

certified operator.

2. For an Employee of a Private Court Reporting/Recording Firm

- a. the individual is or will be employed as a reporter or recorder by the requesting reporting/recording firm;
- b. the employee has completed the required course of study and is registered to take the next scheduled certification examination;
- c. as applicable, the owner/manager of the firm avers that the applicant has the requisite skills and experience to fulfill the duties of:
 - 1) a stenotype/stenomask reporter and that the applicant will receive instruction from a certified stenotype/stenomask reporter; or
 - 2) an electronic recorder and the applicant will receive instruction from a certified electronic recorder; and
- d. the owner/manager of the firm states specific facts to demonstrate that the applicant will receive adequate mentoring and supervision to ensure that the applicant's work meets the high standards demanded of the profession.

3. Decision on Request for Temporary Certification (Revised 9/12)

Board staff is authorized to approve one temporary certification for an applicant employed by a Michigan court who satisfies the criteria set forth in section 1. Board staff is authorized to approve the extension of a temporary certification for an applicant employed by a Michigan court who satisfies the criteria set forth in section 5. Board staff is further authorized to deny a temporary certification for an applicant who fails to satisfy the criteria set forth in sections 1, 2, and 3, as applicable. All other requests shall be submitted to the board for decision.

4. Issuance of Temporary Certification

- a. An individual receiving a temporary certification shall be issued a card with a number that clearly identifies the individual as being temporarily certified.
- b. The temporary certification card shall include the name of the judge or reporting/recording firm requesting the temporary certification.
- c. An individual working under a temporary certification shall include the individual's temporary certification number and a statement that the individual is working under a temporary certification on all correspondence and filings.

5. Expiration of Temporary Certification; Limitations (Revised 9/12)

Temporary certification of an individual is only valid in conjunction with work performed for the requesting court or reporting/recording firm. Termination of the individual's employment with the requesting party immediately invalidates temporary certification. If a temporarily certified applicant does not appear for the scheduled examination, temporary certification is automatically rescinded.

ALL TEMPORARY CERTIFICATIONS EXPIRE 30 DAYS AFTER THE NEXT-SCHEDULED CERTIFICATION EXAMINATION REGARDLESS OF WHEN ISSUED. Any use of a temporary certification identification number after the expiration date is unauthorized and fraudulent and is expressly forbidden. The only exception is for the preparation of transcripts that were recorded by the individual during the temporary certification period.

A temporary certification may be extended by the board within a 12-month period when requested by an employer **IF THE APPLICANT HAS PASSED THE SKILLS PORTION OF THE CERTIFICATION EXAMINATION**. An applicant who does not appear for the schedule examination may only be granted an extension of the temporary certification if good cause is shown. There are no provisions for additional temporary certification cards.

6. Denial of Temporary Certification

If the board at any time denies temporary certification, the individual will no longer be certified to record and/or file transcripts of proceedings held in Michigan courts until the individual successfully completes the certification examination requirements. The only exception is for the preparation of transcripts that were recorded by the individual during the temporary certification period.

7. Fees

All registration fees for temporarily certified applicants are nonrefundable, nontransferable, and nonapplicable to any examination other than the next scheduled examination the applicant has registered to take.

8. Responsibilities of the Requesting Judge or Reporting/Recording Firm

- a. It is the responsibility of the judge or reporting/recording firm to make a written request for the temporary certification of any individual in its employ.
- b. The examination registration form and registration fee for the individual should accompany the request unless it was previously submitted and/or is on file.
- c. If the temporarily certified individual leaves employment before becoming regularly certified, the employer should retrieve the temporary certification card and return it to the board. If the employer is unable to retrieve the temporary

(Adopted 3/25/94, Revised 6/06, Revised 3/12, Revised 9/12)

Effective as of the October 2012 examination, the Court Reporting and Recording Board of Review revised the CER skills examination to permit 60 errors with the following breakdown: no title page, deduct 15 points; no table of contents, deduct 3 points; no certificate page, deduct 8 points; deduct 1 point for each critical punctuation error, misspelled word, each wrong word, or each missing word. Additionally, points will be deducted for deviation from the prescribed format as found in the *Manual for Court Reporters and Recorders*.

Effective as of the October 2012 examination, individuals who fail the transcription portion of the CER examination but: (1) pass the CER written examination; (2) score 80 percent or more on the logging portion of the examination; and (3) are current court employees will be granted full CEO certification.

P. Penalties for Taking Depositions When Noncertified

(Adopted 6/13/97, Revised 6/06)

Possible penalties for a noncertified reporter taking depositions after January 1, 1998 include:

1. publishing of the reporter and firm name in the Lawyers Weekly, and possibly the Michigan Bar Journal, as being in violation of MCR 8.108;
2. placing the certification of the firm owner in jeopardy for using uncertified reporters in contravention of MCR 8.108;
3. recommending to the bench that depositions prepared by uncertified reporters not be accepted for filing in court proceedings;
4. the reporter and/or firm owner repay the cost of the deposition taken by an uncertified reporter to the ordering party; or
5. any other disciplinary action appropriate to the circumstances.

Q. Adoption of *Manual for Court Reporters and Recorders* as Official Directive

(Adopted June 12, 1998, Revised 6/06)

Pursuant to the authority vested in the Court Reporting and Recording Board of Review by MCR 8.108, and in furtherance of its responsibility to provide criteria for the certification of court reporters practicing in the state of Michigan, the board hereby reaffirms adoption of the *Manual for Court Reporters and Recorders* as the official directives of the board for providing criteria for court reporters to be used in conjunction with any regulations imposed by statute or court rule.

R. Public Attendance at Board Meetings

(Adopted June 12, 1998, Revised 6/06)