

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Thursday, January 23, 2025, and filed with the agency secretary on Monday, February 3, 2025.

AGENCY NAME: Alabama Board of Court Reporting

INTENDED ACTION: Amend

RULE NO.: 257-X-3-.01

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **257-X-3-.01 (3), (4) (f) (g)**

RULE TITLE: Temporary Licensure

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted without changes. None received.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 2, AAM,
DATED WEDNESDAY, NOVEMBER 27, 2024.

STATUTORY RULEMAKING AUTHORITY: 34-8B-7

(Date Filed)
(For LRS Use Only)

REC'D & FILED
FEB 3, 2025
LEGISLATIVE SVC AGENCY

Victor K. Biebighauser

Victor Biebighauser

Certifying Officer or his or her
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

257-X-3-.01 Temporary Licensure.

- (1) Effective April 21, 2010, any person who is a graduate of a school of court reporting may apply for temporary licensure.
- (2) Temporary licenses are valid from the date of graduation and shall expire eighteen (18) months after issuance.
- (3) Temporary licenses are not renewable. In the event that a temporary license expires without the temporary licensee having passed the examination for full licensure, court reporting services by the temporary licensee shall cease and desist immediately upon the expiration of the temporary license. Upon expiration of a temporary license, the temporary license number will be removed as soon as practicable from the listing of temporary licenses on the Board's web site. The Board may not be held liable for lost income to the temporary licensee or to the court reporting firm due to expiration of a temporary license.
- (4) The temporary license application will consist of the following:
 - (a) Proof of graduation from a school of court reporting in the form of: Official Transcripts, Copy of Diploma, or Official Letter from the Court Reporting Program's Director;
 - (b) Completed application forms for both the temporary licensee and the supervising court reporter, as approved by the board;
 - (c) Payment of application and temporary license fees as approved by the board.
- (5) The temporary license allows the applicant to practice as a court reporter without passing the examination, subject to the following stipulations:
 - (a) The court reporter with a temporary license shall function under the supervision of a currently licensed court reporter.
 1. "Supervision" requires the licensed, supervising court reporter to be physically present with the temporary licensee and readily accessible to the licensee to designate or prescribe a course of action or give procedural guidance, direction and periodic evaluation. When it is not possible for the supervising court reporter to be physically present or physically accessible, the supervising court reporter may be accessible to the licensee for direction and consultation on a limited, occasional or emergency basis through electronic or telephonic communication. The supervising court reporter shall be responsible to ensure that the temporary licensee does not routinely provide court reporting services in the absence of the direct supervision of the supervising court reporter, as defined in this section.
 - (b) Temporary licensees may not direct bill for court reporting services provided; such services may be billed

solely through the employing court reporter firm or the temporary licensee's supervising court reporter.

(c) The temporary license will be reflected by the initials "TL" for "Temporary License," followed by their assigned number.

(d) All individuals issued a temporary license shall be subject to regulation pursuant to any rules promulgated by the Alabama State Board of Court Reporting and Code of Ala. 1975, Section 34-8B-1, et seq.

(e) Failure of any temporary licensee to meet the requirements for licensure enumerated in Reg. 257-X-3-.03 shall result in the expiration of the temporary license. Temporary licensees are encouraged, at the earliest opportunity, to take and pass the Licensure Examination, as prescribed under Reg. 257-X-3-.03, and must immediately notify the Board and the supervising court reporter in writing of their passage or failure of the Licensure Examination.

(f) The temporary licensee shall notify the Board in writing of the termination of the supervisory relationship and/or the license's transfer to another supervisor, within fourteen (14) days of said termination or transfer. Failure to maintain a current acknowledgement form (Form ABCR TL 1) on file with the Board office, signed by the temporary licensee and his/her supervising court reporter, may subject both the temporary license and the supervising court reporter to disciplinary action by the Board.

(6) A licensed court reporter serving as a supervisor for a temporary licensee must submit a completed application therefore, be in good standing with the Board, and must not have been subject to disciplinary action within the five (5) years previously to his/her application to serve as a supervising court reporter. The application to serve as a supervising court reporter may be denied only for failure to meet the qualifications of this section.

(7) Supervising court reporters shall also be required to comply with the following:

(a) Accept full responsibility for the actions of the temporary licensee while under the supervising court reporter's supervision. Supervising court reporters may not make a temporary or permanent assignment of their supervisory duties over a temporary licensee to another licensed court reporter.

(b) Ensure that the temporary licensee shall not take on an assignment above the temporary licensee's skill level, competency or abilities.

(c) Certify the temporary licensee's work product by including the supervising court reporter's signature and

license number on any transcript produced by the temporary licensee.

(d) Notify the Board in writing of the termination of the supervisory relationship within fourteen (14) days of said termination. Failure to timely provide written notification thereof may subject the supervising court reporter to disciplinary action by the Board.

(8) Upon notification to a temporary licensee that he/she is the subject of a complaint or any anticipated disciplinary action by the Board, the licensee's supervisor shall also receive a copy of the notification provided to the licensee. Any violation of the Board's enabling law or its rules by a temporary licensee may also subject the supervising court reporter to disciplinary action from the Board.

Author: Alabama Board of Court Reporting

Statutory Authority: Code of Ala. 1975, §§34-8B-1 thru 34-8B-18.

History: New Rule: Filed April 19, 2007; effective May 24, 2007. **Amended:** Filed July 23, 2010; effective August 27, 2010.

Amended: Filed June 19, 2012; effective July 24, 2012. **Amended:** Filed May 25, 2017; effective July 9, 2017. **Amended:** Filed March 1, 2019; effective April 15, 2019. **Amended:** Published February 28, 2025; effective April 14, 2025.