

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control _____ Department or Agency: Alabama Board of Court Reporting
Rule No.: 257-X-5-11
Rule Title: Reinstatement of a Revoked License

_____ 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-.11 Reinstatement of a Revoked License

- (1) **Revocation due to violations of the statute or rules and regulations:**
 - (a) Application for reinstatement:
 - (1) May be made twelve (12) months after the effective date of revocation unless otherwise specified in Order or Agreement;
 - (2) Shall be made according to forms and guidelines provided by the Board.
 - (b) Applications for reinstatement of a revoked license may be resolved informally or through the formal hearing process.
 - (c) In considering reinstatement of a revoked license, the Board may evaluate factors that include but are not limited to:
 - (1) Severity of the act(s) that resulted in revocation of the license;
 - (2) Conduct of the applicant subsequent to the revocation of license;
 - (3) Lapse of time since revocation;
 - (4) Compliance with all reinstatement requirements stipulated by the Board;
 - (5) Rehabilitation attained by the applicant as evidenced by statements provided directly to the Board from qualified individuals who have professional knowledge of the applicant;
 - (6) Whether the applicant is in violation of any applicable statute or rule;
 - (7) Directly or by implication represent in any way that the person is a licensed court reporter.
- (2) **Revocation due to a failure to renew during the grace period:**
 - (a) Application for reinstatement:
 - (1) May be made at any time after the license has been revoked due to a failure to renew during the grace period;
 - (2) Shall be made according to forms and guidelines provided by the Board.
 - (b) Applications for reinstatement may be approved by the Executive Director or by a vote of the Board at a scheduled board meeting.
 - (c) In considering reinstatement of a revoked license, the Board or its Executive Director may evaluate factors that include but are not limited to:
 - (1) Whether the individual has continued to practice court reporting without a license;
 - (2) Whether the individual responded to Board correspondence;
 - (3) Whether the individual provided the Board's administrative office with updated addresses and telephone numbers.
- (3) Must pay a reinstatement fee
- (4) Must complete .5 CEUs for each renewal year the applicant has failed to renew the license.

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