

**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: 2403

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3


OAL Matter Number: 2016-0330-04

OAL Matter Type: Regular (S)

The Court Reporters Board of California is amending section 2403 in title 16 of the California Code of regulations. This amendment clarifies that a reporter's scope of practice includes notice to all parties when there has been a request for an expedited transcript.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/1/2016.

Date: May 10, 2016


Peggy J. Gibson
Senior Attorney

For: Debra M. Comez
Director

Original: David Brown
Copy: Yvonne Fenner

REGULAR

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See Instructions on reverse)

For use by Secretary of State only

STD. 3 (REV. 01-2013)

| | | | |
|------------------------------------------------------------------------------------------------------------|---------------------------|---------------------------------------------------------|-------------------------|
| DATE FILE NUMBER | NOTICE FILE NUMBER | REGULATORY ACTION NUMBER | EMERGENCY NUMBER |
| | 22015-0417-02 | 2016-0330-04S | |
| For use by Office of Administrative Law (OAL) only | | | |
| RECEIVED FOR FILING PUBLICATION DATE APR 17 '15 MAY 01 '15 Office of Administrative Law | | 2016 MAR 30 P 4: 59 OFFICE OF ADMINISTRATIVE LAW | |
| NOTICE | | REGULATIONS | |

ENDORSED - FILED
 In the office of the Secretary of State
 of the State of California

MAY 10 2016
 2:08PM

| | |
|--------------------------------------------------------------------------------|------------------------------------|
| 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 Scope of Practice | | TITLE(S) 16 | FIRST SECTION AFFECTED 2403 | 2. REQUESTED PUBLICATION DATE May 1, 2015 |
| 3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other | | 4. AGENCY CONTACT PERSON Paula Bruning | TELEPHONE NUMBER (916) 263-3660 | FAX NUMBER (Optional) (916) 263-3664 |
| OAL USE ONLY | ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved <input type="checkbox"/> Withdrawn | | NOTICE REGISTER NUMBER 2015-18-2 | PUBLICATION DATE 5/1/2015 |

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

| | |
|-------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| 1a. SUBJECT OF REGULATION(S) Scope of Practice | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2014-0708-01S per agency request |
| 2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLES AND SECTIONS (Including title 26, if toxics related) | |

| | |
|------------------------------------------------------------------------------------------------------|---------------|
| SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) | ADOPT |
| | AMEND 2403 |
| | REPEAL |
| TITLE(S) 16 | |

3. TYPE OF FILING

| | | | |
|---------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <input checked="" 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 §911346.2-11347.3 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 type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) |
| <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 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)
~~4-17-15 to 6-26-15~~ per agency request

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 type="checkbox"/> \$100 Changes Without Regulatory Effect | <input checked="" type="checkbox"/> Effective other (Specify) per GC section 11343.4(a) |
|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|------------------------------------------------------------------|-----------------------------------------------------------------------------------------|

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) Awet Kidane, Director, Department of Consumer Affairs | | |

| | | | |
|---------------------------------------|----------------------------------|---------------------------------------|-------------------------------------------------------|
| 7. CONTACT PERSON Yvonne K. Fenner | TELEPHONE NUMBER 916-263-4081 | FAX NUMBER (Optional) 916-263-3664 | E-MAIL ADDRESS (Optional) Yvonne.Fenner@dca.ca.gov |
|---------------------------------------|----------------------------------|---------------------------------------|-------------------------------------------------------|

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 Yvonne K. Fenner | DATE 3-30-16 |
| TYPED NAME AND TITLE OF SIGNATORY Yvonne K. Fenner, Executive Officer | |

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAY 10 2016

Office of Administrative Law

COURT REPORTERS BOARD OF CALIFORNIA

Proposed Language

(1) Amend Section 2403 (b)(3) of Division 24 of Title 16 of the California Code of Regulations to read as follows:

- (3) Notifying all parties who attended a deposition of requests for expedited delivery made by other parties for either an original or copy of the transcript, or any portion thereof.

NOTE: Authority cited: Sections 8007 and 8017, Business and Professions Code.
Reference: Sections 8007 and 8017, Business and Professions Code; and Section 2025.510 Code of Civil Procedure.

COURT REPORTERS BOARD OF CALIFORNIA

ORDER OF ADOPTION

Amend section 2403 (b)(3) of Article 1 of Division 24 of Title 16 of the California Code of Regulations to read as follows:

- (3) Notifying all parties who attended a deposition of requests for expedited delivery made by other parties for either an original or copy of the transcript, or any portion thereof.

NOTE: Authority cited: Sections 8007 and 8017, Business and Professions Code. Reference: Sections 8007 and 8017, Business and Professions Code; and Section 2025.510 Code of Civil Procedure.

DATED: 7/20/15



YVONNE K. FENNER
Executive Officer
Court Reporters Board of California

COURT REPORTERS BOARD OF CALIFORNIA
FINAL STATEMENT OF REASONS - updated

Hearing Date: June 18, 2015

Subject Matter of Proposed Regulations: Scope of Practice

Section Affected: Title 16, Section 2403(b)(3)

Local Mandate

A mandate is not imposed on local agencies or school districts

Small Business Impact

This action will not have an adverse economic impact on businesses. The regulation change is technical in nature, intended only to clarify the definition of the scope of practice of court reporting.

Consideration of Alternatives

No reasonable alternative was presented nor was any identified by the Board that would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulation or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The only alternative would be to leave the regulation as it exists. This is not an effective solution because the amendment has been proposed to clarify the original text, for the public, licensees and court reporting firms alike, as to what constitutes court reporting services to that the Board can act for enforcement purposes should a violation of law occur.

Objections or Recommendations/Responses

No objections or recommendations were received.

Comments received during the 45-day notice period

No comments were received.

Update to ISR

As the original comment period was less than the required 45 days, an additional 15-day comment period was noticed from April 21, 2016, through May 6, 2016.

Comments received during the 15-day notice period

No comments were received.