

# Governor's Office of Management and Budget

Alexis Sturm

Director



## Regulatory Sunset Act Report on The Illinois Certified Shorthand Reporters Act of 1984

May 9, 2024

**To the Honorable JB Pritzker  
Governor of Illinois**

Governor Pritzker:

The Governor's Office of Management and Budget ("GOMB"), in compliance with the requirements set forth in the Regulatory Sunset Act (5 ILCS 80/1 et seq.), has conducted a review of the Illinois Certified Shorthand Reporters Act of 1984 (225 ILCS 415/1 et seq.), which is scheduled to be repealed on January 1, 2025. As a result of this review, GOMB makes the following recommendation:

The Illinois Certified Shorthand Reporters Act of 1984 should be continued without modification.

GOMB's examination of this Act was conducted considering the factors set out in Sections 6 and 7 of the Regulatory Sunset Act. The following report outlines the work of GOMB's study and details the criteria and data utilized to arrive at the above recommendation.

Respectfully,

Alexis Sturm  
Director  
Governor's Office of Management and Budget

## GOMB Regulatory Sunset Act Report: Illinois Certified Shorthand Reporters Act of 1984

The State of Illinois, acting through the Illinois Department of Financial and Professional Regulation (IDFPR or the Department), licenses the profession of shorthand reporters pursuant to the Illinois Certified Shorthand Reporters Act of 1984. The “practice of shorthand reporting” is defined in that Act to refer to “reporting, by the use of any system of manual or mechanical shorthand writing, of Grand Jury Proceedings, court proceedings, court related proceedings, pretrial examinations, depositions, motions and related proceedings of like character, or proceedings of an administrative agency when the final decision of the agency with reference thereto is likely to be subject to judicial review under the provisions of the Administrative Review Law.” 225 ILCS 415/4.

The Illinois Certified Shorthand Reporters Act of 1984 states that the Act was “designed to encourage proficiency in the practice of shorthand reporting as a profession; to promote efficiency in court and general reporting; and to extend to the public the protection afforded by a standardized profession by establishing a standard of competency for certified shorthand reporters. It is further declared that, in order for the practice of shorthand reporting as defined in this Act to merit and receive the confidence of the public, only qualified persons shall be authorized to practice shorthand reporting in the State of Illinois.” 225 ILCS 415/1.

### 1. License Count and Fee Structure

As of March 29, 2024, IDFPR states that there are 1,419 currently active licenses for shorthand reporters in Illinois. See the following table for the number of shorthand reporter licenses issued by IDFPR in the fiscal years indicated:

License Type	FY19	FY20	FY21	FY22	FY23
Shorthand Reporters	1,708	1,716	1,705	1,716	1,705

Shorthand Reporters have the following licensure fee structure:

License Type	Fee Amount
Application for license	\$25
Temporary license	N/A
Annual license renewal	\$20

### 2. Obtaining Certification as a Shorthand Reporter in Illinois

#### Obtaining Certification

Section 11 of the Illinois Certified Shorthand Reporters Act of 1984 (225 ILCS 415/11) addresses those criteria that applicants must demonstrate for certification as a shorthand reporter:

- A. That person has applied for certification in writing in form and substance to the Department; and
  - (1) (Blank);
  - (2) Is of good moral character, the determination of which shall take into account but not be totally based upon any felony conviction of the applicant; and

(3) Has graduated from a high school or secondary school or its equivalent; and

B. That person has successfully completed the examination authorized by the Department.

#### Determining Competency for Certification

Section 9 of the Illinois Certified Shorthand Reporters Act of 1984 outlines the criteria that the Department is to use when making determinations of competency for certification in the shorthand reporter profession:

In determining competency, the Department shall require proof that the applicant has a good understanding of the English language, including reading, spelling and vocabulary, and that the applicant has sufficient ability to accurately report any of the matters comprising the practice of shorthand reporting as herein defined, by the use of any system of manual or mechanical shorthand or shorthand writing, and a clear understanding of the obligations between a shorthand reporter and the parties to any proceedings reported, as well as the provisions of this Act.

Further, applicants must demonstrate that they have successfully completed the required examination to be certified as a shorthand reporter. The exam is administered by the Department or through the Department's use of a consultant for the purpose of preparing and conducting examinations. As required by the Act, the examination shall be of "a character to give a fair test of the qualifications of the applicant to practice shorthand reporting." 225 ILCS 415/10.

In response to inquiries by GOMB, the Department stated that it also uses an applicant's submitted application materials when evaluating an applicant's competency. In addition to reviewing an applicant's completed examination, the Department also considers an applicant's submitted shorthand reporter application and proof of completion of the required coursework from an approved National Court Reporter Association (NCRA) institution. Applicants applying for shorthand reporter certification via "Acceptance of Examination" are required to submit a completed application, proof of high school completion, an official copy of the Registered Merit Reporter Certificate or a Registered Professional Reporter Certificate issued by the NCRA, and, if applicable, proof of practice in another state.

The Department also represented to GOMB that if an individual applies to the Department for certification as a Restricted Shorthand Reporter by Non-Examination, IDFPR considers in its evaluation the applicant's submitted application, proof of high school graduation, and of an 'A' proficiency rating for the examination issued under the Court Reporters Act. These documents must be accompanied by a written request from the Chief Circuit Judge of a county of less than 1,000,000 for a restricted certificate to Court reporting Services in Springfield.

### **3. Equity Concerns**

IDFPR states that the cost of the examination for licensure is comparatively low (\$230), resulting in fewer barriers for individuals seeking to join the profession. Further, the examination can be taken online, allowing applicants the flexibility to sit for the exam at home or in a public library, for example. As a result, license applicants will not incur the costs of travel to and lodging at a centralized examination administration testing location. Accordingly, IDFPR asserts that the testing location should not be considered a barrier to taking the shorthand reporter examination. IDFPR acknowledges that certain felony convictions may preclude an individual from being licensed as a shorthand reporter. In

these instances, the Department makes decisions on a case-by-case basis.

Currently, there are only two institutions in Illinois that offer education in shorthand reporting: Generations College (formerly MacCormac College) in Chicago and South Suburban College in Oak Forest. Both programs have been approved by the NCRA as pre-requisites and prepare students to sit for the shorthand reporter examination required by the State. However, there are geographic limitations with the locations of these programs, because both are in the extreme northeast corner of the State. Outside of the Chicago area, there are significant geographic barriers for individuals that elect or prefer in-person training to become a shorthand reporter. While the length of time may vary by student, degrees from both institutions can be completed in two years. Generations College and South Suburban College each offer an online option for a degree in shorthand reporting.

IDFPR does allow for out-of-state individuals who are certified as a shorthand reporter under the laws of another jurisdiction to receive an endorsement and become licensed in Illinois without examination. However, to do so, these individuals must apply to the Department and submit the required endorsement fee (currently \$25). It should be noted that the endorsement fee paid to IDFPR would be in addition to any fees already paid by such individuals to the other jurisdiction for all necessary education and testing fees.

Further study and coordination with industry groups and educational institutions is recommended to address barriers to the shorthand reporting profession.

#### **4. Agency recommendations to change the statute**

IDFPR has not reported any recommended changes to the Act.

#### **5. Agency efforts to comply with enabling laws**

At the time of this study, GOMB is not aware of any compliance issues by IDFPR related to the provisions of the Act.

#### **6. Recent bills introduced by the General Assembly**

Representative Elizabeth Hernandez introduced House Bill 4426 into the 103<sup>rd</sup> General Assembly. This bill, among other things, extends the repeal date of the Illinois Certified Shorthand Reporters Act of 1984 from January 1, 2025, to January 1, 2030. As noted on the Illinois General Assembly website, [Illinois General Assembly – Bill Status for HB4426 \(ilga.gov\)](https://ilga.gov/bills/103/4426), additional sponsors have signed on to the bill with bi-partisan support. This indicates interest to extend the repeal date of the Act.

#### **7. Stakeholder Feedback and Protocols for Shorthand Reporter Licensure**

IDFPR did not report having received comments from professional organizations or other interested parties regarding the impact of IDFPR's rules or its administrative decisions related to enforcement of the licensing program. Further, IDFPR is not aware of any public feedback regarding shorthand reporter licensure.

## **8. Public Outreach**

IDFPR provides multiple avenues for members of the public to contact the Department with comments or concerns about the programs it regulates or the Department's rules governing its programs. Although IDFPR conducts public outreach efforts through social media and other external-facing means, IDFPR is unaware of any ongoing or recent full-scale media or advertising campaigns solely dedicated to this profession.

## **9. Industry Standards**

IDFPR states that the personal qualifications required for this profession are in line with industry standards. After review by IDFPR, the agency states that its qualifications are substantially equivalent to the qualifications required in California, Alabama, Missouri, and Michigan to practice as a shorthand reporter.

## **10. Public Complaint Resolution**

IDFPR has not received any formal public complaints regarding this licensure program in the last five years. Accordingly, IDFPR has nothing to report on its efficiency in resolving public complaints at this time. There is no report of IDFPR inefficiencies resolving public complaints related to the Illinois Certified Shorthand Reporters Act of 1984.

## **11. Disciplinary Action**

The Illinois Certified Shorthand Reporters Act of 1984 provides for disciplinary action against shorthand reporters if problems arise in their practice, during the provision of their services, or for other specified events. In particular, the Act provides that "the Department may refuse to issue or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary or non-disciplinary action as the Department may deem appropriate, including imposing fines not to exceed \$10,000 for each violation and the assessment of costs as provided for in Section 23.3 of the Act with regard to any license, [for any one or combination of twenty-seven identified acts ]." 225 ILCS 415/23.

## **12. Conclusion**

The Illinois Certified Shorthand Reporters Act of 1984 governs the licensure of shorthand reporting in the State of Illinois. The absence of licensing criteria for shorthand reporters would pose a significant and direct harm to the safety and welfare of the public and specifically the State's judicial system. The lack of regulation would eliminate the professional standards held by individuals who are a significant part of Illinois' court system and the protection afforded litigants, others using the State's court processes, consumers, and shorthand reporting services.

Current evidence does not suggest that the imposition of the state's regulatory standards is such a burden as to outweigh the benefits to the health, safety, and welfare of the people of Illinois in continuing the licensure and regulation of this profession. Consequently, the Act is necessary and appropriate to ensure the health, safety, and welfare of the people of Illinois.

The Illinois Certified Shorthand Reporters Act of 1984 should be continued to promote and enhance the safety and welfare of the public, without burdening licensees or commerce.