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**IDAPA 49
TITLE 01
CHAPTER 01**

IDAPA 49 – CERTIFIED SHORTHAND REPORTERS BOARD

**49.01.01 – RULES OF PROCEDURE OF THE IDAHO CERTIFIED
SHORTHAND REPORTERS BOARD**

000. LEGAL AUTHORITY.

These rules are adopted under the authority of Section 54-3107, Idaho Code. (5-8-09)

001. TITLE AND SCOPE.

These rules shall be cited as IDAPA 49.01.01, “Rules of Procedure of the Idaho Certified Shorthand Reporters Board.” These rules establish procedures for the organization and operation of the Board. (1-1-97)

002. WRITTEN INTERPRETATIONS.

Written interpretations, if any, of this chapter are available for review at the board office. (4-6-05)

003. ADMINISTRATIVE APPEALS.

Administrative appeals shall be governed by the Administrative Procedures Act, Title 67, Chapter 52, Idaho Code. (4-6-05)

004. INCORPORATION BY REFERENCE.

No documents are incorporated by reference in these rules. (4-6-05)

005. OFFICE INFORMATION.

The office of the Idaho Certified Shorthand Reporters Board is located within the Bureau of Occupational Licenses, 700 W. State Street, Boise, Idaho 83702. The Bureau is open between the hours of 8:00 a.m. and 5:00 p.m. each day except Saturdays, Sundays and holidays. The telephone number of the office is (208) 334-3233. The fax number of the office is (208) 334-3945. The email address of the Board is sre@ibol.idaho.gov. The Board’s official website is www.ibol.idaho.gov. (5-8-09)

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules are subject to and in compliance with the Idaho Public Records Act. (4-6-05)

007. FILING OF DOCUMENTS.

All written communications and documents that are intended to be part of an official record for decision in a rulemaking or contested case must be filed with the Executive Secretary of the Board. One (1) original is sufficient for submission to the hearing officer, with one (1) copy for the Board and one (1) copy submitted to the opposing party. Whenever documents are filed by facsimile transmission (FAX), originals shall be deposited in the mail the same day or hand delivered the following business day to the hearing officer or the Board, and opposing parties. (4-6-05)

008. CHANGES IN NAME AND ADDRESS – ADDRESS FOR NOTIFICATION PURPOSES.

01. Change of Name. Whenever a change of registrant name occurs, the Board must be notified of the change within fourteen (14) days. Documentation confirming the change of name must be submitted with the notification. (4-9-09)

02. Change of Address. Whenever a change of registrant mailing address occurs, the Board must be notified of the change within fourteen (14) days. (4-9-09)

03. Address for Notification Purposes. The most recent mailing address on record with the Board will be utilized for purposes of all written communication with the registrant including, but not limited to, notification of renewal and notices related to disciplinary actions. (4-6-09)

009. (RESERVED)

010. DEFINITIONS.

For the purpose of these rules: (7-1-93)

01. Act. Title 54, Chapter 31, Idaho Code. (1-1-97)

02. Board. The Idaho Certified Shorthand Reporters Board. (7-1-93)

011. -- 099. (RESERVED)

100. BOARD MEETINGS.

The Board shall meet at least once a year. In addition to this annual meeting, the chairman may call special meetings from time to time when it is deemed necessary, or upon request of two (2) or more members of the Board. (4-9-09)

101. OFFICERS.

Officers elected from the Board shall be chairman, and vice-chairman. (4-11-19)

102. COMMITTEES.

Regular or special committees may be appointed by the chairman and shall present reports to the Board at the time specified or at the earliest regular or special meeting of the Board. A special voluntary committee from the public, which may include members of the Board, may be formed to render special services during examinations or as the Board may assign to them. (4-9-09)

01. Quorum. A quorum shall be at least three (3) members of the Board legally holding office at the time of meeting. The board chairman shall not vote except to break a tie. (4-9-09)

02. Certificates. Certificates of registration shall be issued to each certified shorthand reporter, as prescribed by the Title 54, Chapter 31, on forms adopted by the Board. Certificates shall be displayed by certified shorthand reporters in their place of business. A new certificate may be issued by the Board to replace one lost, destroyed, or mutilated upon receipt of a replacement fee of ten dollars (\$10). Each certificate shall bear an individual number as assigned to that particular C.S.R. by the Board. (4-9-09)

103. -- 124. (RESERVED)

125. FEES (RULE 125).

Fees are established in accordance with Section 54-3110, Idaho Code as follows: (4-9-09)

01. Application Fee. Application Fee (Certificate/Temporary Permit) -- Fifty dollars (\$50). (4-9-09)

02. Examination Fee. Examination-Reexamination Fee -- Fifty dollars (\$50). (4-9-09)

03. Annual Renewal Fee. Renewal Fee (Certificate/Temporary Permit) -- Seventy-Five dollars (\$75). (4-9-09)

04. Reinstatement Fee. Reinstatement fee is as provided in Section 67-2614, Idaho Code. (3-24-16)

05. Examination Preparation Materials. Examination Preparation Materials -- Twenty dollars (\$20) (4-9-09)

06. Refund of Fees. No refund of fees shall be made to any person who has paid such fees for application, examination or reinstatement of a license. (4-9-09)

126. -- 149. (RESERVED)

150. RENEWAL OF LICENSE (RULE 150).

01. Expiration Date. All licenses expire and must be renewed annually on forms approved by the Board in accordance with Section 67-2614, Idaho Code. A license not renewed will be cancelled in accordance with Section 67-2614, Idaho Code. (4-9-09)

02. Reinstatement. Any license cancelled for failure to renew may be reinstated in accordance with Section 67-2614, Idaho Code. (4-9-09)

151. -- 199. (RESERVED)

200. APPLICATION PROCEDURES.
Applications for registration shall be. (7-1-93)

01. Prescribed Forms. Filed on a form or forms prescribed by the Board. (1-1-97)

02. Filing Location. Filed at the Boise office of the Board, accompanied by the required application fee. (1-1-97)

03. Filing Deadline. Received by the Board, not less than thirty (30) days prior to the date of examination. (1-1-97)

04. Incomplete Application. An application which is not fully completed by the applicant need not be considered or acted upon by the Board and shall be returned to the applicant with a statement of the reason for return. (4-9-09)

05. Lack of Activity. Applications on file with the Board where an applicant has failed to respond to a Board request or where the applications have lacked activity for twelve (12) consecutive months shall be deemed denied and shall be terminated upon thirty (30) days written notice unless good cause is established to the Board. (4-9-09)

201. WRITTEN STATEMENT OF SUITABILITY FOR LICENSURE.
An applicant or licensee who has a conviction, finding of guilt, withheld judgment, or suspended sentence for a felony or crime involving moral turpitude must submit with their application a written statement and any supplemental information establishing their current suitability for licensure. (4-11-19)

01. Consideration of Factors and Evidence. The Board shall consider the following factors or evidence: (4-11-19)

a. The severity or nature of the crime; (4-11-19)

b. The period of time that has passed since the crime under review; (4-11-19)

c. The number or pattern of crimes; (4-11-19)

d. The circumstances surrounding the crime that would help determine the risk of repetition; (4-11-19)

e. The relationship of the crime or discipline to the practice of shorthand reporting; (4-11-19)

f. The applicant's activities since the crime under review, such as employment, education, participation in treatment, payment of restitution, or any other factors which may be evidence of current rehabilitation; and (4-11-19)

g. Any other information regarding rehabilitation or mitigating circumstances. (4-11-19)

02. Interview. The Board may, at its discretion, grant an interview of the applicant. (4-11-19)

03. Applicant Bears the Burden. The applicant shall bear the burden of establishing his current suitability for licensure. (4-11-19)

202. -- 299. (RESERVED)

300. EXAMINATIONS.

01. Examination Process. (4-6-05)

a. Late applicants shall not be admitted to the examination room. (1-1-97)

b. Picture identification shall be shown by all applicants before taking an examination. (4-6-05)

c. Examinees are forbidden to receive any unauthorized assistance during the examination. Communication between examinees or possession of unauthorized material or devices during the examination is strictly prohibited. (1-1-97)

d. Only scheduled examinees, Board members, and authorized personnel shall be admitted to the examination room. (4-9-09)

02. Scope of Examination. (7-1-93)

a. The complete examining procedure for certification as a certified shorthand reporter consists of two (2) sections. The first section is the written examination covering subjects as are ordinarily given in a school of court reporting and which are common to all fields of practice. The second section is the skills portion which shall consist of the following segments and speeds. (4-11-15)

i. Question and Answer -- Five (5) minutes at two hundred twenty-five (225) words per minute. (4-11-15)

ii. Jury Charge -- Five (5) minutes at two hundred (200) words per minute. (4-11-15)

iii. Literary -- Five (5) minutes at one hundred eighty (180) words per minute. (4-11-15)

iv. Density of Exam -- The syllabic content of the dictated exam shall be one point four (1.4). (7-1-93)

b. The examination is the same for all applicants. (7-1-93)

c. The examining committee, which shall consist of the three C.S.R. Board members, shall inform applicants of the approximate time allowed for typing the skills portion of the examination. (1-1-97)

d. The written examination and the three (3) skills segments can be passed individually for the Idaho examination. (4-11-15)

03. Grading. (7-1-93)

a. Each applicant must attain a grade of seventy-five percent (75%) or above to pass the written examination and ninety-five percent (95%) or above in each segment to pass the skills portion. (4-11-15)

b. Every applicant receiving a grade of less than seventy-five percent (75%) in the written examination shall be deemed to have failed such examination and shall have the application denied without prejudice. (1-1-97)

c. Every applicant receiving a grade of less than ninety-five percent (95%) in each of the skills segments of the examination shall be deemed to have failed such examination and shall have the application denied without prejudice. (4-11-15)

d. An applicant failing either the written section, or the skills portion, and having filed a new application for examination, shall be required to take and pass within a two-year period only the section for which a failing grade was received. (1-1-97)

04. Inspection of Examination. (7-1-93)

a. An applicant who fails to obtain a passing grade in the skills portion may inspect his/her examination papers at such times and locations as may be designated by the Board. Inspection of such examination papers shall be permitted within a thirty (30) day period after receipt of notice by the applicant of his/her failure to pass the examination. (1-1-97)

b. At the time of inspection no one other than the examinee or his/her attorney and a representative of the Board shall have access to such examination papers. (1-1-97)

05. Inspection Review. (7-1-93)

a. Within thirty (30) days after the date notice of the results of the examination has been mailed to him/her, an applicant who was unsuccessful in the examination may petition the Board for a review of his/her examination papers. (1-1-97)

b. The petition for review shall be made in writing stating the reason for such review and citing the item or items against which the request is directed. (7-1-93)

c. The Board shall, upon receiving such petition for review, conduct a hearing at the next scheduled Board meeting. (1-1-97)

06. Retention of Examinations. The Board shall retain for at least six (6) months, all examination papers and notes submitted by applicants. (1-1-97)

301. -- 399. (RESERVED)

400. TEMPORARY PERMIT.

01. Eligibility. (7-1-93)

a. Any one (1) or more of the following shall be considered as minimum evidence that the applicant is qualified to hold a temporary permit: (4-11-15)

i. Hold a Certificate of Merit Reporter (RMR) issued by the National Court Reporters Association (NCRA); (3-14-11)

ii. Hold a Certificate of Registered Professional Reporter (RPR) issued by the National Court Reporters Association (NCRA); (3-14-11)

iii. Hold a Certified Shorthand Reporter certificate, or its equivalent, in good standing from another state; (4-11-15)

iv. Hold a diploma or certificate of completion of all requirements to graduate from a National Court Reporter Association (NCRA) approved school; (7-1-93)

v. Has otherwise demonstrated his/her proficiency by a certificate from an agency from another state. (1-1-97)

b. The applicant shall in addition: (7-1-93)

i. Have graduated from an accredited high school, or have had an equivalent education. (7-1-93)

ii. Be of good moral character, and have filed a complete application with the Board, accompanied by the required fees, as set forth in these rules. (4-9-09)

02. Permit. All temporary permits shall be issued for a period of one (1) year and may be renewable for a single additional year if, before the permit expires, the permit holder: (4-11-15)

a. Submits a written renewal request to the Board; (3-14-11)

b. Establishes that they have passed at least one (1) skills segment of the Idaho Certified Shorthand Reporter Examination, the Registered Professional Reporter Examination (RPR), or the Registered Merit Reporter Examination (RMR); and (4-11-15)

c. Pays the required fees as set forth in this Chapter. (3-14-11)

401. -- 499. (RESERVED)

500. DISCIPLINARY PENALTY (RULE 500).

Costs and fees. The Board may order anyone licensed under Title 54, Chapter 31, Idaho Code, who is found by the Board to be in violation of the provisions of Title 54, Chapter 31, Idaho Code, to pay the costs and fees incurred by the Board in the investigation or prosecution of the licensee. (4-9-09)

501. -- 999. (RESERVED)

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