

SHORT TITLE: Court reporters; increasing per diem; requiring certified court reporters to complete certain continuing education requirement; codification. Effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 835

By: Smith

AS INTRODUCED

An Act relating to courts; amending 20 O.S. 1991, Sections 106.9, as last amended by Section 1, Chapter 57, O.S.L. 1996, and 1502, as amended by Section 2, Chapter 130, O.S.L. 1994 (20 O.S. Supp. 1997, Sections 106.9 and 1502), which relate to court reporters; clarifying language; modifying authority for certain certifications; providing for certain incentive raises for acquisition of certain certifications; providing maximum incentive for multiple certifications; modifying duties of State Board of Examiners of Certified Shorthand Reporters; requiring certified shorthand reporters to complete certain continuing education requirement each year; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 20 O.S. 1991, Section 106.9, as last amended by Section 1, Chapter 57, O.S.L. 1996 (20 O.S. Supp. 1997, Section 106.9), is amended to read as follows:

Section 106.9 A. The salaries of all court reporters shall be paid by the state, except as otherwise provided ~~otherwise~~ herein. Full-time official court reporters, regularly engaged by the Workers' Compensation Court and the Oklahoma Corporation Commission,

who are certified shorthand reporters shall be paid Twenty-six Thousand Five Hundred Eight Dollars (\$26,508.00) per annum, payable monthly. Full-time official court reporters, regularly engaged by the Workers' Compensation Court and the Oklahoma Corporation Commission, who are licensed shorthand reporters shall be paid Twenty-one Thousand Seven Hundred Seventy-four Dollars (\$21,774.00) per annum, payable monthly. Acting official reporters who are neither licensed nor certified, and who are acting under a temporary certificate shall be paid Seventeen Thousand One Hundred Ninety-five Dollars (\$17,195.00) per annum, payable monthly.

B. In addition to their base salaries, official court reporters who are certified or licensed shorthand reporters and those acting shorthand reporters ~~referenced at~~ pursuant to paragraph c of Section 106.3B of this title shall be paid the sum of Four Hundred Dollars (\$400.00) per ~~annum~~ year for each year of service in the district court, ~~including~~ the Workers' Compensation Court ~~and,~~ or the Corporation Commission, with a maximum of nine (9) years of service only to be used for the purpose of longevity, not to exceed Three Thousand Six Hundred Dollars (\$3,600.00) per year payable monthly. For the purpose of payment for longevity, "Years of Service" is defined as all years served as a certified or licensed court reporter in the district ~~courts of Oklahoma including~~ court, the Workers' Compensation Court ~~and,~~ or Oklahoma Corporation Commission after June 30, 1978. Such longevity payments shall begin on July 1 of each year following completion of one (1) year's service as defined herein.

C. In addition to their base salaries, official court reporters who are certified shorthand reporters shall be paid the following:

1. The sum of One Thousand Five Hundred Dollars (\$1,500.00) per ~~annum~~ year, payable monthly, to any official court reporter who is a holder of a certificate of proficiency, as certified by the State Board of Examiners of Official Shorthand Reporters. To qualify for

a certificate of proficiency, an official court reporter must have a proficiency level in reporting testimony and proceedings of a speed of not less than two hundred twenty-five (225) words per minute in taking a question-and-answer-type dictation, two hundred (200) words per minute in taking a jury charge and one hundred eighty (180) words per minute in taking literary material all as determined by an examination administered by the Board or recognized by the Board;

2. The sum of Three Thousand Dollars (\$3,000.00) per annum year, payable monthly, to any official court reporter who is a ~~holder of a certificate of merit~~ Registered Merit Reporter (RMR), as certified by the State Board of Examiners of Official Shorthand Reporters. To qualify ~~for~~ as a ~~certificate of merit~~ Registered Merit Reporter (RMR), an official court reporter must have a proficiency level in reporting testimony and proceedings of a speed of not less than two hundred sixty (260) words per minute in taking a question-and-answer-type dictation, two hundred forty (240) words per minute in taking a jury charge and two hundred (200) words per minute in taking literary material, all as determined by an examination administered by the Board or recognized by the Board;

3. The sum of One Thousand Five Hundred Dollars (\$1,500.00) per year, payable monthly, to any official court reporter who is a Registered Diplomat Reporter (RDR), as certified by the State Board of Examiners of Official Shorthand Reporters;

4. The sum of One Thousand Five Hundred Dollars (\$1,500.00) per year, payable monthly, to any official court reporter who is a Certified Realtime Reporter (CRR), as certified by the State Board of Examiners of Official Shorthand Reporters; or

5. Any official court reporter who is the holder of both the certificate of proficiency and the certificate of merit more than one certification shall be compensated only in the additional amount of Three Thousand Dollars (\$3,000.00) amounts specified in paragraphs 1 through 4 of this subsection for each certification up

to a maximum amount of Six Thousand Dollars (\$6,000.00) per ~~annum~~
year over and above ~~his~~ the reporter's base salary, payable monthly.

D. Court reporters temporarily employed by the district court, Workers' Compensation Court or Corporation Commission shall be compensated by the court fund of the court which they serve at the rate of ~~Fifty-four Dollars (\$54.00)~~ One Hundred Eight Dollars (\$108.00) per day. In addition, court reporters temporarily employed pursuant to this subsection who are required by the terms of their employment to travel outside their county of residence, shall receive reimbursement for mileage actually and necessarily traveled to and from the place of attendance at a rate not to exceed the rate of reimbursement specified in the State Travel Reimbursement Act for state employees. ~~Such travel reimbursement~~ Travel reimbursements shall be paid from the court fund of the court where the service of the temporarily employed court reporter is provided.

SECTION 2. AMENDATORY 20 O.S. 1991, Section 1502, as amended by Section 2, Chapter 130, O.S.L. 1994 (20 O.S. Supp. 1997, Section 1502), is amended to read as follows:

Section 1502. A. The State Board of Examiners of Certified Shorthand Reporters shall ~~have the following duties:~~

1. Conduct preliminary investigations to determine the qualifications of applicants seeking to attain the status of certified shorthand reporters;

2. Conduct at least once a year, at a place and time to be published by ample notice as directed by the Supreme Court, an examination of those persons who seek to attain the status of certified shorthand reporter. The Board may also give examinations for a certificate of proficiency and for a certificate of merit;

3. Recommend to the Supreme Court for official enrollment as certified shorthand reporters those persons who, on their

examination, have established the requisite proficiency as set forth in Section 1503 of this title;

4. Conduct proceedings, on reasonable notice, the object of which is to recommend to the Supreme Court the suspension, cancellation, revocation or reinstatement of the enrollment of a certified or licensed shorthand reporter or of the status of any acting shorthand reporter, regular or temporary, on the following grounds:

- a. a final conviction of a criminal offense which indicates a clear and rational likelihood that the reporter will not properly discharge the responsibilities of persons licensed under this act or Section 106.3B of this title,
- b. misrepresentation in obtaining licensure,
- c. any violation of, or noncompliance with any rule or directive of the Supreme Court,
- d. fraud, gross incompetence or gross or habitual neglect of duty,
- e. engaging in the practice of shorthand reporting using a method for which the reporter is not certified,
- f. engaging in the practice of shorthand reporting while certification is suspended, ~~or~~
- g. nonpayment of renewal dues, or
- h. failure to annually complete at least two (2) hours of continuing education approved by the State Board of Examiners of Certified Shorthand Reporters which relates to Oklahoma court rules and procedures;

5. Adopt, with the approval of the Chief Justice, examination standards and rules governing enrollment, discipline, suspension, cancellation and revocation proceedings and any other matter within the Board's cognizance; and

6. Keep a current roll of certified shorthand reporters and a file on all disciplined certified shorthand reporters, official or unofficial, regular or temporary.

B. In all hearings or investigations on revocation, cancellation or suspension of enrollment, each Board member shall be empowered to administer oaths and affirmations, subpoena witnesses and take evidence anywhere in the state, after giving reasonable notice to the party whose status is sought to be affected.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1503.1 of Title 20, unless there is created a duplication in numbering, reads as follows:

Every certified shorthand reporter shall annually complete at least two (2) hours of continuing education approved by the State Board of Examiners of Certified Shorthand Reporters which relates to Oklahoma court rules and procedures.

SECTION 4. This act shall become effective November 1, 1998.

46-2-1772 KSM