

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2960

By: Sullivan

AS INTRODUCED

An Act relating to courts; amending 20 O.S. 2001, Sections 106.3B and 106.9, as amended by Section 1, Chapter 343, O.S.L. 2004 (20 O.S. Supp. 2005, Section 106.9), which relate to court reporters; requiring certain test for temporary certificate holders; modifying certain salary requirement; and providing an effective date.

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

SECTION 1. AMENDATORY 20 O.S. 2001, Section 106.3B, is amended to read as follows:

Section 106.3B A. Only the following persons may act and are eligible for appointment on a full-time or part-time basis as official court reporters for the courts, including the Workers' Compensation Court and the Corporation Commission:

~~a.~~ 1. Persons now certified or hereafter certified by the State Board of Examiners of Official Shorthand Reporters shall be given primary consideration for appointment;

~~b.~~ 2. Persons who, prior to July 1, 1978, were licensed as licensed shorthand reporters by the State Board of Examiners of Official Shorthand Reporters shall be given secondary consideration for appointment;

~~c.~~ 3. Persons who, prior to July 1, 1978, were acting shorthand reporters under a certificate issued by the Chief Justice;

~~d.~~ 4. When no person eligible for appointment as an official court reporter, as provided above, is available for appointment, a presiding judge or a district judge may make application to the

Chief Justice to appoint a shorthand reporter on a temporary basis. The Chief Justice may issue a temporary certificate valid for not more than twelve (12) months, upon payment of a fee of Fifty Dollars (\$50.00) and a fee of Seventy-five Dollars (\$75.00) for the certified shorthand reporter examination which will be deposited with the Clerk of the Supreme Court. The temporary certificate shall be nonrenewable, except in emergency situations as determined by the Chief Justice and for no longer than ninety (90) additional days;

~~e.~~ 5. The appointment of an official court reporter by a district or presiding judge shall be subject to the approval of the Chief Justice. Before giving ~~his~~ the approval to the appointment, the Chief Justice shall determine, with the aid of the Administrative Director of the Courts, that the appointing judge has given proper consideration to the statutory preference accorded herein to certified and licensed reporters; and

~~f.~~ 6. A temporary court reporter, either while so serving or after the expiration of this appointment, shall be required to transcribe any testimony and other proceedings taken ~~by him~~ and to certify that the transcription is true and correct. A transcript certified by a temporary court reporter shall have the same effect as one certified by a regular court reporter.

B. Absent good cause shown, as determined by the Oklahoma State Board of Examiners of Official Shorthand Reporters, a temporary certificate holder shall sit for at least one test administered by the Oklahoma State Board of Examiners of Official Shorthand Reporters during the term of their temporary certificate. The certificate holder shall be required to transcribe the test, and the test results of the transcription shall be reported by the same board of examiners to their supervisory board.

SECTION 2. AMENDATORY 20 O.S. 2001, Section 106.9, as amended by Section 1, Chapter 343, O.S.L. 2004 (20 O.S. Supp. 2005, Section 106.9), is amended to read as follows:

Section 106.9 A. ~~Until January 1, 2005, the~~ The salaries of all court reporters regularly engaged by the district court, the Workers' Compensation Court, or the Corporation Commission shall be paid by the state, ~~except as otherwise provided in this section.~~ ~~Full-time court reporters regularly engaged by the district court, the Workers' Compensation Court and the Corporation Commission who are certified shorthand reporters shall be paid Thirty-three Thousand Five Hundred Dollars (\$33,500.00) per year, payable monthly.~~ ~~Effective January 1, 2005, the salaries of all court reporters regularly engaged by the district court, the Workers' Compensation Court, or the Corporation Commission shall be paid by the state, except as otherwise provided in this section.~~ ~~Full-time court reporters regularly engaged by the district court, the Workers' Compensation Court and the Corporation Commission who are certified shorthand reporters shall be paid Thirty-four Thousand Nine Hundred Dollars (\$34,900.00) per year, payable monthly.~~ ~~Effective July 1, 2005, the salaries of all court reporters regularly engaged by the district court, the Workers' Compensation Court, or the Corporation Commission shall be paid by the state, except as otherwise provided in this section.~~ ~~Full-time court reporters regularly engaged by the district court, the Workers' Compensation Court and the Corporation Commission who are certified shorthand reporters shall be paid Thirty-five Thousand Six Hundred Dollars (\$35,600.00) per year, payable monthly~~ and shall be paid an annual salary of Forty-seven Thousand Dollars (\$47,000.00), payable monthly.

B. In addition to their base salaries, official court reporters who are certified or licensed shorthand reporters and those acting shorthand reporters pursuant to paragraph c of Section 106.3B of

this title shall be paid annually the sum of Four Hundred Dollars (\$400.00) for each year of service to the district court, the Workers' Compensation Court and the Corporation Commission, with a maximum of twenty (20) years of service only to be used for the purpose of longevity, not to exceed Eight Thousand Dollars (\$8,000.00) 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 court, the Workers' Compensation Court and, the 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 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 Certified 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 year, payable monthly, to any official court reporter who is a Registered Merit Reporter (RMR), as certified by the State Board of Examiners of Certified Shorthand Reporters. To qualify as a 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 Certified 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 Certified Shorthand Reporters; or

5. Any official court reporter who is the holder of more than one certification shall be compensated in the additional amounts specified in paragraphs 1 through 4 of this subsection for each certification up to a maximum of Six Thousand Dollars (\$6,000.00) per year over and above 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-seven Dollars and sixty cents (\$57.60) 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. Any travel reimbursement shall be paid from the court fund of the court where the service of the temporarily employed court reporter is provided.

SECTION 3. This act shall become effective November 1, 2006.

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