

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control \_\_\_\_\_ Department or Agency: Alabama Board of Court Reporting  
Rule No.: 257-X-5-.10  
Rule Title: Application Following Denial of Licensure

\_\_\_\_\_ New      X   Amend    \_\_\_\_\_ Repeal    \_\_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly  
Harm or endanger the public health, welfare, or safety?              Yes          

Is there a reasonable relationship between the state's  
Police power and the protection of the public health,  
Safety, or welfare?              Yes          

Is there another, less restrictive method of regulation  
Available that could adequately protect the public?              No          

Does the proposed rule have the effect of directly or  
Indirectly increasing the costs of any goods or services  
Involved and, if so, to what degree?              No          

Is the increase in cost, if any, more harmful to the public  
Than the harm that might result from the absence of  
The proposed rule?              No          

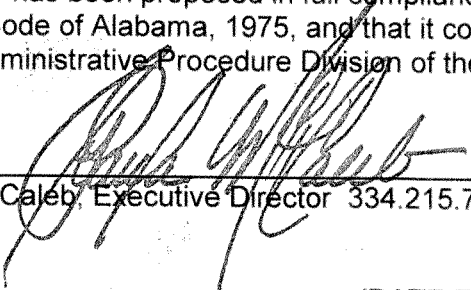
Are all facets of the rulemaking process designed solely  
For the purpose of, and so they have, as their primary  
Effect, the protection of the public?              Yes          

\*\*\*\*\*  
Does the proposed rule have an economic impact?              No          

If the proposed rule has an economic impact, the proposed rule is required to be accompanied  
by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of  
Alabama, 1975.

\*\*\*\*\*  
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the  
requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all  
applicable filing requirements of the Administrative Procedure Division of the Legislative  
Reference Service.

Signature of certifying officer   
Paula McCaleb, Executive Director 334.215.7233

Date: March 23, 2012

(DATE FILED)  
(STAMP)

## Alabama Board of Court Reporting

### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Board of Court Reporting

RULE NO. & TITLE:

257-X-1-.01	Meetings of the Board
257-X-1-.02	Duties of the Officers of the Board
257-X-1-.03	Board Member Compensation
257-X-1-.04	Employment of Personnel
257-X-1-.05	Use of Forms
257-X-1-.06	Maintenance & Inspection of Board Records
257-X-1-.07	Rules and Regulations
257-X-2-.01	Change of Name or Address
257-X-2-.02	Lost License
257-X-2-.03	Verification of Alabama License
257-X-2-.04	Fees
257-X-2-.05	Inactive Status
257-X-2-.06	Restoration
257-X-2-.07	Review Process
257-X-3-.01	Grandfathering by Work Experience
257-X-3-.02	Grandfathering by Credential
257-X-3-.03	Temporary License
257-X-3-.04	Traditional Application for Licensure
257-X-3-.05	Examination
257-X-3-.06	Renewal
257-X-4-.01	Standards of Professional Conduct
257-X-5-.01	Definitions
257-X-5-.02	Grounds for Denial of a License
257-X-5-.03	Grounds for Discipline of a Licensee or Denial of Renewal or Reinstatement
257-X-5-.04	Investigation
257-X-5-.05	Board Action Following Investigation
257-X-5-.06	Administrative Procedure Act
257-X-5-.07	Formal Disposition of Contested Cases
257-X-5-.08	Informal Disposition of Contested Cases
257-X-5-.09	Decisions of the Board
257-X-5-.10	Application Following Denial of Licensure
257-X-5-.11	Reinstatement of a Revoked License
257-X-6-.01	Continuing Education Requirements
257-X-6-.02	How to Acquire CE Credit
257-X-6-.03	CE Sponsors and Programs
257-X-6-.04	Activities Not Qualifying for CE Credit
257-X-6-.05	Certification of Compliance with CE Requirements
257-X-6-.06	Waiver of CE Requirements

**Appendix I 257-X-7 Fees**  
**Appendix II 257-X-8 Forms List**

APA-2  
11/96

INTENDED ACTION:

To amend Rules and Regulations

SUBSTANCE OF PROPOSED ACTION:

To be in compliance with our Law.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Written comments, views, or arguments will be received by the Alabama Board of Court Reporting until 4:30 p.m. on June 07, 2012. Comments should be directed to Paula McCaleb, Executive Director, at P.O. Box 240066, Montgomery, AL 36124, or via fax at 334.215.7231. A public hearing will be held at 9:00 a.m. on June 8, 2012 at 2011 Berry Chase Place Montgomery, AL 36117.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

June 8, 2012

CONTACT PERSON AT AGENCY:

Brandy L. Isenhour  
334-215-7233

  
\_\_\_\_\_  
Paula McCaleb, Executive Director

**257-X-5-.10 Application Following Denial of Licensure**

- (1) Application for a license following denial of licensure shall:
  - (a) Include evidence of rehabilitation, or elimination or resolution of the conditions for denial.
  - (b) Re-application ~~must be at least~~ may occur twelve (12) months after the denial of licensure.
- (2) Board action on applications following denial of licensure may be resolved either informally or through the formal hearing process.
- (3) In considering a subsequent application for licensure, the Board may evaluate factors that include but are not limited to:
  - (a) The severity of the act(s) or omission(s) which resulted in the denial of license;
  - (b) The conduct of the applicant subsequent to the denial of license;
  - (c) The lapse of time since denial of license;
  - (d) Compliance with any conditions stipulated by the Board as a prerequisite for a subsequent application;
  - (e) Rehabilitation attained by the applicant as evidenced by statements provided directly to the Board from qualified individuals who have professional knowledge of the applicant;
  - (f) Whether the applicant is in violation of any applicable statute or rule.

**Author: ~~Paula McCaleb~~ Alabama Board of Court Reporting**

**Statutory Authority: Code of Alabama, 1975. § 34-8B-1 thru . § 34-8B-18**

**Effective Date: June 11, 2012**