

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.1492 Court reporter, court recorder, stenomask reporter; duties.

Sec. 1492.

(1) A court reporter, court recorder, or stenomask reporter shall do all of the following in the performance of his or her duties:

(a) Deliver a transcript or statement of facts to a client or court in a timely manner as determined by law, by court order, or by agreement of the parties.

(b) Produce an accurate transcript or statement of facts.

(c) Produce complete transcripts or statements of facts, unless an excerpt of a transcript is authorized by court order, agreement of the parties, or request of a party.

(d) Before accepting an assignment as an independent contractor or employee to provide court reporting or recording services, request information from the person, employer, or entity engaging his or her services as to the existence and nature of the contract between the person, employer, or entity and the client to confirm that the contract is not a blanket contract in violation of section 1491(1)(b). A person, employer, or entity who is party to a blanket contract and who knowingly provides false information in reply to an inquiry required under this subdivision shall be considered to have committed an act that is grounds for discipline or censure under section 1493. This subdivision does not apply to contracts for court reporting or recording services for the courts, agencies, or instrumentalities of local units of government, this state, or the United States.

(e) Advertise or represent truthfully that he or she is a certified court reporter, court recorder, or stenomask reporter and that only a certified individual will be making the record.

(f) Charge all parties or their attorneys to an action the same price for an original transcript or statement of facts and charge all parties or their attorneys the same price for a copy of a transcript or statement of facts or for like services performed in an action.

(g) Stay "on the record" during a deposition unless agreed to by all parties or their attorneys or unless otherwise ordered by the court.

(2) All court reporting firms and court reporters, recorders, and stenomask reporters, including out-of-state court reporting firms and court reporters, recorders, and stenomask reporters, shall register with the state court administrative office by completing an application in a form adopted by the state court administrative office. Rules applicable to court reporters and court recorders are also applicable to court reporting firms. If a court reporting firm or a court reporter, recorder, or stenomask reporter fails to comply with this subsection, the state court administrative office may assess a reasonable administrative fine that is prescribed by rule of the supreme court, that does not exceed \$500.00, and that is payable to the state general fund.

History: Add. 1998, Act 249, Imd. Eff. July 10, 1998

Compiler's Notes: Enacting section 1 of Act 249 of 1998 provides: "Enacting section 1. By enacting this legislation, the legislature does not intend to unduly interfere with fair competition between and among certified court reporters, court recorders, stenomask recorders, or court reporting firms, where that competition does not involve financial arrangements that tend to, or appear to, compromise that impartiality. This amendatory act is to be construed and applied in a manner consistent with this purpose."