3, 4, 5, 8 and 9 of this act; and (2) perform such other acts as may be  
62 necessary and appropriate to carry out the duties described in this  
63 section.

64 Sec. 3. (NEW) (*Effective July 1, 2020*) (a) On or before October 1, 2020,  
65 any entity that is engaged in the business of providing court reporting  
66 services, soliciting business as a court reporting service or making  
67 representations to be, or advertising as, a court reporting service shall  
68 obtain a certificate of registration from the Department of Consumer  
69 Protection on forms prescribed by the commissioner.

70 (b) The commissioner shall assess an initial registration fee of two  
71 hundred fifty dollars on any entity seeking a certificate of registration  
72 from the department pursuant to subsection (a) of this section. Such

73 registration fee shall be payable at the time of registration. All  
74 certificates issued under this section shall expire annually on January  
75 fifteenth. A holder of a certificate of registration may renew such  
76 certificate by filing an application for renewal with the department. The  
77 fee for renewal of a certificate of registration shall be two hundred fifty  
78 dollars.

79 (c) No entity shall engage in the business of providing court reporting  
80 services, soliciting business as a court reporting service or making  
81 representations to be, or advertising as, a court reporting service in the  
82 state without a certificate of registration issued in accordance with the  
83 provisions of this section. Any entity that obtains a certificate of  
84 registration under this section shall: (1) Display the entity's department-  
85 issued registration number on its business card, stationery, transcripts,  
86 advertisements and any other document used by such entity in the  
87 provision of court reporting services, and (2) comply with the provisions  
88 of this section and sections 4 to 9, inclusive, of this act.

89 (d) The registration requirements prescribed by this section shall not  
90 apply to any individual who is (1) an official court reporter, or (2)  
91 licensed as court reporter pursuant to sections 6 and 7 of this act.

92 Sec. 4. (NEW) (*Effective July 1, 2020*) (a) The State Board of Examiners  
93 of Court Reporters, established in section 2 of this act, after a hearing  
94 conducted in accordance with chapter 54 of the general statutes, may  
95 suspend or revoke the certificate of registration of an entity providing  
96 court reporting services, if the holder of such certification has been  
97 found by the board to have knowingly made a false, misleading or  
98 deceptive representation relating to the provision of court reporting  
99 services.

100 (b) In addition to any action that may be taken by the board pursuant  
101 to subsection (a) of this section, the board may suspend or revoke the  
102 certificate of registration of an entity providing court reporting services  
103 for:

104 (1) Failing to deliver a transcript to a client or court in a timely

105 manner;

106 (2) Producing an incomplete transcript, unless such incomplete  
107 transcript was produced upon the order of a court, agreement of the  
108 parties or request of a party;

109 (3) Failing to charge all parties or their attorneys the same rate or  
110 charge for like services performed in a proceeding, including any charge  
111 for a copy of the transcript;

112 (4) Failing to notify all parties or their attorneys of a request for all or  
113 part of a transcript in sufficient time for other parties or their attorneys  
114 to request copies to be prepared and delivered to such other parties or  
115 attorneys simultaneously with the delivery of the original request;

116 (5) (A) Giving, directly or indirectly, any gift, incentive, reward or  
117 other thing of value to an attorney, the attorney's clients or the  
118 representatives or agents of such attorney or clients, or (B) directly or  
119 indirectly benefiting from any gift or being employed as a result of any  
120 incentive, reward or other thing of value given by any person to an  
121 attorney, the attorney's clients or the representatives or agents of such  
122 attorney or clients;

123 (6) The reporting of any proceeding where the licensed court reporter  
124 is a relative of a party to the proceeding or an attorney representing a  
125 party to the proceeding within the second degree by affinity or  
126 consanguinity;

127 (7) The reporting of any proceeding where the licensed court reporter  
128 has a financial interest in the proceeding or is associated with a firm that  
129 has a financial interest in the proceeding; or

130 (8) Producing a materially inaccurate transcript.

131 (c) The board may, after a hearing conducted in accordance with  
132 chapter 54 of the general statutes, impose a civil penalty of not more  
133 than one thousand dollars per violation on any entity who (1) violates  
134 any provision of sections 3 to 9, inclusive, of this act, or (2) wilfully

135 employs or supplies for employment as an independent contractor a  
136 person who engages in the practice of court reporting in this state in  
137 violation of (A) the provisions of sections 3 to 9, inclusive, of this act, or  
138 (B) any provision of regulations adopted in accordance with section 10  
139 of this act.

140 (d) Any entity that has had a certificate of registration suspended or  
141 revoked pursuant to this section may reapply to the board for  
142 reinstatement of such entity's certificate of registration immediately  
143 after the registration suspension period has elapsed or not earlier than  
144 ninety days after the date on which the certificate of registration was  
145 revoked.

146 Sec. 5. (NEW) (*Effective July 1, 2020*) (a) Except as provided in  
147 subsection (b) of this section, on and after October 1, 2020, no person  
148 shall: (1) Use the title "court reporter" or any similar designation, or  
149 display or use any words, letters, figures, titles, advertisements or other  
150 devices to indicate that such person is a licensed court reporter, or (2)  
151 practice court reporting for compensation in this state.

152 (b) The licensure requirements prescribed in subsection (a) of this  
153 section and sections 6 and 7 of this act shall not apply to any individual  
154 who is an official court reporter, whether compensated on a salary or  
155 per diem basis, but only to the extent that such individual performs  
156 court reporting in the course of such individual's employment as an  
157 official court reporter.

158 Sec. 6. (NEW) (*Effective July 1, 2020*) (a) On and after October 1, 2020,  
159 any person seeking licensure to practice court reporting in this state  
160 shall apply to the Department of Consumer Protection, in writing, on a  
161 form provided by the Commissioner of Consumer Protection. Such  
162 application shall include the applicant's name, residence address,  
163 business address and such other information as the commissioner may  
164 require.

165 (b) Notwithstanding the provisions of subsection (a) of this section,  
166 and section 7 of this act, any person who submits evidence satisfactory

167 to the Department of Consumer Protection that such person held a  
168 department-issued license in good standing as a shorthand reporter on  
169 December 31, 2017, may, upon the request of such person and at no cost  
170 to such person, be issued a license by the department to practice court  
171 reporting for a period of three years from the date of issuance of the  
172 license.

173 (c) Except as provided in subsection (b) of this section, each  
174 application for licensure to practice court reporting in this state shall be  
175 accompanied by a nonrefundable application fee of one hundred dollars  
176 and a licensure fee of two hundred dollars. The fee for the renewal of  
177 such licensure shall be two hundred dollars.

178 Sec. 7. (NEW) (*Effective July 1, 2020*) (a) No person shall receive a  
179 license to practice court reporting in this state under this section and  
180 section 6 of this act unless such person has passed an examination that  
181 is substantially similar to the examination of the National Court  
182 Reporters Association, or has submitted evidence satisfactory to the  
183 Department of Consumer Protection that such person is a Registered  
184 Professional Reporter of the National Court Reporters Association or its  
185 equivalent.

186 (b) If the applicant satisfies the requirements of this section and pays  
187 the fee required by section 6 of this act, the commissioner shall issue a  
188 license to the applicant, indicating that the person named in such license  
189 is authorized to practice shorthand reporting in this state. Any such  
190 license shall be valid for a period of three years.

191 (c) Any license issued under the provisions of this section and section  
192 6 of this act may be renewed every three years upon payment of the fee  
193 required under section 6 of this act.

194 (d) A person who has failed to renew such license for a period of over  
195 two years from the date of expiration of such license may have such  
196 license reinstated only upon complying with the examination  
197 requirements of subsection (a) of this section.

198 (e) Any person that obtains a license under this section shall: (1)  
199 Display the department- issued license number on the person's business  
200 card, stationery, transcripts, advertisements and any other document  
201 used by such person in the provision of court reporting services, and (2)  
202 comply with the provisions of sections 4 to 9, inclusive, of this act.

203 Sec. 8. (NEW) (*Effective July 1, 2020*) (a) The State Board of Examiners  
204 of Court Reporters, after a hearing conducted in accordance with  
205 chapter 54 of the general statutes, may suspend or revoke the license of  
206 a court reporter if the holder of such license has been found by the board  
207 to have: (1) Knowingly made a false, misleading or deceptive  
208 representation relating to his or her work as a court reporter; or (2) been  
209 convicted of a felony involving fraud or dishonesty, subject to the  
210 provisions of section 46a-80 of the general statutes.

211 (b) In addition to any action that may be taken by the board pursuant  
212 to subsection (a) of this section, the board may suspend or revoke the  
213 license of a court reporter for:

214 (1) Failing to deliver a transcript to a client or court in a timely  
215 manner;

216 (2) Producing an incomplete transcript, unless such incomplete  
217 transcript was produced upon the order of a court, agreement of the  
218 parties or request of a party;

219 (3) Failing to charge all parties or their attorneys the same rate or  
220 charge for like services performed in a proceeding, including any charge  
221 for a copy of the transcript;

222 (4) Failing to notify all parties or their attorneys of a request for all or  
223 part of a transcript in sufficient time for other parties or their attorneys  
224 to request copies to be prepared and delivered to such other parties or  
225 attorneys simultaneously with the delivery of the original request;

226 (5) (A) Giving, directly or indirectly, any gift, incentive, reward or  
227 other thing of value to an attorney, the attorney's clients or the  
228 representatives or agents of such attorney or clients, or (B) directly or



229 indirectly benefiting from any gift or being employed as a result of any  
230 incentive, reward or other thing of value given by any person to an  
231 attorney, the attorney's clients or the representatives or agents of such  
232 attorney or clients;

233 (6) The reporting of any proceeding where the licensed court reporter  
234 is a relative of a party to the proceeding or an attorney representing a  
235 party to the proceeding within the second degree by affinity or  
236 consanguinity;

237 (7) The reporting of any proceeding where the licensed court reporter  
238 has a financial interest in the proceeding or is associated with a firm that  
239 has a financial interest in the proceeding; or

240 (8) Producing a materially inaccurate transcript.

241 (c) In addition to any action that may be taken by the board pursuant  
242 to subsections (a) and (b) of this section, the board may, after a hearing  
243 conducted in accordance with chapter 54 of the general statutes, impose  
244 a civil penalty of not more than one thousand dollars per violation on  
245 any court reporter who violates any provision of (1) sections 4 to 9,  
246 inclusive, of this act, or (2) regulations adopted in accordance with  
247 section 10 of this act.

248 (d) Any person who has his or her license suspended or revoked  
249 pursuant to this section may reapply to the board for reinstatement of  
250 such person's license immediately after the license suspension period  
251 has elapsed or not earlier than ninety days after the date on which the  
252 license was revoked.

253 Sec. 9. (NEW) (*Effective July 1, 2020*) (a) On and after October 1, 2020,  
254 any final transcript produced by a court reporter, except an official court  
255 reporter, for a legal proceeding within this state shall contain a  
256 certification page that specifies the number of pages of the final  
257 transcript produced and meets the following "Transcript Format  
258 Guidelines" promulgated by the National Court Reporters Association,  
259 as amended from time to time:

260 (1) Each page of a final transcript shall contain no fewer than twenty-  
261 five typed lines on standard paper eight and one-half by eleven inches  
262 in size;

263 (2) Each page of a final transcript shall have no fewer than nine or ten  
264 characters per typed inch;

265 (3) The left-hand margin of the each page of a final transcript shall be  
266 set at not more than one and three-quarter inches;

267 (4) The right-hand margin of each page of a final transcript shall be  
268 set at not more than three-eighths of an inch;

269 (5) Each question and answer shall begin on a separate line;

270 (6) Each question and answer shall begin no more than five spaces  
271 from the left-hand margin and the statement following a question or  
272 answer shall begin no more than five spaces from the left-hand margin;

273 (7) Any carryover question and answer line shall begin at the left-  
274 hand margin;

275 (8) Any colloquy shall begin no more than fifteen spaces from the left-  
276 hand margin and any carryover line of a colloquy shall begin at the left-  
277 hand margin;

278 (9) Quoted material shall begin no more than fifteen spaces from the  
279 left-hand margin and any carryover line of quoted material shall begin  
280 no more than ten spaces from the left-hand margin; and

281 (10) Any parenthetical or exhibit marking shall begin no more than  
282 fifteen spaces from the left-hand margin and any carryover line shall  
283 begin no more than fifteen spaces from the left-hand margin.

284 (b) No court reporter, except an official court reporter producing a  
285 transcript for a legal proceeding within this state, shall charge any other  
286 party to the legal proceeding more for a final transcript than the amount  
287 that is charged to the hiring party for the final transcript, excluding  
288 ancillary attendance and other fees or additional services requested and

289 charged to the hiring party. If additional services are requested by any  
 290 party, including, but not limited to, expedited delivery of a transcript,  
 291 daily copy of a transcript, streaming text or video, such services shall be  
 292 offered at the same rate to all parties to the legal proceeding, irrespective  
 293 of which party hired the court reporter. A final transcript shall be made  
 294 accessible to all parties to the legal proceeding at the same time. Upon  
 295 written request to a court reporter by any party to a legal proceeding,  
 296 the invoice submitted by the court reporter to any party for the final  
 297 transcript and any additional services rendered in the legal proceeding,  
 298 shall be provided to the requesting party no later than thirty days after  
 299 the date of receipt of the request.

300 (c) The provisions of this section shall not apply to any proceeding  
 301 conducted in accordance with the provisions of chapter 568 of the  
 302 general statutes.

303 Sec. 10. (NEW) (*Effective July 1, 2020*) The Commissioner of Consumer  
 304 Protection shall adopt regulations in accordance with the provisions of  
 305 chapter 54 of the general statutes to carry out the provisions of sections  
 306 1 to 9, inclusive, of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2020</i>	New section
Sec. 2	<i>July 1, 2020</i>	New section
Sec. 3	<i>July 1, 2020</i>	New section
Sec. 4	<i>July 1, 2020</i>	New section
Sec. 5	<i>July 1, 2020</i>	New section
Sec. 6	<i>July 1, 2020</i>	New section
Sec. 7	<i>July 1, 2020</i>	New section
Sec. 8	<i>July 1, 2020</i>	New section
Sec. 9	<i>July 1, 2020</i>	New section
Sec. 10	<i>July 1, 2020</i>	New section

***Statement of Purpose:***

To require entities that provide court reporting services to register with the Department of Consumer Protection and to require court reporters to be licensed by the Department of Consumer Protection.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*