
New Hampshire Court Reporters Association



March 5, 2018

The New Hampshire Court Reporters Association would respectfully request the NCRA Board of Directors to re-adopt this resolution adopted in 1997. The entire reference can be found at:

<https://www.ncra.org/Government/content.cfm?ItemNumber=9380>

CONTRACTING RESOLUTION

Adopted November 10, 1997 by the NCRA Board of Directors.

Whereas, NCRA has long been concerned with the practice under which court reporters enter into contracts for court reporting services. The basis of this concern arises from ethical rules and laws that require reporters to maintain impartiality and independence in their capacity as officers of the court.

Whereas, in 1995, after review by the United States Department of Justice, NCRA issued a Contracting Disclosure Policy. This Contracting Disclosure Policy requires a court reporter to disclose to all parties present at a deposition the existence of any direct or indirect contracting relationship with any attorney or party to the case. The Contracting Disclosure Policy also requires a court reporter to offer comparable services to all parties in a case and prohibits a court reporter from acting or appearing to act in any proceeding on behalf of any one of the parties.

Whereas, NCRA also has issued several Advisory Opinions which address aspects of certain contracting arrangements under NCRA's Code of Professional Ethics.

Whereas, NCRA's members and affiliated organizations increasingly have expressed their concern about contracting and have contacted NCRA to request information and assistance on methods and means by which they can access legislatures and governmental rule-making bodies in order to lobby for legislation, regulations and/or rules to limit or prohibit contracting arrangements.

Whereas, a number of states have enacted or are considering laws or court rules that limit or prohibit contracting arrangements, or require full disclosure to all parties of the existence of such contracting arrangements.

Whereas, NCRA believes that such laws and court rules are the best way to address the ethical and legal problems raised by contracting arrangements. Now, therefore, it is moved, seconded and carried that NCRA lobby at the state and federal level and work with its affiliated organizations and coalitions at the state level to seek the enactment of laws and court rules that will limit or prohibit contracting arrangements in order to maintain the impartiality and independence of court reporters in their capacity as officers of the court.

Respectfully submitted,

New Hampshire Court Reporters Association
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