

**Ethics Curriculum Guide  
for  
Providers of Court Reporter Continuing Education**

**Prepared by the Georgia Court Reporters Training Council, 9/10/2010  
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The goal of this curriculum guide is to elevate professionalism among all court reporters by providing educational guidance on ethical and professional conduct at all levels. In many cases, accreditation of individual subjects suggested in this outline will be contingent upon their presentation within the context of a program on business ethics and professionalism. See the asterisk notation (\*) for limitations that may apply.

We encourage you to contribute by developing a class, or a session, on ethics and professionalism that addresses these important topics. For course preapproval application, go to the Board of Court Reporting website: <http://bcr.georgiacourts.gov>

**Part I: Ethics and Professionalism Subject Guidelines**

(a) Professional Ethics of the Individual Court Reporter

- Proper training – maintaining skill levels and keeping current with technology upgrade; accepting assignments within current level of competence to produce an accurate legal record; withdrawing from an assignment and recommending a replacement if level of skill is inadequate
- Integrity – avoiding dishonesty in communication, conflicts of interest, and otherwise unscrupulous behavior (e.g., stealing clients, price gouging); guarding against not only the fact but the appearance of impropriety
- Confidentiality and security – protecting the information, oral or written, entrusted to the reporter by any of the parties in a proceeding
- Objectivity – remaining neutral; showing fairness and impartiality toward each participant in all aspects of reported proceedings
- Appropriate onsite interaction – maintaining professional distance and demeanor; being prompt and courteous
- Board of Court Reporting ethics rules – complying with the ethics and professionalism guidelines published on the BCR website (see excerpts, below)
- \*Proper dress – wearing business attire appropriate for the professional legal environment
- \*Time, stress and health management for peak performance in the court reporting workplace – learning to recognize, manage and seek treatment for obstacles to workplace productivity (e.g., complex and demanding schedules, posture and repetitive motion issues, depression)

(b) Professional Ethics of the Court Reporting Firm: reporters to the firm, firm owner responsibility for maintaining standards at the firm level

- Professional standards – establishing standards of proper conduct in a handbook or other consistent manner (see Professional Ethics of the Individual Court Reporter, above)
- Integrity in services and marketing – avoiding dishonesty in communication, conflicts of interest, and otherwise unscrupulous behavior (e.g., stealing clients, price gouging); guarding against not only the fact but the appearance of impropriety

- Attitude of cooperation – firm owners standing up for reporters; reporters standing up for the firm and each other; avoiding favoritism, backstabbing or assignments based on nonprofessional criteria
- Objectivity – remaining neutral; showing fairness and impartiality toward each participant in all aspects of reported proceedings both within and outside of the court reporting firm
- Dispute resolution at the firm level without affecting productivity or the client – avoiding infighting
- Electronic transmission issues – establishing duties and responsibilities of the reporter for transmission in and out of state
- Ethical contracting for court reporting services
- \*Proper dress – firm owner establishing guidelines and maintaining them
- \*Time, stress and health management for peak performance in the court reporting workplace – recognizing employee issues and recommending intervention

(c) Ethical and Professional Relations with Attorneys, Judges, Interpreters and Others in the Legal System

- Legal responsibilities – knowledge of the role and responsibilities of the court reporter
- Professional relations – acting with integrity, confidentiality and objectivity (see Professional Ethics of the Individual Court Reporter, above); handling difficult requests from legal colleagues and business associates (e.g., attorney request for changes to a transcript, request for a specific reporter based on appearance rather than qualifications, request for special pricing)
- Workplace communication skills – relating to fellow legal personnel and business associates in a professional manner

\*Programs which include subjects marked by an asterisk (\*) must follow strict accreditation guidelines and limitations: (1) the subjects address ethical and professional concerns of the court reporting workplace; (2) the subjects are taught by a qualified instructor; and (3) the subjects address an audience of court reporters or general business professionals and otherwise fulfill the guidelines set forth by the Georgia Court Reporters Training Council in the CE Manual for Georgia Certified Court Reporters (available at BCR website).

Part II: Excerpts on Ethics and Professionalism from the Georgia Certified Court Reporters Resource Guide. The following excerpts are published by the Board of Court Reporting of the Judicial Council of Georgia, and are reprinted here for convenience. These rules, codes and guidelines are updated periodically. See the BCR website for published updates prior to use in classes.

• Board of Court Reporting Code of Professional Ethics and Guidelines for Professional Practice

- Article 10: Ethics and Disclosure Form for Depositions  
BOARD OF COURT REPORTING  
CODE OF PROFESSIONAL ETHICS  
AND  
GUIDELINES FOR PROFESSIONAL PRACTICE

On April 17, 1994, the Board of Court Reporting adopted The Board of Court Reporting

Code of Professional Ethics, based on the National Court Reporters Association Code of Professional Ethics and the Code of Professional Conduct and Standards of Practice proposed by the Georgia Certified Court Reporters Association. The Judicial Council favorably reviewed the amendments to the rules necessary to implement enforcement in June of 1994.

The mandatory Code of Professional Ethics defines the ethical relationship the public, the bench, and the bar have a right to expect from a reporter. They set out the conduct of the reporter when dealing with the user of reporting services and acquaint the user, as well as the reporter, with guidelines established for professional behavior. The Guidelines for Professional Practice are goals toward which every reporter should strive. Reporters are urged to comply with the Guidelines, which do not exhaust the moral and ethical considerations with which the reporter should conform, but provide the framework for the practice of reporting. Not every situation a reporter may encounter can be foreseen, but fundamental ethical principles are always present. By complying with the Code of Professional Ethics and Guidelines for Professional Practice, reporters maintain their profession at the highest level.

#### PART I: CODE OF PROFESSIONAL ETHICS

A Georgia Certified Court Reporter Shall:

- A. Be fair and impartial toward each participant in all aspects of reported proceedings.
- B. Be alert to situations that are conflicts of interest or that may give the appearance of a conflict of interest. If a conflict or a potential conflict arises, the reporter shall disclose that conflict or potential conflict.
- C. Guard against not only the fact but the appearance of impropriety.
- D. Preserve the confidentiality and ensure the security of information, oral or written, entrusted to the reporter by any of the parties in a proceeding.
- E. Be truthful and accurate when making public statements or when advertising the reporter's qualifications or the services provided.
- F. Refrain, as an official reporter, from freelance reporting activities that interfere with official duties and obligations.
- G. Determine fees independently, except when established by statute, court order, or applicable fee schedules, entering into no unlawful agreements on the fees to any user.
- H. Refrain from giving, directly or indirectly, any gift, incentive, reward or anything of value to attorneys, clients, or their representatives or agents, except for nominal items that do not exceed \$50.00 in the aggregate per recipient each year.
- I. Refrain from reporting in any method other than the method in which the reporter is certified.
- J. Abide by the Rules and Regulations of the Board of Court Reporting.

#### PART II: GUIDELINES FOR PROFESSIONAL PRACTICE

Common sense and professional courtesy should guide the reporter in applying the following Guidelines. At all times the reporter should maintain the integrity of the reporting profession.

A Georgia Certified Court Reporter Should:

- A. Accept only those assignments when the reporter's level of competence will result in the preparation of an accurate transcript. The reporter should withdraw from an assignment when the

reporter believes his/her abilities are inadequate, and should recommend or assign another reporter who has the competence required for such assignment.

B. Prepare the record in accordance with the transcript format guidelines established by rule, statute, or court order.

C. Notify, whenever possible, the parties engaging the reporter if a substitute reporter, equally qualified, will be assigned to report the proceedings.

D. Preserve the notes/recordings in accordance with statute, court order, or retention schedules, or for a period of no less than five (5) years through storage of the original paper notes/recordings or an electronic copy of either the notes/recordings or the transcript on computer disks, cassettes, backup tape systems, optical or laser disk systems, or other retrieval systems.

E. Meet promised delivery dates whenever possible, make timely delivery of transcripts when no date is specified, and provide immediate notification of delays.

F. Strive to become and remain proficient in the reporter's professional skills.

G. Keep abreast of current literature, technological advances and developments, and participate in continuing-education programs.

H. Assist in improving the reporting profession by participating in national, state, and local association activities that advance the quality and standards of the reporting profession.

I. Cooperate with the bench and bar for the improvement of the administration of justice.

## Rules and Regulations

### ARTICLE 10. ETHICS

#### A. General Ethical Requirements

All certified court reporters in the State of Georgia shall be subject to disciplinary action by the Board pursuant to O.C.G.A. Sec. 15-14-33, and for violations of the Board of Court Reporting Rules and Regulation, and for violations of the Code of Professional Court Reporting.

#### B. Disclosure Form for Depositions

Each court reporter taking a deposition shall provide a copy of a disclosure form to the parties and/or their attorneys, prior to taking a deposition, stating the following:

1. That the court reporter is not disqualified for a relationship of interest under the provisions of O.C.G.A. Sec. 9-11-28 (c), OR

A statement that discloses a permissible relationship of interest under O.C.G.A. Sec. 9-11-28 (c). If the court reporter does disclose a relationship of interest, the court reporter must obtain explicit consent of all parties to the court reporter taking the deposition despite same on the record of the deposition.

2. That the court reporter is a Georgia Certified Court Reporter.

3. That the court reporter is a sole practitioner, or a representative of the XXXX court reporting firm; or an independent contractor of the XXXX court reporting firm.

5. That the court reporter was contacted by the office of (name the attorney/court reporting firm or party who called the court reporter) to provide court reporting services for this deposition.

6. That the court reporter will not be taking this deposition under any contract prohibited by Georgia law.

7. The disclosure form should be dated and signed by the court reporter.

A copy of the disclosure form should be included in the transcript of the deposition, should a transcript be requested.

The sample forms in the Advisory Opinion of the Board of Court Reporting Number 27 are no longer approved by the Board.

Georgia Certified Court Reporters  
Resource Guide