

BILL *of* RIGHTS

The National Court Reporters Association wishes to communicate to the legal community at large the basic rights to which attorneys and parties to litigation are entitled when served by a professional court reporter for the purpose of creating a complete and accurate record of legal proceedings.

ARTICLE I

Competence. Attorneys and litigants should expect that a court reporter is a competent record maker. Most court reporters complete specific educational courses and training programs that include rigorous testing of legal procedure, terminology, and transcription skills. Many states require court reporters to complete a state certification exam. More than two-thirds of NCRA's reporter members have received certification as Registered Professional Reporters.

ARTICLE II

Impartiality. Attorneys and litigants must use an impartial record keeper. A reporter, when making the official record, should never provide any advantage to one party over another. As court reporters are officers of the court, they must adhere to Rule 28(c) of the Federal Rules of Civil Procedure, which states: "No depositions shall be taken before a person who is a relative or employee or attorney or counsel of any of the parties, or is a relative or employee of such attorney or counsel, or is financially interested in the action."

ARTICLE III

Disclosure. Attorneys and litigants have the right to question a court reporter prior to the commencement of any legal proceeding to determine if the court reporter has any relationship, interest, or arrangement, financial or otherwise, with any attorney or party to the litigation. Court reporters should alert attorneys to special relationships, interests, or arrangements that exist between a court reporter and any party. Court reporters should disclose to all parties to an action the nature of the services that are being provided. A court reporter should offer to provide comparable services to all parties involved in the matter.

ARTICLE IV

Professionalism. Attorneys have the right to a professional, qualified court reporter for providing record-making services. Because of all of the technological advancements that have been made to enhance the profession – for both official and freelance court reporters – additional levels of experience, certifications, and accrued continuing education credits provide a graduated scale of qualifications for court reporters' professional status.

ARTICLE V

Confidentiality. Court reporters shall preserve the confidentiality and ensure the security of information, both oral and written, entrusted to the court reporter by any of the parties involved in a proceeding.

ARTICLE VI

Accuracy. Title 28 of the U.S. Code requires that each session of Federal court and all other proceedings designated by the court or one of its judges "shall be recorded verbatim." Official court reporters are charged by most jurisdictions with this responsibility in preparing and protecting the legal record of court proceedings. A court reporter must have an extensive vocabulary, be familiar with legal and technical terminology, understand courtroom practices and procedures, maintain high-level stenotype skills, and be able to use sophisticated computer software to transcribe testimony.

ARTICLE VII

Prompt delivery. Court reporters should meet promised delivery dates, make timely delivery of transcripts when no date is specified, and provide immediate notification of delays to all parties and the court. In all cases, transcript delivery is to be made within deadlines prescribed by statute or rule with the court's jurisdiction.

ARTICLE VIII

Quality. Attorneys, litigants, and court participants reserve the right to a quality-controlled record-making process. The National Court Reporters Association has adopted a Quality Improvement Process committing the profession to continuously improving products and services that meet or exceed the end user's requirements and expectations. Through the QIP, NCRA is dedicated to continuous education and training, technological development, high ethical standards, and professional sensitivity.

ARTICLE IX

Reasonable fees. Attorneys, litigants, and the court shall be charged reasonable fees for transcripts. Prices for stenographic services will be disclosed as mandated by law, statute, or court order. In places where fees are determined by state law, court reporters will fully comply with all laws as set forth.

ARTICLE X

Appropriate technological services. Attorneys and litigants should have advanced technology applications made available to them. Court reporters should inform attorneys as to the various services available at the proceeding and the appropriateness of the applications. Depending on the task, services available might include compressed transcripts, ASCII disks of transcripts, realtime display of proceedings, and other services.

NCRA MISSION STATEMENT

NCRA promotes excellence among those who capture and convert the spoken word to text and is committed to supporting every member in achieving the highest level of professional expertise.

