

**TITLE 16. COURT REPORTERS BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS**

INITIAL STATEMENT OF REASONS

Hearing Date: No hearing has been scheduled for the proposed action.

Subject Matter of Proposed Regulations: Transcript Reimbursement Fund Application

Sections Affected: Amend Section 2452 of Title 16 of the California Code of Regulations (CCR)¹

Background and Statement of the Problem

The Court Reporters Board of California (CRB or Board) licenses, regulates, and investigates complaints against individual court reporters (also known as shorthand reporters) and firms that offer court reporting services, totaling approximately 5,600 active licensed court reporters and 210 registered firms. CRB carries out its regulatory authority by administering a competency examination to determine entry-level knowledge and abilities, regulating the minimum curriculum that court reporting schools and programs must offer, and disciplining licensees when necessary. CRB enforces the Shorthand Reporters Practice Act (Chapter 13 [commencing with section 8000] of Division 3 of the Business and Professions Code [BPC]).

Since 1981, the Board has administered the Transcript Reimbursement Fund (TRF) to provide shorthand reporting services to low-income litigants in civil cases who are unable to otherwise afford those services by providing transcript reimbursement costs to such indigent litigants. The TRF is funded by annual license fees of certified shorthand reporters that are in excess of funds needed to support the Board's operating budget.

There are two pathways to access the TRF: one path is available to indigent litigants representing themselves (pro per, pro se, in propria persona), and the other path is available to pro bono attorneys representing indigent litigants. There are certain criteria to determine eligibility for each pathway.

Litigants representing themselves in civil court seeking financial assistance with the cost of a court or deposition transcript via the TRF must submit a completed application and a copy of the court-approved fee waiver to the Board. The disbursements to cover the costs of providing transcripts to all applicants appearing pro se is limited to a maximum of \$2,500 per case (BPC §8030.6(a)(5)).

For entities that represent indigent litigants, the applicant must be a pro bono attorney, qualified legal services project, qualified support center, or other qualified project. Pro

¹ Unless otherwise noted, all references to the CCR hereafter are to Title 16.

bono applicants seeking financial assistance with the cost of a court or deposition transcript via the TRF must submit a completed application and a copy of the court-approved fee waiver to the Board. Reimbursement for pro bono applicants is limited to a maximum of \$30,000 per case, per year (BPC §8030.6(a)(3)).

BPC section 8007 authorizes the Board, in accordance with the Administrative Procedure Act (APA) (Government Code [Gov. Code] section 11340 et seq.), to adopt, amend, or repeal rules and regulations that are reasonably necessary to carry out the provisions of the chapter. BPC section 8030.2 establishes the TRF, including funding and transfers thereof that must maintain the Court Reporters' Fund at an amount of no less than six months' operating budget. BPC section 8030.4 defines relevant terms used in the chapter. BPC section 8030.6 sets forth provisions for TRF fund disbursements for transcripts and per diem under certain circumstances and establishes provisions under which reimbursement may be obtained. BPC section 8030.8 sets forth the procedures and requirements for the application for TRF reimbursement and acceptable documentation to establish entitlement for reimbursement.

There are no existing regulations relating to the TRF. The Board reviewed and approved the proposed regulatory language at its August 21, 2026, meeting and also authorized the Executive Officer to make any non-substantive changes to the package.

This rulemaking proposal will add CCR section 2452 to establish procedures and requirements for the application for TRF reimbursement. Subdivision (a) relates to applications from litigants who are representing themselves, and subdivision (b) relates to pro bono applicants.

Anticipated Benefits From this Regulatory Action

This rulemaking proposal helps the Board fulfill its statutory mandate of administering the TRF and clarifies the application process for TRF reimbursement for litigants who are representing themselves, pro bono applicants, and Board staff. By having clear and consistent standards regarding the TRF, this proposal is anticipated to benefit the public by promoting fairness and social equity of access to court reporting services by facilitating TRF reimbursement. This proposal also provides for openness and transparency in business and government by stating the TRF requirements.

Specific Purpose and Rationale of Each Adoption, Amendment, or Repeal

Adopt Section 2452, Transcript Reimbursement Fund Application.

- **Add Regulatory Section Number and Title**

Add the regulatory section number "2452" and add the regulatory title "Transcript Reimbursement Fund Application."

Purpose

The purpose of adding the regulatory section number and title is to establish the new regulation in the CCR.

Because there are no existing regulations relating to the TRF, the new regulation was originally proposed as CCR section 2410 to be placed at the end of Article 1 for General Provisions. However, after the October 17, 2025, Board meeting, Board staff reviewed the statutory authority for the TRF and recommended that since the statutory authority is under Article 4 – Revenue of the BPC, it would be more appropriate to have the TRF regulation under Article 6 – Fees of the CCR. Therefore, the Executive Officer made a non-substantive change of the section number from 2410 to 2452. The proposed title is intended to accurately describe the content of the regulation.

Rationale

The addition of the regulatory section number and title are necessary to establish the new regulation in the CCR.

- **Add Introductory Paragraph**

Add an introductory paragraph to establish the basis for the regulation, including the application, supporting documentation, and methods for submission.

Purpose

The purpose of adding this regulatory text is to establish the basis for the regulation, citing BPC sections 8030.6 and 8030.8 as the statutes that set forth provisions for TRF disbursements for transcripts and per diem under certain circumstances and establish provisions under which reimbursement may be obtained and that establish the procedures and requirements for the application for TRF reimbursement and acceptable documentation to establish entitlement for reimbursement, respectively. BPC section 8030.2 is cited as the statute that establishes the TRF, including funding and transfers thereof that must maintain the Court Reporters' Fund at an amount of no less than six months' operating budget.

The regulation indicates that the Board shall create the TRF application that includes the specified information and related supporting documentation, as well as a process by which applicants applying to receive TRF funds shall submit their applications for reimbursement.

The regulatory proposal outlines the appropriate methods by which the applicant shall submit the TRF application and supporting documentation, which shall be made by mail to the Board's mailing address listed on the Board's website, by email to the email address listed on the Board's website, or in person to the Board's street address listed on the Board's website. The Board's contact information is listed under the "Contact Us" page on its website at www.courtreportersboard.ca.gov. By referring to the Board's

website in this regulation for the mailing, email, and street addresses, it helps ensure that the applicant will be using the address that is current at the time of their TRF application and documentation submission. The regulatory language approved at the October 17, 2025, Board meeting stated that a submission in person shall be made “to the Board’s street address as listed on the Board’s website,” but the other submission methods indicated that they shall be made to an “address listed on the Board’s website.” Therefore, the Executive Officer made a non-substantive change to delete the word “as” from this portion of the sentence in relation to submissions made in person for consistency purposes.

Rationale

This regulatory action is necessary to establish the basis for the regulation, including the application, supporting documentation, and methods for submission.

- **Add Subdivision (a) Relating to TRF Applications From Litigants Representing Themselves**

Add subdivision (a) relating to TRF applications from litigants who are representing themselves.

Purpose

The purpose of adding this regulatory text is to establish the content of the TRF application for litigants who are representing themselves.

The proposal is seeking to add language that requires the following 19 pieces of information be included to be considered a complete TRF application for litigants who are representing themselves.

1. Applicant’s (litigant’s) full legal name (last name) (first name) (middle name);
2. Applicant’s mailing address, city, state, and ZIP code;
3. Applicant’s telephone number;
4. Applicant’s fax number, if any;
5. Applicant’s email address;
6. Affirmation that applicant’s court-approved fee waiver is attached;
7. Case name;
8. County, court, and/or judicial district where filed;
9. Court case file number;
10. Whether an appeal is pending, and, if yes, the appeal number;
11. Whether the applicant has submitted a TRF request in the case previously;
12. Type of civil case;

13. Certified Shorthand Reporter (CSR) number;
14. CSR name;
15. Date of court or deposition proceeding;
16. Whether preparation was of original transcript, original and one copy, or copy only;
17. Whether per diem was included;
18. Whether the applicant has paid for the transcript and is seeking reimbursement and the cost as stated in an itemized invoice from the CSR, or the applicant has not paid and is seeking payment directly to the CSR and the cost as estimated by the CSR; and
19. A signed and dated statement by the applicant that all statements made in the application are true and correct.

For items #1 – 5 above, the additions are to identify the individual litigant who is applying for TRF reimbursement. BPC section 8030.8 establishes requirements for sufficient documentation and the TRF application to be developed by the Board as follows:

(a) For purposes of this chapter, documentation accompanying an invoice is sufficient to establish entitlement for reimbursement from the Transcript Reimbursement Fund if it is filed with the executive officer on an application form prescribed by the board that is complete in all respects, and that establishes all of the following:

(1) The case name and number and that the litigant or litigants requesting the reimbursement are indigent persons. If the applicant is an indigent person appearing pro se the application shall be accompanied by a copy of the fee waiver form approved by the court in the matter for which the applicant seeks reimbursement.

(2) The applicant is qualified under the provisions of this chapter.

(3) The case is not a fee-generating case, as defined in Section 8030.4.

(4) The invoice or other documentation shall evidence that the certified shorthand reporter to be reimbursed was, at the time the services were rendered, a duly licensed certified shorthand reporter.

(5) The invoice shall be accompanied by a statement, signed by the applicant, stating that the charges are for transcripts actually provided as indicated on the invoice.

(6) The applicant has acknowledged, in writing, that as a condition of entitlement for reimbursement that the applicant agrees to refund the entire amount disbursed from the Transcript Reimbursement Fund from any costs or attorney's fees awarded to the applicant by the court or provided for in any settlement agreement in the case.

(7) The certified shorthand reporter's invoice for transcripts shall include separate itemizations of charges claimed, as follows:

(A) Total charges and rates for customary services in preparation of an original transcript and one copy or a copy of the transcript of depositions.

(B) Total charges and rates for expedited deposition transcripts.

(C) Total charges and rates in connection with transcription of court proceedings.

Items #1 – 5 of the proposed regulatory language are personal information pursuant to Civil Code section 1798.3. As discussed below under subdivision (c) on page 12, this information shall not be disclosable as public information because it could be used to identify the individual litigant applicant.

For #6 of the proposed regulatory language, the addition is to verify that the applicant's court-approved fee waiver has been granted and is attached to the application as supporting documentation. BPC section 8030.4(f)(1)(E) states that an indigent person is, in part, a person who qualifies for a waiver of fees pursuant to Gov. Code section 68632. As discussed above under items #1 – 5 on page 5, BPC section 8030.8 establishes requirements for sufficient documentation and the TRF application, including the fee waiver form. This provision provides proof of the applicant's compliance with the waiver of fees requirement.

For #7 – 10 of the proposed regulatory language, the additions are to identify the civil case that is the subject of the TRF application and other relevant case information, including information related to any pending appeals of the case. As discussed above under items #1 – 5 on page 5, BPC section 8030.8 establishes requirements for sufficient documentation and the TRF application, including the case information. As discussed below under subdivision (c) on page 12, the information in items #7, 9, and 10 shall not be disclosable as public information because it could be used to identify the individual litigant applicant.

For #11 of the proposed regulatory language, the addition is to determine whether the applicant has previously submitted a TRF request in the same case to avoid duplicate claims.

For #12 of the proposed regulatory language, the addition is to identify the type of civil case that is the subject of the TRF application.

For #13 – 14 of the proposed regulatory language, the addition is to identify the certified shorthand reporter who worked on the case. As discussed above under items #1 – 5 on page 5, BPC section 8030.8 establishes requirements for sufficient documentation and the TRF application, including the CSR information. This is disclosable public information because the CSR is a licensee of the Board.

For #15 of the proposed regulatory language, the addition is to obtain the date of the proceeding.

For #16 of the proposed regulatory language, the addition is to determine the type of transcript prepared for the case – original, original and one copy, or one copy only. As discussed above under items #1 – 5 on page 5, BPC section 8030.8 establishes requirements for sufficient documentation and the TRF application, including itemized charges and rates for the various types of transcript preparation on the CSR invoice.

For #17 of the proposed regulatory language, the addition is to determine whether per diem was included on the itemized billing discussed under #18 below. BPC section 8030.6(a) prohibits reimbursement of per diem charges by official reporters as part of the costs of preparing transcripts of court or deposition proceedings that were incurred as a contractual obligation between the shorthand reporter and the applicant for litigation conducted in California, unless there is no deposition transcript. In which case, the Board may reimburse the applicant or the CSR designated in the application for per diem costs at a rate not to exceed seventy-five dollars (\$75) for one-half day or one hundred twenty-five dollars (\$125) for a full day under certain circumstances and provisions. Therefore, the per diem information is required for the Board to determine the correct method, payee, and amount for reimbursement.

For #18 of the proposed regulatory language, the addition is to determine whether the applicant has paid for the transcript and is seeking reimbursement or the applicant has not paid and is seeking payment directly to the CSR. This information is required for the Board to determine the correct method, payee, and amount for reimbursement.

For #19 of the proposed regulatory language, the addition is to obtain a signed and dated statement by the applicant attesting to the fact that all statements made in the application are true and correct, which is required to help the Board determine the validity of the application. As discussed above under items #1 – 5 on page 5, BPC section 8030.8 establishes requirements for sufficient documentation and the TRF application, including a signature statement.

Rationale

These additions are necessary to establish the content of the application for TRF reimbursement for litigants who are representing themselves to ensure consistency among applicants for TRF reimbursement under these circumstances.

- **Add Subdivision (b) Relating to TRF Applications From Pro Bono Applicants**

Add subdivision (b) relating to TRF applications from pro bono applicants.

Purpose

The purpose of adding this regulatory text is to establish the content of the TRF application for pro bono applicants.

The proposal is seeking to add language that requires all of the information discussed above under subdivision (a) in addition to the following 16 pieces of information be included to be considered a complete TRF application for pro bono applicants.

1. Pro bono entity's name;
2. Pro bono entity's mailing address, city, state, and ZIP code;
3. Pro bono entity's telephone number;
4. Pro bono entity's fax number;
5. Pro bono entity's email address;
6. Name of attorney handling case;
7. Attorney's mailing address, city, state, and ZIP code;
8. Attorney's telephone number;
9. Attorney's fax number;
10. Attorney's email address;
11. Whether the attorney is employed with, referred by, or has other relationship with the qualifying nonprofit entity;
12. By which section of the BPC the applicant is claiming eligibility;
13. Whether litigant is indigent as defined in BPC section 8030.4 (f);
14. Whether litigant is plaintiff, defendant, or other;
15. By which subparagraph(s) of BPC section 8030.4(e) the applicant is claiming the case is not fee-generating; and
16. Whether represented party entered into any contract that contains any type of contingency fee agreement or clause.

For items #1 – 5 above, the additions are for the purpose of identifying the pro bono entity that is representing the indigent litigant who is a party to the case that is the subject of the TRF application. BPC section 8030.4 contains the following definitions relating to the pro bono entity that are relevant to this subdivision:

(j) "Other qualified project" means a nonprofit organization formed for charitable or other public purposes, that does not receive funds from the Legal Services Corporation or pursuant to the federal Older Americans Act, and provides free legal services to indigent persons.

(k) "Pro bono attorney" means any attorney, law firm, or legal corporation, licensed to practice law in this state, that undertakes, without charge to the party, the representation of an indigent person, referred by a qualified legal services project, qualified support center, or other qualified project, in a case not considered to be fee generating, as defined in this chapter.

(l) “Qualified legal services project” means a nonprofit project, incorporated and operated exclusively in California, that provides as its primary purpose and function legal services without charge to indigent persons, has a board of directors or advisory board composed of both attorneys and consumers of legal services, and provides for community participation in legal services programming. A legal services project funded, either in whole or in part, by the Legal Services Corporation or with the federal Older Americans Act funds is presumed to be a qualified legal services project for the purposes of this chapter.

(m) “Qualified support center” means an incorporated nonprofit legal services center that has an office or offices in California that provide legal services or technical assistance without charge to qualified legal services projects and their clients on a multicounty basis in California. A support center funded, either in whole or in part, by the Legal Services Corporation or with the federal Older Americans Act funds is presumed to be a qualified legal services project for the purposes of this chapter.

For items #6 – 11 above, the additions are for the purpose of identifying the individual attorney who is handling the case that is the subject of the TRF application and determining the attorney’s relationship to the pro bono entity, if any.

For #12 above, the addition is for the purpose of determining the BPC section by which the pro bono entity applicant is claiming eligibility. See discussion above under items #1 – 5 of the pro bono application for information about the pro bono entity’s eligibility pursuant to BPC section 8030.4(j), 8030.4(k), 8030.4(l), or 8030.4(m). As discussed above under items #1 – 5 of the litigant application on page 5, BPC section 8030.8 establishes requirements for sufficient documentation and the TRF application, including the pro bono applicant’s eligibility under Chapter 13 of Division 3 of the BPC. This information is required for the Board to determine that the applicant is eligible to apply for TRF reimbursement.

For #13 above, the addition is for the purpose of determining whether the litigant is indigent as defined in BPC section 8030.4(f) as follows:

(f) (1) “Indigent person” means any of the following:

(A) A person whose income is 125 percent or less of the current poverty threshold established by the United States Office of Management and Budget.

(B) A person who is eligible for supplemental security income.

(C) A person who is eligible for, or receiving, free services under the federal Older Americans Act or the Developmentally Disabled Assistance Act.

(D) A person whose income is 75 percent or less of the maximum level of income for lower income households as defined in Section 50079.5 of the

Health and Safety Code, for purposes of a program that provides legal assistance by an attorney in private practice on a pro bono basis.

(E) A person who qualifies for a waiver of fees pursuant to Section 68632 of the Government Code.

(2) For the purposes of this subdivision, the income of a person who is disabled shall be determined after deducting the costs of medical and other disability-related special expenses.

BPC section 8030.2(a)(1) established the TRF to “provide shorthand reporting services to low-income litigants in civil cases, who are unable to otherwise afford those services, funds generated by fees received by the board pursuant to subdivision (c) of Section 8031 in excess of funds needed to support the board’s operating budget.” The information under item #13 is required for the Board to determine that the pro bono applicant is eligible to apply for TRF reimbursement based on the litigant on the pro bono case being an indigent person.

For #14 above, the addition is for the purpose of determining whether the litigant is the plaintiff, defendant, or other on the case that is the subject of the TRF application.

For #15 above, the addition is for the purpose of determining the subparagraph(s) by which the pro bono entity applicant is claiming that the case is not fee-generating as defined in BPC section 8030.4(e) as follows:

(e) “Fee-generating case” means any case or matter that, if undertaken on behalf of an eligible client by an attorney in private practice, reasonably may be expected to result in payment of a fee for legal services from an award to a client, from public funds, or from an opposing party. A reasonable expectation as to payment of a legal fee exists wherever a client enters into a contingent fee agreement with the client’s lawyer. If there is no contingent fee agreement, a case is not considered fee generating if adequate representation is deemed to be unavailable because of the occurrence of any of the following circumstances:

(1) If the applicant has determined that referral is not possible because of any of the following:

(A) The case has been rejected by the local lawyer referral service, or if there is no such service, by two private attorneys who have experience in the subject matter of the case.

(B) Neither the referral service nor any lawyer will consider the case without payment of a consultation fee.

(C) The case is of the type that private attorneys in the area ordinarily do not accept, or do not accept without prepayment of a fee.

(D) Emergency circumstances compel immediate action before referral can be made, but the client is advised that, if appropriate and consistent with professional responsibility, referral will be attempted at a later time.

(2) If recovery of damages is not the principal object of the case and a request for damages is merely ancillary to an action for equitable or other nonpecuniary relief or inclusion of a counterclaim requesting damages is necessary for effective defense or because of applicable rules governing joinder of counterclaims.

(3) If a court appoints an applicant or an employee of an applicant pursuant to a statute or a court rule or practice of equal applicability to all attorneys in the jurisdiction.

(4) In any case involving the rights of a claimant under a public-supported benefit program for which entitlement to benefit is based on need.

In addition, as discussed above under items #1 – 5 of the litigant application on page 5, BPC section 8030.8 establishes requirements for sufficient documentation and the TRF application, including that the case is not a fee-generating case. The information under item #15 is required for the Board to determine that the pro bono applicant is eligible to apply for TRF reimbursement based on the case being not fee-generating.

For #16 above, the addition is for the purpose of determining whether the represented party (litigant) has entered into any contract that contains any type of contingency fee agreement or clause. As discussed above under item #15 of the pro bono application on page 10, fee-generating cases are not entitled to reimbursement from the TRF. BPC section 8030.4(e) prohibits reimbursement from the TRF wherever a client has entered into a contingent fee agreement with the client's lawyer because a reasonable expectation as to payment of a legal fee exists, making the case essentially fee-generating and not entitled for TRF reimbursement.

Rationale

These additions are necessary to establish the content of the application for TRF reimbursement for pro bono applicants to ensure consistency among applicants for TRF reimbursement under these circumstances.

Underlying Data:

CRB relies upon the following technical, theoretical, or empirical studies, reports, and/or documents for this proposal:

- May 9, 2025, Board Meeting Materials Excerpts – Agenda Item 6.2
- May 9, 2025, Board Meeting Minutes Excerpts – Agenda Item 6.2
- August 21, 2026, Board Meeting Materials Excerpts – Agenda Item 7.2
- August 21, 2026, Board Meeting Minutes Excerpts – Agenda Item 7.2

Business Impact:

The Board has made the initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the inability of California businesses to compete with businesses in other states. This initial determination is based on the following facts/evidence/documents/testimony or other evidence.

CRB has been licensing certified shorthand reporters since 1951 and has been administering the TRF since 1981 and will continue to do both. The Board currently regulates approximately 5,600 active licensed court reporters and 210 registered firms.

The proposed regulatory action only impacts indigent litigants in civil cases who are applying for TRF reimbursement and pro bono TRF applicants. Pursuant to current law, the TRF is funded by annual license fees and revenues from certified shorthand reporters, which are transferred from the Court Reporters Fund to the TRF, as specified.

This proposal is intended to better align the Board's regulations with current law and existing practice. As a result, any impacts are already being incurred, and the regulations do not create additional workload or costs to businesses operating in the state.

Economic Impact Assessment:

The Board has determined that this regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because the proposal better aligns the Board's regulations with current law and existing practice. Any impacts are already being incurred.
- It will not create new business or eliminate existing businesses within the State of California because the proposal better aligns the Board's regulations with current law and existing practice. Any impacts are already being incurred.
- It will not affect the expansion of businesses currently doing business within the State of California because the proposal better aligns the Board's regulations with current law and existing practice. Any impacts are already being incurred.
- This regulatory proposal benefits the welfare of California residents because it will facilitate TRF reimbursement.
- This regulatory proposal does not affect public health, worker safety or state's environment because it does not relate to those issues.

Specific Technologies or Equipment:

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives:

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

Set forth below are the alternatives that were considered and the reasons each alternative was rejected. The Board considered keeping the status quo; however, this alternative was rejected because there are no current regulations that establish procedures and requirements for the application for TRF reimbursement. No other alternatives have been proposed or discussed. Although CRB did not consider any other alternatives, CRB welcomes comments from the public.

Description of Reasonable Alternatives to the Regulation that Would Lessen any Adverse Impact on Small Business:

No reasonable alternative to the regulatory proposal would lessen any adverse impact on small business.

No such alternatives have been proposed; however, CRB welcomes comments from the public.