

HB 423 -- COURT REPORTERS

SPONSOR: Overcast

This bill specifies that a person who undertakes or attempts to undertake the practice of court reporting for money without having a court reporter license from the Board of Certified Court Reporters Examiners, knowingly presents or files false information with the Board for the purpose of obtaining a license, or holds such license and knowingly signs and affixes his or her signature and license number to a transcript for which he or was not present and did not personally report the proceedings reflected in the transcript will be guilty of a class A misdemeanor.

An unlicensed person cannot bring or maintain an action to recover fees for court reporting services. Additionally, a person cannot assume or use the title or designation "court reporter," "court recorder," or "shorthand reporter," or any other indication that the person is a court reporter, court recorder, or shorthand reporter unless the person is a certified court reporter by the Board.

The provisions of this bill are also applicable to a court reporting firm and the court may enforce this bill by assessing a reasonable fee against a court reporting firm. Additionally, this bill will not apply to court reporting services performed outside of Missouri by a foreign court reporter not certified in Missouri for use in a court proceeding in Missouri, if the work resulting from those services is produced and billed wholly outside of Missouri.

The bill provides certain circumstances under which a certified court reporter or court reporting firm is prohibited from entering into or provide services under any contractual agreement.

The bill makes clarifications in provisions related to depositions or examinations of witnesses to specify that the provisions apply to testimony taken before a certified court reporter and reported stenographically by machine or voice. The bill repeals a provision allowing the judicial officer to sign a deposition when it is not signed by a witness and allowing the judicial officer to state on the record why the deposition was not signed, allowing the deposition to then be used as though it was fully signed. The bill also repeals a provision requiring the officer taking the deposition to enclose the deposition and the officer's certificate in an envelope and deliver it to the recorder of the county where the suit is pending or where the property or matter is situated or belongs. Lastly, it repeals a provision limiting the amount that can be awarded for copies of depositions.