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Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Court Reporting Program
Division:	Department of Commerce and Insurance, Regulatory Boards
Contact Person:	Joseph Wharton, Associate General Counsel
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Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	500 James Robertson Parkway, Davy Crockett Tower, Nashville, TN 37243
Phone:	(615) 741-6500
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Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway, Davy Crockett Tower		
Address 2:	Room 1A		
City:	Nashville, TN		
Zip:	37243		
Hearing Date:	10/30/2025		
Hearing Time:	9:30 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

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Revision Type (check all that apply):

 X Amendment
 New
 X Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0455-01-01	Organization and Administration
Rule Number	Rule Title
0455-01-01-.01	Meetings of the Board

Rules of the Tennessee Court Reporting Program

Chapters 0455-01-01 Organization and Administration, 0455-01-02 Board Policies and Procedure, 0455-01-03 Licensure, 0455-01-04 Standards of Professional Conduct, 0455-01-05 Disciplinary Enforcement, & 0455-01-06 Continuing Education

0455-01-01-.02	Duties of the Officers of the Board
0455-01-01-.03	Board Member Compensation
0455-01-01-.04	Use of Forms
0455-01-01-.05	Maintenance and Inspection of Board Records
0455-01-01-.06	Rules and Regulations

Chapter Number	Chapter Title
0455-01-02	Board Policies and Procedure
Rule Number	Rule Title
0455-01-02-.01	Change of Name or Address
0455-01-02-.02	Lost License
0455-01-02-.03	Verification of Tennessee License
0455-01-02-.04	Fees
0455-01-02-.05	Inactive Status
0455-01-02-.06	Restoration
0455-01-02-.07	Review Process

Chapter Number	Chapter Title
0455-01-03	Licensure
Rule Number	Rule Title
0455-01-03-.01	Temporary Licensure
0455-01-03-.02	Application for Licensure - Standard Process
0455-01-03-.03	Renewal
0455-01-03-.04	Military Applicants

Chapter Number	Chapter Title
0455-01-04	Standards of Professional Conduct
Rule Number	Rule Title
0455-01-04-.01	Standards of Professional Conduct

Chapter Number	Chapter Title
0455-01-05	Disciplinary Enforcement
Rule Number	Rule Title
0455-01-05-.01	Definitions
0455-01-05-.02	Grounds for Denial of License
0455-01-05-.03	Grounds for Discipline of a Licensee or Denial of Renewal or Reinstatement
0455-01-05-.04	Investigation* and Complaints
0455-01-05-.05	Uniform Administrative Procedures Act
0455-01-05-.06	Civil Penalties
0455-01-05-.07	Reinstatement of a Suspended or Revoked License

Chapter Number	Chapter Title
0455-01-06	Continuing Education
Rule Number	Rule Title
0455-01-06-.01	Continuing Education Requirements
0455-01-06-.02	Acquiring Continuing Education Credit
0455-01-06-.03	Continuing Education Sponsors and Programs
0455-01-06-.04	Activities Not Qualifying for Continuing Education Credit

Rules of the Tennessee Court Reporting Program

Chapters 0455-01-01 Organization and Administration, 0455-01-02 Board Policies and Procedure, 0455-01-03 Licensure, 0455-01-04 Standards of Professional Conduct, 0455-01-05 Disciplinary Enforcement, & 0455-01-06 Continuing Education

Chapter 0455-01
Rules of the Tennessee Board of Court Reporting
Amendments

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0455-01-01	Organization and Administration
0455-01-02	Policies and Procedure
0455-01-03	Licensure
0455-01-04	Standards of Professional Conduct
0455-01-05	Disciplinary Enforcement
0455-01-06	Continuing Education

0455-01-02 Board Policies and Procedure, is amended by renaming the chapter “Policies and Procedure”.

0455-01-02 Policies and Procedure

Authority: T.C.A §§ 20-9-605 and 20-9-607.

Chapter 0455-01-01
Organization and Administration
Amendments

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0455-01-01-.01	Definitions	0455-01-01-.05	Maintenance and Inspection of Board
0455-01-01-.02	Duties of the Officers of the Board		Records
0455-01-01-.03	Board Member Compensation	0455-01-01-.06	Rules and Regulations
0455-01-01-.04	Use of Forms		

0455-01-01-.01 Meetings of the Board, is amended by renaming the rule “Definitions” and deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

0455-01-01-.01 Definitions

As used in Chapter 0455, unless context otherwise requires:

- (1) “Act” shall mean the Tennessee Court Reporter Act of 2009, T.C.A. § 20-9-601 et seq.
- (2) “Commissioner” shall mean the commissioner of the Department of Commerce and Insurance of the State of Tennessee, or the commissioner’s designee.

Authority: T.C.A. §§ 20-9-602, 20-9-605, and 20-9-607.

Chapter 0455-01-02
Board Policies and Procedures
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0455-01-02-.01	Change of Name or Address	0455-01-02-.05	Inactive Status
0455-01-02-.02	Lost License	0455-01-02-.06	Restoration
0455-01-02-.03	Verification of Tennessee License	0455-01-02-.07	Review Process
0455-01-02-.04	Fees		

0455-01-02-.01 Change of Name or Address, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) The applicant or licensee shall notify the commissioner of any requested name change. Appropriate legal documents and fees shall be submitted prior to changing the name of the licensee on the

- (2) The licensee shall notify the commissioner of any change in the licensee's personal or business address within 30 days of such change.

Authority: T.C.A. §§ 20-9-607 and 20-9-612.

0455-01-02-.04 Fees, is amended by deleting Paragraph (1) and renumbering the subsequent Paragraphs so that, as amended, the rule shall read:

- (1) Fees are payable by certified check, cashier's check, corporate or business check, money order, personal check or electronic means.
 - (a) Counter checks are not an acceptable method of payment. Personal checks shall be imprinted with the name, address and account number of the applicant or licensee.
 - (b) Personal checks by third parties are not acceptable.
 - (c) Applicants or licensees who submit personal checks returned due to insufficient funds may be prohibited from paying any future fees or civil penalties by personal check.
 - (d) Statutory charges for returned checks shall be paid by the applicant or licensee, along with any penalties and fees authorized pursuant to T.C.A. Title 47, Chapter 29.
- (2) Civil penalties are payable by certified check, cashier's check, corporate or business check, money order or electronic means.
- (3) Payment, regardless of method, that is not honored by the financial institution may result in disciplinary action and/or reporting to the appropriate legal authorities for possible prosecution.
- (4) A license may not be issued until funds are received by the commissioner.
- (5)

Standard Fee Schedule	Amount
(a) License Fee	\$200
(b) Application Fee	\$50
(c) Renewal Fee	\$200
(d) Late Renewal Fee	\$20 per month, or portion thereof, up to six (6) months
(e) Temporary License Fee	\$50
(f) Temporary License Renewal Fee	\$50
(g) Reinstatement Fee	\$350

Authority: T.C.A. §§ 20-9-605, 20-9-607, 20-9-610, 20-9-611, 20-9-612, 20-9-613, and 20-9-614.

0455-01-02-.05 Inactive Status, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

A person not actively engaged in the practice of court reporting may place their license on inactive status by issuing a written request for inactive status to the commissioner. The request shall be issued to the commissioner by U.S. mail or electronic mail.

Authority: T.C.A. §§ 20-9-605, 20-9-607, and 20-9-615.

0455-01-02-.06 Restoration, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) A person seeking restoration of a license after it has been placed on inactive status for up to 5 years shall file an application with the commissioner together with the required fees. In order to restore a license, a person shall submit proof of 15 hours of continuing education completed within one year before restoration.
- (2) Upon receipt of an application and the appropriate fees, the commissioner shall issue a restoration of a license, notify the applicant in writing of the reasons for denying the application, or notify the applicant in writing of the deficiencies in the application.

Authority: T.C.A. §§ 20-9-605 and 20-9-607.

Chapter 0455-01-03
Licensure
Amendments

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0455-01-03-.01	Temporary Licensure	0455-01-03-.04	Military Applicants
0455-01-03-.02	Application for Licensure – Standard Process	0455-01-03-.05	Repealed
0455-01-03-.03	Renewal and Reinstatement of a Suspended or Revoked License	0455-01-03-.06	Repealed
		0455-01-03-.07	Repealed

0455-01-03-.01 Temporary Licensure, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

Any person who provides to the commissioner satisfactory proof of graduation from a court reporting program or its equivalent shall, upon application to the commissioner on forms approved by the commissioner and payment of a fee in an amount determined by the commissioner, be issued a temporary license to practice as a court reporter. This temporary license shall expire one-hundred and eighty (180) days following the date upon which the next commissioner-approved examination for licensure is given. Up to three (3) additional temporary licenses may be granted upon sufficient proof of good cause for issuance.

Authority: T.C.A. §§ 20-9-605, 20-9-607, 20-9-609, 20-9-612, 20-9-613, and 20-9-614.

0455-01-03-.02 Application for Licensure- Standard Process, Paragraph (1), Subparagraph (b) is amended by deleting the text of the Subparagraph and substituting the following so that, as amended, Subparagraph (1)(b) shall read:

- (b) Applications for licensure shall be signed under penalty of perjury by the applicants and submitted on forms furnished by the commissioner.

Authority: T.C.A. §§ 20-9-605, 20-9-607, 20-9-609, and 20-9-613.

0455-01-03-.03 Renewal, is amended by renaming the rule “Renewal and Reinstatement of a Suspended or Revoked License” and deleting the text of the rule and substituting the following so that, as amended the rule shall read:

0455-01-03-.03 Renewal and Reinstatement of a Suspended or Revoked License

- (1) Renewal

(a) All licenses shall expire on June 30 in the year of expiration and all renewals will be effective
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- (b) Applications for the renewal of licenses shall be made by on forms provided by the commissioner and shall contain all information required by the commissioner pursuant to the Act and these rules.
 - (c) Applications for renewals will not be considered filed until the applicable fee prescribed in these rules is received.
 - (d) A newly issued court reporter license in Tennessee shall be valid for two (2) years or for other such period of time authorized by T.C.A. § 20-9-611. The holder of the license may renew such license during the 60 days preceding the expiration date thereof by paying the required fee and completion of the application for renewal.
 - (e) It is the responsibility of each licensee to notify the commissioner of any change of address within thirty (30) days. Failure to receive a renewal form from the commissioner shall not constitute an excuse for failure to renew licensure.
 - (f) Late renewal applications may be received following expiration of license with the required fees. No late renewal will be granted if a completed application is not received by the commissioner within six (6) months of the expiration of the license. After six (6) months following the expiration of the license, the applicant shall apply for a new license.
 - (g) A license that has been expired for more than six (6) months is ineligible for reinstatement.
- (2) Reinstatement of a Suspended or Revoked License
- (a) Application for reinstatement shall include evidence of corrective action taken by the licensee. Such application shall be made utilizing the forms provided by the commissioner.
 - (b) In considering reinstatement of a suspended or revoked license, the commissioner may evaluate factors that include but are not limited to:
 - 1. Severity of the act(s) that resulted in suspension or revocation of the license.
 - 2. Conduct of the applicant subsequent to the suspension or revocation of the license.
 - 3. Lapse of time since suspension or revocation.
 - 4. Compliance with all reinstatement requirements stipulated by the commissioner.
 - 5. Rehabilitation attained by the applicant as evidenced by statements provided directly to the commissioner from qualified individuals who has professional knowledge of the applicant.
 - 6. Violation by the applicant of any applicable statute or rule.
 - 7. Direct or implied representation(s) of licensure by the individual during the period of revocation.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-608, 20-9-609, 20-9-611, 20-9-612, 20-9-613, and 20-9-614.

0455-01-03-.04 Military Applicants, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) An applicant for licensure meeting the requirements of T.C.A. § 4-3-1304(d)(1) may:

- (a) Be issued a license upon application and payment of all fees required for the issuance of such license, if, in the opinion of the commissioner, the requirements for licensure satisfied by the applicant in another state are substantially equivalent to that required in Tennessee; or
- (b) Be issued a temporary permit as described herein if the commissioner determines that the applicant's license does not meet the requirements for substantial equivalency, but that the applicant could perform additional acts, including – but not limited to – education, training, or experience, in order to meet the requirements for the license to be substantially equivalent. The commissioner may issue a temporary permit upon application and payment of all fees required for issuance of a regular license of the same type, which shall allow such person to perform services as if fully licensed for a set period of time that is determined to be sufficient by the commissioner for the applicant to complete such requirements.
 - 1. After completing those additional requirements and providing the commissioner with sufficient proof thereof as may be required, a full license shall be issued to the applicant with an issuance date of the original issuance of the temporary permit and an expiration date as if the full license had been issued at that time.
 - 2. A temporary permit shall be issued for a period no longer than the length of a renewal cycle for a full license of the same type.
 - 3. A temporary permit shall expire upon the date set by the commissioner and shall not be subject to renewal except through the completion of the requirements for substantial equivalency as required by the commissioner or by an extension of time granted for good cause by the commissioner.
 - 4. Should an extension to a temporary permit cause the permit to be in effect longer than the renewal cycle of a full license, then the holder of the temporary permit shall file a renewal application with such documentation and fees, including completion of continuing education, as are required by the commissioner for all other renewals of a full license of the same type.
- (2) Military education, training, or experience completed by a person described at T.C.A. § 4-3-1304(d)(1)(B)(ii)(a)-(c) shall be accepted toward the qualifications, in whole or in part, to receive any license issued by the commissioner if such military education, training, or experience is determined by the commissioner to be substantially equivalent to the education, training, or experience required for the issuance of such license.
- (3) Any licensee who is a member of the National Guard or a reserve component of the armed forces of the United States called to active duty whose license expires during the period of activation shall be eligible to be renewed upon the licensee being released from active duty without:
 - (a) Payment of late fees or other penalties; or
 - (b) Obtaining continuing education credits when:
 - 1. Circumstances associated with the person's military duty prevented the obtaining of continuing education credits and a waiver request has been submitted to the commissioner; or
 - 2. The person performs the licensed occupation as part of such person's military duties and provides documentation sufficient to demonstrate such to the commissioner.
- (4) The license shall be eligible for renewal pursuant to Paragraph (3) for six (6) months from the person's release from active duty.
- (5) Any person renewing under Paragraph (3) shall provide the commissioner such supporting

Authority: T.C.A. §§ 4-3-1304, 20-9-605, 20-9-607, 20-9-609, and 20-9-613.

Chapter 0455-01-04
Standards of Professional Conduct
Amendments

0455-01-04-.01 Standards of Professional Conduct, Paragraph (1) is amended by deleting the text of the Paragraph and substituting the following so that, as amended, Paragraph (1) shall read:

- (1) In order to establish and maintain a high standard of integrity in the practice of court reporting, the following Standards of Professional Conduct shall be binding on every person holding a license, of any type, from the commissioner. A Tennessee Licensed Court Reporter:
 - (a) Shall be fair and impartial toward each participant in all aspects of reported proceedings and must disclose any conflict of interest or appearance of impropriety as soon as it arises pursuant to T.C.A. § 24-9-136.
 - (b) Should only accept an assignment if their level of competence will result in the preparation of an accurate transcript, shall refuse an assignment if they believe their abilities are inadequate, and shall recommend or assign an assignment to another licensee only if such licensee has the competence required for such assignment.
 - (c) Shall provide information regarding services to be rendered regarding administration of professional services to all parties and shall make timely delivery of transcripts.
 - (d) Should immediately seek inactive status and refrain from practice if they become impaired and unable to function according to the standards of practice.
 - (e) Shall preserve the confidentiality and ensure the security of information, oral or written, entrusted to the licensee by any and all of the parties in the proceeding.
 - (f) Shall establish a plan for the security and preservation of un-transcribed notes and any backups, both paper and electronic. All such plans shall preserve notes and backups for a period of time that complies with statutory requirement or rules and guidelines of the court. In the absence of a law or rule, notes and backups must be retained for no less than five (5) years.
 - (g) Shall affix the licensee's signature, license number and expiration date to a transcript to certify to its accuracy.
 - (h) Shall not authorize the use of the licensee number on any transcript not produced through the personal effort or supervision, or both.
 - (i) Shall not permit the use of the licensee name or firm's name, nor shall a licensee be associated in business ventures with persons or firms that the licensee has reason to believe to be engaging in fraudulent or dishonest business practices.
 - (j) Shall inform the commissioner if they have knowledge that another court reporter has committed a violation of these Standards of Professional Conduct or the Tennessee Court Reporter Act of 2009.
 - (k) Shall cooperate with any investigation resulting from a complaint for disciplinary action.
 - (l) Shall not commit a criminal act that reflects on the court reporter's honesty, trustworthiness or fitness as a court reporter.

Rules of the Tennessee Court Reporting Program

Chapters 0455-01-01 Organization and Administration, 0455-01-02 Board Policies and Procedure, 0455-01-03 Licensure, 0455-01-04 Standards of Professional Conduct, 0455-01-05 Disciplinary Enforcement, & 0455-01-06 Continuing Education

- (m) Shall be truthful and accurate when making public statements or when advertising qualifications or services provided.
- (n) Shall meet all mandated continuing education requirements.
- (o) Shall refrain from giving, directly or indirectly, any gift, incentive, reward or anything of value to attorneys or any other persons or entities associated with the litigation.

Authority: T.C.A. §§ 20-9-605 and 20-9-607.

Chapter 0455-01-05
Disciplinary Enforcement
Amendments

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0455-01-05-.02	Grounds for Discipline and Grounds for Denial of a License, Renewal, or Reinstatement		
0455-01-05-.03	Grounds for Discipline of a Licensee or Denial of Renewal or Reinstatement	0455-01-05-.08	Repealed
		0455-01-05-.09	Repealed
0455-01-05-.04	Investigation and Complaints	0455-01-05-.10	Repealed
0455-01-05-.05	Uniform Administrative Procedures Act	0455-01-05-.11	Repealed
0455-01-05-.06	Civil Penalties		

0455-01-05-.01 Definitions, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) "Civil Penalty" means: a monetary penalty imposed by the commissioner pursuant to T.C.A. §§ 20-9-608 or 56-1-308.
- (2) "Suspension": means the temporary withdrawal of a license by the commissioner.
- (3) "Revocation": means the withdrawal of a license by the commissioner.
- (4) "Voluntary Surrender": means the voluntary relinquishment of a license that has the force and effect of a revocation.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 56-1-308, and 20-9-608.

0455-01-05-.02 Grounds for Denial of a License, Paragraph (1) is amended by deleting the text of the Paragraph and substituting the following so that, as amended, Paragraph (1) shall read:

- (1) The commissioner may refuse to issue a license for:
 - (a) Failure to meet any requirement or standard established by law or by rules and regulations adopted by the commissioner.
 - (b) Engaging in fraud, misrepresentation, deception, or concealment of a material fact in applying for or securing licensure or taking any examination required for licensure.
 - (c) Having disciplinary action pending or having a license denied, conditionally issued, suspended, revoked, or voluntarily surrendered in another state, territory or country.
 - (d) Having been court-martialed or administratively discharged by a branch of the United States Armed Forces for any act or conduct that would constitute grounds for discipline.
 - (e) Any grounds for which the license could be suspended or revoked.
 - (f) Any other reason authorized by law.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-609, 20-9-610, and 20-9-612.

0455-01-05-.02 Grounds for Denial of a License, is amended by renaming the rule “Grounds for Discipline and Grounds for Denial of a License, Renewal, or Reinstatement” and by adding a new Paragraph (2) which shall read:

0455-01-05-.02 Grounds for Discipline and Grounds for Denial of a License, Renewal, or Reinstatement

- (2) The commissioner may suspend, revoke, or otherwise discipline any court reporter upon proof that the person:
 - (a) Is guilty of fraud or deceit in procuring or attempting to procure a license by:
 - 1. Filing false, forged, or altered documents or credentials, including required continuing education documentation.
 - 2. Misrepresenting or falsifying facts in applying for original licensure, renewal, reactivation or reinstatement of license.
 - 3. Having another person appear for a licensing or certification examination.
 - (b) Has been convicted of a felony or a crime of moral turpitude that reflects on the court reporter's honesty, trustworthiness or fitness as a court reporter in other respects, subject to T.C.A. § 62-76-104.
 - (c) Is impaired due to the use of alcohol or is addicted to the use of habit-forming drugs to such an extent as to render the court reporter unsafe or unreliable.
 - (d) Is guilty of unprofessional conduct of a character likely to deceive, defraud, or injure the public in matters of court reporting, which includes but is not limited to:
 - 1. Failure to comply with the Act or Rules Chapter 0455, as well as federal, state, or local laws, rules, or regulations applicable to the area of court reporting practice.
 - 2. Failure to practice court reporting in accordance with the standards of practice adopted by the commissioner.
 - 3. Representing oneself as a court reporter without a license.
 - 4. Practicing or attempting to practice court reporting without a valid license issued by the commissioner.
 - 5. Having a license denied, conditionally issued, reprimanded, placed on probation, suspended, revoked, or voluntarily surrendered in another state, territory or country, or having been court-martialed or administratively discharged by a branch of the United States Armed Forces for any act or conduct which would constitute grounds for disciplinary action in this state. A certified copy of the record of the agency that took such action shall be conclusive evidence of the grounds for discipline.
 - 6. Practice beyond the scope of practice as determined by, but not limited to educational preparation; license status; state and federal statutes and regulations; state and national standards appropriate to the type of practice; and court reporting experience.
 - 7. Falsification of credentials or employment records
 - (e) Failed to respond to official correspondence from the commissioner, including but not limited to requests for information, subpoenas, or notices.

- (f) Failed to comply with any stipulated terms and conditions of any commissioner order or contract.
- (g) Failed to comply with the commissioner's continuing education requirements.
- (h) Submitted payment of any fees or civil penalties to the commissioner with a worthless check, invalid credit card, or by any other method that is not honored by the financial institution.
- (i) Is subject to any grounds for which the commissioner could refuse to issue the license.
- (j) Poses a risk to public safety for any other reasons stated by law.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-608, 20-9-609, 20-9-610, 20-9-611, and 20-9-612.

0455-01-05-.04 Investigations and Complaints, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) The commissioner may, upon its own motion, or shall, upon the sworn complaint in writing of any person, investigate any person engaged, or suspected of engaging, in court reporting regulated under the Tennessee Court Reporter Act of 2009.
- (2) Upon receipt of any written complaint regarding any licensee or person engaged in unlicensed activity, the commissioner shall provide a copy of the written complaint to the accused party. Such party shall file a written answer to the complaint, within twenty (20) days, upon request by the commissioner.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, and 20-9-608.

0455-01-05-.05 Uniform Administrative Procedures Act, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

The commissioner hereby adopts by reference as its rules the Uniform Administrative Procedures Act, T.C.A. Title 4, Chapter 5, for governing contested cases, appeals, and related proceedings.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, and 20-9-608.

0455-01-05-.06 Civil Penalties, Paragraph (1) is amended by deleting the text of the Paragraph and substituting the following so that, as amended, Paragraph (1) shall read:

- (1) In addition to or in lieu of any other lawful disciplinary action, the commissioner may:
 - (a) Assess a civil penalty not to exceed five hundred dollars (\$500.00) per violation against any licensee or person required to be licensed as a court reporter in Tennessee for each separate violation of T.C.A. § 20-9-608.
 - (b) Assess a civil penalty not to exceed one thousand dollars (\$1,000.00) per violation against any licensee or person required to be licensed as a court reporter in Tennessee for each separate statutory or regulatory violation excluding violations of T.C.A. § 20-9-608.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-608, and 56-1-308.

0455-01-05-.06 Civil Penalties, Paragraphs (2), (3), and (4) are amended by deleting the word "Board" and replacing it with "commissioner", deleting the Paragraph (2), renumbering Paragraph (3) as Paragraph (2), and Paragraph (4) as Paragraph (3) so that, as amended, the Paragraphs shall read:

- (2) Each daily violation constitutes a separate offense.
- (3) In determining the amount of any penalty to be assessed pursuant to this rule, the commissioner

- (a) Whether the amount imposed will be a substantial economic deterrent to the violator;
- (b) The circumstances leading to the violation;
- (c) The severity of the violation and the risk of harm to the public;
- (d) The economic benefits gained by the violator as a result of noncompliance;
- (e) The interest of the public; and
- (f) Willfulness of the violation.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-608, and 56-1-308.

Chapter 0455-01-06
Continuing Education
Amendments

0455-01-06-.01 Continuing Education Requirements, is amended by deleting Paragraph (4) and renumbering the subsequent paragraphs so that, as amended, the rule shall read:

- (1) Beginning with the first renewal period and every renewal period thereafter, every licensee who applies for renewal of a license shall have completed two (2) credits of continuing education (CE) relevant to the practice of court reporting.
- (2) A renewal period is the twenty-four (24) months preceding July 1 of the year of license expiration.
- (3) A CE credit means ten (10) hours of continuing education.
- (4) Non-resident licensees shall comply with the CE requirements set forth in this Chapter.
- (5) Failure to obtain the requisite CE credits will result in an incomplete application and will cause the application to not be processed.

Authority: T.C.A. §§ 20-9-605, 20-9-607, and 20-9-612.

0455-01-06-.02 Acquiring Continuing Education Credit, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) Continuing Education hours may be earned from:
 - (a) Verified attendance at or participation in a program, activity or course through a national or state court reporting association.
 - (b) Verified attendance (e.g. license of attendance or license of completion) at or participation in a program, activity or course ("program") presented by a continuing education sponsor in Rule 0455-01-06-.03,
 - (c) Verified attendance at a program that is of general information value to court reporters but does not directly relate to the reporter's ability to produce an accurate and timely transcript. A maximum of 7 (seven) hours credit may be counted during a pre-renewal period for such programs, which include:
 - 1. Professionalism, including knowledge and application of standards of professional responsibility, impartiality, public relations; and

2. Office procedures, record-keeping, health, including a reporter's approach to personal tax management, planning for retirement or changing careers within reporting, maintaining the individual reporter's health and emotional adjustment, ability to listen, to concentrate, to communicate, to cope.
- (d) Verified personal preparation of educational presentations pertaining to the profession of court reporting and serving as an instructor, speaker or panel member at an approved course will be allowed as CE credit for actual presentation time, plus actual preparation time of up to 4 hours of each hour of presentation. Credits for preparation time shall not be allowed for repetitious presentations. No more than 12 hours of credit can be earned under this category in any one renewal period.
- (e) Writing articles to the profession of court reporting and published in a state or nationally recognized professional journal of court reporting or law. No more than 6 hours of credit can be earned under this category in any one renewal period. Credits will not be allowed for the same article published in more than one publication.
- (2) Proof of attendance at the course or other qualifying continuing education activity must be submitted to the commissioner for approval.

Authority: T.C.A. §§ 20-9-605, 20-9-607, and 20-9-612.

0455-01-06-.03 Continuing Education Sponsors and Programs, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) Sponsor, as used in this Chapter, shall mean the following:
 - (a) The National Court Reporters Association (NCRA);
 - (b) The National Verbatim Reporters Association (NVRA);
 - (c) The Tennessee Court Reporters Association (TNCRA) or any state court reporters association whose course or program has been approved for CE credits under the guidelines of any national or state court reporting association;
 - (d) Any computer users group whose program or course has been approved for CE credits under the guidelines of any national or state court reporting association;
 - (e) A city, county, state or federal judicial body responsible for coordination and presentation of CE courses or programs for its employees;
 - (f) A university or college course or adult education program that contributes directly to the Court Reporter's knowledge, ability or competence to perform his/her duties; and
- (2) All programs shall contribute to the advancement, extension and enhancement of the professional skills and knowledge of the individual licensee in the practice of court reporting.
- (3) Each CE program shall provide a mechanism for evaluation of the program by the participants. The evaluation may be completed on-site immediately following the program or an evaluation questionnaire may be distributed to participants to be completed and returned by mail. The sponsor and the instructor, together, shall review the evaluation outcome and revise subsequent programs accordingly.
 - (a) The sponsor shall maintain attendance records for not less than 5 years.
 - (b) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.

Rules of the Tennessee Court Reporting Program
Chapters 0455-01-01 Organization and Administration, 0455-01-02 Board Policies and Procedure, 0455-01-03 Licensure, 0455-01-04 Standards of Professional Conduct, 0455-01-05 Disciplinary Enforcement, & 0455-01-06 Continuing Education
Authority: T.C.A. §§ 20-9-605, 20-9-607, and 20-9-612.

Chapter 0455-01-01
Organization and Administration
Repeal

TABLE OF CONTENTS

0455-01-01-01	Meetings of the Board	0455-01-01-05	Repealed
0455-01-01-02	Repealed	0455-01-01-06	Repealed
0455-01-01-03	Repealed		
0455-01-01-04	Repealed		

0455-01-01-02 Duties of the Officers of the Board, is repealed in its entirety.

Authority: T.C.A. §§ 20-9-605 and 20-9-607.

0455-01-01-03 Board Member Compensation, is repealed in its entirety.

Authority: T.C.A. § 20-9-607.

0455-01-01-04 Use of Forms, is repealed in its entirety.

Authority: T.C.A. §§ 20-9-605, 20-9-607, 20-9-609, 20-9-610, 20-9-613, and 20-9-614.

0455-01-01-05 Maintenance and Inspection of Boards Records, is repealed in its entirety.

Authority: T.C.A. §§ 20-9-605, and 20-9-607.

0455-01-01-06 Rules and Regulations, is repealed in its entirety.

Authority: T.C.A. § 20-9-607.

Chapter 0455-01-02
Board Policies and Procedures
Repeal

TABLE OF CONTENTS

0455-01-02-01	Change of Name or Address	0455-01-02-05	Inactive Status
0455-01-02-02	Repealed	0455-01-02-06	Restoration
0455-01-02-03	Repealed	0455-01-02-07	Repealed
0455-01-02-04	Fees		

0455-01-02-02 Lost License, is repealed in its entirety.

Authority: T.C.A. §§ 20-9-605 and 20-9-607.

0455-01-02-03 Verification of Tennessee License, is repealed in its entirety.

Authority: T.C.A. §§ 20-9-605 and 20-9-607.

0455-01-02-07 Review Process, is repealed in its entirety.

Authority: T.C.A. §§ 20-9-605 and 20-9-607.

Rules of the Tennessee Court Reporting Program

Chapters 0455-01-01 Organization and Administration, 0455-01-02 Board Policies and Procedure, 0455-01-03 Licensure, 0455-01-04 Standards of Professional Conduct, 0455-01-05 Disciplinary Enforcement, & 0455-01-06 Continuing Education

Chapter 0455-01-05
Disciplinary Enforcement
Repeal

TABLE OF CONTENTS

0455-01-05-.01	Definitions	0455-01-05-.07	Repealed
0455-01-05-.02	Grounds for Denial of a License		
0455-01-05-.03	Repealed	0455-01-05-.08	Repealed
		0455-01-05-.09	Repealed
0455-01-05-.04	Investigation and Complaints	0455-01-05-.10	Repealed
0455-01-05-.05	Uniform Administrative Procedures Act	0455-01-05-.11	Repealed
0455-01-05-.06	Civil Penalties		

0455-01-05-.03 Grounds for Discipline of Licensee of Denial of Renewal or Reinstatement, is repealed in its entirety.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-608, 20-9-609, 20-9-610, 20-9-611, and 20-9-612.

0455-01-05-.07 Reinstatement of a Suspended or Revoked License, is repealed in its entirety.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, and 20-9-608.

Chapter 0455-01-06
Continuing Education
Repeal

TABLE OF CONTENTS

0455-01-06-.01	Continuing Education Requirements	0455-01-06-.04	Repealed
0455-01-06-.02	Acquiring Continuing Education Credit		
0455-01-06-.03	Continuing Education Sponsors and Programs	0455-01-06-.05	Repealed
		0455-01-06-.06	Repealed

0455-01-06-.04 Activities Not Qualifying for Continuing Education Credit, is repealed in its entirety.

Authority: T.C.A. §§ 20-9-605, 20-9-607, and 20-9-612.

Rules of the Tennessee Court Reporting Program

Chapters 0455-01-01 Organization and Administration, 0455-01-02 Board Policies and Procedure, 0455-01-03 Licensure, 0455-01-04 Standards of Professional Conduct, 0455-01-05 Disciplinary Enforcement, & 0455-01-06 Continuing Education

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: August 27, 2025

Signature: 

Name of Officer: Reid Witcher

Title of Officer: Assistant Commissioner, Regulatory Boards Division

Department of State Use Only

Filed with the Department of State on: 8/28/2025



Tre Hargett
Secretary of State

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 File Date: _____

Notice of Rulemaking Hearing- **Redline**

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Court Reporting Program
Division:	Department of Commerce and Insurance, Regulatory Boards
Contact Person:	Joseph Wharton, Associate General Counsel
Address:	500 James Robertson Parkway, Davy Crockett Tower, Nashville, TN
Zip:	37243
Phone:	(615) 253-1837
Email:	Joseph.Wharton@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	500 James Robertson Parkway, Davy Crockett Tower, Nashville, TN 37243
Phone:	(615) 741-6500
Email:	Don.Coleman@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	
Address 2:	
City:	
Zip:	
Hearing Date:	mm/dd/yyyy
Hearing Time:	____ CST/CDT ____ EST/EDT

Additional Hearing Information:

--

Revision Type (check all that apply):

☒ Amendment
☐ New
☒ Repeal

Rule(s) (**ALL** chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0455-01-01	Organization and Administration
Rule Number	Rule Title
0455-01-01-.01	Meetings of the Board

Rules of the Tennessee Court Reporting Program

Chapters 0455-01-01 Organization and Administration, 0455-01-02 Board Policies and Procedure, 0455-01-03 Licensure, 0455-01-04 Standards of Professional Conduct, 0455-01-05 Disciplinary Enforcement, & 0455-01-06 Continuing Education

0455-01-01-.02	Duties of the Officers of the Board
0455-01-01-.03	Board Member Compensation
0455-01-01-.04	Use of Forms
0455-01-01-.05	Maintenance and Inspection of Board Records
0455-01-01-.06	Rules and Regulations

Chapter Number	Chapter Title
0455-01-02	Board Policies and Procedure
Rule Number	Rule Title
0455-01-02-.01	Change of Name or Address
0455-01-02-.02	Lost License
0455-01-02-.03	Verification of Tennessee License
0455-01-02-.04	Fees
0455-01-02-.05	Inactive Status
0455-01-02-.06	Restoration
0455-01-02-.07	Review Process

Chapter Number	Chapter Title
0455-01-03	Licensure
Rule Number	Rule Title
0455-01-03-.01	Temporary Licensure
0455-01-03-.02	Application for Licensure - Standard Process
0455-01-03-.03	Renewal
0455-01-03-.04	Military Applicants

Chapter Number	Chapter Title
0455-01-04	Standards of Professional Conduct
Rule Number	Rule Title
0455-01-04-.01	Standards of Professional Conduct

Chapter Number	Chapter Title
0455-01-05	Disciplinary Enforcement
Rule Number	Rule Title
0455-01-05-.01	Definitions
0455-01-05-.02	Grounds for Denial of License
0455-01-05-.03	Grounds for Discipline of a Licensee or Denial of Renewal or Reinstatement
0455-01-05-.04	Investigation* and Complaints
0455-01-05-.05	Uniform Administrative Procedures Act
0455-01-05-.06	Civil Penalties
0455-01-05-.07	Reinstatement of a Suspended or Revoked License

Chapter Number	Chapter Title
0455-01-06	Continuing Education
Rule Number	Rule Title
0455-01-06-.01	Continuing Education Requirements
0455-01-06-.02	Acquiring Continuing Education Credit
0455-01-06-.03	Continuing Education Sponsors and Programs
0455-01-06-.04	Activities Not Qualifying for Continuing Education Credit

Chapter 0455-01
 Rules of the Tennessee Board of Court Reporting
 Amendments

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0455-01-01	Organization and Administration
0455-01-02	Board Policies and Procedure
0455-01-03	Licensure
0455-01-04	Standards of Professional Conduct
0455-01-05	Disciplinary Enforcement
0455-01-06	Continuing Education

0455-01-02 Board Policies and Procedure, is amended by renaming the chapter “Policies and Procedure”.

0455-01-02 ~~Board~~ Policies and Procedure

Authority: [T.C.A §§ 20-9-605 and 20-9-607.](#)

Chapter 0455-01-01
 Organization and Administration
 Amendments

TABLE OF CONTENTS

0455-01-01-.01	Definitions Meetings of the Board	0455-01-01-.05	Maintenance and Inspection of Board
0455-01-01-.02	Duties of the Officers of the Board		Records
0455-01-01-.03	Board Member Compensation	0455-01-01-.06	Rules and Regulations
0455-01-01-.04	Use of Forms		

0455-01-01-.01 Meetings of the Board, is amended by renaming the rule “Definitions” and deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

0455-01-01-.01 ~~Definitions~~[Meetings of the Board](#)

[As used in Chapter 0455, unless context otherwise requires:](#)

- (1) [“Act” shall mean the Tennessee Court Reporter Act of 2009, T.C.A. § 20-9-601 et seq](#)~~The Board shall comply with the Tennessee Public Meetings law, Title 8, Chapter 44 of Tennessee Code Annotated.~~
- (2) [“Commissioner” shall mean the commissioner of the Department of Commerce and Insurance of the State of Tennessee, or the commissioner’s designee](#)~~A minimum of two regular meetings shall be held each year.~~
- (3) ~~Four of the members of the Board shall constitute a quorum for the transaction of business.~~
- (4) ~~At its first meeting each calendar year, the board shall elect a Chair, a Vice Chair and a Secretary from its membership. No member shall be elected to serve more than two consecutive years in the same office.~~
- (5) ~~The Chair shall, in accordance with these rules, rule upon all questions of procedure and, in the event that evidence is taken, on the admissibility of that evidence. The decision of the Chair shall be final.~~
- (6) ~~All members of the Board, including the Chair, are entitled to vote and to make or second motions. A majority of those members on the Board present and voting on any matter shall decide that matter before the Board.~~

- ~~(7) Special meetings may be called by the Chair or by a quorum of the Board.~~
- ~~(8) Notice of a meeting shall be given to all Board members at least seven days in advance of the meeting, unless all Board members agree to waive the seven day notice, or unless exigent circumstances require meeting with less notice.~~
- ~~(9) Requests to present information to the Board during a regularly scheduled Board meeting shall be submitted in writing to the Director of the Administrative Office of the Courts, or his/her designee, at least fourteen days prior to the meeting. Exceptions may be made in extraordinary circumstances at the direction of the Chair. All requests are subject to review and approval by the Chair. The usual time limitation for presentations will be five minutes with exceptions made by permission of the Chair. Written requests should include:~~
- ~~(a) Contact information of the designated spokesperson; and~~
- ~~(b) Summary of information to be presented.~~
- ~~(10) The Secretary or designee shall keep a record of all regular meetings. The minutes shall be transcribed and presented for approval or amendment at the next regular meeting. The minutes or a true copy thereof, approved by the Board, shall be open to public inspection. The minutes shall reflect:~~
- ~~(a) The time and place of each regular meeting of the Board;~~
- ~~(b) Names of the Board members present;~~
- ~~(c) Whether guests were present, and if guests made presentations to the board, the name of the presenter and subject of such presentation;~~
- ~~(d) All official acts of the Board;~~
- ~~(e) The vote of the Board except when the votes are unanimous;~~
- ~~(f) When requested by a dissenting Board member, specific reasons shall be recorded; and~~
- ~~(g) A roll call vote may be taken upon the request of a Board member.~~
- ~~(11) All regular meetings of the Board shall be open and public except for executive sessions as provided by the Tennessee Public Meetings law, T.C.A Title 8, Chapter 44.~~

Authority: T.C.A. §§ [20-9-602](#), ~~20-9-604~~ [20-9-605](#), and 20-9-607.

Chapter 0455-01-02
Board Policies and Procedures
Amendments

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0455-01-02-.01	Change of Name or Address	0455-01-02-.05	Inactive Status
0455-01-02-.02	Lost License	0455-01-02-.06	Restoration
0455-01-02-.03	Verification of Tennessee License	0455-01-02-.07	Review Process
0455-01-02-.04	Fees		

0455-01-02-.01 Change of Name or Address, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) The applicant or licensee shall notify the ~~commissioner~~**Board** of any requested name change. Appropriate legal documents and fees shall be submitted prior to changing the name of the licensee on the license card.

- (2) The licensee shall notify the ~~commissioner~~[Board](#) of any change in the licensee's personal or business address within 30 days of such change.

Authority: T.C.A. §§ 20-9-607 and 20-9-612.

0455-01-02-.04 Fees, is amended by deleting Paragraph (1) and renumbering the subsequent Paragraphs so that, as amended, the rule shall read:

~~(1) Fees and civil penalties are not refundable.~~

~~(1)~~(2) Fees are payable by certified check, cashier's check, corporate or business check, money order, personal check or electronic means.

(a) Counter checks are not an acceptable method of payment. Personal checks shall be imprinted with the name, address and account number of the applicant or licensee.

(b) Personal checks by third parties are not acceptable.

(c) Applicants or licensees who submit personal checks returned due to insufficient funds may be prohibited from paying any future fees or civil penalties by personal check.

(d) Statutory charges for returned checks shall be paid by the applicant or licensee, along with any penalties and fees authorized pursuant to T.C.A. Title 47, Chapter 29.

~~(2)~~(3) Civil penalties are payable by certified check, cashier's check, corporate or business check, money order or electronic means.

~~(3)~~(4) Payment, regardless of method, that is not honored by the financial institution may result in disciplinary action and/or reporting to the appropriate legal authorities for possible prosecution.

~~(4)~~(5) A license may not be issued until funds are received by the ~~commissioner~~[Board](#).

~~(5)~~(6) Standard Fee Schedule Amount

(a) License Fee\$200

(b) Application Fee.....\$50

(c) Renewal Fee\$200

(d) Late Renewal Fee\$20 per month, or portion thereof, up to six
(6) months

(e) Temporary License Fee\$50

(f) Temporary License Renewal Fee\$50

(g) Reinstatement Fee\$350

Authority: T.C.A. §§ 20-9-605, 20-9-607, 20-9-610, 20-9-611, 20-9-612, 20-9-613, and 20-9-614.

0455-01-02-.05 Inactive Status, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

A person not actively engaged in the practice of court reporting may place their license on inactive status by [issuing a written request for inactive status to the commissioner. The request shall be issued to the](#)

Authority: T.C.A. §§ 20-9-605, 20-9-607, and 20-9-615.

0455-01-02-.06 Restoration, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) A person seeking restoration of a license after it has been placed on inactive status for up to 5 years shall file an application with the [commissioner](#)~~Board~~ together with the required fees. ~~After July 1, 2011, i~~n order to restore a license, a person shall submit proof of 15 hours of continuing education completed within one year before restoration. ~~The applicant shall also submit either:~~
 - ~~(a) — Certification of current licensure from another jurisdiction completed by the appropriate board or licensure authority;~~
 - ~~(b) — Affidavits from two (2) members of the bench or bar attesting to the applicant's active practice of court reporting in a state that does not require licensure for at least one year immediately prior to the date of application;~~
 - ~~(c) — An affidavit attesting to military service; or,~~
 - ~~(d) — Other proof acceptable to the Board of the applicant's fitness to have the license restored.~~
- (2) [Upon receipt of an application and the appropriate fees, the commissioner shall issue a restoration of a license, notify the applicant in writing of the reasons for denying the application, or notify the applicant in writing of the deficiencies in the application.](#)

Authority: T.C.A. §§ ~~20-9-604~~, 20-9-605, and 20-9-607.

Chapter 0455-01-03
Licensure
Amendments

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0455-01-03-.01	Temporary Licensure	0455-01-03-.04	Military Applicants
0455-01-03-.02	Application for Licensure – Standard Process	0455-01-03-.05	Repealed
0455-01-03-.03	Renewal and Reinstatement of a Suspended or Revoked License	0455-01-03-.06	Repealed
		0455-01-03-.07	Repealed

0455-01-03-.01 Temporary Licensure, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

Any person who provides to the [commissioner](#)~~board~~ satisfactory proof of graduation from a court reporting program or its equivalent shall, upon application to the [commissioner](#)~~board~~ on forms approved by the [commissioner](#)~~board~~ and payment of a fee in an amount determined by the [commissioner](#)~~board~~, be issued a temporary license to practice as a court reporter. This temporary license shall expire [one-hundred and eighty \(180\)](#)~~sixty (60)~~ days following the date upon which the next [commissioner](#)~~board~~-approved examination for licensure is given. Up to three (3) additional temporary licenses may be granted upon sufficient proof of good cause for issuance.

Authority: T.C.A. §§ 20-9-605, 20-9-607, 20-9-609, 20-9-612, 20-9-613, and 20-9-614.

0455-01-03-.02 Application for Licensure- Standard Process, Paragraph (1), Subparagraph (b) is amended by deleting the text of the Subparagraph and substituting the following so that, as amended, Subparagraph (1)(b) shall read:

- (b) Applications for licensure shall be signed [under penalty of perjury](#)~~and sworn~~ by the applicants and submitted on forms furnished by the [commissioner](#)~~Board~~.

Authority: T.C.A. §§ 20-9-605, 20-9-607, 20-9-609, and 20-9-613.

0455-01-03-.03 Renewal, is amended by renaming the rule “Renewal and Reinstatement of a Suspended or Revoked License” and deleting the text of the rule and substituting the following so that, as amended the rule shall read:

0455-01-03-.03 Renewal and Reinstatement of a Suspended or Revoked License

- (1) Renewal ~~A newly issued court reporter license in Tennessee shall be valid for two (2) years or for other such period of time authorized by T.C.A. § 20-9-611. The holder of the license may renew such license during the 60 days preceding the expiration date thereof by paying the required fee and completion of the application for renewal.~~
 - (a) All licenses shall expire on June 30 in the year of expiration and all renewals will be effective July 1.
 - (b) Applications for the renewal of licenses shall be made by on forms provided by the commissioner and shall contain all information required by the commissioner pursuant to the Act and these rules.
 - (c) Applications for renewals will not be considered filed until the applicable fee prescribed in these rules is received.
 - (d) A newly issued court reporter license in Tennessee shall be valid for two (2) years or for other such period of time authorized by T.C.A. § 20-9-611. The holder of the license may renew such license during the 60 days preceding the expiration date thereof by paying the required fee and completion of the application for renewal.
 - (e) It is the responsibility of each licensee to notify the commissioner of any change of address within thirty (30) days. Failure to receive a renewal form from the commissioner shall not constitute an excuse for failure to renew licensure.
 - (f) Late renewal applications may be received following expiration of license with the required fees. No late renewal will be granted if a completed application is not received by the commissioner within six (6) months of the expiration of the license. After six (6) months following the expiration of the license, the applicant shall apply for a new license.
 - (g) A license that has been expired for more than six (6) months is ineligible for reinstatement.
- (2) Reinstatement of a Suspended or Revoked License ~~It is the responsibility of each licensee to notify the Board of any change of address within thirty (30) days. Failure to receive a renewal form from the Board shall not constitute an excuse for failure to renew licensure.~~
 - (a) Application for reinstatement shall include evidence of corrective action taken by the licensee. Such application shall be made utilizing the forms provided by the commissioner.
 - (b) In considering reinstatement of a suspended or revoked license, the commissioner may evaluate factors that include but are not limited to:
 1. Severity of the act(s) that resulted in suspension or revocation of the license.
 2. Conduct of the applicant subsequent to the suspension or revocation of the license.
 3. Lapse of time since suspension or revocation.
 4. Compliance with all reinstatement requirements stipulated by the commissioner.

5. [Rehabilitation attained by the applicant as evidenced by statements provided directly to the commissioner from qualified individuals who has professional knowledge of the applicant.](#)
6. [Violation by the applicant of any applicable statute or rule.](#)
7. [Direct or implied representation\(s\) of licensure by the individual during the period of revocation.](#)

~~(3) Late renewal applications may be received following expiration of license with the required fees. No late renewal will be granted if a completed application is not received by the Board within six (6) months of the expiration of the license. After six (6) months following the expiration of the license, the applicant shall apply for a new license.~~

Authority: T.C.A. §§ 20-9-605, [20-9-606](#), 20-9-607, [20-9-608](#), 20-9-609, 20-9-611, 20-9-612, 20-9-613, and 20-9-614.

0455-01-03-.04 Military Applicants, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) An applicant for licensure meeting the requirements of T.C.A. § 4-3-1304(d)(1) may:
 - (a) Be issued a license upon application and payment of all fees required for the issuance of such license, if, in the opinion of the [commissioner](#)~~Board~~, the requirements for licensure satisfied by the applicant in another state are substantially equivalent to that required in Tennessee; or
 - (b) Be issued a temporary permit as described herein if the [commissioner](#)~~Board~~ determines that the applicant's license does not meet the requirements for substantial equivalency, but that the applicant could perform additional acts, including – but not limited to – education, training, or experience, in order to meet the requirements for the license to be substantially equivalent. The [commissioner](#)~~Board~~ may issue a temporary permit upon application and payment of all fees required for issuance of a regular license of the same type, which shall allow such person to perform services as if fully licensed for a set period of time that is determined to be sufficient by the [commissioner](#)~~Board~~ for the applicant to complete such requirements.
 1. After completing those additional requirements and providing the [commissioner](#)~~Board~~ with sufficient proof thereof as may be required, a full license shall be issued to the applicant with an issuance date of the original issuance of the temporary permit and an expiration date as if the full license had been issued at that time.
 2. A temporary permit shall be issued for a period no longer than the length of a renewal cycle for a full license of the same type.
 3. A temporary permit shall expire upon the date set by the [commissioner](#)~~Board~~ and shall not be subject to renewal except through the completion of the requirements for substantial equivalency as required by the [commissioner](#)~~Board~~ or by an extension of time granted for good cause by the [commissioner](#)~~Board~~.
 4. Should an extension to a temporary permit cause the permit to be in effect longer than the renewal cycle of a full license, then the holder of the temporary permit shall file a renewal application with such documentation and fees, including completion of continuing education, as are required by the [commissioner](#)~~Board~~ for all other renewals of a full license of the same type.
- (2) Military education, training, or experience completed by a person described at T.C.A. § 4-3-1304(d)(1)(B)(ii)(a)-(c) shall be accepted toward the qualifications, in whole or in part, to receive any license issued by the [commissioner](#)~~Board~~ if such military education, training, or experience is

Chapters 0455-01-01 Organization and Administration, 0455-01-02 Board Policies and Procedure, 0455-01-03 Licensure, 0455-01-04 Standards of Professional Conduct, 0455-01-05 Disciplinary Enforcement, & 0455-01-06 Continuing Education determined by the [commissioner](#)~~Board~~ to be substantially equivalent to the education, training, or experience required for the issuance of such license.

- (3) Any licensee who is a member of the National Guard or a reserve component of the armed forces of the United States called to active duty whose license expires during the period of activation shall be eligible to be renewed upon the licensee being released from active duty without:
- (a) Payment of late fees or other penalties; or
 - (b) Obtaining continuing education credits when:
 - 1. Circumstances associated with the person's military duty prevented the obtaining of continuing education credits and a waiver request has been submitted to the [commissioner](#)~~Board~~; or
 - 2. The person performs the licensed occupation as part of such person's military duties and provides documentation sufficient to demonstrate~~ing~~ such to [the commissioner](#)~~Board~~.
- (4) The license shall be eligible for renewal pursuant to Paragraph (3) for six (6) months from the person's release from active duty.
- (5) Any person renewing under Paragraph (3) shall provide the [commissioner](#)~~Board~~ such supporting documentation evidencing activation as may be required by the [commissioner](#)~~Board~~ prior to the renewal of any license pursuant to Paragraph (3).

Authority: T.C.A. §§ 4-3-1304~~(d)(1)~~, 20-9-605, 20-9-607, 20-9-609, and 20-9-613.

Chapter 0455-01-04
Standards of Professional Conduct
Amendments

0455-01-04-.01 Standards of Professional Conduct, Paragraph (1) is amended by deleting the text of the Paragraph and substituting the following so that, as amended, Paragraph (1) shall read:

- (1) In order to establish and maintain a high standard of integrity in the practice of court reporting, the following Standards of Professional Conduct shall be binding on every person holding a license, of any type, from the [commissioner](#)~~Board~~. A Tennessee Licensed Court Reporter:
- (a) Shall be fair and impartial toward each participant in all aspects of reported proceedings and must disclose any conflict of interest or appearance of impropriety as soon as it arises pursuant to T.C.A. § 24-9-136.
 - (b) Should only accept an assignment if their level of competence will result in the preparation of an accurate transcript, shall refuse an assignment if they believe their abilities are inadequate, and shall recommend or assign an assignment to another licensee only if such licensee has the competence required for such assignment.
 - (c) Shall provide information regarding services to be rendered regarding administration of professional services to all parties and shall make timely delivery of transcripts.
 - ~~(d) Must immediately disclose any conflict of interest or appearance of impropriety as soon as it arises pursuant to T.C.A. § 24-9-136.~~
 - ~~(d)~~~~(e)~~ Should immediately seek inactive status and refrain from practice if they become impaired and unable to function according to the standards of practice.
 - ~~(e)~~~~(f)~~ Shall preserve the confidentiality and ensure the security of information, oral or written,

- (f)(g) Shall establish a plan for the security and preservation of un-transcribed notes and any backups, both paper and electronic. All such plans shall preserve notes and backups for a period of time that complies with statutory requirement or rules and guidelines of the court. In the absence of a law or rule, notes and backups must be retained for no less than five (5) years.
- (g)(h) Shall affix the licensee's signature, license number and expiration date to a transcript to certify to its accuracy.
- (h)(i) Shall not authorize the use of the licensee number on any transcript not produced through the personal effort or supervision, or both.
- (i)(j) Shall not permit the use of the licensee name or firm's name, nor shall a licensee be associated in business ventures with persons or firms that the licensee has reason to believe to be engaging in fraudulent or dishonest business practices.
- (j)(k) Shall inform the commissioner~~Board of Court Reporting~~ if they have knowledge that another court reporter has committed a violation of these Standards of Professional Conduct or the Tennessee Court Reporter Act of 2009 ~~that raises a substantial question as to that court reporter's honesty, trustworthiness, or fitness as a court reporter.~~
- (k)(l) Shall cooperate with any investigation resulting from a complaint for disciplinary action.
- (l)(m) Shall not commit a criminal act that reflects on the court reporter's honesty, trustworthiness or fitness as a court reporter.
- (m)(n) Shall be truthful and accurate when making public statements or when advertising qualifications or services provided.
- (n)(o) Shall meet all mandated continuing education requirements ~~and should keep abreast of current literature and technological advances and developments.~~
- (o)(p) Shall refrain from giving, directly or indirectly, any gift, incentive, reward or anything of value to attorneys or any other persons or entities associated with the litigation, ~~except for items that do not exceed twenty-five dollars (\$25.00) in the aggregate per individual each year.~~

Authority: T.C.A. §§ 20-9-605 and 20-9-607.

Chapter 0455-01-05
Disciplinary Enforcement
Amendments

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0455-01-05-.03	Grounds for Discipline of a Licensee or Denial of Renewal or Reinstatement	0455-01-05-.08	Repealed
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0455-01-05-.05	Uniform Administrative Procedures Act	0455-01-05-.10	Repealed
0455-01-05-.06	Civil Penalties	0455-01-05-.11	Repealed

0455-01-05-.01 Definitions, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) ~~Reprimand: A formal or informal correspondence notifying the court reporter of a finding of an ethical violation with no further disciplinary action.~~

- (1)(2) “Civil Penalty” means: ~~a~~ A monetary penalty ~~of no more than \$500 per violation~~ imposed by the ~~commissioner~~ Board pursuant to T.C.A. §§ 20-9-608 or 56-1-308. ~~A civil penalty may be imposed where any person undertakes or attempts to undertake the practice of court reporting for remuneration without first having procured a license, or knowingly presents or files false information with the board for the purpose of obtaining a license, or otherwise violates the Tennessee Court Reporter Act of 2009 or the rules promulgated thereunder.~~
- (3) ~~Probation: The monitored practice of court reporting which permits the court reporter to continue to practice pursuant to specified conditions as set forth by the Board.~~
- (2)(4) “Suspension”: means ~~t~~ The temporary withdrawal of ~~a~~ the license by the ~~commissioner~~ Board.
- (3)(5) “Revocation”: means ~~t~~ The withdrawal of ~~a~~ the license by the commissioner ~~Board action.~~
- (4)(6) “Voluntary Surrender”: means ~~t~~ The voluntary relinquishment of a license that has the force and effect of a revocation.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 56-1-308, and 20-9-608.

0455-01-05-.02 Grounds for Denial of a License, Paragraph (1) is amended by deleting the text of the Paragraph and substituting the following so that, as amended, Paragraph (1) shall read:

- (1) The commissioner may refuse to issue a license for ~~following may be grounds for denial of a license:~~
- (a) Failure to meet any requirement or standard established by law or by rules and regulations adopted by the commissioner ~~Board.~~
 - (b) Engaging in fraud, misrepresentation, deception, or concealment of a material fact in applying for or securing licensure or taking any examination required for licensure.
 - (c) Having disciplinary action pending or having a license denied, conditionally issued, ~~reprimanded, placed on probation,~~ suspended, revoked, or voluntarily surrendered in another state, territory or country.
 - (d) Having been court-martialed or administratively discharged by a branch of the United States Armed Forces for any act or conduct that would constitute grounds for discipline.
 - (e) Any grounds for which the license could be suspended or revoked ~~other reason authorized by law.~~
 - (f) Any other reason authorized by law.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-609, 20-9-610, and 20-9-612.

0455-01-05-.02 Grounds for Denial of a License, is amended by renaming the rule “Grounds for Discipline and Grounds for Denial of a License, Renewal, or Reinstatement” and by adding a new Paragraph (2) which shall read:

0455-01-05-.02 Grounds for Discipline and Grounds for Denial of a License, Renewal, or Reinstatement

- (2) The commissioner may suspend, revoke, or otherwise discipline any court reporter upon proof that the person:
- (a) Is guilty of fraud or deceit in procuring or attempting to procure a license by:
 - 1. Filing false, forged, or altered documents or credentials, including required continuing education documentation.
 - 2. Misrepresenting or falsifying facts in applying for original licensure, renewal, reactivation or reinstatement of license.

3. Having another person appear for a licensing or certification examination.
- (b) Has been convicted of a felony or a crime of moral turpitude that reflects on the court reporter's honesty, trustworthiness or fitness as a court reporter in other respects, subject to T.C.A. § 62-76-104.
- (c) Is impaired due to the use of alcohol or is addicted to the use of habit-forming drugs to such an extent as to render the court reporter unsafe or unreliable.
- (d) Is guilty of unprofessional conduct of a character likely to deceive, defraud, or injure the public in matters of court reporting, which includes but is not limited to:
 1. Failure to comply with the Act or Rules Chapter 0455, as well as federal, state, or local laws, rules, or regulations applicable to the area of court reporting practice.
 2. Failure to practice court reporting in accordance with the standards of practice adopted by the commissioner.
 3. Representing oneself as a court reporter without a license.
 4. Practicing or attempting to practice court reporting without a valid license issued by the commissioner.
 5. Having a license denied, conditionally issued, reprimanded, placed on probation, suspended, revoked, or voluntarily surrendered in another state, territory or country, or having been court-martialed or administratively discharged by a branch of the United States Armed Forces for any act or conduct which would constitute grounds for disciplinary action in this state. A certified copy of the record of the agency that took such action shall be conclusive evidence of the grounds for discipline.
 6. Practice beyond the scope of practice as determined by, but not limited to educational preparation; license status; state and federal statutes and regulations; state and national standards appropriate to the type of practice; and court reporting experience.
 7. Falsification of credentials or employment records
- (e) Failed to respond to official correspondence from the commissioner, including but not limited to requests for information, subpoenas, or notices.
- (f) Failed to comply with any stipulated terms and conditions of any commissioner order or contract.
- (g) Failed to comply with the commissioner's continuing education requirements.
- (h) Submitted payment of any fees or civil penalties to the commissioner with a worthless check, invalid credit card, or by any other method that is not honored by the financial institution.
- (i) Is subject to any grounds for which the commissioner could refuse to issue the license.
- (j) Poses a risk to public safety for any other reasons stated by law.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-608, 20-9-609, 20-9-610, 20-9-611, and 20-9-612.

0455-01-05-.04 Investigations and Complaints, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) The ~~commissioner~~^{Board} may, upon its own motion, or shall, upon the sworn complaint in writing of any person, investigate any person engaged, or suspected of engaging, in court reporting~~any~~

- (2) Upon receipt of any written complaint regarding any licensee or person engaged in unlicensed activity, the ~~commissioner~~Board shall provide a copy of the written complaint to the accused party ~~within five (5) days~~. Such party shall file a written answer to the complaint, within twenty (20) days, upon request by the ~~commissioner~~Board.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, and 20-9-608.

0455-01-05-.05 Uniform Administrative Procedures Act, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

The ~~commissioner~~Board hereby adopts by reference as its rules the Uniform Administrative Procedures Act, T.C.A. Title 4, Chapter 5, for governing contested cases, appeals, and related proceedings.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, and 20-9-608.

0455-01-05-.06 Civil Penalties, Paragraph (1) is amended by deleting the text of the Paragraph and substituting the following so that, as amended, Paragraph (1) shall read:

- (1) ~~With respect to any licensed court reporter or temporarily licensed court reporter, the Board may, in addition to or in lieu of any other lawful disciplinary action, the commissioner may assess a civil penalty against such licensee for each separate statutory or regulatory violation, not to exceed five hundred dollars (\$500.00) per violation.~~
- (a) Assess a civil penalty not to exceed five hundred dollars (\$500.00) per violation against any licensee or person required to be licensed as a court reporter in Tennessee for each separate violation of T.C.A. § 20-9-608.
- (b) Assess a civil penalty not to exceed one thousand dollars (\$1,000.00) per violation against any licensee or person required to be licensed as a court reporter in Tennessee for each separate statutory or regulatory violation excluding violations of T.C.A. § 20-9-608.

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-608, and 56-1-308.

0455-01-05-.06 Civil Penalties, Paragraphs (2), (3), and (4) are amended by deleting the word "Board" and replacing it with "commissioner", deleting the Paragraph (2), renumbering Paragraph (3) as Paragraph (2), and Paragraph (4) as Paragraph (3) so that, as amended, the Paragraphs shall read:

- (2) ~~With respect to any person required to be licensed in this state as a court reporter, the Board may assess a civil penalty against such person for each separate statutory or regulatory violation not to exceed five hundred dollars (\$500.00) per violation.~~
- (2)(3) Each daily violation constitutes a separate offense.
- (3)(4) In determining the amount of any penalty to be assessed pursuant to this rule, the ~~commissioner~~Board may consider such factors as the following:
- (a) Whether the amount imposed will be a substantial economic deterrent to the violator;
 - (b) The circumstances leading to the violation;
 - (c) The severity of the violation and the risk of harm to the public;
 - (d) The economic benefits gained by the violator as a result of noncompliance;
 - (e) The interest of the public; and

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-608, and 56-1-308.

Chapter 0455-01-06
Continuing Education
Amendments

0455-01-06-.01 Continuing Education Requirements, is amended by deleting Paragraph (4) and renumbering the subsequent paragraphs so that, as amended, the rule shall read:

- (1) Beginning with the first renewal period and every renewal period thereafter, every licensee who applies for renewal of a license shall have completed two (2) credits of continuing education (CE) relevant to the practice of court reporting.
- (2) A renewal period is the twenty-four (24) months preceding July 1 of the year of license expiration.
- (3) A CE credit means ten (10) hours of continuing education.
- ~~(4) A CE hour means a minimum of fifty (50) minutes of actual clock time spent by a licensee in actual attendance at and completion of an approved CE activity. After completion of the initial CE hour, credit may be given in half hour (.5) increments.~~
- ~~(4)(5)~~ Non-resident licensees shall comply with the CE requirements set forth in this [Chapter](#)~~Section~~.
- ~~(5)(6)~~ Failure to obtain the requisite CE credits will result in an incomplete application and will cause the application to not be processed.

Authority: T.C.A. §§ 20-9-605, 20-9-607, and 20-9-612.

0455-01-06-.02 Acquiring Continuing Education Credit, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) Continuing Education hours may be earned from:
 - (a) Verified attendance at or participation in a program, activity or course through a national or state court reporting association.
 - (b) Verified attendance (e.g. license of attendance or license of completion) at or participation in a program, activity or course ("program") presented by a continuing education sponsor in Rule 0455-01-06-.03,
 - (c) Verified attendance at a program that is of general information value to court reporters but does not directly relate to the reporter's ability to produce an accurate and timely transcript. A maximum of 7 (seven) hours credit may be counted during a pre-renewal period for such programs, which include:
 1. Professionalism, including knowledge and application of standards of professional responsibility, impartiality, public relations; and
 2. Office procedures, record-keeping, health, including a reporter's approach to personal tax management, planning for retirement or changing careers within reporting, maintaining the individual reporter's health and emotional adjustment, ability to listen, to concentrate, to communicate, to cope.
 - (d) Verified personal preparation of educational presentations pertaining to the profession of court reporting and serving as an instructor, speaker or panel member at an approved course will be allowed as CE credit for actual presentation time, plus actual preparation time of up to

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4 hours of each hour of presentation. Credits for preparation time shall not be allowed for repetitious presentations. No more than 12 hours of credit can be earned under this category in any one renewal period.

- (e) Writing articles to the profession of court reporting and published in a state or nationally recognized professional journal of court reporting or law. No more than 6 hours of credit can be earned under this category in any one renewal period. Credits will not be allowed for the same article published in more than one publication.

~~(2) Courses completed that are a part of the curriculum of a university, college or other education institution. One semester of course work is equivalent to 5 hours of CE and one quarter of course work is equivalent to 2.5 hours of CE.~~

- ~~(2)~~(3) Proof of attendance at the course or ~~that~~ other qualifying continuing education activity must be submitted to the ~~commissioner~~Board of Court Reporting for approval.

Authority: T.C.A. §§ 20-9-605, 20-9-607, and 20-9-612.

0455-01-06-.03 Continuing Education Sponsors and Programs, is amended by deleting the text of the rule and substituting the following so that, as amended, the rule shall read:

- (1) Sponsor, as used in this ~~Chapter~~Section, shall mean the following:
 - (a) The National Court Reporters Association (NCRA);
 - (b) The National Verbatim Reporters Association (NVRA);
 - (c) The Tennessee Court Reporters Association (TNCRA) or any state court reporters association whose course or program has been approved for CE credits under the guidelines of any national or state court reporting association;
 - (d) Any computer users group whose program or course has been approved for CE credits under the guidelines of any national or state court reporting association;
 - (e) A city, county, state or federal judicial body responsible for coordination and presentation of CE courses or programs for its employees;
 - (f) A university or college course or adult education program that contributes directly to the Court Reporter's knowledge, ability or competence to perform his/her duties; and
 - ~~(g) Any other school, college or university, State agency, or any other person, firm or association that has been approved by the Board to coordinate and present CE Courses and programs in conjunction with this Section.~~
- (2) All programs shall: contribute to the advancement, extension and enhancement of the professional skills and knowledge of the individual licensee in the practice of court reporting.
 - ~~(a) Contribute to the advancement, extension and enhancement of the professional skills and knowledge of the individual licensee in the practice of court reporting;~~
 - ~~(b) Include one or more of the following subjects directly related to the court reporter's ability to produce accurate and timely transcripts:~~
 - ~~1. English, including grammar, punctuation, general principles, spelling, vocabulary, etymology, usage, semantics, regional and minority dialects or colloquialisms, English history, transcript styles;~~
 - ~~2. Medical, including Greek and Latin derivatives, homonyms, abbreviations, surgical~~

~~procedures, pharmacy, anatomy and physiology, specialized medical fields, (e.g., neurology, dentistry, radiology, gastroenterology), with emphasis on terminology and techniques or concepts likely to be encountered during litigation;~~

- ~~3. Legal, including terminology, research techniques, presentations on the various subdivisions of law (e.g., criminal, torts, domestic relations, corporate, admiralty, patent, environmental) and procedural law (e.g., depositions, trials, administrative proceedings) presentations by legal specialists or experts in the field, history of the American/world legal system;~~
- ~~4. Technical subjects presented by experts with emphasis on terminology and concepts encountered by the shorthand reporter during litigation (e.g., accident reconstruction, chemistry, construction, geology, insurance, maritime, aerospace, products liability, industrial and environmental pollution);~~
- ~~5. Technology related to new developments in the field of reporting (e.g., computer technology, computer techniques, video, telecommunications, equipment maintenance);~~
- ~~6. General litigation procedures as they relate to court, deposition and administrative proceedings (e.g., reporting depositions, court hearings, arbitrations, conventions and the court reporter's responsibility with regard to these proceedings, notary responsibilities, making exhibits, reading back, going on and off the record, review of statutes, rules related to the reporter);~~
- ~~7. Transcript preparation, including indexing of witnesses, exhibits, formats, dictating, editing and scoping, reference libraries and research techniques, proofreading; and~~
- ~~8. Management, including financial, marketing, personnel, equipment maintenance, time and stress management;~~

- ~~(c) Be relevant to the needs of court reporters and also to the reporting service needs of the users;~~
- ~~(d) Be developed and presented by persons with education and/or experience in the subject matter of the program;~~
- ~~(e) Specify for whom the program is primarily designed, the course objectives, course content and teaching methods to be used; and~~
- ~~(f) Specify the number of CE hours that may be applied to fulfilling the CE requirements for renewal of the license.~~

- (3) Each CE program shall provide a mechanism for evaluation of the program by the participants. The evaluation may be completed on-site immediately following the program or an evaluation questionnaire may be distributed to participants to be completed and returned by mail. The sponsor and the instructor, together, shall review the evaluation outcome and revise subsequent programs accordingly.

- ~~(a) An approved sponsor may subcontract with individuals and organizations to provide programs.~~
- ~~(b) Continuing education credits may be awarded for home study courses, correspondence courses or internet based courses, provided they are courses administered by approved sponsors.~~
- ~~(c) All programs given by approved sponsors shall be open to all licensed court reporters and not be limited to members of a single organization or group.~~

~~(d) Continuing Education credit hours used to satisfy the CE requirements of another jurisdiction may be applied to fulfill the CE requirements of the Tennessee Board of Court Reporting.~~

~~(e) License of Attendance. It shall be the responsibility of a sponsor to provide each participant in a program with a license of attendance or participation. The sponsor's license of attendance shall contain:~~

~~1. The name, address, and license number of the sponsor;~~

~~2. The name and address of the participant;~~

~~3. A brief statement of the subject matter;~~

~~4. The number of hours attended in each program;~~

~~5. The date and place of the program; and~~

~~6. The signature of the sponsor.~~

~~(a)~~^(f) The sponsor shall maintain attendance records for not less than 5 years.

~~(b)~~^(g) The sponsor shall be responsible for assuring that no renewal applicant shall receive CE credit for time not actually spent attending the program.

Authority: T.C.A. §§ 20-9-605, 20-9-607, and 20-9-612.

Chapter 0455-01-01
Organization and Administration
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0455-01-01-02 Duties of the Officers of the Board, is repealed in its entirety.

0455-01-01-02 ~~REPEALED~~DUTIES OF THE OFFICERS OF THE BOARD.

~~(1) Chair shall preside at meetings of the Board, appoint members to serve on committees and subcommittees as may be created, serve as ex-officio member of all committees and subcommittees, and determine the rules of order of Board meetings.~~

~~(2) The Vice Chair shall preside in the absence of the Chair and shall assume the duties of Chair when necessary.~~

~~(3) The Secretary shall be responsible for the taking and maintenance of minutes of Board meetings.~~

Authority: T.C.A. §§ ~~20-9-604~~, 20-9-605, and 20-9-607.

0455-01-01-03 Board Member Compensation, is repealed in its entirety.

0455-01-01-03 ~~REPEALED~~BOARD MEMBER COMPENSATION.

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- ~~(1) Each member of the Board shall serve without compensation, but shall be reimbursed for travel expenses incurred in attendance at meetings of the Board and any other business of the Board at its discretion. Travel expenses shall be reimbursed according to the rules promulgated by the department of finance and administration and approved by the Attorney General.~~
- ~~(2) The reimbursement for expenses shall be paid from funds derived from the Tennessee Board of Court Reporting Fund. If funds are not available, reimbursement shall not be made.~~

Authority: T.C.A. §§ ~~20-9-604~~ and 20-9-607.

0455-01-01-.04 Use of Forms, is repealed in its entirety.

0455-01-01-.04 REPEALEDUSE OF FORMS.

~~Applications and forms shall be made on the prescribed forms approved by the Board. Copies of instructions and forms are available from the Board of Court Reporting.~~

Authority: T.C.A. §§ 20-9-605, 20-9-607, 20-9-609, 20-9-610, 20-9-613, and 20-9-614.

0455-01-01-.05 Maintenance and Inspection of Boards Records, is repealed in its entirety.

0455-01-01-.05 REPEALEDMAINTENANCE AND INSPECTION OF BOARD RECORDS.

- ~~(1) The Board shall maintain its records in accordance with the Tennessee Public Records law, T.C.A. Title 10, Chapter 7.~~
- ~~(2) Public records maintained by the Board shall be subject to public disclosure pursuant to the Tennessee Public Meetings law, T.C.A. Title 8, Chapter 44 and the Tennessee Public Records law, T.C.A. Title 10, Chapter 7.~~
- ~~(3) Upon request to the Executive Director of the Board of the Board of Court Reporting, public records maintained by the Board shall be available for inspection and duplication at the Board of Court Reporting during regular business hours. The inspection and duplication of public records shall be under the supervision of the Executive Director of the Board of Court Reporting or his/her designee.~~
- ~~(4) Any person wishing to obtain copies of public records shall submit a written request to the Board of Court Reporting. Copies will be supplied upon payment of costs based on the most current version of the Schedule of Reasonable Charges issued by the Office of Open Records Counsel.~~

Authority: T.C.A. §§ ~~20-9-604~~, 20-9-605, and 20-9-607.

0455-01-01-.06 Rules and Regulations, is repealed in its entirety.

0455-01-01-.06 REPEALEDRULES AND REGULATIONS.

~~All rules and regulations of the Board shall be adopted, amended or repealed in accordance with T.C.A. Title 4, Chapter 5, the Uniform Administrative Procedures Act.~~

Authority: T.C.A. § 20-9-607.

Chapter 0455-01-02
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0455-01-02-.04 ~~License~~
Fees

~~w/Process~~

0455-01-02-.02 Lost License, is repealed in its entirety.

0455-01-02-.02 ~~REPEALED~~LOST LICENSE.

~~The licensee shall promptly report, in writing, the loss of a license card to the Board. A duplicate license card shall be issued upon completion of any form and payment of a replacement fee.~~

Authority: T.C.A. §§ ~~20-9-604~~, 20-9-605 and 20-9-607.

0455-01-02-.03 Verification of Tennessee License, is repealed in its entirety.

0455-01-02-.03 ~~REPEALED~~VERIFICATION OF TENNESSEE LICENSE.

~~(1) Verification of licensure will be available through the Board's website.~~

Authority: T.C.A. §§ ~~20-9-604~~, 20-9-605, and 20-9-607.

0455-01-02-.07 Review Process, is repealed in its entirety.

0455-01-02-.07 ~~REPEALED~~REVIEW PROCESS.

~~All Applications for restoration after being placed on inactive status must be received for board review two (2) weeks prior to the next available board meeting to ensure adequate processing time. Upon receipt of an application and the appropriate fee, the board shall issue a restoration of license, notify the applicant in writing of the reasons for denying the application, or notify the applicant in writing of the deficiencies in the application. Applicants have one (1) year from the date of the notification of deficiencies to complete the application process. If the process has not been completed within one (1) year, the application shall be denied, and the fee forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication. In the event of a hardship, the applicant may apply in writing for a one (1) year extension to complete the process.~~

Authority: T.C.A. §§ ~~20-9-604~~, 20-9-605, and 20-9-607.

Chapter 0455-01-05
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0455-01-05-.03 Grounds for Discipline of Licensee of Denial of Renewal or Reinstatement, is repealed in its entirety.

0455-01-05-.03 ~~REPEALED~~GROUNDS FOR DISCIPLINE OF A LICENSEE OR DENIAL OF RENEWAL OR REINSTATEMENT.

~~(1) The Board may suspend, revoke or otherwise discipline any court reporter upon proof that the person:~~

~~(a) Is guilty of fraud or deceit in procuring or attempting to procure a license by:~~

Rules of the Tennessee Court Reporting Program

Chapters 0455-01-01 Organization and Administration, 0455-01-02 Board Policies and Procedure, 0455-01-03 Licensure, 0455-01-04 Standards of Professional Conduct, 0455-01-05 Disciplinary Enforcement, & 0455-01-06 Continuing Education

- ~~1. Filing false, forged or altered documents or credentials, including required continuing education documentation.~~
- ~~2. Misrepresenting or falsifying facts in applying for original licensure, renewal, reactivation or reinstatement of license.~~
- ~~3. Having another person appear for a licensing or certification examination.~~
- ~~(b) Has been convicted of a felony or a crime of moral turpitude that reflects on the court reporter's honesty, trustworthiness or fitness as a court reporter in other respects.~~
- ~~(c) Is impaired due to the use of alcohol, or is addicted to the use of habit-forming drugs to such an extent as to render the court reporter unsafe or unreliable.~~
- ~~(d) Is guilty of unprofessional conduct of a character likely to deceive, defraud, or injure the public in matters of court reporting, which includes but is not limited to:~~
 - ~~1. Failure to comply with the Tennessee Court Reporting Act and Rules and Regulations as well as federal, state or local laws, rules or regulations applicable to the area of court reporting practice.~~
 - ~~2. Failure to practice court reporting in accordance with the standards of practice adopted by the Board.~~
 - ~~3. Practice beyond the scope of practice as determined by, but not limited to educational preparation; license status; state and federal statutes and regulations; state and national standards appropriate to the type of practice; and court reporting experience.~~
 - ~~4. Falsification of credentials,~~
 - ~~5. Falsification of employment records,~~
 - ~~6. Representing oneself as a court reporter without a license and,~~
 - ~~7. Having a license denied, conditionally issued, reprimanded, placed on probation, suspended, revoked, or voluntarily surrendered in another state, territory or country, or having been court-martialed or administratively discharged by a branch of the United States Armed Forces for any act or conduct which would constitute grounds for disciplinary action in this state. A certified copy of the record of the agency that took such action shall be conclusive evidence of the grounds for discipline.~~
- ~~(e) Has failed to respond to official Board correspondence, including but not limited to requests for information, subpoenas, or notices.~~
- ~~(f) Has willfully or repeatedly violated any of the provisions of a statute or rule by conduct that includes but is not limited to:~~
 - ~~1. Practicing or seeking to practice court reporting without a current license.~~
 - ~~2. Impersonating an applicant for licensure or another licensed practitioner or permitting or allowing another person to use the court reporter license.~~
 - ~~3. Continued violation of statute or rule after notice by the Board.~~
 - ~~4. Failure to comply with any stipulated terms and conditions of any Board order or contract.~~
 - ~~5. Violation of one or more of the Standards of Professional Conduct found at Rule 0455-~~

~~01-04-.01.~~

- ~~(g) — Has failed to comply with continuing education requirements.~~
- ~~(h) — Has submitted payment of any fees or civil penalties to the Board with a worthless check, invalid credit card, or by any other method that is not honored by the financial institution.~~
- ~~(i) — Poses a risk to public safety for any other reasons stated by law.~~

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, 20-9-608, 20-9-609, 20-9-610, 20-9-611, and 20-9-612.

0455-01-05-.07 Reinstatement of a Suspended or Revoked License, is repealed in its entirety.

0455-01-05-.07 REPEALED ~~REINSTATEMENT OF A SUSPENDED OR REVOKED LICENSE.~~

- ~~(1) — Application for reinstatement shall include evidence of corrective action taken by the licensee. Such application shall be made utilizing the forms provided by the Board.~~
- ~~(2) — In considering reinstatement of a revoked license, the Board may evaluate factors that include but are not limited to:~~
 - ~~(a) — Severity of the act(s) that resulted in suspension or revocation of the license.~~
 - ~~(b) — Conduct of the applicant subsequent to the suspension or revocation of license.~~
 - ~~(c) — Lapse of time since suspension or revocation.~~
 - ~~(d) — Compliance with all reinstatement requirements stipulated by the Board.~~
 - ~~(e) — Rehabilitation attained by the applicant as evidenced by statements provided directly to the Board from qualified individuals who have professional knowledge of the applicant.~~
 - ~~(f) — Violation by the applicant of any applicable statute or rule.~~
 - ~~(g) — Direct or implied representation(s) of licensure by the individual during the period of revocation.~~

Authority: T.C.A. §§ 20-9-605, 20-9-606, 20-9-607, and 20-9-608.

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0455-01-06-.03	Continuing Education Sponsors and Programs	0455-01-06-.05	Repealed
		0455-01-06-.06	Repealed

0455-01-06-.04 Activities Not Qualifying for Continuing Education Credit, is repealed in its entirety.

0455-01-06-.04 REPEALED ~~ACTIVITIES NOT QUALIFYING FOR CONTINUING EDUCATION CREDIT~~

- ~~(1) — Certain activities that shall not be considered acceptable for continuing education credits include, but shall not be limited to, the following:~~
 - ~~(a) — Attendance or participation at professional or association business meetings, conferences,~~

Rules of the Tennessee Court Reporting Program

Chapters 0455-01-01 Organization and Administration, 0455-01-02 Board Policies and Procedure, 0455-01-03 Licensure, 0455-01-04 Standards of Professional Conduct, 0455-01-05 Disciplinary Enforcement, & 0455-01-06 Continuing Education

~~general sessions, elections, policymaking sessions or program orientation;~~

~~(b) — Serving on committees;~~

~~(c) — Entertainment and recreation;~~

~~(d) — Tours, visiting exhibits;~~

~~(e) — Any function for which the registrant receives remuneration as part of his/her regular employment;~~

~~(f) — In-house training on office equipment; and~~

~~(g) — Courses with a main thrust of teaching nonverbal skills (e.g., golf, tennis, dancing, etc.).~~

Authority: T.C.A. §§ 20-9-605, 20-9-607, and 20-9-612.

Rules of the Tennessee Court Reporting Program

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I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: _____

Signature: _____

Name of Officer: _____

Title of Officer: _____

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Filed with the Department of State on: _____

Tre Hargett
Secretary of State