

**Enrolled**  
**Senate Bill 90**

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CHAPTER .....

AN ACT

Relating to shorthand reporters; amending ORS 8.415, 8.420, 8.435, 8.440, 8.445 and 8.455; repealing ORS 8.430; and declaring an emergency.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 8.415 is amended to read:

8.415. As used in ORS 8.415 to 8.455, unless the context requires otherwise:

- (1) "Administrator" means the State Court Administrator.
- (2) "Advisory committee" means the Certified Shorthand Reporters Advisory Committee created in ORS 8.455.
- (3) "Certified shorthand reporter" means an individual who has been certified to engage in the practice of [*shorthand*] **stenographic reporting or voicewriting** reporting under ORS 8.415 to 8.455.
- (4) "[*Shorthand*] **Stenographic** reporting" means the making and transcribing of a verbatim record of any court proceeding, deposition, hearing or other [*matter where the verbatim record is required or requested by any court, grand jury, attorney or referee to be made*] **proceeding** by means of a written system of either manual or machine shorthand procedures.
- (5) "**Voicewriting reporting**" means the making and transcribing of a verbatim record of any court proceeding, deposition, hearing or other proceeding by:
  - (a) Recording the words in the proceeding using a voice silencer for subsequent transcription; or
  - (b) Using a computerized speech-recognition transcription program.

**SECTION 2.** ORS 8.420 is amended to read:

- 8.420. (1) The State Court Administrator shall verify the qualifications of shorthand reporters to be certified and shall issue the certificate of shorthand reporter to qualified applicants.
- (2) The administrator shall adopt policies necessary to administer ORS 8.415 to 8.455 and may appoint any committees necessary to function in accordance with ORS 8.415 to 8.455.
- (3) The administrator shall:
  - (a) Adopt policies establishing the qualifications necessary for the issuance of a certificate of certified shorthand reporter[;]. **A shorthand reporter may be certified to perform stenographic reporting, voicewriting reporting, or both.**
  - (b) Determine the qualifications of persons applying for certificates under ORS 8.415 to 8.455[;].
  - (c) Adopt policies for the examination of applicants and the issuing of certificates under ORS 8.415 to 8.455[;].

- (d) Grant certificates to qualified applicants upon compliance with ORS 8.415 to 8.455 and policies of the administrator[;].
- (e) Establish continuing education requirements for *[biennial]* renewal of certificates[;].
- (f) Collect fees as set by the administrator[;].
- (g) Require the *[biennial]* **regular** renewal of all certificates[;].
- (h) Establish a code of conduct and grounds for disciplinary action[; *and*].
- (i) Investigate complaints regarding court reporters.
- (4) The Certified Shorthand Reporters Advisory Committee shall recommend:
  - (a) Standards establishing the qualifications necessary for the issuance of a certificate of certified shorthand reporter;
  - (b) Qualifications required of persons applying for certificates under ORS 8.415 to 8.455;
  - (c) Procedures for the examination of applicants and the issuing of certificates under ORS 8.415 to 8.455;
  - (d) Certificates be granted by the administrator to qualified applicants upon compliance with ORS 8.415 to 8.455 and policies of the administrator;
  - (e) Continuing education requirements for *[biennial]* renewal of certificates;
  - (f) A code of conduct and grounds for suspension or revocation of certificates or other disciplinary action to the administrator;
  - (g) Investigation of complaints regarding court reporters at the direction of the administrator; and
  - (h) Any corrective action that may be required.

**SECTION 3.** ORS 8.435 is amended to read:

8.435. (1) The certificate of certified shorthand reporter shall be granted to any person who meets the requirements of ORS 8.415 to 8.455 and policies of the State Court Administrator.

(2) Any person who has received from the administrator a certificate of “certified shorthand reporter” shall be styled and known as a “certified shorthand reporter” and may also use the abbreviation of “C.S.R.”

(3) A certificate shall be renewed *[biennially]* **regularly** as provided by policies of the administrator.

(4) Certificates issued by the administrator may be renewed *[biennially]* upon payment of the fee established under ORS 8.445, completion of established continuing education requirements and compliance with the code of conduct policy as established by the administrator.

(5) A person may not assume or use the title or designation “certified shorthand reporter” or the abbreviation “C.S.R.” or any other title, designation, words, letters, abbreviation, sign or device tending to indicate that the person is a certified shorthand reporter unless the person has received a certificate as a certified shorthand reporter under ORS 8.415 to 8.455 and policies of the administrator that is not revoked, suspended or lapsed.

**SECTION 4.** ORS 8.440 is amended to read:

8.440. (1) The State Court Administrator may:

(a) Revoke, suspend or refuse to issue any certificate described in ORS 8.415 to 8.455 or policies of the administrator.

(b) Require additional education or training.

(2) The administrator may revoke, suspend or refuse to issue any certificate described in ORS 8.415 to 8.455 or policies of the administrator in the case of a violation of any provision of ORS 8.415 to 8.455 or policies of the administrator.

(3) The administrator may require additional education or training if the administrator finds the person engages in or has engaged in conduct that evidences a lack of knowledge or ability to apply skills of *[shorthand]* **stenographic reporting or voicewriting** reporting.

**SECTION 5.** ORS 8.445 is amended to read:

8.445. [(1) *The State Court Administrator shall establish a fee schedule for fees authorized by ORS 8.415 to 8.455, as follows:*]

[(a) *Not to exceed \$100 for initial registration.*]

*[(b) Not to exceed \$100 for biennial renewal.]*

*[(c) Not to exceed \$100 for the examination.]*

**(1) The State Court Administrator shall establish and collect reasonable fees for applications, examinations, certifications and renewals of certification authorized by ORS 8.415 to 8.455.**

(2) Fees **collected under this section** are nonrefundable.

(3) *[Subject to a report to the Emergency Board prior to adopting the fees and charges,] The fees [and charges] established under this section [shall] may not exceed the cost of administering and enforcing ORS 8.415 to 8.455[, consistent with the budget authorized by the Legislative Assembly, as that budget may be modified by the Emergency Board].*

**SECTION 6.** ORS 8.455 is amended to read:

8.455. (1) There is created a Certified Shorthand Reporters Advisory Committee consisting of **no more than** seven members appointed by the State Court Administrator. **At least** *[as follows:]*

*[(a)]* four members of the advisory committee shall be persons skilled in the practice of *[shorthand]* **stenographic reporting or voicewriting** reporting and shall have been engaged continuously in the practice of *[shorthand]* **stenographic reporting or voicewriting** reporting for a period of not less than five years prior to the date of appointment as a member of the advisory committee. Appointees *[shall]* **must** be certified under ORS 8.415 to 8.455. *[Of the shorthand reporter members, two shall be official reporters and two shall be free-lance reporters;]*

*[(b)]* Two members of the advisory committee shall be members of the Oregon State Bar; and]

*[(c)]* One member of the advisory committee shall be a public member and not be a reporter or a member of the Oregon State Bar or related thereto. The public member is entitled to compensation and expenses as provided in ORS 292.495.]

(2) The term of a member of the advisory committee shall be three years. A member is eligible for reappointment to the advisory committee. Vacancies occurring shall be filled by appointment for the unexpired term.

(3) The advisory committee shall organize by the election of one of its members as president and one as secretary.

(4) A majority of the advisory committee shall constitute a quorum for all purposes.

**SECTION 7. ORS 8.430 is repealed.**

**SECTION 8. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.**

**Passed by Senate April 29, 2013**

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House June 12, 2013**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M,....., 2013

**Approved:**

.....M,....., 2013

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2013

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Kate Brown, Secretary of State