

**State of California  
Office of Administrative Law**

**In re:**  
Court Reporters Board of California

**Regulatory Action:**

**Title 16, California Code of Regulations**

**Amend sections:** 2406, 2418, 2421, 2430,  
2451, 2462, 2467, 2480,  
2481

**Repeal sections:** 2401, 2407, 2408, 2409

**NOTICE OF APPROVAL OF CHANGES  
WITHOUT REGULATORY EFFECT**

**California Code of Regulations, Title 1,  
Section 100**

**OAL Matter Number: 2024-1014-01**

**OAL Matter Type: Nonsubstantive (N)**

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This action without regulatory effect by the Court Reporters Board amends and repeals regulations to use gender-neutral language, revise grammar and punctuation, and delete regulatory provisions due to the repeal of former Government Code sections 15375 and 15376.

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

**Date:** November 26, 2024



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Nicole C. Carrillo  
Senior Attorney

**For:** Kenneth J. Pogue  
Director

**Original:** Yvonne K. Fenner, Executive  
Officer

**Copy:** Betsy Figueira

# NONSUBSTANTIVE

For use by Secretary of State only

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2024-1014-01N</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Court Reporters Board of California			AGENCY FILE NUMBER (If any)

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

NOV 26 2024  
AB 1:53 PM

OFFICE OF ADMIN. LAW  
2024 OCT 14 AM 11:24

### A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
<b>OAL USE ONLY</b> <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE	

### B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) <i>Gender-Neutral language + Repeal of GC 15376</i>	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) <i>NCC</i>
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SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 2406, 2418, 2421, 2430, 2451, 2462, 2467, 2480, and 2481
	REPEAL 2401, 2407, 2408, and 2409
TITLE(S) 16	

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100 )			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify) _____			

7. CONTACT PERSON Betsy Figueira	TELEPHONE NUMBER (916) 263-3660	FAX NUMBER (Optional) (916) 263-3664	E-MAIL ADDRESS (Optional) Betsy.Figueira@dca.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Yvonne K. Fenner</i>	DATE Oct 14, 2024
TYPED NAME AND TITLE OF SIGNATORY Yvonne Fenner, Executive Officer, Court Reporters Board	

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

NOV 26 2024

Office of Administrative Law

DEPARTMENT OF CONSUMER AFFAIRS  
TITLE 16. COURT REPORTERS BOARD OF CALIFORNIA

PROPOSED REGULATORY LANGUAGE  
Section 100 – Changes Without Regulatory Effect

<b>Legend:</b>	Added text is indicated with an <u>underline</u> . Deleted text is indicated by <del>strikeout</del> .
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Article 1

Repeal section 2401 of Division 24 of Title 16 of the California Code of Regulations in its entirety as follows:

~~§ 2401. Gender.~~

~~As used in this chapter, the masculine gender includes the feminine.~~

~~NOTE: Authority cited: Section 8007, Business and Professions Code. Reference: Section 8007, Business and Professions Code.~~

Amend section 2406 of Division 24 of Title 16 of the California Code of Regulations to read as follows:

§ 2406. License Numbers Required.

A reporter licensed under Chapter 13 of Division 3 of the Code shall list his ~~their~~ license number on the cover page and certificate page of each deposition, court transcript, or transcript of other legal proceedings. The license number shall also be included in any and all presentments to the public, including, but not limited to, advertising, solicitation, business cards, stationery, and telephone listings.

NOTE: Authority cited: Sections 137 and 8007, Business and Professions Code.  
Reference: Section 137, Business and Professions Code.

Repeal section 2407 of Division 24 of Title 16 of the California Code of Regulations in its entirety as follows:

~~§ 2407. Review of Certified Shorthand Reporters Application.~~

~~(a) The following shall apply to applications for Certified Shorthand Reporters Certificates requiring examination:~~

~~(1) The Board shall inform an applicant in writing within thirty (30) days of receipt of the application and required fee whether the application is complete and has been referred for examination or is deficient and what specific information is required.~~

~~(2) When an application is resubmitted which was previously rejected for deficiencies, the Board shall decide within five (5) days of receipt whether the application is complete or whether further specific information is required.~~

~~(3) The Board shall render a decision concerning a candidate's examination results within one hundred (100) days after the candidate has been notified by the Board of his or her eligibility to take the Certified Shorthand Reporters Board examination. This processing time applies to those candidates who take the first available examination.~~

~~NOTE: Authority cited: Section 8007, Business and Professions Code. Reference: Section 15376, Government Code.~~

**Repeal section 2408 of Division 24 of Title 16 of the California Code of Regulations in its entirety as follows:**

**~~§ 2408. Processing Time.~~**

~~The minimum, median and maximum processing time for written examination results from the time of receipt of a complete application until the Board makes a decision thereon is set forth below:~~

<del>Minimum:</del>	<del>3 days</del>
<del>Median:</del>	<del>45 days</del>
<del>Maximum:</del>	<del>100 days</del>

~~The processing times set forth above shall apply to those candidates who submit a completed written examination application on or before the examination filing deadline.~~

~~NOTE: Authority cited: Section 8007, Business and Professions Code. Reference: Section 15376, Government code.~~

**Repeal section 2409 of Division 24 of Title 16 of the California Code of Regulations in its entirety as follows:**

**~~§ 2409. Review of Application for Registration as a Shorthand Reporting Corporation.~~**

~~(a) The following provisions shall apply to applications for registration as a shorthand reporting corporation not requiring examination:~~

~~(1) The Board shall inform an applicant for registration as a shorthand reporting corporation, which application does not require examination, within thirty (30) days of receipt of the application and required fee whether the application is complete or whether the application is deficient, and where deficient shall state what specific information is required.~~

~~(2) When an application is resubmitted which was previously rejected for deficiencies, the Board shall decide within five (5) days of receipt whether the application is complete and accepted for filing. If the application remains deficient, the Board shall inform the applicant, in writing, within five (5) days of receipt what specific information is required.~~

~~(3) The Board shall decide and notify the applicant within ten (10) days after the fee and completed application have been received, whether an applicant meets the requirements for registration.~~

~~(4) The minimum, median and maximum times for processing an application for registration as a certified shorthand reporting corporation, without examination, from the time of receipt of the application until the Board decides to issue the certificate based upon the Board's actual performance during the two (2) years preceding the proposal of this section were as follows:~~

<del>Minimum:</del>	<del>10 days</del>
<del>Median:</del>	<del>30 days</del>
<del>Maximum:</del>	<del>60 days</del>

~~NOTE: Authority cited: Section 8007, Business and Professions Code. Reference: Section 15376, Government Code.~~

### **Article 3**

#### **Amend section 2418 of Division 24 of Title 16 of the California Code of Regulations to read as follows:**

#### **§ 2418. Examination Application.**

(a) Application for examination shall be made on a form prescribed by the board, accompanied by such evidence, statements, or documents as are therein required and by the required fee. An application for examination shall be filed with the board's principal office not less than forty-five (45) days prior to the date set for the examination for which the applicant wishes to be scheduled.

(b) To be eligible for examination, an applicant must present evidence satisfactory to the board of having met one of the requirements enumerated in Section 8020 of the Code within five years immediately preceding the date of the applicant's most recent application for examination or reexamination.

(c) A person seeking to qualify pursuant to subsection (a) of Section 8020 of the Code shall submit the following with the application:

(1) The name, address, and type of business of at least three references.

(2) One or more affidavits or declarations executed by persons employing the applicant ~~which that~~ certify that the applicant has obtained a total of at least one year of experience in making contemporaneous verbatim records of depositions, arbitrations, hearings, or judicial or related proceedings by means of ~~machine-shorthand writing reporting~~ and transcribing such records. This experience must consist of contemporaneous multiple-voice proceedings as would occur in hearings, court proceedings, or depositions. The following types of experience do not satisfy the experience qualifications of this section: captioning, reporting classroom lectures, conferences, police or similar reports, or the transcribing of tapes such as police reports, medical dictation, or similar materials.

As used in subsection (a) of Section 8020 of the Code, one year means at least 1,400 hours engaged in actually making verbatim records, exclusive of travel.

(d) A person seeking to qualify under subsection (b) of Section 8020 of the Code must be enrolled and attending classes at the school through which the applicant qualifies for not less than forty-five (45) days prior to the date the student completes all the qualifications for the certificate. The Board may waive the forty-five (45) day residency requirement upon a showing by the applicant that the change of schools was necessitated by extenuating circumstances such as a spouse being transferred by ~~his or her~~ their employer.

(e) A person seeking to qualify under the “equivalent proficiency” provision of subsection (b) of Section 8020 of the Code shall submit with ~~his/her~~ their application a certificate from a recognized court reporting school evidencing equivalent proficiency in lieu of completion of the minimum prescribed course of study in a recognized court reporting school. Such certificate shall also attest to the applicant's ability to make a verbatim record of unfamiliar material, with four voice dictation, at a speed of 200 words per minute for ten minutes with a minimum of 97.5 percent accuracy and shall be known as a “qualifier” graded in accordance with the method by which the board grades the licensing examination.

(f) A person seeking to qualify under the “valid license” provision of subsection (e) of Section 8020 of the Code shall submit with their application evidence that the applicant possesses an out-of-state license issued pursuant to a statute after completion of all statutory requirements of that state and ~~which that~~ is in full force and effect at the time the application is filed with the board.

NOTE: Authority cited: Section 8007, Business and Professions Code. Reference: Sections 8007, 8017, 8020, and 8027, Business and Professions Code.

**Amend section 2421 of Division 24 of Title 16 of the California Code of Regulations to read as follows:**

**§ 2421. Identifying Numbers to Be Assigned to Examinees.**

The identity of each candidate shall be and remain unknown to the board until after final results are announced. Before the commencement of the examination, an identifying number shall be assigned to each candidate. The candidate shall enter such number on each group of papers used in the examination and shall not enter ~~his~~their name at any place on the examination papers.

NOTE: Authority cited: Section 8007, Business and Professions Code. Reference: Sections 8007 and 8021, Business and Professions Code.

**Article 4**

**Amend section 2430 of Division 24 of Title 16 of the California Code of Regulations to read as follows:**

**§ 2430. Issuance of Duplicate Certificates.**

(a) The board may issue a duplicate certificate to a certificate holder upon the written request therefor by such certificate holder. Such request shall be accompanied by the required fee and an affidavit or declaration in a form provided by the board showing to its satisfaction the loss, mutilation, or destruction of ~~his~~the certificate holder's original certificate.

(b) A certificate holder who changes ~~his~~their name according to law may request the board to issue a duplicate certificate. Such request shall be accompanied by evidence thereof satisfactory to the board, and payment of the required fee. The board shall thereafter issue a duplicate certificate setting forth the name of the certificate holder as changed.

NOTE: Authority cited: Section 8007, Business and Professions Code. Reference: Sections 8005 and 8031, Business and Professions Code.

**Article 6**

**Amend section 2451 of Division 24 of Title 16 of the California Code of Regulations to read as follows:**

**§ 2451. Due Dates of Fees.**

(a) The application fee for each application is due and payable at the time of filing the application with the board.

(b) The initial certificate fee is due and payable within one hundred and twenty (120) days after notification to the candidate that ~~he or she has~~ they have successfully passed the examination. No certificate may be issued until this fee has been paid.

NOTE: Authority cited: Section 8007, Business and Professions Code. Reference: Sections 8008 and 8031, Business and Professions Code.

## Article 7

**Amend section 2462 of Division 24 of Title 16 of the California Code of Regulations to read as follows:**

### **§ 2462. Professional Relationships, Responsibilities, and Conduct Not Affected.**

Nothing in the laws or rules relating to shorthand reporting corporations alters the duties and responsibilities of a licensed person to and professional relationships with ~~his/her~~ their clients and others; nor do such laws or rules in any way impair the disciplinary powers of the Court Reporters Board of California over licensed persons; nor do such laws or rules impair any other law or rule pertaining to the standards of professional conduct of licensed persons.

NOTE: Authority cited: Sections 8007 and 8047, Business and Professions Code. Reference: Section 8046, Business and Professions Code.

**Amend section 2467 of Division 24 of Title 16 of the California Code of Regulations to read as follows:**

### **§ 2467. Shares: Ownership and Transfer.**

(a) The shares of a shorthand reporting corporation may be issued only to a licensed person and may be transferred only to a licensed person or to the issuing corporation.

(b) Where there are two or more shareholders in a shorthand reporting corporation and one of the shareholders:

(1) Dies; or

(2) Becomes a disqualified person as defined in Section 13401(~~de~~) of the Corporations Code, for a period exceeding ninety (90) days, ~~his~~ the disqualified person's shares shall be sold and transferred to a licensed person or to the issuing shorthand reporting corporation, on such terms as are agreed upon. Such sale or transfer shall not be later than six (6) months after any such death and not later than ninety (90) days after the date ~~he~~ the shareholder became a disqualified person.



(c) A corporation and its shareholders may, but need not, agree that shares sold to it by a person who becomes a disqualified person may be resold to such person if and when he that person again ceases to become a disqualified person.

(d) The restrictions of subdivision (a) and, if appropriate, subdivision (b) of this section shall be set forth in the corporation's ~~by laws~~ bylaws or articles of incorporation.

(e) The income of a shorthand reporting corporation attributable to shorthand reporting services rendered while a shareholder is a disqualified person shall not in any manner accrue to the benefit of such shareholder or ~~his~~ that shareholder's shares.

(f) The share certificates of a shorthand reporting corporation shall contain either:

(1) An appropriate legend setting forth the restriction of subdivision (a), and, where applicable, the restriction of subdivision (b), or

(2) An appropriate legend stating that ownership and transfer of the shares are restricted and specifically referring to an identified section of the ~~by laws~~ bylaws or articles of incorporation of the corporation wherein the restrictions are set forth.

NOTE: Authority cited: Sections 8007 and 8047, Business and Professions Code. Reference: Sections 8044, 8045, and 8047, Business and Professions Code; and Section 13401, Corporations Code.

## Article 9

**Amend section 2480 of Division 24 of Title 16 of the California Code of Regulations to read as follows:**

### **§ 2480. Administrative Citations & Fines.**

(a) The executive officer of the board, upon completion of an investigation, is authorized to issue citations containing orders of abatement and fines for violations by a licensed certified shorthand reporter of the provisions of law ~~and/or~~ regulations, or both, referred to in this section.

(b) A citation shall be issued whenever a fine is levied or an order of abatement is issued. Any order of abatement issued shall provide a reasonable period of time for correction of the identified violation and may include, in addition to any other fine imposed, the levy of a fine ~~which that~~ shall be imposed only if the licensee fails to comply with the order of abatement within the time prescribed in the citation, provided the total fine for each citation shall not exceed two thousand five hundred dollars (\$2,500). Each citation shall be in writing and shall describe with particularity the nature and facts of the violation, including a reference to the statute or regulation, or both, alleged to have been violated. The citation shall be served upon the licensee personally or by certified mail, return receipt requested.

(c) The amount of the fine to be levied by the executive officer shall take into consideration the factors listed in subdivision (b)(3) of Section 125.9 of the eCode.

(1) The executive officer may, ~~in his or her~~ at their discretion, levy a fine not to exceed two thousand five hundred dollars (\$2,500), and issue an order of abatement of any violation of the eCode. In determining the amount of the fine, the executive officer shall consider the tardiness in producing any transcript and the prejudice caused thereby to any party.

(2) The executive officer may, ~~in his or her~~ at their discretion, issue an order of abatement without levying a fine for the first violation.

(d) If a cited person who has been issued an order of abatement is unable to complete the correction within the time set forth in the citation because of conditions beyond ~~his or her~~ the cited person's control after the exercise of reasonable diligence, the person cited may request an extension of time from the executive officer in which to complete the correction. Such a request shall be in writing and shall be made within the time set forth for abatement.

(e) When an order of abatement is not contested, or if the order is appealed and the person cited does not prevail, failure to abate the violation charged within the time allowed shall constitute a violation and failure to comply with the order of abatement. Where the citation or order of abatement is appealed, the period for abatement shall be extended until such time as the appeal is resolved. An order of abatement shall either be personally served or mailed by certified mail, return receipt requested. The time allowed for the abatement of a violation shall begin the first day after the order of abatement has been served. Failure to abate the violation may result in disciplinary action being taken by the board or other appropriate judicial relief being taken against the person cited.

(f) The executive officer of the board is authorized to determine when and against whom a citation will be issued and to issue citations containing orders of abatement and fines against persons, partnerships, corporations, or associations who are performing and who have performed services for which licensure is required as a certified shorthand reporter under Division 3, Chapter 13, Article 1 commencing with Section 8000 of the eCode, but who do not possess a license. Each such citation issued under this subsection shall contain an order of abatement. Where appropriate, the executive officer shall levy a fine for such unlicensed activity in accordance with Section 125.9 of the eCode. The provisions of subsection (b), (d), and (e) of this section shall apply to the issuance of citations for unlicensed activity under this subsection.

(g) The sanctions authorized under this section shall be separate from and in addition to any other administrative, civil, or criminal remedies. Nothing in this section shall be deemed to prevent the board from serving and prosecuting an accusation to suspend or revoke a license where grounds for such suspension or revocation exist.

NOTE: Authority cited: Sections 125.9, 8007, and 8047, Business and Professions Code. Reference: Section 125.9, Business and Professions Code.

**Amend section 2481 of Division 24 of Title 16 of the California Code of Regulations to read as follows:**

**§ 2481. Informal Conference.**

(a) In addition to requesting a hearing provided for in subdivision (b)(4) of Section 125.9 of the eCode, the person cited may, within ten (10) days after service of the citation, notify the executive officer in writing of ~~his or her~~ the cited person's request for an informal conference with the executive officer regarding the acts charged in the citation. The time allowed for the request shall begin the first day after the citation has been served.

(b) The executive officer may, at ~~his or her~~ their discretion and depending on the facts of the case, hold ~~within 30 days from the receipt of the request,~~ an informal conference with the person cited or ~~his or her~~ their legal counsel or authorized representative within 30 days from the receipt of the request. At the conclusion of the informal conference, the executive officer may affirm, modify, or dismiss the citation, including any fine levied or order of abatement issued. The executive officer shall state in writing the reasons for ~~his or her~~ their action and serve or mail, as provided in subsection (e) of Section 2480, a copy of ~~his or her~~ the executive officer's findings and decision to the person cited within ten (10) days ~~from~~ after the date of the informal conference. This decision shall be deemed to be a final order with regard to the citation issued, including the fine levied and the order of abatement.

(c) The person cited does not waive ~~his or her~~ their request for a hearing to contest a citation by requesting an informal conference after which the citation is affirmed by the executive officer. If the citation is dismissed after the informal conference, the request for a hearing on the matter of the citation shall be deemed to be withdrawn. If the citation, including any fine levied or order of abatement, is modified, the citation originally issued shall be considered withdrawn and a new citation issued. If a hearing is requested for a subsequent citation, it shall be requested within 30 days in accordance with subdivision (b)(4) of Section 125.9 of the eCode.

NOTE: Authority cited: Sections 125.9, ~~125.95,~~ 8007, and 8047, Business and Professions Code. Reference: Sections 125.9 ~~and 125.95,~~ Business and Professions Code.