

KENTUCKY COURT REPORTERS ASSOCIATION
MEMBERSHIP APPLICATION (Rev. 8/18/10)
(INCOMPLETE APPLICATIONS WILL BE RETURNED TO YOU)

A. IDENTIFYING INFORMATION

Name _____ DOB: Month ____ Year ____

Home Address:

Business Name and Address:

Home Phone: _____ Business Phone: _____

Fax Number: _____ E-mail Address: _____

Previous KCRA/KyCRA member? Yes ____ No ____ If yes, by what name? _____

SCHOOL ATTENDED: _____

Address: _____ (City) _____ (St) ____

Graduation Date: _____

How long have you been engaged in the active practice of reporting? _____

Are you interested in donating time to the Pro Bono Program? Yes ____ No ____

B. MEMBERSHIP TYPE AND INFORMATION (CHECK ONE)

1. ACTIVE MEMBER ____ (\$85.00 - Must be reporting one year)

TYPE OF REPORTER: Freelance ____ State Official ____ Federal Official ____ Hearing ____
Legislative ____ Captioner ____ CART ____ Other _____

REPORTING METHOD: Stenotype Machine ____ Pen Writer ____

DESIGNATIONS: (**NOTE: PLEASE SUBMIT A COPY OF CURRENT CERTIFICATIONS**)

CSR (List states) _____ RPR ____ RMR ____ RDR ____ CRR ____

CBC ____ CCP ____ CLVS ____ CRI ____ Other _____

SUPPORT SERVICES:

Computer-Aided Transcription ____ Conference Room ____ Litigation Support ____

Video ____ Realtime ____ Captioning ____ Video Conferencing ____ Interpreter ____

CART ____ Broadcast Captioning ____ Litigation Realtime ____

BYLAWS Of the KENTUCKY COURT REPORTERS ASSOCIATION, INC.

Revised and Adopted April 4, 2003

ARTICLE I. Name.

A. Name. The name of this corporation shall be: Kentucky Court Reporters Association, Inc., hereinafter referred to in these Bylaws as "the Association."

ARTICLE II. Meetings.

A. Meetings. The Annual Business Meeting of the Association shall be held each year at a time and place designated by the Executive Board. This meeting shall be for the purposes of electing officers, receiving reports of officers and committees, and any other business that may arise.

B. Special Meetings. Special meetings may be called at any time upon the motion of the President, or may be called by the Executive Board on receipt of written request of one-third (1/3) of the voting members of the Association, giving the reasons therefor, and the business to be transacted at the special meeting. At such special meeting, no business shall be transacted except as specified in a notice to the Members.

C. Voting. At any meeting of the Association, only Active Members shall have the right to vote, which vote shall be case in person only. Voting by proxy shall not be allowed. A majority of votes cast shall be sufficient to carry any resolution that is proposed for voting, except for Amendments to Bylaws. The procedure for Amendments to Bylaws is provided for in a separate Article.

D. Quorum. At any annual or special meeting of the Association, if ten (10) percent of the total Active Membership is present and responding to roll call at the business meeting, that shall constitute a quorum for the transaction of business of the Association.

E. Parliamentary Authority. Roberts Rules of Order Revised shall be the parliamentary authority where applicable and where there is no conflict between said Rules and the Bylaws of the Association. In the event of such a conflict, the Bylaws of the Association shall govern.

F. Order of Business. Unless otherwise ordered by a majority vote of the members present, the order of all business at all regular and special meetings of the Association shall be as follows:

1. Reading of minutes.
2. Reports and statements of officers and committees.
3. Unfinished business.
4. Election of Executive Board (when scheduled).
5. New or miscellaneous business.

ARTICLE III. Executive Board.

A. The Executive Board shall be the governing board of the Association and shall establish policies and procedures and administer all affairs and activities of the Association.

The Executive Board shall consist of the President, Vice-President, Treasurer, Secretary, Immediate Past President, and four (4) directors. The chairman of each standing committee will serve in an advisory capacity to the Executive Board but will have no vote in matters before the Executive Board.

B. Election and Term of Office. Elected officers of the Executive Board shall be elected by the membership at the annual meeting of the Association for a term of two (2) years. The term of each officer shall begin at the close of

the annual meeting at which the officer is elected. The officer shall serve until the election of a successor, or until such time as a vacancy shall occur in accordance with these Bylaws. No elected officer shall serve for more than two (2) consecutive terms in the same office.

C. Eligibility. No person shall be eligible to hold office in the Association who is not an Active Member at the time of election or appointment.

D. Vacancies. The Executive Board shall have the power to declare a vacancy in any office or chairmanship in the event of:

1. The inability of that officer or chairman to actively perform the duties and functions of that office;
2. Absence from three (3) consecutive meetings of the Executive Board.

With the exception of the office of President, any vacancy on the Executive Board shall be filled as follows: The remaining members of the Board shall select a member to fill the vacancy of any elective office for the unexpired term of that officer.

E. Nominations. Nominations for all officers shall be made at the annual meeting of the Association at which elections are held.

ARTICLE IV. Duties of Officers.

A. President. The President shall preside at all meetings of Members and the Executive Board, and perform generally all duties usually incident to such office, and such other and further duties as may be from time to time required by the Members or Executive Board.

The President shall be the representative of the Association to the Annual Convention of the National Court Reporters Association and shall make a full report of the convention proceedings at the next regular meeting of the Association. The President shall designate one (1) other member to attend the convention with the President. The expenses of the President and the designee, or any portion thereof in attending such convention, shall be reimbursed upon approval by the Executive Board in a reasonable amount, taking into consideration the necessary expenses incurred and the financial status of the Association. In the event the President is unable to attend the National Convention, the President shall designate a representative to so attend and such representative shall have the same duties and be entitled to the same reimbursement as provided in this section.

B. Vice-President. The Vice-President shall perform all the duties of the President in case of the latter's absence or disability and shall perform such other duties as assigned by the President. In case both the President and Vice-President are absent or unable to perform their duties, the Members or Executive Board, as the case may be, may appoint a President Pro Tempore.

C. Secretary. The Secretary shall keep an accurate record of all transactions of the Members and Executive Board; shall give all notices required by law and all notices provided by the Bylaws of the Association; shall keep a proper Secretary's book; and shall properly record therein all minutes of Members and Executive Board Meetings, and such other matters as shall be proper and necessary and generally perform such duties as may be required by the Members or Executive Board. At the expiration of the term of office the Secretary shall deliver all books, papers, and property of the Association to the President, or to the succeeding Secretary.

D. Treasurer. The first duty of the Treasurer shall be to obtain a bond to insure the actions of the Treasurer while in office and while handling the accounts and funds of the Association. The Treasurer shall collect all dues and assessments of the Association, and shall make disbursements, making a report to the membership at all meetings and an annual written report for the annual meeting.

E. Executive Board Meetings. The Executive Board shall hold such meetings as designated by the President. Five (5) members of the Executive Board shall constitute a quorum. The President shall act as chairman of the Executive Board.

ARTICLE V. Committees.

A. Committees. The President shall appoint such committees as may be found necessary to properly conduct the business of the Association, each committee to consist of not less than three (3) Active Members.

B. Nominating Committee. The Nominating Committee shall consist of three (3) voting members, one (1) of which shall be a Past President of the Association.

ARTICLE VI. Membership.

A. Classes of Members. The membership shall consist of the following classes:

Active Members, Associate members, Honorary Members, Student members, Vendor members.

B. Active Members. The following classes of persons shall be eligible for Active Membership in the Association:

1. Any reputable and competent shorthand reporter engaged in the profession of court reporting for a period of not less than one (1) year next prior to making application for admission as a member; or
2. Any person who is the holder of a Certified Shorthand/Court Reporter Certificate issued pursuant to a Statutory certification or licensing act under Federal or State law; or
3. Any person who has attained the National Court Reporters Association's Certificate of Proficiency or Certificate of Merit; or
4. Any person who has graduated from an NCRA approved court reporting school and/or has passed the Registered Professional Reporter examination

C. Associate Members. The following classes of persons shall be eligible for Associate Membership in the Association:

1. Any Active Member in good standing on retiring from the active practice of court reporting may become, upon application to the Secretary, an Associate Member of the Association.
2. A videographer who provides legal video services.
3. Anyone professionally associated with or employed by a member of the Association whose application is endorsed by an Active Member in good standing.
4. A teacher of shorthand reporting, or anyone connected in an official capacity with a school or college conducting a shorthand reporting course may become an Associate Member. Such persons need not meet the requirements for skill in the art of verbatim reporting of proceedings by the use of shorthand symbols.

D. Honorary Members. The following persons shall be eligible for Honorary Membership in the Association:

1. Any person who has attained a high rank in the reporting profession as a practitioner of the art of court reporting or as a benefactor of the profession, but who is not in the active practice of court reporting, upon recommendation of the Executive Board, may be elected an Honorary Member, provided two-thirds (2/3) of the members present and voting at an annual meeting shall vote to confirm such recommendation.

E. Student Members. The following persons shall be eligible for Student Membership in the Association:

1. Any person who is currently enrolled in an approved court reporting educational program; or
2. Any person who is currently serving an internship in court reporting; or
3. Any person who has graduated from an NCRA approved court reporting school, but has not been engaged in the practice of court reporting for a period of one (1) year.

F. Vendor Members. Any firm or corporation engaged in selling products or services to Association members.

G. Privileges. All classes of Members shall enjoy the privileges of the Association except where certain privileges are specifically restricted to a specific class of member in these Bylaws.

H. Voting Rights. Only Active members shall be eligible to vote. Only Active Members shall be eligible to hold an elective office.

I. Membership Application Procedure. Applications for membership shall be in writing, stating the name and residence of the applicant, and shall be signed by the applicant. All applications for membership, with payment of one (1) year's dues for that current calendar year, shall be filed with the Membership Chairman.

The Executive Board shall pass on all applications for membership; shall receive, consider and keep confidential all communications in reference to such applications, and shall pass separately upon each name submitted. All proceedings of the Executive Board relative to applicants for membership shall be secret and confidential, and the minutes of the meeting relating to membership shall be sealed and kept confidential. A person shall become a Member of the Association only upon the favorable vote of two-thirds (2/3) or more of the Executive Board voting at a regular or special meeting of the board.

No person whose name has been proposed for membership and who has been rejected by the Executive Board shall be renominated within a period of twelve (12) months from the date of such rejection.

ARTICLE VII. Dues.

A. Annual Dues. Each Active Member of the Association shall pay annual dues not to exceed \$100.00 per year, said annual dues to be determined by the Executive Board. Such dues shall become due and payable to the Treasurer on January 1 of each year.

Each Associate Member and Student Member shall pay annual dues in an amount not to exceed one-half (1/2) the annual dues of an Active Member, said annual dues to be determined by the Executive Board. Such dues shall become due and payable to the Treasurer on January 1 of each year.

Honorary Members shall pay no dues.

Vendor Members shall pay annual dues in the amount of \$500.00. Such dues shall become due and payable to the Treasurer on January 1 of each year.

B. Other Charges. Assessments may be levied upon the Members of the Association by a majority vote of the Executive Board.

C. Delinquent Members. The names of all delinquent members failing to pay their dues within sixty (60) days of January 1 of each year shall be reported to the Executive Board by the Treasurer as delinquent and subject to suspension. The Executive Board may at any regular or special meeting thereafter, take such action as prescribed in Article VIII relating to discipline, including suspension.

D. Funds Collected. All funds collected by the Treasurer of the Association shall be deposited in a bank to be designated by the Treasurer to the credit of the Association. Payment of all bills shall be by check, to be signed by either the President or Treasurer of the Association.

ARTICLE VIII. Discipline.

A. Suspension and Expulsion. Suspension shall apply only to those committing nonpayment of dues and their reinstatement shall be governed by the Bylaws relating to nonpayment of dues. Expulsion shall apply to those whose membership is terminated for cause other than nonpayment of dues, and their reinstatement shall be governed only by the Bylaws relating to Reconsideration by the Executive Board or by reapplication for membership.

B. Termination for Nonpayment of Dues. If any member shall be in default for the payment of dues or indebtedness to the Association as provided in Article VII thereof for sixty (60) days or more, said Member shall be suspended and all privileges of membership shall be terminated. Said Members suspended for nonpayment of dues may be reinstated at any time prior to the close of that membership year upon payment of a reinstatement fee of \$10.00 plus the full current year's dues.

The membership of those Members who are under suspension for nonpayment of dues at the close of a membership year shall be terminated and they shall be readmitted only by application for membership as provided for in the Bylaws in relation to Membership.

C. Termination for Cause. If the conduct of any Member shall appear to be in willful violation of the Bylaws or other regulations of the Association, the Executive Board may by the affirmative vote of two-thirds (2/3) of the entire board suspend or expel such Member.

Before taking such action, a written copy of the charges must be served upon the Member by mailing by first class mail to the address listed on the membership list and an opportunity given to be heard before the Executive Board in defense. All proceedings before the Executive Board relating to termination shall be private and confidential. A motion to reconsider the suspension or expulsion of a Member may be made at the next regular meeting of the Executive Board, but not thereafter. Any Member so expelled shall be refused admittance unless readmitted pursuant to the Bylaws regarding admission of Members.

ARTICLE IX. Amendments.

A. Proposals. Amendments to the Bylaws shall be proposed in writing to the Executive Board by three (3) or more members of the Executive Board, or by a request signed by five (5) or more voting members of the Association.

B. The Executive Board shall authorize the Secretary to submit proposed amendments in writing to the entire membership at least two (2) weeks prior to a meeting at which the amendments are to be voted upon.

C. Voting. An affirmative vote of two-thirds (2/3) of the members voting shall be required for the adoption of an amendment to the Bylaws.

D. Adoption. After adoption by the members, the Secretary shall attach a certificate as to the date of adoption.

ARTICLE X. Indemnification.

A. The Corporation shall indemnify any current or former member of the Executive Board who necessarily incurs expenses in the defense of any proceedings to which he is made a party by reason of holding or having held a position on the Executive Board, unless in such proceeding he shall have been adjudged liable for negligence or misconduct in the performance of duty KRS 273.170). Said indemnification shall extend also to former members of the Executive Board.

These Bylaws are adopted this, the 4th day of April 2003, and hereby repeal all other Constitutions and Bylaws which may have been adopted heretofore.

CODE OF PROFESSIONAL RESPONSIBILITY

Adopted July 1999

1. The court reporter shall avoid any appearance of conflict of interest by conducting himself with impartiality toward all participants in every case. He shall refrain from the acceptance or extension of gifts or favors in connection with this work. He shall disclose to the appropriate authority existing or past financial, business, professional, family or social relationships which might reasonably create an appearance of partiality.
2. The court reporter shall preserve the confidentiality of information entrusted to his possession which is so classified and shall take whatever steps are necessary to ensure its security and privacy. He shall preserve and file his shorthand notes in an organized manner so that they may be retrieved, if needed, at a later date. These notes shall be retained for a period of not less than five years, unless otherwise specified by law or rule of court.
3. The court reporter shall contribute to the integrity and impartiality of the judicial process or of any other proceeding by conducting himself in a manner that is fair and courteous to all participants. If he has not heard or understood a speaker, he shall, calmly and without inflection, ask him to repeat himself, but shall otherwise make all reasonable efforts to avoid the unnecessary interruption of proceedings.
4. The court reporter shall strive to accept only those assignments where his levels of knowledge, skill and competency are such that they will result in the preparation of a complete and accurate transcript and shall, whenever possible, remove himself from an assignment where he believes his knowledge, skill and competency to be inadequate. He shall recommend or assign another reporter in his place only if, in his opinion, such reporter has the knowledge, skill and competency required for such assignment.
5. The court reporter employed by or assigned to a court or other government organization shall refrain from the improper use of public property, materials, facilities, supplies or services for personal gain. He shall provide his time and services in return for the salary and fees received from his employer and shall assign a substitute reporter to replace him in his absence only with his employer's knowledge and consent.
6. The court reporter shall act with diligence to complete and deliver transcripts in accordance with the provisions of court rules, if applicable, or within a reasonable time after they have been offered. A determination of what constitutes "reasonable time" shall take into consideration such factors as the length of the transcript to be delivered, the transcript backlog experienced by the reporter at the time of placement of the particular order, the time available for transcript preparation, and the availability of a replacement for the reporter involved. The court reporter shall refrain from promising transcript delivery dates he cannot reasonably expect to fulfill.
7. The court reporter shall prepare a true and accurate transcript that is neat in appearance and has proper paragraphing, indentation, marginal limitations and number of lines. Except as specified by official rule, a full page of transcript should conform to the transcript format guidelines recommended by this Association, or the equivalent, and shall provide fair value to the user.
8. The court reporter shall charge no more than a reasonable fee for those assignments where statutory charges do not apply. Determination of the reasonableness of the compensation requires consideration of many factors, including the nature of the services performed, the time required, the expenses to be incurred, the reporter's experience, ability and reputation, and the value of the service to the user. He shall agree with the user in advance, wherever feasible, on the amount of compensation or the basis of compensation. Except to the extent that the basis or amount of the fee is established by law, the court reporter shall set his fee in the exercise of his sole and independent discretion, and shall enter into no agreement with any other reporter, express or implied, on the basis or amount of any charges to any user.

9. The court reporter who plans to assign or refer to another reporter who is not employed or associated with him all or some of the work of an assignment shall, whenever possible, notify the user in advance of that arrangement and give the name of the reporter and his qualifications. The compensation of the reporters involved in such an arrangement shall be based upon a division of service and/or responsibility.

10. The court reporter, whenever making public statements, announcements or advertisements, shall provide truthful, accurate and adequate information that does not deceive or mislead the public about his qualifications and the services he provides.

PROFESSIONAL PRACTICE OBJECTIVES

1. The court reporter shall observe the law and maintain high standards of personal conduct.
2. The court reporter recognizes his responsibility to the public interest and to his profession to contribute to the development and understanding of better ways to serve the interests of justice and to make a record of the proceedings that is true and accurate.
3. The court reporter shall apply his knowledge and experience working in cooperation with the bench and the bar toward the improvement of the administration of justice.
4. The court reporter should strive to perfect and enlarge his professional knowledge in addition to improving his skills.
5. The court reporter who is employed as an official reporter shall recognize his responsibility and accountability to his employer and shall not undertake freelance work when such work conflicts with his official responsibilities.
6. The court reporter should associate with organizations having as their objective the betterment of the court reporting profession in the public interest and contribute his time and funds to carrying on the work of these organizations.
7. The court reporter should give just recognition to the work of his peers without distortion or discrimination.
8. The court reporter shall not engage in commercial activities that conflict with his responsibilities to the persons he serves professionally.
9. The court reporter who holds an official position in a court reporting association shall avoid the appearance of impropriety through the use of his position for self-aggrandizement.

RECOMMENDED TRANSCRIPT FORMAT GUIDELINES

1. No fewer than 25 typed lines on standard 8 $\frac{1}{2}$ x11-inch paper.
 2. No fewer than nine or ten characters to the typed inch.
 3. Left-hand margin should be set at no more than $\frac{3}{4}$ inches.
 4. Right-hand margin should be set at no more than $\frac{3}{8}$ inch.
 5. Each question and answer should begin on a separate line.
 6. Each question and answer should begin at the left-hand margin, with no more than five spaces between the Q. and A. to the text.
 7. Carry-over Q. and A. lines should begin at the left-hand margin.
 8. Colloquy material should begin no more than 15 spaces from the left-hand margin.
 9. Quoted material should begin no more than 15 spaces from the left-hand margin, with carry-over lines to begin no more than 15 spaces from the left-hand margin.
 10. Parentheticals and exhibit markings should begin no more than 15 spaces from the left-hand margin, with carry-over lines to begin no more than 15 spaces from the left-hand margin.
- (In those jurisdictions with transcript format guidelines recommended or established by court or other applicable rule, such guidelines shall be observed.)

KRS 454.280 Individuals who can and cannot take depositions -- Penalty.

- (1) Depositions taken in the Commonwealth that are to be used in its courts shall be taken before:
 - (a) A hearing examiner;
 - (b) A judge, clerk, commissioner, or official reporter of a court;
 - (c) A notary public; or
 - (d) Before other persons and under other circumstances authorized by law.

- (2) (a) A deposition shall not be taken by a person who is:
 1. A party to the action;
 2. A relative, employee, or attorney of one (1) of the parties;
 3. Someone with a financial interest in the action or its outcome; or
 4. A relative, employee, or attorney of someone with a financial interest in the action or its outcome. For the purposes of this subparagraph, "employee" or "relative" shall not include an employee or relative of the attorney of one (1) of the parties.

(b) For the purposes of paragraph (a) of this subsection, "employee" includes a person who has a contractual relationship with a person or entity interested in the outcome of the litigation, including anyone who may ultimately be responsible for payment to provide reporting or other court services, and a person who is employed part-time or full-time under contract or otherwise by a person who has a contractual relationship with a party to provide reporting or other court services.

(c) If a deposition is taken by a person described in paragraph (a) of this subsection, then that deposition shall be void.

- (3) The provisions of subsections (1) and (2) of this section shall not apply to contracts for court reporting services for the courts, agencies, or instrumentalities of the United States or the Commonwealth.

- (4) Any person who takes a deposition in violation of subsection (2) of this section shall be guilty of a Class B misdemeanor.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 224, sec. 1, effective July 15, 1998.