OFFICE OF PROFESSIONAL REGULATION
OF THE SUPREME COURT OF IOWA

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Memorandum For: Supreme Court

From: Paul H. Wieck II, Director

Subject: Certification of Shorthand Reporters by Reciprocity

Date: June 10, 2015

Summary

The Board of Examiners of Shorthand Reporters (the "board") recommends that the Supreme Court approve a rule change expanding certification by reciprocity to all persons who hold a valid reporting license in good standing in another state, provided that the skills certification requirements in the other state are substantially equivalent to Iowa certification standards and the applicant attains a passing score on the Iowa written examination.

Background

Senate File 303, enacted during the 2014 session of the Iowa General Assembly, requires that professional licensing boards and commissions in Iowa provide reciprocal licensing for veterans who hold a valid license in good standing in another state. In December of 2014, the Supreme Court adopted changes to chapter 46 of the Iowa Court Rules, implementing the provisions of Senate File 303 for certification of shorthand reporters. The court's order adopting the changes in chapter 46 also directed the Board of Examiners of Shorthand Reporters (the "board") to investigate and report back on whether the court should adopt a similar rule of reciprocal certification for persons, other than veterans, who hold a valid shorthand reporting license in good standing in another state.

Traditional Certification Standards in Iowa

Iowa traditionally has had two paths to certification as a shorthand reporter. Each path requires satisfaction of two examination components. The skills component of the examination requires demonstrating shorthand proficiency in three separate dictation components. The written component of the examination requires demonstrating knowledge of a reporter's duties, Iowa legal procedure, and correct English usage.

If an applicant is a Registered Professional Reporter (RPR) in good standing under the rules of the National Court Reporter Association (NCRA), he or she receives credit for the Iowa skills examination based on passing the NCRA skills examination required for qualification as an RPR. He or she will only be required to take and pass the written portion of the Iowa examination. When the written test is passed and verification is made of the applicant's RPR status, the applicant is certified in Iowa.

If an applicant is not an RPR in good standing, he or she is required to pass both the written and skills portions of the Iowa examination. As a condition to sitting for the examination, the applicant is required to certify to the board that his or her training and experience comply with one of the following:

1. Attained proficiency of 200 wpm or more in a shorthand reporting course; or
2. Had at least two years of experience as a shorthand reporter in making verbatim records of judicial or related proceedings; or
3. Graduated from a shorthand reporting school approved by the National Court Reporters Association.

The Home Base Addition

Until 2014, Iowa's rules expressly disallowed certification by reciprocity.[1] During 2014, the General Assembly passed Senate File 303, a part of the Home Base[2] initiative for veterans and former military members. The bill added several provisions favorable to veterans and former military members to Iowa law. The provisions pertinent to certified shorthand reporting require the board to accredit training acquired while in the military service, and to provide reciprocal licensing for veterans who hold a valid shorthand reporter certification in another state. Based on the requirements of Senate File 303, a

[1] The term reciprocity generally appears to be used in the shorthand reporter profession and in Senate File 303 to denote licensure of professionals based on their licensure in another state, without regard to whether the professional's original state of licensure has a similar provision for the licensure of out-of-state applicants. Only two states appear to require that the state in which a reporter originally is licensed actually have an agreement for reciprocal licensing with the gaining state.

[2] See http://homebaseiowa.gov.

new Iowa Court Rule 46.16 was approved by the court on December 18, 2014. The new rule 46.16, attached as Appendix A, is modeled on a uniform rule drafted by the Attorney General's staff to provide standardization across the executive branch licensing agencies.

Certification of Veterans by Reciprocity

Iowa Court Rule 46.2 previously prohibited certification as a shorthand reporter in Iowa based on reciprocity with other jurisdictions. However, as previously noted, rule 46.2 allows a person who is designated a Registered Professional Reporter (RPR) by the National Court Reporters Association (NCRA), and is in good standing with that association, to become certified in Iowa by taking only the written portion of the Iowa examination. An applicant who is an RPR in good standing is not required to take and pass the skills portion of the Iowa examination.

Senate File 303 required the board to grant certification by reciprocity to any veteran certified as a shorthand reporter in another state, provided the licensing requirements in the other state are substantially equivalent to those in Iowa. Implementing Senate File 303, rule 46.16(4) specifies that substantially equivalent certification requirements include passing a performance examination at the standard set for the NCRA's designation as an RPR, plus passing a written examination on reporter duties, Iowa legal procedure, and correct English usage.

A veteran seeking certification by reciprocity may submit an application showing qualification as a veteran, and showing certification in another state based on that state's licensing standards. The board then must promptly certify the veteran as an Iowa certified shorthand reporter if the certification requirements in the other state are substantially equivalent to Iowa's. The board may deny certification of the veteran if an applicant is not required to pass a substantially equivalent examination in the other state. The veteran denied certification on this basis will be able to place the application in pending status for up to year, or any mutually agreed period, to allow the veteran to satisfy the examination requirements. If the board rules against the applicant on the application for certification by reciprocity, he or she is entitled to pursue contested case review of the request at no cost.

The practical effect of the new rule 46.16 is that a veteran certified as a reporter in another state may be certified in Iowa by passing only the Iowa written examination, provided that the skills examination required for licensure in the other state is deemed substantially equivalent to the RPR skills examination. Veterans in essence are on equal footing with applicants seeking certification in Iowa who have been certified as an RPR by the NCRA.

Certification Standards in Other States

Ten states have no certification requirement for any reporter, freelance or official. Nine other states offer certification, but only on a voluntary basis. Seven states require certification only for official reporters. Twenty-four states, including Iowa, require certification for any reporter, freelance or official.

Of the twenty-four states with mandatory certification for all reporters, six appear to consider their skills examination component satisfied if an applicant is certified in another state, and demonstrated competence on a substantially equivalent skills examination in that other state. Extracts of the statutory or regulatory provisions or other guidance from these six other states are set out at Appendix B. Two states – Alabama and Tennessee – have provisions for reciprocal licensing of reporters licensed in any state with which the gaining state has an agreement for reciprocal licensing.

The table at Appendix C summarizes the skills examination components for each of the twenty-four states with mandatory licensing for shorthand reporters.

- Nine states have no separate state skills examination, and require applicants to take the NCRA RPR skills examination and submit that score in lieu of a state skills examination.

- Nine other states appear to administer a separate state skills examination using the same procedure and standards as the NCRA RPR examination.[3]

- Six states (California, Illinois, Iowa,[4] Nevada, Oklahoma, and Washington) appear to administer state skills examinations that differ materially from the procedure and standards of the NCRA RPR examination.

Based on this survey, it appears that reporters certified in at least eighteen states could be eligible for certification in Iowa by reciprocity if Iowa adopts a general reciprocity rule with a requirement of substantial examination

[3] A somewhat different set of ten states accepts the NCRA RPR examination in lieu of their separate skills examinations.

[4] The Iowa examination includes a two voice (Q & A) component at 225 words per minute like the NCRA RPR examination does. However, the Iowa examination includes a technical 2 voice (Q & A) component at 180 words per minute and a nontechnical multi-voice component at 200 words per minutes, in lieu of the jury charge and literary components of the NCRA RPR skills examination. Nonetheless, Iowa accepts passage of the NCRA RPR examination and RPR certification in lieu of the Iowa skills examination, and the reciprocity rule for veterans specifically cites the NCRA RPR examination as the standard by which substantial equivalence will be measured for certification by reciprocity.

equivalence. Of these eighteen states, only one (Missouri) is contiguous to Iowa. Three others (Michigan, Kansas, and Arkansas) are near but not contiguous.

Certification by Equivalent Examination

Draft rule changes necessary to implement certification by reciprocity generally in Iowa are attached to this report at Appendix D. The rule changes would eliminate the prohibition on certification by reciprocity contained in the current rule 46.2. In addition, the rule changes would create a new rule 46.17 on certification by reciprocity, modeled on rule 46.16, the veteran reciprocity rule.

The proposed rule 46.17 would require the board to grant certification by reciprocity to any applicant certified as a shorthand reporter in another state, provided the licensing requirements in the other state are substantially equivalent to those in Iowa. The board would have the authority to decline certification based on other grounds, such as the applicant's disciplinary or criminal background. Like rule 46.16(4), rule 46.17(7) specifies that substantially equivalent certification requirements include passing a performance examination at the standard set for the NCRA's designation as an RPR. The board recommends, however, amending rules 46.16(3) and 46.16(4), and formulating new rules 46.17(4) and 46.17(7), to make clear that passing the Iowa written examination on reporter duties, Iowa legal procedure, and correct English usage is a requirement for any certification by reciprocity. This conforms licensing by reciprocity to the current requirements for certification of NCRA Registered Professional Reporters.

An applicant seeking certification by reciprocity will be able to submit an application showing certification in another state based on that state's licensing standards. The board then can promptly certify the applicant as an Iowa certified shorthand reporter if the certification requirements in the other state are substantially equivalent to Iowa's. The board can deny certification if an applicant is not required to pass a substantially equivalent examination in the other state. If the board rules against the applicant on the application for certification by reciprocity, he or she is entitled to pursue contested case review of the request.

The proposed rule 46.17 would allow applicants who have a reporting license in good standing in a state with a substantially equivalent skills examination to obtain certification by passing only the Iowa written examination, just as NCRA RPR applicants are entitled to do under the current rules, and qualified veterans now are entitled to do under the newly adopted rule 46.16.

The proposal also amends rule 46.5(2) to make clear that the written examination must be passed at a 70 percent or better accuracy rate. This addition will fully conform rule 46.5(2) to counterpart provisions in rule 46.2.

The proposal also adds language to rule 46.16(3) and includes language in the proposed rule 46.17(1) to make clear that a candidate for certification by reciprocity must be licensed as a shorthand reporter in another jurisdiction. This change is intended to make clear that voice writers licensed in another state are not eligible for certification in Iowa by reciprocity.

Recommendation

The board supports adoption of the proposed rule 46.17 and associated changes shown at Appendix D, based on Iowa's need for qualified reporters. In recent, years, the number of reporters licensed through the Iowa skills examination has declined. Chart A, below, shows the total number of reporters certified each year beginning in 2004. The annual total includes reporters who attained certification by passing the Iowa skills exam and written exam, and reporters who were qualified as NCRA Registered Professional Reporters and took only the Iowa written exam. Chart B below shows the number of reporters certified each year during the same period who attained certification by passing the Iowa skills exam and written exam.

Chart A

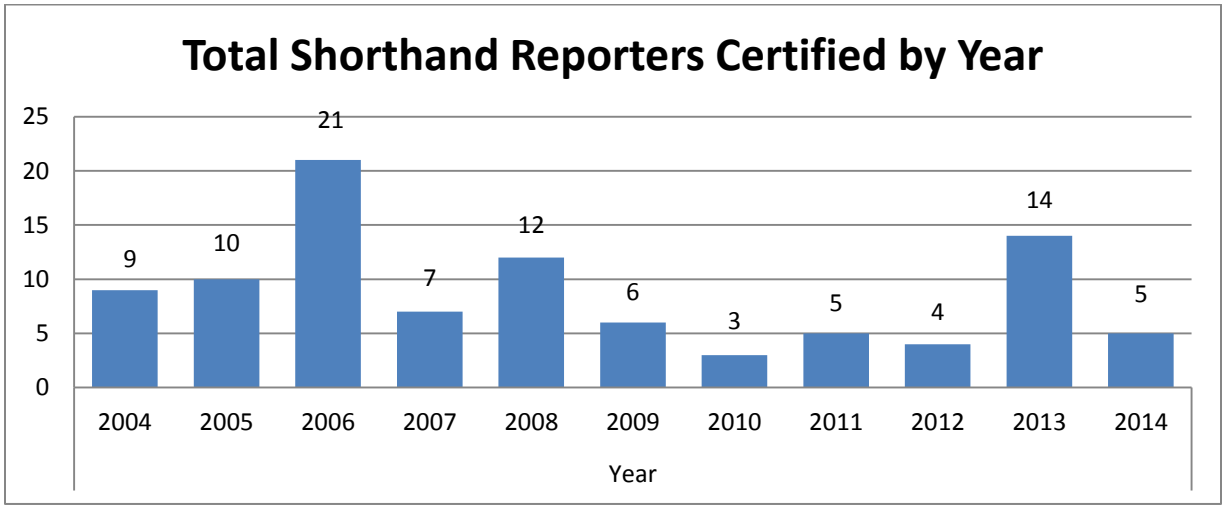
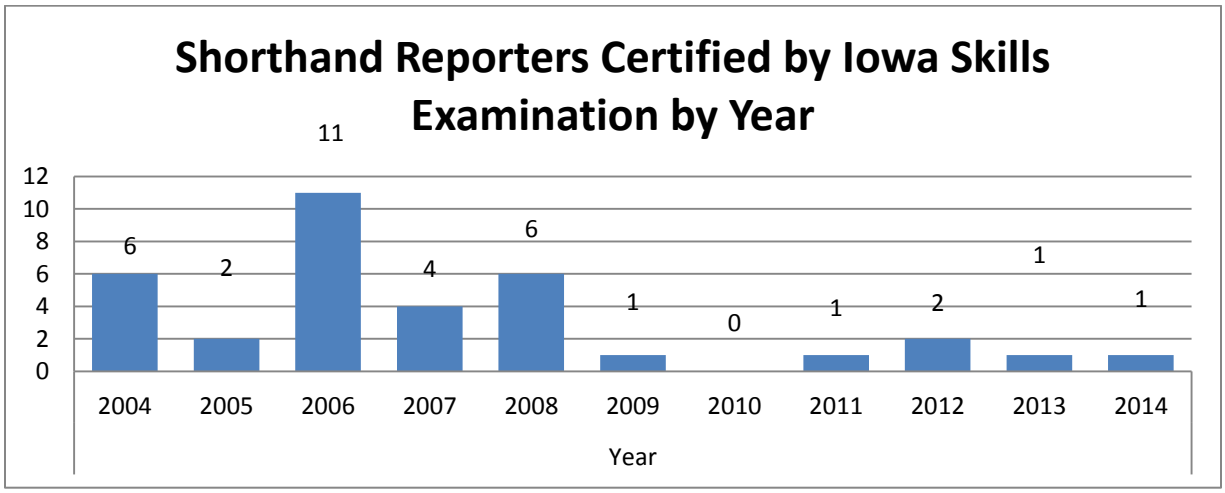


Chart B



The long-time shorthand reporting school at the American Institute of Business in Des Moines has discontinued its training program. A new shorthand reporting school has been established at the Des Moines Area Community College campus in Newton, but will not graduate applicants for certification in Iowa until the summer of 2016. Court officials are experiencing increased difficulty filling official reporter positions. Certification by reciprocity may help provide the additional reporters needed to address Iowa's needs.

The board also sees no reason why a reporter who is not a veteran should not have the same path to certification provided a veteran who is a reporter, provided each can satisfy the same licensing standards. In each case, the requirement for substantially equivalent licensing provisions in the original state of licensure provides the reasonable assurance of shorthand competence desired prior to certification.

Finally, the board notes the increasing mobility of society, and the availability of reciprocal licensing to other professionals, including attorneys, physicians, and certified public accountants. The same considerations that support portability of licenses for these groups of professionals support portability of certification for shorthand reporters.

Appendix A
Iowa Court Rule 46.16 Regarding Reciprocity for Veterans

Rule 46.16 Military service and veteran reciprocity.

46.16(1) *Definitions.* In this rule:

a. "Military service" means honorably serving: in federal active duty, state active duty, or national guard duty, as defined in Iowa Code section 29A.1; in the military services of other states, as provided in 10 U.S.C. section 101(c); or in the organized reserves of the United States, as provided in 10 U.S.C. section 10101.

b. "Military service applicant" is an individual requesting credit toward certification for military education, training, or service obtained or completed in military service.

c. "Veteran" is an individual who meets the definition of "veteran" in Iowa Code section 35.1(2).

46.16(2) *Military education, training, and service credit.* A military service applicant may apply for credit for verified military education, training, or service toward any experience or educational requirement for certification by submitting a military service application to the board office.

a. The application may be submitted with an application for certification or examination or prior to an applicant's applying for certification or to take an examination. No fee is required for submission of an application for military service credit.

b. The applicant must identify the experience or educational certification requirement to which the credit would be applied if granted. Credit may not be applied to an examination requirement.

c. The applicant must provide documents, military transcripts, a certified affidavit, or forms that verify completion of the relevant military education, training, or service, which may include, when applicable, the applicant's Certificate of Release or Discharge from Active Duty (DD Form 214) or Verification of Military Experience and Training (VMET) (DD Form 2586).

d. Upon receipt of a completed military service application, the board will promptly determine whether the verified military education, training, or service satisfies all or any part of the identified experience or educational qualifications for certification.

e. The board will grant the application in whole or in part if the board determines that the verified military education, training, or service satisfies all or part of the experience or educational qualifications for certification.

f. The board will inform the military service applicant in writing of the credit, if any, given toward an experience or educational qualification for certification, or explain why no credit was granted. The applicant may request reconsideration upon submission of additional documentation or information.

g. A military service applicant aggrieved by the board's decision may request a contested case (administrative hearing) and may participate in a contested case by telephone. A request for a contested case must be made within 30 days of issuance of the board's decision. No fees or costs may be assessed against the military service applicant in connection with a contested case conducted pursuant to this rule 46.16(2).

h. The board will grant or deny the military service application prior to ruling on the application for certification. The applicant is not required to submit any fees in connection with the certification application unless the board grants the military service application. If the board does not grant the military service application, the applicant may withdraw the certification application or request that the application be placed in pending status for up to one year or as mutually agreed. Withdrawal of a certification application does not preclude subsequent applications supported by additional documentation or information.

46.16(3) *Veteran reciprocity.*

a. A veteran with an unrestricted professional certificate in another jurisdiction may apply for certification in Iowa through reciprocity. A veteran must pass any examinations required for certification to be eligible for certification through reciprocity and will be given credit for examinations previously passed when consistent with board rules on examination requirements. A veterans' fully completed application for certification submitted under rule 46.16(3) will be expedited and given priority.

b. A veteran's application for certification must contain all of the information required of all applicants for certification who hold unrestricted certificates in other jurisdictions and who are applying for certification by reciprocity, including, but not limited to, completion of all required forms, payment of applicable fees, disclosure of criminal or disciplinary history, and, if applicable, a criminal history background check. The applicant must use the same forms as any other applicant for certification by reciprocity and must additionally provide such documentation as is reasonably needed to verify the applicant's status as a veteran under Iowa Code section 35.1(2).

c. Upon receipt of a fully completed certification application, the board will promptly determine if the professional or occupational licensing requirements of the jurisdiction where the veteran is certified are substantially equivalent to the certification requirements in Iowa. The board will make this determination based on information the applicant supplies and such additional information as the board may acquire from the applicable jurisdiction. The board may consider the following factors in determining substantial equivalence: scope of practice, education and coursework, degree requirements, postgraduate experience, and examination required for certification.

d. The board will promptly grant a certificate to the veteran if the applicant is certified in the same or similar profession in another jurisdiction whose certification requirements are substantially equivalent to those required in Iowa, unless the applicant is ineligible for certification based on other grounds, such as the applicant's disciplinary or criminal background.

e. If the board determines that the certification requirements in the jurisdiction in which the veteran is certified are not substantially equivalent to those required in Iowa, the board will promptly inform the veteran of the additional experience, education, or examinations required for certification in Iowa. Unless the applicant is ineligible for certification based on other grounds, such as disciplinary or criminal background, the following apply:

(1) If a veteran has not passed the required examinations for certification, the applicant may not be issued a provisional certificate but may request that the certification application be placed in pending status for up to one year or as mutually agreed to provide the veteran with the opportunity to satisfy the examination requirements.

(2) If additional experience or education is required for the applicant's qualifications to be considered substantially equivalent, the applicant may request that the board issue a provisional certificate for a specified period of time during which the applicant will successfully complete the necessary experience or education. The board may issue a provisional certificate for a specified period of time upon such conditions as the board deems reasonably necessary to protect the health, welfare, or safety of the public, unless the board determines that the deficiency is of a character that the public health, welfare, or safety will be adversely affected if a provisional certificate is granted.

(3) If a request for a provisional certificate is denied, the board will issue an order fully explaining the decision and inform the applicant of the steps the applicant may take to receive a provisional certificate.

(4) If a provisional certificate is issued, the application for full certification will be placed in pending status until the applicant successfully completes the

necessary experience or education or the provisional certificate expires, whichever occurs first. The board may extend a provisional certificate on a case-by-case basis for good cause.

f. A veteran who is aggrieved by the board's decision to deny an application for a reciprocal certificate or a provisional certificate, or who is aggrieved by the terms under which a provisional certificate will be granted, may request a contested case (administrative hearing) and may participate in a contested case by telephone. A request for a contested case must be made within 30 days of issuance of the board's decision. No fees or costs shall be assessed against the veteran in connection with a contested case conducted pursuant to this rule 46.16(3).

46.16(4) *Substantially equivalent certification requirements.* The certification requirements of another jurisdiction are substantially equivalent to those of Iowa, if in that jurisdiction:

a. An individual must demonstrate, by examination administered by the licensing authority of the jurisdiction, proficiency in shorthand equivalent to the standard of the National Court Reporters Association for the earned designation of Registered Professional Reporter; and

b. An individual must demonstrate, by written examination, knowledge of reporter duties, Iowa legal procedure, and correct English usage at 70 percent accuracy or better.

Appendix B
Other State Rules Regarding Certification by Equivalent Examination

Illinois

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS
PART 1200 ILLINOIS CERTIFIED SHORTHAND REPORTERS ACT OF 1984
SECTION 1200.45 ENDORSEMENT

Section 1200.45 Endorsement

a) An applicant who is licensed under the laws of another jurisdiction shall file an application with the Division, together with:

1) a certification from the licensing authority of the jurisdiction stating:

A) The time during which the applicant was licensed in that jurisdiction;

B) Whether the file on the applicant contains any record of any disciplinary actions taken or pending; and

C) A brief description of the examination taken and the grades received. The brief description shall include the speeds of dictation, the percentage of accuracy to pass and the contents of the written knowledge test; and

2) a copy of the statute and rules from the state of original licensure that were in effect at the time of licensure.

b) The applicant may be required to appear for an oral interview:

1) To clarify or explain information contained in the submitted documentation;

2) To provide additional documentation or information as requested by the Division;

3) To determine substantial equivalence of the applicant's qualifications to the licensing requirements in this State.

Kansas

Rules Relating to the State Board of Examiners of Court Reporters

Rule 309

Rules Adopted by the State Board of Examiners of Court Reporters

Issuance of Certificates

(a) Any person who desires to obtain a certificate shall make the application and take the examination provided for by Rules Nos. 307 and 308. Unless some reason appears why it should not be done, the Supreme Court shall issue a certificate to each person who takes the examination and is favorably recommended by the Board of Examiners.

(b) If any person who has passed the examination previously but not received certification for reasons of residency desires to receive certification, such person shall, without payment of additional fees, file a current application for certification before his or her certificate is considered by the board.

(c) Individuals who hold a Registered Professional Reporter (RPR) certificate from the National Court Reporters Association or a Certified Verbatim Reporter (CVR) certificate from the National Verbatim Court Reporters Association and are in good standing with such association may, on application to the Board of Examiners (per Supreme Court Rule 307) become a Kansas Certified Court Reporter upon successfully passing a written examination with respect to their knowledge of the duties of a court reporter, of court procedure and general legal terminology.

(d) Individuals who hold a valid and unrevoked certified court reporter or certified shorthand reporter certificate or license issued by a state other than Kansas where an exam is given which is equivalent to or more stringent than the current Kansas exam may, on application to the Board of Examiners (per Supreme Court Rule 307) become a Kansas Certified Court Reporter on the following conditions:

(1) proof of passage of another state's examination equivalent to or more stringent than the Kansas exam,

(2) proof of passage of the other state's examination within three years prior to application in Kansas or proof acceptable to the Board of Examiners of five years' practice experience as a court reporter, and

(3) successful completion of this state's written examination with respect to the applicant's knowledge of the duties of a court reporter, of court procedure and general legal terminology.

Michigan

Rule 8.108 Court Reporters and Recorders

(A) Scope of Rule. This rule prescribes the duties of court reporters and recorders, the procedure for certifying them, the effect of noncertification, objections to certification, and display requirements.

. . .

(G) Certification.

(1) Certification Requirement.

(a) Only reporters, recorders, or voice writers certified pursuant to this subrule may record or prepare transcripts of proceedings held in Michigan courts or of depositions taken in Michigan pursuant to these rules. This rule applies to the preparation of transcripts of videotaped courtroom proceedings or videotaped or audiotaped depositions, but not to the recording of such proceedings or depositions by means of videotaping. An operator holding a CEO certification under subrule (G)(7)(b) may record proceedings, but may not prepare transcripts.

. . .

(4) Reciprocal Certification. A reporter, recorder, operator, or voice writer certified in another state may apply to

the board for certification based on the certification already obtained.

. . .

Mississippi

RULES AND REGULATIONS GOVERNING CERTIFIED COURT REPORTERS
(Effective January 1,2012)

VIII. CERTIFICATION BY RECIPROCITY

Reciprocity Requirements: A court reporter from another state may make application to the Board for Certification by reciprocity to do verbatim reporting within the State of Mississippi. To be granted Certification by reciprocity, the applicant must make application on the same official forms as required of other applicants, shall provide all documentation as required by the official application form, must pay the Board a fee of $100, provide proof of residence in the State of Mississippi, meet all other requirements of the Board for certification, and provide proof that the applicant has successfully passed any of the following: The Registered Professional Reporter (RPR) examination administered by the National Court Reporters Association (NCRA), the Certified Voice Reporter (CVR) examination as administered by the National Verbatim Reporters Association (NVRA), or any state, agency, or other entity that licenses, certifies, or registers court reporters, if the Board finds that the state, agency, or other entity has substantially the same or more stringent requirements as the Mississippi Board of Certified Court Reporters. The applicant must ensure that his/her examination scores and a copy of his/her certificate and/or license are furnished to the Mississippi Board of Certified Court Reporters by said state, agency, association, or other entity.

Certification shall be granted upon a finding by the Board that the applicant is twenty-one (21) years of age or older, is of good moral character, is a resident of the State of Mississippi, has provided all documentation as required by the official application form, and has provided proof that the applicant has successfully passed any of the following: The Registered Professional Reporter (RPR) examination administered by the National Court Reporters Association (NCRA), the Certified Voice Reporter (CVR) examination as administered by the National Verbatim Reporters Association (NVRA), or any state, agency, or other entity that licenses, certifies, or registers court reporters, if the Board finds that the state, agency, or other entity has substantially the same or more stringent requirements as the Mississippi Board of Certified Court Reporters (the applicant must ensure that his/her examination scores and a copy of his/her certificate and/or license are furnished to the Mississippi Board of Certified Court Reporters by said state, agency, association, or other entity).

Oklahoma

20 O.S. 1505

A person holding a license from another state which is deemed by the State Board of Examiners of Certified Shorthand Reporters to be equivalent to that of an Oklahoma certified shorthand reporter, or holding current national certification as a shorthand reporter, or holding both an equivalent license from another state and national certification, may be enrolled without examination as an Oklahoma certified shorthand reporter upon satisfying the Board that the credentials of the applicant are in proper order and that the person is a resident of Oklahoma.

Washington

RCW 18.145.080

Certification requirements.

The department shall issue a certificate to any applicant who meets the standards established under this chapter and who:

. . .

(2) Has passed an examination approved by the director or an examination that meets or exceeds the standards established by the director.

How to get your certificate: Court reporters

You must get a certificate in the state of Washington before you may represent yourself as a court reporter (RCW 18.145). Representing yourself as a court reporter includes referring to yourself with any of the following terms:

- Shorthand reporter
- Court reporter
- Certified shorthand reporter
- Certified court reporter

How to get your certificate

There are 4 ways to become a certified court reporter in Washington:

Pass the Washington State court reporter exam.
Apply using the National Court Reporters Association designation.
Apply using the National Stenomask Verbatim Reporters Association designation.
Apply using reciprocity.

If you're certified in another state:

1. Send us **all** of the following:
   - A completed Court Reporter Certification Application.
   - A check or money order for the fee (payable to the Department of Licensing).
   - A copy of your current license **or** proof of licensure.
   - Proof you've passed an exam that meets or exceeds Washington State standards.
   -
2. Mail your application and payment to:

   Court Reporter Program
   Department of Licensing
   PO Box 3856
   Seattle, WA 98124-3856

Appendix C
Other Mandatory State Standards for Skills Portion of Examination

Skills Examination Components in Other Mandatory States and the NCRA								
Jurisdiction	**2 Voice**	**Jury Charge**	**Literary**	**Accuracy**	**Duration**	**4 Voice**	**Technical 2 Voice**	**Nontechnical Multivoice**
NCRA RPR	225	200	180	95	5			
Alabama # @	225	200	180	95	5			
Arizona *	225	200	180	95	5			
Arkansas @	225	200	180	95	5			
California				97.5	10	200		
Connecticut # @	225	200	180	95	5			
Georgia *	225	200	180	95	5			
Hawaii *	225	200	180	95	5			
Idaho # @	225	200	180	95	5			
Illinois #	225	200		95	5			
Iowa #	225			95	5		180	200
Kansas # @	225	200	180	95	5			
Louisiana # @	225	200	180	95	5			
Michigan *	225	200	180	95	5			
Mississippi # @	225	200	180	95	5			
Missouri @	225	200	180	95	5			
Nevada				97.5	10	200		
New Hampshire *	225	200	180	95	5			
New Jersey *	225	200	180	95	5			
New Mexico *	225	200	180	95	5			
Oklahoma #	200		180	95	5			
Tennessee *	225	200	180	95	5			
Texas @	225	200	180	95	5			
Utah *	225	200	180	95	5			
Washington #	200			95	5			

* State uses actual NCRA RPR examination, and does not have a separate state skills examination

\# State accepts NCRA RPR skills examination in lieu of its state skills examination

@ Separate state skills examination appears to use the same procedure and standards as the NCRA RPR examination

Appendix D
Proposed Iowa Rule on Certification by Equivalent Examination

CHAPTER 46

RULES OF THE BOARD OF EXAMINERS OF SHORTHAND REPORTERS

Rule 46.2 Definitions. In this chapter:

(1) "Certified shorthand reporter" is an individual who has demonstrated by examination administered by the board of examiners that such individual has achieved proficiency in shorthand equivalent in the discretion of the board to the standard of the National Court Reporters Association for the earned designation of Registered Professional Reporter, namely, the demonstrated ability to write dictated tests at 180 words per minute (question and answer — technical dictation), 200 words per minute (multivoice dictation for transcription or readback), and 225 words per minute (question and answer dictation), or such equivalents thereof as the board may select, each at 95 percent accuracy or better, and demonstrated written knowledge of the reporter's duties, Iowa legal procedure, and correct English usage at 70 percent accuracy or better. ~~The Iowa designation of certified shorthand reporter is not granted by reciprocity, unless an individual is a "veteran" as defined in Iowa Code section 35.1(2). However, i~~Individuals who hold the designation of Registered Professional Reporter from the National Court Reporters Association by passing said association's examination on or after May 1, 1973, and are in good standing with such association, may, upon application to the board of examiners, become certified shorthand reporters upon successfully passing a written examination concerning a reporter's duties, Iowa legal procedure, and correct English usage at 70 percent accuracy or better.

(2) "Shorthand" is a method of writing rapidly with stenographic machine by substituting characters, abbreviations, or symbols for letters, words, or phrases.

(3) "Shorthand reporting" is the professional skill whose practice by official shorthand reporters and freelance shorthand reporters serves the judicial branch of state government in courts of record, references by such courts or the law, depositions taken by shorthand reporters, or proceedings of like character, with the end in view of ensuring the accuracy and integrity of the record upon which courts rely for evidence, trial, and appellate review.

Rule 46.5. Examinations

. . .

46.5(2) Applicants shall be examined with respect to their knowledge of the statutory duties of a court reporter, general Iowa court procedure, and correct English usage at a 70% or better accuracy rate.

Rule 46.16 Military service and veteran reciprocity.

46.16(1) *Definitions.* In this rule:

a. "Military service" means honorably serving: in federal active duty, state active duty, or national guard duty, as defined in Iowa Code section 29A.1; in the military services of other states, as provided in 10 U.S.C. section 101(c); or in the organized reserves of the United States, as provided in 10 U.S.C. section 10101.

b. "Military service applicant" is an individual requesting credit toward certification for military education, training, or service obtained or completed in military service.

c. "Veteran" is an individual who meets the definition of "veteran" in Iowa Code section 35.1(2).

46.16(2) *Military education, training, and service credit.* A military service applicant may apply for credit for verified military education, training, or service toward any experience or educational requirement for certification by submitting a military service application to the board office.

a. The application may be submitted with an application for certification or examination or prior to an applicant's applying for certification or to take an examination. No fee is required for submission of an application for military service credit.

b. The applicant must identify the experience or educational certification requirement to which the credit would be applied if granted. Credit may not be applied to an examination requirement.

c. The applicant must provide documents, military transcripts, a certified affidavit, or forms that verify completion of the relevant military education, training, or service, which may include, when applicable, the applicant's Certificate of Release or Discharge from Active Duty (DD Form 214) or Verification of Military Experience and Training (VMET) (DD Form 2586).

d. Upon receipt of a completed military service application, the board will promptly determine whether the verified military education, training, or service satisfies all or any part of the identified experience or educational qualifications for certification.

e. The board will grant the application in whole or in part if the board determines that the verified military education, training, or service satisfies all or part of the experience or educational qualifications for certification.

f. The board will inform the military service applicant in writing of the credit, if any, given toward an experience or educational qualification for certification, or explain why no credit was granted. The applicant may request reconsideration upon submission of additional documentation or information.

g. A military service applicant aggrieved by the board's decision may request a contested case (administrative hearing) and may participate in a contested case by telephone. A request for a contested case must be made within 30 days of issuance of the board's decision. No fees or costs may be assessed against the military service applicant in connection with a contested case conducted pursuant to this rule 46.16(2).

h. The board will grant or deny the military service application prior to ruling on the application for certification. The applicant is not required to submit any fees in connection with the certification application unless the board grants the military service application. If the board does not grant the military service application, the applicant may withdraw the certification application or request that the application be placed in pending status for up to one year or as mutually agreed. Withdrawal of a certification application does not preclude subsequent applications supported by additional documentation or information.

46.16(3) *Veteran reciprocity.*

a. A veteran with an unrestricted professional certificate as a shorthand reporter in another jurisdiction may apply for certification in Iowa through reciprocity. A veteran must pass any examinations required for certification to be eligible for certification through reciprocity and will be given credit for examinations previously passed when consistent with board rules on examination requirements. A veterans' fully completed application for certification submitted under rule 46.16(3) will be expedited and given priority.

b. A veteran's application for certification must contain all of the information required of all applicants for certification who hold unrestricted certificates in other jurisdictions and who are applying for certification by reciprocity, including, but not limited to, completion of all required forms, payment of applicable fees, disclosure of criminal or disciplinary history, and, if applicable, a criminal history background check. The applicant must use the same forms

as any other applicant for certification by reciprocity and must additionally provide such documentation as is reasonably needed to verify the applicant's status as a veteran under Iowa Code section 35.1(2).

c. Upon receipt of a fully completed certification application, the board will promptly determine if the professional or occupational licensing requirements of the jurisdiction where the veteran is certified are substantially equivalent to the certification requirements in Iowa. The board will make this determination based on information the applicant supplies and such additional information as the board may acquire from the applicable jurisdiction. The board may consider the following factors in determining substantial equivalence: scope of practice, education and coursework, degree requirements, postgraduate experience, and examination required for certification.

d. The board will promptly grant a certificate to the veteran if the applicant is certified in the same or similar profession in another jurisdiction whose certification requirements are substantially equivalent to those required in Iowa and the applicant has passed the written examination administered by the board pursuant to rule 46.5(2), unless the applicant is ineligible for certification based on other grounds, such as the applicant's disciplinary or criminal background.

e. If the board determines that the certification requirements in the jurisdiction in which the veteran is certified are not substantially equivalent to those required in Iowa, the board will promptly inform the veteran of the additional experience, education, or examinations required for certification in Iowa. Unless the applicant is ineligible for certification based on other grounds, such as disciplinary or criminal background, the following apply:

(1) If a veteran has not passed the required examinations for certification, the applicant may not be issued a provisional certificate but may request that the certification application be placed in pending status for up to one year or as mutually agreed to provide the veteran with the opportunity to satisfy the examination requirements.

(2) If additional experience or education is required for the applicant's qualifications to be considered substantially equivalent, the applicant may request that the board issue a provisional certificate for a specified period of time during which the applicant will successfully complete the necessary experience or education. The board may issue a provisional certificate for a specified period of time upon such conditions as the board deems reasonably necessary to protect the health, welfare, or safety of the public, unless the board determines that the deficiency is of a character that the public health, welfare, or safety will be adversely affected if a provisional certificate is granted.

(3) If a request for a provisional certificate is denied, the board will issue an order fully explaining the decision and inform the applicant of the steps the applicant may take to receive a provisional certificate.

(4) If a provisional certificate is issued, the application for full certification will be placed in pending status until the applicant successfully completes the necessary experience or education or the provisional certificate expires, whichever occurs first. The board may extend a provisional certificate on a case-by-case basis for good cause.

f. A veteran who is aggrieved by the board's decision to deny an application for a reciprocal certificate or a provisional certificate, or who is aggrieved by the terms under which a provisional certificate will be granted, may request a contested case (administrative hearing) and may participate in a contested case by telephone. A request for a contested case must be made within 30 days of issuance of the board's decision. No fees or costs shall be assessed against the veteran in connection with a contested case conducted pursuant to this rule 46.16(3).

46.16(4) *Substantially equivalent certification requirements.* The certification requirements of another jurisdiction are substantially equivalent to those of Iowa, if in that jurisdiction~~:~~

~~a. An~~ an individual must demonstrate, by examination administered by the licensing authority of the jurisdiction, proficiency in shorthand equivalent to the standard of the National Court Reporters Association for the earned designation of Registered Professional Reporter.~~; and~~

~~b. An individual must demonstrate, by written examination, knowledge of reporter duties, Iowa legal procedure, and correct English usage at 70 percent accuracy or better.~~

Rule 46.17 Certification by reciprocity.

46.17(1) An applicant with an unrestricted professional certificate as a shorthand reporter in another jurisdiction may apply for certification in Iowa through reciprocity. The applicant will be given credit for examinations previously passed when consistent with board rules on examination requirements.

46.17(2) An applicant's application for certification must contain completion of all required forms, payment of applicable fees, disclosure of criminal or disciplinary history, and, if applicable, a criminal history background check.

46.17(3) Upon receipt of a fully completed certification application, the board will promptly determine if the professional or occupational licensing

requirements of the jurisdiction where the applicant is certified are substantially equivalent to the certification requirements in Iowa. The board will make this determination based on information the applicant supplies and such additional information as the board may acquire from the applicable jurisdiction. The board may consider the following factors in determining substantial equivalence: scope of practice, education and coursework, degree requirements, postgraduate experience, and examination required for certification.

46.17(4) The board will promptly grant a certificate to the applicant if the applicant is certified in the same or similar profession in another jurisdiction whose certification requirements are substantially equivalent to those required in Iowa and the applicant has passed the written examination administered by the board pursuant to rule 46.5(2), unless the applicant is ineligible for certification based on other grounds, such as the applicant's disciplinary or criminal background.

46.17(5) If the board determines that the certification requirements in the jurisdiction in which the applicant is certified are not substantially equivalent to those required in Iowa, the board will promptly inform the applicant of the additional experience, education, or examinations required for certification in Iowa.

46.17(6) An applicant who is aggrieved by the board's decision to deny an application for a reciprocal certificate may request a contested case (administrative hearing) and may participate in a contested case by telephone. A request for a contested case must be made within 30 days of issuance of the board's decision.

46.17(7) Substantially equivalent certification requirements. The certification requirements of another jurisdiction are substantially equivalent to those of Iowa, if in that jurisdiction an individual must demonstrate, by examination administered by the licensing authority of the jurisdiction, proficiency in shorthand equivalent to the standard of the National Court Reporters Association for the earned designation of Registered Professional Reporter.