

**State of California
Office of Administrative Law**

In re:
Court Reporters Board of California

Regulatory Action:

Title 16, California Code of Regulations

Adopt sections:

Amend sections: 2420, 2473

Repeal sections: 2422

NOTICE OF APPROVAL OF REGULATORY
ACTION

Government Code Section 11349.3


OAL Matter Number: 2024-0806-02

OAL Matter Type: Regular (S)

This regular rulemaking action by the Court Reporters Board of California (CRB) amends its existing regulations regarding examination required, minimum transcript format standards, and inspection of examination papers. First, this action adds the requirement that the board notify each examinee, in writing, of their test result. Second, this action adds that transcript text must be offered in full text-search capable electronic format, if requested. Finally, this action repeals the examinee's ability to request and appeal examinations earning a failing score.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 1/1/2025.

Date: September 11, 2024



Jason White Falina
Attorney

For: Kenneth J. Pogue
Director

Original: Yvonne K. Fenner, Executive
Officer

Copy: Betsy Figueira

REGULAR

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2023-1218-03	REGULATORY ACTION NUMBER 2024-0806-025	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW
2024 AUG 6 PM 4:49

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
Court Reporters Board of California

AGENCY FILE NUMBER (If any)

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

1. SUBJECT OF NOTICE Examination Results and Transcript Format	TITLE(S) 16	FIRST SECTION AFFECTED 2420	2. REQUESTED PUBLICATION DATE December 29, 2023
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Betsy Figueira	TELEPHONE NUMBER (916) 263-3660	FAX NUMBER (Optional) (916) 263-3664
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2023,52-2	PUBLICATION DATE 11/29/23	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Examination Results and Transcript Format	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 2420, 2473
TITLE(S) 16	REPEAL 2422

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<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"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

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 checked="" 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 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 checked="" type="checkbox"/> Other (Specify) <u>Kimberly Kirchmeyer, Director, Department of Consumer Affairs.</u>		

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 <u>Yvonne K Fenner</u>	DATE Jul 22, 2024
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TYPED NAME AND TITLE OF SIGNATORY
Yvonne Fenner, Executive Officer, Court Reporters Board

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

SEP 11 2024

Office of Administrative Law

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

ORDER OF ADOPTION
Examination Results & Transcript Format

Legend:	Added text is indicated with an <u>underline</u> . Deleted text is indicated by strikeout .
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Article 3

Amend section 2420 of Division 24 of Title 16 of the California Code of Regulations to read as follows:

§ 2420. Examination Required; Passing Grades; Results Notification; and Conditional Examination Credit.

(a) The examination shall consist of three divisible parts:

- (1) English,
- (2) Professional Practice, and
- (3) Dictation/Transcription (Machine/Skill).

The passing grades for the Dictation/Transcription part of the examination is 97.5%. The passing grades for the two written knowledge parts of the examination (English and Professional Practice) shall be determined by the Angoff criterion-referenced method. Such passing scores may vary moderately with changes in test composition. Any examinee who obtains a grade which equals or exceeds the passing score determined by the Angoff method will be deemed to have passed the applicable portion of the examination, assuming the other requirements of this section are met.

(b) The board shall notify each examinee in writing of their pass/fail examination results.

~~(bc)~~ An applicant must take and pass all three parts of the examination within three (3) consecutive years to have passed the examination. The three (3) year period shall begin from the date of the examination or any part of the examination for which the applicant is first scheduled.

~~(ed)~~ After a period of three months has elapsed, an applicant may repeat any part of the examination. However, no applicant may repeat any part of the examination unless or until a new version of the examination has been introduced.

(de) Notwithstanding subsection (bc), an applicant who passes a part of the examination shall receive conditional credit for passing that part and may retake the remaining part(s).

(ef) The period of time designated in subsection (bc) may be extended by the board for a period of time not to exceed one (1) year upon the showing of extraordinary extenuating circumstances.

NOTE: Authority cited: Section 8007, Business and Professions Code. Reference: Sections 135, 8020, and 8023, Business and Professions Code.

Repeal section 2422 of Division 24 of Title 16 of the California Code of Regulations in its entirety:

~~§ 2422. Inspection of Examination Papers; Notification.~~

~~(a) Each examinee shall be notified in writing whether he/she has passed or failed the examination.~~

~~(b) An examinee who has failed the examination may inspect his/her transcript by so requesting in writing sent to the board at its principal office within 30 days of the date appearing on the notification of the examination results. An examinee will be permitted to inspect only his/her transcript and a copy of the board's official transcript.~~

~~(c) An examinee may request the board to reconsider his/her examination results. Such request for reconsideration shall be filed with the board at its principal office no later than 45 days following the date appearing on the notification of the examination results. It shall be in writing and shall specify the grounds upon which it is based.~~

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

Article 8

Amend section 2473 of Division 24 of Title 16 of the California Code of Regulations to read as follows:

§ 2473. Minimum Transcript Format Standards.

(a) A reporter licensed under Chapter 13, Division 3 of the Code shall comply with the following transcript format standards when producing a transcript in a legal proceeding. If a reporter is employed by a court, either as an official or pro tem official reporter, the transcript format set forth by state or local rules of court, or adopted by that jurisdiction, if any, will supersede. If there are no transcript format guidelines established within a jurisdiction, the following minimum transcript format standards shall apply:

- (1) No fewer than 25 typed text lines per page;
- (2) A full line of text shall be no less than 56 characters unless ~~time-stamping~~ timestamping is used, in which case no fewer than 52 characters shall be used on a full line of text;
- (3) Timestamping may only be printed on a transcript under any of the following circumstances:
 - (A) when a deposition is videotaped;
 - (B) when requested by counsel on the record, or
 - (C) when a transcript will have not less than 56 characters per line;
- (4) Left-hand margin ~~is~~ shall be defined as the first character of a line of text;
- (5) Each question and answer ~~is to~~ shall begin on a separate line;
- (6) Text ~~is to~~ shall begin no more than 10 spaces from the left margin. "Q" and "A" symbols shall appear within the first 8 spaces from the left-hand margin;
- (7) Carry-over "Q" and "A" lines ~~to~~ shall begin at the left-hand margin;
- (8) Colloquy and paragraphed material ~~to~~ shall begin no more than 10 spaces from the left-hand margin with carry-over colloquy ~~to~~ beginning at the left-hand margin;
- (9) Quoted material ~~to~~ shall begin no more than 14 spaces from the left-hand margin with carry-over lines ~~to~~ beginning no more than 10 spaces from the left-hand margin;
- (10) Parenthetical and exhibit markings of two lines or more shall be no less than 35 characters per line; ~~and~~
- (11) In colloquy, text shall begin no more than two spaces after the colon following speaker "ID:" and
- (12) Text shall be offered in a full text-search capable electronic format, if requested.

(b) Failure to comply with these minimum standards, as noted above, constitutes grounds for disciplinary action.

NOTE: Authority cited: Sections 8007, 8008, and 8025, Business and Professions Code. Reference: Sections 8015 and 8025, Business and Professions Code.