

**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: Alabama Board of Court Reporting
Rule No.: 257-X-4-02
Rule Title: **ABCR Ethics**

X New _____ 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 Brandy L. Isenhour
Brandy L. Isenhour Operations Manager 334.215.7233

Date: November 30, 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-4-.02

ABCR Ethics

INTENDED ACTION:

To add to the Rules and Regulations

SUBSTANCE OF PROPOSED ACTION:

To add ethics to our Rules and Regulations.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

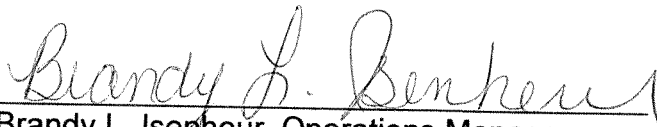
Written comments, views, or arguments will be received by the Alabama Board of Court Reporting until 4:30 p.m. on February 5, 2013. Comments should be directed to Paula McCaleb, Executive Director, at P.O. Box 241565, Montgomery, AL 36124, or via fax at 334.215.7231. A public hearing will be held at 9:00 a.m. on February 1, 2013 at 2011 Berry Chase Place Montgomery, AL 36117.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

February 5, 2013

CONTACT PERSON AT AGENCY:

Brandy L. Isenhour
334-215-7233


Brandy L. Isenhour, Operations Manager

257-X-4-.02 ABCR ETHICS

The mandatory Code of Professional Ethics defines the ethical relationship the public, the bench, and the bar have a right to expect from a Licensee. The Code sets out the conduct of the Member when dealing with the user of reporting services and acquaints the user, as well as the Member, with guidelines established for professional behavior. The Guidelines for Professional Practice, on the other hand, are goals which every Member should strive to attain and maintain. Members are urged to comply with the Guidelines and must adhere to local, state and federal rules and statutes. It should be noted that these guidelines do not exhaust the moral and ethical considerations with which the Member should conform, but provide the framework for the practice of reporting. Not every situation a Member may encounter can be foreseen, but a Member should always adhere to fundamental ethical principles. By complying with the Code of Professional Ethics and Guidelines for Professional Practice, Members maintain their profession at the highest level. A member shall:

- 1) Be fair and impartial toward each participant in all aspects of reported proceedings, and always offer to provide comparable services to all parties in a proceeding.
- 2) 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 Member shall disclose that conflict or potential conflict.
- 3) Guard against not only the fact but the appearance of impropriety.
- 4) Preserve the confidentiality and ensure the security of information, oral or written, entrusted to the Member by any of the parties in a proceeding.
- 5) Be truthful and accurate when making public statements or when advertising the Member's qualifications or the services provided.
- 6) Refrain, as an official reporter, from freelance reporting activities that interfere with official duties and obligations.
- 7) Determine fees independently, except when established by statute or court order, entering into no unlawful agreements with other reporters on the fees to any user.
- 8) Refrain from giving, directly or indirectly, any gift or anything of value to attorneys or their staff, other clients or their staff, or any other persons or entities associated with any litigation, which exceeds \$100 in the aggregate per recipient each year. Nothing offered in exchange for future work is permissible, regardless of its value. Pro bono services as defined by the NCRA Guidelines for Professional Practice or by applicable state and local laws, rules and regulations are permissible in any amount.
- 9) Maintain the integrity of the reporting profession.
- 10) Abide by the ABCR Rules and Regulations and Statues.

Author: Alabama Board of Court Reporting

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

Effective Date: February 4, 2013