HOUSE BILL NO. 1067

AN ACT TO AMEND SECTION 9-13-121, MISSISSIPPI CODE OF 1972, TO REVISE THE CONDITIONS UNDER WHICH A PERSON MAY PRACTICE THE PROFESSION OF COURT REPORTING UNDER A TEMPORARY CERTIFICATE; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 9-13-121, Mississippi Code of 1972, is amended as follows:

9-13-121. (1) Any person graduating from a National Court Reporting Association, accredited court reporting program or court reporting school, whether in the State of Mississippi or out-of-state, shall be given certification without examination. Any person graduating from a court reporting school approved by the State of Mississippi or some other state shall be given a temporary certification but shall make application for and pass a Certified Shorthand Reporter's (CSR) examination as is provided for in this section.

(2) (a) The Board of Court Reporters shall implement a true CSR examination wherein all examinees are given the opportunity to pass each part of the said examination in "legs" (one part at a time). All temporary certifications or permits shall be automatically extended until the board has prepared, developed and implemented such an examination and each applicant has the opportunity to take the examination for three (3) consecutive times. Any such extension of a temporary certification or permit shall be granted for not less than eighteen (18) months immediately after the implementation of the true CSR for existing temporary certifications or permits. Any applicant granted a temporary certification or permit after implementation of the true
CSR examination shall be allowed not less than forty-eight (48) months after being granted the temporary certification or permit to pass the examination.

(b) (i) Examinations for certification shall be given not less than every six (6) months, at a time and place designated by the board. Notification of such examinations shall be given each applicant in writing not less than thirty (30) days before each examination date. Proof of notice of an examination having been sent less than thirty (30) days before an examination date shall automatically extend a temporary certificate for an additional six (6) months beyond what is otherwise provided in this section.

(ii) If after eight (8) consecutive examinations, the applicant holding the temporary certificate has not qualified for certification, the applicant shall be permitted a hearing before the board. If said applicant has passed at least two (2) parts of the examination, the applicant will be given an additional extension of not more than one (1) year.

(3) Those reporters holding temporary certificates must submit their applications, together with the fee, to the board and take the next scheduled examination. If after eight (8) consecutive examinations the applicant holding the temporary certificate has not qualified for certification, the applicant shall be deemed unqualified to serve as a reporter until the applicant passes the examination and receives permanent certification or has been granted an extension according to subsection (2).

(4) Photo identification may be required of any applicant prior to the taking of an examination for security reasons only but shall not be used for discrimination against applicants on the basis of race, gender, age, creed or national origin.

SECTION 2. (1) The Administrative Office of Courts is directed to prepare for mailing to every licensed attorney,
including all judges, a survey to ascertain the opinion of the
members of the bar as to the appropriate level of competency for
those persons practicing court reporting. The survey shall be
prepared in as simple a form as possible and shall be mailed to
the attorney's address as supplied by The Mississippi Bar. The
specific area to be determined, if possible, is whether the
members of the bar, as the primary consumers of court reporting
services, desire that the public policy of the state as to court
reporter certification should be to ensure a minimum level of
competence or to serve as a practice protection act, i.e., to
require that beginning practitioners exhibit the same level of
excellence as those who may have had many years to achieve
mastery. The purpose of the survey is to give the Legislature
additional data from which to determine if further amendment to
Title 9, Chapter 13, Mississippi Code of 1972, is in order.

(2) The Administrative Office of Courts shall prepare a
report of the findings of the survey, complete with such
statistical analysis as the office finds appropriate, to the
Secretary of the Senate and to the Clerk of the House not later
than November 15, 2003.

SECTION 3. This act shall take effect and be in force from
and after its passage.