MINNESOTA JUDICIAL BRANCH

Minnesota Judicial Branch Policy 324 – Minimum Qualifications for Court Reporters, Electronic Recording Equipment Operators, and Per Diem Reporters

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I. Policy Statement

By Supreme Court Order ADMIN19-8003 (formerly 81-876), filed February 25, 2019, the Judicial Council is delegated the authority to establish and revise the minimum qualifications for Minnesota Judicial Branch employees and per diem reporters who capture the record of district court proceedings and prepare transcripts, and administrative procedures relating to the taking of the district court record and transcript preparation.

It is a policy of the Minnesota Judicial Branch that all court proceedings shall be captured by an electronic court reporter, electronic recording equipment operator, per diem reporter, or stenographic court reporter who meets a standard of competency necessary to ensure the quality of the records taken and transcripts prepared.

II. Definitions

A. Court proceedings – Hearings and trials for district court cases heard before a judge, referee, or child support magistrate, on the record. For the purposes of this policy, court proceedings do not include conciliation court proceedings; other proceedings before a judge, referee or child support magistrate that are not on the record; or proceedings before hearing officers, or Alternative Dispute Resolution (ADR) neutrals.

B. Electronic Court Reporter (ECR) - A court reporter who captures a verbatim record of court proceedings using digital (electronic) recording equipment, and prepares and distributes transcripts.

C. Electronic Recording Equipment Operator (EREO) - Court staff who is certified to capture a verbatim record of court proceedings using digital (electronic) equipment. Unless certified to

prepare transcripts, these employees are not authorized to prepare transcripts of court proceedings. For purposes of this policy this definition of EREO includes court employees who are certified court reporters, but not currently serving as official court reporters.

D. Per Diem Reporter - A court reporter who is not an employee of the Minnesota Judicial Branch who is engaged on an as-needed basis to provide court reporting services, including transcript production, when an official court reporter is not available.

E. Stenographic Court Reporter - A court reporter who captures a verbatim record of court proceedings using a shorthand machine and prepares and distributes transcripts.

III. Process

A. Stenographic Court Reporter - A person seeking employment with the Branch for the position of official stenographic court reporter must meet the following minimum qualifications:
   1. Graduation from high school or equivalent; and
   2. Graduation from a court reporting school approved by the National Court Reporters Association (NCRA) within the past two years; or
   3. Compliance with one of the following:
      a. Received a Registered Professional Reporter (RPR) designation from the NCRA; or
      b. Received an equivalent certification from another state or territory of the United States, or professional court reporter association; or
      c. Have been practicing proficiently as a professional stenographic reporter for the past two (2) years and within one (1) month of hire, accurately take a minimum of 20 minutes of court proceedings alongside a stenographic court reporter who has an RPR designation or certification as provided in clauses (a) or (b) , and then produce a transcript with 95% accuracy as described in (d) below; or
      d. Obtain RPR designation from the NCRA within two years of hire. Pending receipt of the RPR designation, must, within one (1) month of hire, accurately take a minimum of 20 minutes of court proceedings alongside a stenographic court reporter who has an RPR designation or certification as provided in clauses (a) or (b), and then produce a transcript. The participating RPR certified stenographer will determine that Ninety-five (95) percent accuracy is achieved to successfully complete this requirement.

Stenographic court reporters who do not meet requirements as noted above must become certified by the Minnesota Judicial Branch or the American Association of Electronic Reporters and Transcribers (AAERT) as an Electronic Court Reporter within three months of hire, and take the record electronically until they are in compliance with a, b, c, or d above.

B. Electronic Court Reporter - A person seeking employment with the Branch for the position of official electronic court reporter must meet the following minimum qualifications:
   1. Graduation from high school or equivalent; and

2. Any combination of training and work experience which indicates possession of the knowledge, abilities, and skills listed in the classification specification; and
3. Compliance with one of the following within three months of hire:
    a. Receive an Electronic Court Reporter certificate from the State Court Administrator, or
    b. Receive an Electronic Court Reporter Certification and an Electronic Transcriber Certification from the American Association of Electronic Reporters and Transcribers (AAERT); or
    c. Receive an Electronic Court Reporter certification from an accredited court reporter school.

C. Per Diem Reporter - A person seeking a temporary per diem appointment as a substitute reporter with the Branch must meet the following minimum qualifications:
    1. Graduation from high school or equivalent; and
    2. Graduation from a court reporting school approved by the National Court Reporters Association (NCRA) within the past two years; or
    3. Compliance with one of the following:
        a. Received an RPR designation from the NCRA or an equivalent certification from another state or professional court reporter association; or
        b. Have been a practicing stenographic reporter for a minimum of two years, with proof being provided; or
        c. Received an Electronic Court Reporter certificate from the State Court Administrator or an equivalent certification from another state; or
        d. Received an Electronic Court Reporter Certification and an Electronic Transcriber Certification from the American Association of Electronic Reporters and Transcribers (AAERT) or an equivalent certification from another professional court reporter association.

D. Electronic Recording Equipment Operator - Court employees must have received an Electronic Recording Equipment Operations certificate from the State Court Administrator.

E. Complaint process - Any complaints about the competency or conduct of an official court reporter, per diem reporter or electronic recording equipment operator shall be filed with the judicial district administrator. The appointing authority shall resolve the complaint, in consultation with the chief judge and judicial district administrator.

F. Manuals and Policies
    1. The State Court Administrator, in consultation with the Judicial Council and representatives of official court reporters, shall prepare and distribute a statewide policy and procedural manual for all official court reporters and EREOs.
    2. Each judicial district administrator shall, in consultation with the Chief Judge and representatives of official court reporters within the district, prepare and distribute to each per diem reporter within the district a brochure outlining the policies and procedures governing court reporters within the district.

IV. Application

A. This policy applies statewide to all official court reporters, electronic recording equipment operators and per diem reporters who record district court proceedings as defined in Judicial Council Policy 523.1 Capturing the Record of Court Proceedings – Backup Recordings and Redundant Storage.

B. Paragraphs A and B of Section III apply to all court reporters hired by the Branch on and after the effective date of this policy, including former official court reporters when there is more than a two (2) year break in service.

C. An official court reporter hired before the effective date of this policy, who takes the record using stenographic equipment but who has not obtained the RPR designation as previously required under Supreme Court Order 81-876, may continue to take the record using stenographic equipment without the RPR designation.

V. Failure to Satisfy Requirements

District Human Resources Offices are responsible for monitoring a new employee's minimum qualifications. Appointing authorities are responsible for monitoring compliance with these requirements. Failure to complete the minimum qualification requirements within the designated timeframe may be addressed through performance management.

VI. Implementation Authority

Implementation of this policy shall be the responsibility of the State Court Administrator, acting as the Judicial Council's agent.

VII. Executive Limitations

None.