Regular Session, 2014

HOUSE BILL NO. 1101

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BY REPRESENTATIVE BROADWATER

2 To amend and reenact Code of Civil Procedure Art. 1446(A)(1) and R.S.37:2557(B), to 3 enact R.S. 37:2555(G) and 2556(D), and to repeal Code of Civil Procedure Art. 4 1446(C), relative to certified shorthand reporters; to require the board to provide 5 notice of an investigation of a reporter; to provide relative to discovery proceedings; to provide for notice for inspection and copying of depositions; to provide for 6 7 certification by court reporting firms; and to provide for related matters. 8 Be it enacted by the Legislature of Louisiana: 9 Section 1. R.S. 37:2557(B) is hereby amended and reenacted and R.S. 37:2555(G) 10 and 2556(D) are hereby enacted to read as follows: 11 §2555. Definitions 12 13 G. A "court reporting firm" is defined as any person, company, corporation, 14 organization, partnership, group, limited liability entity, commercial enterprise, or 15 other entity doing business in Louisiana that is owned or controlled by a person who 16 is not licensed by the board to practice court reporting and that engages others or 17 itself engages in any aspect of the practice of court reporting as defined by statute or 18 by rule, including such activities as arranging for or engaging the services of a 19 licensed court reporter, reporting, recording, taking, producing, transcribing, 20 delivering, or invoicing depositions, court proceedings, sworn statement, or other 21 similar preservation of testimony, or any other activities as identified in rules

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promulgated by the board. A lawyer admitted to practice in Louisiana, or a group of lawyers, or a law firm, or the clerical or administrative employees of such are not to be considered a court reporting firm as defined herein. A court reporting firm is considered a "person" and a "reporter" for the purposes of this Chapter.

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§2556. Appointment of reporter; certification by court reporting firm

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D. If a licensed Louisiana court reporter has no actual knowledge of a prohibited employment or contractual relationship between a party litigant and a court reporting firm, and if the reporter receives certification that the firm has no prohibited contractual or employment relationship with a party litigant, the reporter may accept employment from the firm and shall not be considered an "employee" for purposes of Code of Civil Procedure Article 1434. The board shall establish by rule the procedures and representations by which a court reporting firm shall provide the necessary certification to court reporters.

§2557. Suspension of certificate; hearings; procedure

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B. The Board of Examiners of Certified Shorthand Reporters may upon its own motion and shall upon the verified complaint in writing of any person setting forth facts which if proved would constitute grounds for refusal to issue or renew, or suspension or revocation of any such certificate, investigate the actions of any person applying for, holding, or claiming to hold any such certificate, or any person practicing court reporting as defined in this Chapter without first having obtained a certificate hereunder. At the commencement of any such investigation, notice shall be provided to any person subject to the investigation and shall provide the nature and subject of the investigation. Neither the board nor its members, individually or

1	in their official capacities, shall be liable for undertaking such an investigation or for
2	subsequent actions when acting in good faith under this Chapter.
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	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED: