

**RULES  
OF  
TENNESSEE BOARD OF COURT REPORTING**

**CHAPTER 0455-01-04  
STANDARDS OF PROFESSIONAL CONDUCT**

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0455-01-04-.01 Standards of Professional Conduct

**0455-01-04 STANDARDS OF PROFESSIONAL CONDUCT.** 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 Board. A Tennessee Licensed Court Reporter:

- (1) Shall be fair and impartial toward each participant in all aspects of reported proceedings.
- (2) Should only accept an assignment if his/her level of competence will result in the preparation of an accurate transcript and will remove himself/herself from an assignment if he/she believes his or her abilities are inadequate, recommending or assigning another licensee only if such licensee has the competence required for such assignment.
- (3) Shall provide, if requested, information regarding services to be rendered regarding administration of professional services to all parties. The licensee must strive to meet promised delivery dates whenever possible, make timely delivery of transcripts when no date is specified and provide immediate notification of delays.
- (4) Must immediately disclose any conflict of interest or appearance of impropriety as soon as it arises pursuant to T.C.A. § 24-9-136.
- (5) Should immediately seek inactive status and refrain from practice if he/she becomes impaired and unable to function according to the standards of practice. It is the licensee's responsibility to seek supervision and/or personal therapy for any problem that is interfering with the ability to perform professional services.
- (6) 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.
- (7) Shall establish a plan for the security and preservation of shorthand 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 years.
- (8) Shall affix his/her signature, license number and expiration date to a transcript of his/her stenographic notes to certify to its correctness if the transcript has been prepared by him/her or under his/her direct supervision.
- (9) Shall not relinquish control of an original transcript before the transcript is certified and delivered, or provide signed, sealed certificate pages and exhibits along with completed transcripts in an electronic format without first producing the transcript under the reporter's supervision.
- (10) Shall not permit the use of his/her 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.

(Rule 0455-01-04-.01, continued)

- (11) Shall determine fees independently, except where such fees are established by statute, court order, or applicable fee schedule, entering into no unlawful agreements on the fees to any user.
- (12) Shall inform the Disciplinary Counsel of the Board of Court Reporting if he/she has knowledge that another court reporter has committed a violation of the 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 in other respects. A licensee shall also cooperate with any investigation resulting from a complaint for disciplinary action.
- (13) Shall not commit a criminal act that is a felony, or reflects on the court reporter's honesty, trustworthiness or fitness as a court reporter in other respects.
- (14) Shall be truthful and accurate when making public statements or when advertising qualifications or services provided.
- (15) Shall meet all mandated continuing education requirements and should keep abreast of current literature and technological advances and developments.
- (16) Shall refrain from giving, directly or indirectly, any gift, incentive, reward or anything of value to attorneys, clients, witnesses, insurance companies or any other persons or entities associated with the litigation, or to the representatives or agents of any of the foregoing, except for items that do not exceed \$25 in the aggregate per recipient each year.

**Authority:** T.C.A. §§ 20-9-605 and 20-9-607. **Administrative History:** Emergency rule filed February 1, 2010; effective through July 31, 2010.