

By: Senator(s) Kirby, Michel, Dawkins

To: Judiciary

SENATE BILL NO. 2741

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

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

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

8 9-13-121. (1) Any person graduating from a National Court
9 Reporting Association, accredited court reporting program or court
10 reporting school, whether in the State of Mississippi or
11 out-of-state, shall be given certification without examination.
12 Any person graduating from a court reporting school approved by
13 the State of Mississippi or some other state shall be given a
14 temporary certification but shall make application for and pass a
15 Certified Shorthand Reporter's (CSR) examination as is provided
16 for in this section.

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



29 CSR examination shall be allowed not less than forty-eight (48)
30 months after being granted the temporary certification or permit
31 to pass the examination.

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

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

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

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

60 **SECTION 2.** (1) The Administrative Office of Courts is
61 directed to prepare for mailing to every licensed attorney,



62 including all judges, a survey to ascertain the opinion of the
63 members of the bar as to the appropriate level of competency for
64 those persons practicing court reporting. The survey shall be
65 prepared in as simple a form as possible and shall be mailed to
66 the attorney's address as supplied by The Mississippi Bar. The
67 specific area to be determined, if possible, is whether the
68 members of the bar, as the primary consumers of court reporting
69 services, desire that the public policy of the state as to court
70 reporter certification should be to ensure a minimum level of
71 competence or to serve as a practice protection act, i.e., to
72 require that beginning practitioners exhibit the same level of
73 excellence as those who may have had many years to achieve
74 mastery. The purpose of the survey is to give the Legislature
75 additional data from which to determine if further amendment to
76 Title 9, Chapter 13, Mississippi Code of 1972, is in order.

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

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

