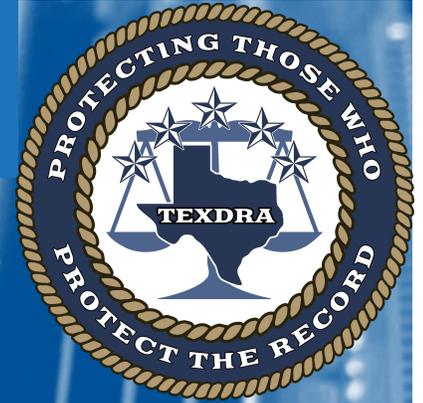


The TEXDRA Reporter

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PROPOSED NEW RULES – Apprenticeship and Provisional Licensing

To give a little background history, TEXDRA and TCRA leadership met in July 2018 to discuss the looming issue of the court reporter shortage and other industry concerns in Texas. TEXDRA proposed an idea that would eventually become the provisional license. 2019's legislative session brought forth a framework for development of the provisional license and also apprenticeship. These two initiatives will have a dramatic and positive impact on this crisis by allowing reporters from states that don't qualify for endorsement or reciprocity to come here and work provisionally, and it also will afford high-speed reporting students who have taken the CSR but didn't pass all three legs a chance to begin making a living and, more importantly, gain valuable experience while preparing to sit for the skills portion of the CSR again.

When the rules are published for public comment, TEXDRA will provide the full language to our members for review. Our aim in this newsletter is to provide information and highlights.

Apprenticeship

An apprentice candidate must have passed Part B (the written test) and at least one leg of Part A (the skills test) of the Texas CSR exam within the preceding two years and must pass a criminal history background check.

An apprentice must be supervised by a CSR with at least 10 years of experience.

Apprentice reporters will be required to use a full professional version of their CAT software, as student versions often have page volume limitations, and must use audio backup on all assignments taken.

An apprentice must, within five days of taking a reporting assignment, provide a copy of their text file, notes file, and audio backup to their supervising reporter.

INAUGURAL EDITION

Welcome to our new publication, The TEXDRA Reporter.

Communication is key to keeping our members up to date and informed. We'll be letting you know what TEXDRA is doing and what is going on in the Texas court reporting community. Our members are encouraged to send proposed content, questions, articles, suggestions, and/or letters to the editor.

Send submissions to TTR_editor@texdra.org.

* Recruiting efforts - 200 new students enrolled!!

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Apprenticeship, cont.

There will be restrictions on the types of assignments an apprentice can report. They may not work in court or take depositions of expert witnesses.

An apprentice reporter will be subject to all applicable rules and statutes as fully certified CSRs, including the Code of Ethics.

An apprentice will be required to take the Part A skills portion of the CSR Exam at least two times per year and provide proof of that testing to their supervising reporter. An apprenticeship will be valid for a period of two years.

Supervising Reporter

A supervising reporter must have at least 10 years of reporting experience and must have a current Texas CSR in good standing.

The supervising reporter must keep a log of all assignments their apprentice reports.

A supervising reporter may not supervise more than two apprentices at any given time and may not be related to an apprentice they are overseeing.

The supervising reporter will have responsibility for the quality of the apprentice reporter's work and will co-certify the apprentice's transcripts.

Provisional Certification

The highlights of the provisional certification are the qualifiers. A candidate must pass Part B of the Texas CSR Exam and must pass a criminal history background check. The following are additional qualifiers for provisional licensing:

If an applicant was previously certified in good standing in Texas within the three-year period immediately preceding their application, or licensed or certified in good standing in another jurisdiction and actively working for three of the five years immediately preceding their application; - or -

If an applicant was actively reporting in the federal courts for three of the five years immediately preceding their application; - or -

If an applicant holds an RPR or higher certification issued by NCRA and/or holds equivalent certification(s) from other associations, such as NVRA.

Provisional certification is good for three years or until the applicant passes the Part A skills exam of the Texas CSR and becomes fully certified.

MORE NEW RULES – FEES FOR CRFs

The following is an amendment of an existing rule.

Rule 6.6(b) is proposed to read as follows: *To qualify for renewal of certification or registrations, a certified court reporter, court reporting firm, or affiliate office must pay all required fees, submit all required forms, and comply with renewal procedures. In addition, certified court reporters and at least one person who has management authority over each certified shorthand reporting firm must comply with the Commission's continuing education requirements in Rules 1.4-4.3 and 6.6.*

Gov't Code 154.107(d) reads as follows:

Notwithstanding Section 152.2015 and Subsection (c) of this section, a shorthand reporting firm shall pay a registration or renewal fee in an amount equal to the fee for court reporter certification under Section 154.101 in lieu of the fee required for a shorthand reporting firm registration if a certified court reporter of the firm:

ETHICS

TCRA proposed the following language under the Enforcement section of the rules that would allow the JBCC to “reprimand, impose an administrative penalty or deny, suspend, revoke, or refuse to renew a CSR or CRF for ‘repeatedly committing to provide at a specific time and location court reporting services for an attorney in connection with a legal proceeding and unreasonably failing to fulfill the commitment under the terms of that commitment.’”

COME TO THE MEET & GREET – FEBRUARY 25, 2020 at 5:30 p.m. – BRING A NEW MEMBER & ENTER A DRAWING

STONEWERKS GRILLE

**LINCOLN HEIGHTS,
BASSE & BROADWAY in
SAN ANTONIO, TEXAS**

TEXDRA’S POSITION

While TEXDRA can appreciate the problems that arise when either a CSR or a CRF backs out of a commitment at the last minute, we believe this is a market issue that will likely self-correct once the constraints of the shortage are eased by the new programs of apprenticeship and provisional licensing. We are not sure how this rule can feasibly be enforced and believe this creates an undue burden on reporters and firms already struggling under the current circumstances.

TEXDRA’S MISSION: To represent the professional and business interests of Texas freelance CSRs and CRFs through advocacy, education, communication, and transparency, while promoting the benefits of working with trained professionals who precisely capture the spoken word in judicial proceedings and provide crucial services to the deaf and hard-of-hearing community, and to foster better awareness of our value to the judicial system and the public.

- (1) *Has an ownership interest in the firm of more than 50%; and*
- (2) *Maintains actual control of the firm.*

TEXDRA’s interpretation of the above is that if a CSR owns at least 50% of a CRF, that CRF does not pay a renewal fee, and that CRF also does not have to separately meet the continuing education requirements.

However, the language in the rules on this is not clear, and TEXDRA will ask for clarification during the public comment period.

We encourage our members to do the same.