

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 24.
COURT REPORTERS BOARD OF CALIFORNIA

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:
Transcript Reimbursement Fund Application

NOTICE IS HEREBY GIVEN that the Court Reporters Board of California (CRB or Board) proposes to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 calendar days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Persons” in this Notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under “Contact Persons” in this Notice, must be **received by the Board at its office no later than 5:00 p.m. on November 24, 2026**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 8007 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 8030.2, 8030.4, 8030.6, and 8030.8, sections 1798.3 and 1798.24 of the Civil Code, and section 7920.000 of the Government Code (Gov. Code), the Board is considering adding section 2452 of Title 16, Division 24, of the California Code of Regulations (CCR)¹.

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

There are no existing regulations relating to the Transcript Reimbursement Fund (TRF).

BPC section 8007 mandates that the Board shall “adopt, amend, or repeal rules and regulations which are reasonably necessary to carry out the provisions” of Chapter 13 of Division 3 of the BPC. BPC section 8030.2 establishes the TRF, including funding and

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

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.

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.

Add Section 2452, Transcript Reimbursement Fund Application and Applicant Privacy.

There are no existing regulations relating to the TRF.

This regulatory proposal will make the changes discussed below.

Add Regulatory Section Number and Title

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

Add Introductory Paragraph

Add an introductory paragraph 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.

The proposal adds language requiring the following information be included to be considered a complete TRF application for litigants who are representing themselves:

- Applicant's (litigant's) full legal name (last name) (first name) (middle name);
- Applicant's mailing address, city, state, and ZIP code;
- Applicant's telephone number;
- Applicant's fax number, if any;

- Applicant's email address;
- Affirmation that applicant's court-approved fee waiver is attached;
- Case name;
- County, court, and/or judicial district where filed;
- Court case file number;
- Whether an appeal is pending, and, if yes, the appeal number;
- Whether the applicant has submitted a TRF request in the case previously;
- Type of civil case;
- Certified Shorthand Reporter (CSR) number;
- CSR name;
- Date of court or deposition proceeding;
- Whether preparation was of original transcript, original and one copy, or copy only;
- Whether per diem was included;
- 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
- A signed and dated statement by the applicant that all statements made in the application are true and correct.

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

Add subdivision (b) relating to TRF applications from 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 information be included to be considered a complete TRF application for pro bono applicants.

- Pro bono entity's name;
- Pro bono entity's mailing address, city, state, and ZIP code;
- Pro bono entity's telephone number;
- Pro bono entity's fax number;
- Pro bono entity's email address;
- Name of attorney handling case;
- Attorney's mailing address, city, state, and ZIP code;

- Attorney's telephone number;
- Attorney's fax number;
- Attorney's email address;
- Whether the attorney is employed with, referred by, or has other relationship with the qualifying nonprofit entity;
- By which section of the BPC the applicant is claiming eligibility;
- Whether litigant is indigent as defined in BPC section 8030.4 (f);
- Whether litigant is plaintiff, defendant, or other;
- By which subparagraph(s) of BPC section 8030.4(e) the applicant is claiming the case is not fee-generating; and
- Whether represented party entered into any contract that contains any type of contingency fee agreement or clause.

ANTICIPATED BENEFITS OF THE PROPOSAL

The Board has determined that this regulatory proposal will affect the welfare of California residents as follows: 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.

This regulatory proposal does not affect public health, worker safety or the state's environment as this proposal is not related to those issues.

Evaluation of Consistency and Compatibility with Existing State Regulations

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

Incorporation by Reference

This proposal does not incorporate any document by reference.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The regulations do not result in a fiscal impact to the state.

This proposal establishes procedures and requirements for the application for TRF reimbursement and protects the privacy of indigent litigants who participate in the TRF program. Subdivision (a) relates to applications from litigants who are representing themselves, subdivision (b) relates to pro bono applicants, and subdivision (c) relates to information that shall be considered personal information pursuant to the Information Practices Act of 1977 and not subject to public disclosure under the California Public Records Act.

The Board does not anticipate additional workload or costs resulting from the proposed regulations. Any workload and costs of implementation are a result of current law. CRB has been licensing certified shorthand reporters since 1951 and has been administering the TRF since 1981 and will continue to do both. This proposal does not change the workload, so no additional costs or revenues are expected.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500 – 17630 Require Reimbursement: None.

Mandate Imposed on Local Agency or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the following facts/evidence/documents or testimony:

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 will not adversely affect any licensees because it does not impact licensees or businesses. The proposed regulatory action only impacts indigent litigants in civil cases who are applying for TRF reimbursement and pro bono TRF applicants.

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

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 will not adversely affect any licensees because it does not impact licensees or businesses. The proposed regulatory action only impacts indigent litigants in civil cases who are applying for TRF reimbursement and pro bono TRF applicants. 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.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs / Businesses:

The Board has determined this regulatory proposal will:

- Not create or eliminate jobs in California,
- Not create new businesses or eliminate existing businesses in California, and
- Not expand businesses currently doing business in California.

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. This initial determination is because the proposed regulation only affects indigent litigants in civil cases who are applying for TRF reimbursement and pro bono TRF applicants. This proposal does not impact jobs or businesses.

The Board has determined that this regulatory proposal benefits the welfare of California residents because it will clarify the application process for TRF reimbursement for litigants who are representing themselves, pro bono applicants, and Board staff. The proposal will also facilitate TRF reimbursement.

The Board has determined that this regulatory proposal does not impact public health, worker safety or the state's environment as this proposal does not relate to or involve those issues.

Benefits of Regulation

The Board has determined that this regulatory proposal will have the following benefits to the welfare of California residents:

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.

The Board has determined that this regulatory proposal does not affect public health, worker safety or the state's environment as this proposal does not relate to or involve those issues.

Business Reporting Requirements

The regulatory action does not require businesses to file a report with the Board.

Effect on Small Business

The Board has determined that the proposed regulation will not affect small businesses as it only affects indigent litigants in civil cases who are applying for TRF reimbursement and pro bono TRF applicants.

This regulatory proposal will not have any statewide adverse economic impact directly affecting small businesses including the inability of California small businesses to compete with businesses in other states.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subsection (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833 or by email to the contact persons named in this Notice during the written comment period or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

CRB has compiled a record for this regulatory action, which includes the Initial Statement of Reasons, proposed regulatory text, and all the information upon which this

proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this Notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, any document incorporated by reference, the Initial Statement of Reasons, and all of the information upon which the proposal is based may be obtained upon request from the Board at 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833 or by email to the contact persons named in this Notice.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposal substantially as described herein or may modify such proposal if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 calendar days prior to its adoption from the persons designated in this Notice as the "Contact Persons" and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the contact persons named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the contact persons named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:	Yvonne Fenner
Address:	Court Reporters Board of California 2535 Capitol Oaks Drive, Suite 230 Sacramento, CA 95833
Telephone No.:	(916) 263-3660
Fax No.:	(916) 263-3664
Email Address:	Yvonne.Fenner@dca.ca.gov

The backup contact person is:

Name: Paula Bruning
Address: Court Reporters Board of California
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833
Telephone No.: (916) 263-3660
Fax No.: (916) 263-3664
Email Address: Paula.Bruning@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed and modified text, if any, can be accessed through the Board's website at <https://www.courtreportersboard.ca.gov/lawsregs/index.shtml>.