

New Jersey Register
VOLUME 34, NUMBER 6
MONDAY, MARCH 18, 2002

RULE ADOPTION
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF SHORTHAND REPORTING
STANDARDS OF PRACTICE; TRANSCRIPT FORMAT; PROHIBITED PRACTICES

Adopted Repeal and New Rule: N.J.A.C. 13:43-5.4

Adopted New Rules: N.J.A.C. 13:43-5.8 and 13:43-5.9

Proposed: July 16, 2001 at 33 N.J.R. 2408(a).

Adopted: October 16, 2001 by the New Jersey State Board of Shorthand Reporting, Charles Tramer, President.

Filed: February 13, 2002 as R.2002 d.77, with a portion of the proposal not adopted but pending.

Authority: N.J.S.A. 45:15B-1.

Effective Date: March 18, 2002.

Expiration Date: August 4, 2003.

Federal Standards Statement

A Federal standards analysis is not required because the adopted repeal and new rules are governed by N.J.S.A. 45:15B-1 and are not subject to any Federal requirements or standards.

Full text of the adoption follows:

<< **NJ ADC 13:43-5.4** >>

13:43-5.4 Prohibited practices

(a) A certified shorthand reporter shall not:

1. Provide incentives or rewards to attorneys, clients or their representatives or agents to use the services of a certified shorthand reporter. Certified shorthand reporters may distribute promotional items of nominal value which advertise their business;
2. Provide or arrange to provide reporting services, in a judicial or quasi- judicial matter and/or a deposition, if he or she:
 - i. Is a party to the action;
 - ii. Is a relative, agent or employee of one of the parties;
 - iii. Has a financial interest in the action or its outcome; or
 - iv. Is related to an agent or is an employee of a person or entity with a financial interest in the action or its outcome;

3. <<-Withhold transcripts from either party until payment is rendered->> <<+(Reserved)+>>; or

4. Enter into or arrange any contract or financial relationship that compromises the impartiality of the certified shorthand reporter or that may result in the appearance that the impartiality of the certified shorthand reporter has been compromised.

(b) A violation of any provisions in (a) above shall constitute professional misconduct and shall be grounds for disciplinary action, including suspension or revocation of certification as a certified shorthand reporter in the State of New Jersey by the Board pursuant to N.J.S.A. 45:1-21 et seq.

<< NJ ADC 13:43-5.8 >>

13:43-5.8 Standards of practice

(a) A certified shorthand reporter shall:

1. Produce an accurate verbatim transcript of the recorded proceeding;
2. Produce a complete transcript of the recorded proceedings, unless an excerpt of a transcript is authorized by court order, agreement of the parties or request of a party;
3. Attach a certification page to all transcripts attesting that the certified shorthand reporter is unrelated to the parties involved in the action; has no financial interest and is not related to an agent of or employed by anyone with a financial interest in the outcome of the action; is a certified shorthand reporter; the transcript is a verbatim record of the testimony provided under oath before any court, referee, board, commission or other body created by statute of the State of New Jersey; and including the notary number, expiration date and certified shorthand reporter certificate number;
4. Deliver a transcript to a client or court in a timely manner as determined by law, court rules or by agreement of the parties; and
5. Charge all parties and/or their attorneys in an action the same price for an original transcript and charge all parties and/or their attorneys the same price for a copy of a transcript or for like services performed in an action.

<< NJ ADC 13:43-5.9 >>

13:43-5.9 Transcript format

(a) A certified shorthand reporter shall follow the following transcript format:

1. No fewer than 25 typed lines of transcript shall be on a standard 8 1/2 inch by 11 inch paper not inclusive of the header or footer of a page;
2. Each line shall contain no fewer than nine letters and/or spaces per typed inch, and no less than 52 letters and/or spaces per line;
3. Each question and answer shall begin on a separate line;
4. Each question shall begin no more than seven spaces from the left hand margin with no more than seven spaces from the "Q" and "A" to the text;
5. The carry over "Q" and "A" text shall begin at the left hand margin;

6. The colloquy material shall begin no more than 15 spaces from the left hand margin with the carry over colloquy to begin at the left hand margin;

7. Quoted material shall begin no more than 15 spaces from the left hand margin, and carry over lines shall begin no more than 10 spaces from the left hand margin; and

8. Parentheticals and exhibit markings shall begin no more than 15 spaces from the left hand margin, with the carry over lines beginning no more than 10 spaces from the left hand margin.