

Pennsylvania Court Reporters Association

Code of Professional Ethics

Adopted from NCRA Code of Professional Ethics and Approved by PCRA Board September 2022

Value Statement

PCRA members and volunteers are expected to be honest, respectful even in times of differing opinions and always display the highest level of professionalism and integrity.

Professionally, 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 also 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, including legal ability to remotely swear in witnesses.*
- 6. Refrain, as an official reporter, from 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 \$150 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 Pennsylvania Court Reporters Association's (PCRA) Bylaws.*

Board Ethics

In service to PCRA, a Member shall:

- 1. Shall act with honesty, integrity, and transparency in all their dealings with each other and as representatives of PCRA.*
- 2. Shall support and be loyal to the mission of PCRA.*
- 3. Shall exercise good faith, loyalty and due diligence in PCRA affairs.*
- 4. Shall ensure that the financial resources of PCRA are responsibly and prudently managed.*

Social Media Conduct Policy

"Social Media" refers to a website or platform that allows the creation and exchange of user-generated content. Examples include but are not limited to Facebook, LinkedIn, Instagram, Twitter, YouTube, and personal or professional blogs.

- 1. PCRA Members and Staff are expected to conduct online interactions in accordance with the same values, ethics, and confidentiality as outlined in the PCRA Code of Professional Ethics.*
- 2. PCRA accepts responsibility for the content it posts on social media sites and will not impersonate, mislead, or purposefully obscure the Association's identity when using social media. Social media is about enhancing the Association's credibility and reputation. PCRA also expects participants in dialogue on its social media sites to refrain from impersonating, misleading or purposefully obscuring their identities.*
- 3. PCRA protects its own intellectual property and respects the intellectual property of others. PCRA will not intentionally use copyrighted material without permission or use of others' business name, logo, or other trademark-protected materials in a manner that may mislead or confuse others with regard to PCRA's brand or affiliation. PCRA also expects that members*

and participants in dialogue on PCRA's social media sites display the same respect for the intellectual property of PCRA and others. PCRA will respond to clear and complete notices of alleged copyright or trademark infringement.

4. PCRA respects antitrust laws and does not use its social media sites to improperly coordinate discussions between members and market participants about rates, prices, salaries, refusals to deal, or other anti-competitive practices. PCRA expects its members to do the same and to refrain from such dialogue on PCRA social media sites.
5. PCRA accepts differences and differing opinions about court reporting issues and strives to maintain a courteous, polite, and professional dialogue about these issues even when it might disagree with opinions expressed by others. PCRA expects that members and other participants in dialogue on PCRA's social media sites also will accept differences and differing opinions by responding in a respectful way when they disagree or have a differing opinion.
6. PCRA does not use social media to bully, intimidate, or threaten others and expects participants in dialogues on PCRA's social media sites to refrain from bullying, intimidation, and threatening harm or violence to anyone, including threats directed to the Association and its leadership and staff.
7. PCRA does not use social media to defame the reputation of others and will not tolerate the use of the Association's social media sites by any dialogue participants in order to defame the reputation of the Association, any individuals or groups of individuals, or any organization or business entity.
8. PCRA expects that, when reflecting on or questioning the actions of PCRA leadership or the Association as a whole, members and participants in dialogue remain respectful and allow for PCRA response before asserting, insinuating, or making false claims about the Association or its leadership and staff. PCRA members have every right to question the Association or its leadership and staff but are encouraged to do so through the appropriate channels.

Complaint Process

Adapted from NCRA Complaint Procedures against Members

The following procedures shall be followed in instituting and resolving complaints that a Member of the Association has violated the PCRA Code of Professional Ethics, Social Media Conduct Policy, and/or PCRA Bylaws.

Before filing a complaint, please read the following procedures in their entirety. To submit your complaint, complete the form below and send it and any attachments to:

Attn: Executive Director
Pennsylvania Court Reporters Association
908 North Second Street
Harrisburg, PA 17102

"Executive Director" refers to the Executive Director or his or her designated representative. Complaints pertaining to NCRA Code of Ethics or certification should be submitted to NCRA via the appropriate channels, as outlined on the [NCRA website](#). PCRA does not have authority or jurisdiction over certification complaints or issues.

Filing and Investigation of Complaints

1. Any person may file a complaint against a Member of or individual associated with the Association on an approved PCRA complaint form. The Executive Director shall promptly acknowledge receipt of all complaints. The Executive Director shall send a copy of these complaint procedures to the person making the complaint. If the complaint does not contain all of the required information, the Executive Director shall advise the person making the complaint that further information must be provided before any further action can be taken and shall specify what further information is required. Any complaint not meeting the requirements will not be considered.

2. All complaints must be in writing, signed by the person making the complaint, and addressed to the Executive Director of the Association. All complaints must contain the name and address of the Member complained against, a description of the conduct complained of, and references to the specific provisions of the PCRA Code and/or Policy involved in the complaint. In addition, the complaint must include all pertinent documentation which is made to substantiate the complaint, available at the time of the complaint. All complaints must be signed by the complainant and the complainant must affirm that the facts stated in the complaint are true and accurate to the best of the complainant's knowledge and belief. The complaint must also contain the complainant's consent for the Association's disclosure of the complaint to the Member complained against, the members of the Association Board of Directors, officers, and appropriate staff.
3. Once a complaint is accepted for processing, PCRA will send all written communications to the person making the complaint and the Member or individual complained against by certified mail, overnight express courier, or hand delivery. The Executive Director shall forward a copy of the complaint to the Member or individual complained against, along with a copy of these complaint procedures and a copy of the appropriate code or policy, and request that the Member respond to the complaint in writing within (30) days from the date of the letter of notification. A copy of any response received shall be forwarded to all other parties.
4. PCRA shall keep confidential all records, documents, files, and evidence pertaining to a complaint, and proceedings will be closed to the public, except as may be necessary for compliance with these complaint procedures or to take ancillary action with respect thereto, or unless ordered otherwise by a court or agency of competent jurisdiction. Any party initiating a complaint shall agree in writing not to disclose all or part of any record, document, file, evidence, the decision of the Board as well as to indemnify and hold harmless the association from any claim or action that may result from such improper disclosure. Furthermore, any party violating these confidentiality provisions shall be subject to sanctions under these procedures. If a reporter's membership is suspended or revoked for violating the Code, PCRA shall publish that information in the *OUTLINE* and on its website, after a decision on a complaint is final (i.e. the Board has rendered a decision on an unappealed complaint or the Board has rendered its decision on an appealed complaint). Should a Member resign his or her membership in PCRA while an ethics complaint is pending, the Committee shall complete the processing of the complaint as specified in these procedures.

Proceedings by the Board of Directors

1. When the thirty-day (30) period has elapsed, the Executive Director shall forward the complaint, documents submitted, and the response, if any, to the Board of Directors. The Board of Directors may reach its decision based on the complaint and the response, if any, or may ask the Executive Director to obtain additional information. The Board may also grant an opportunity for the person making the complaint and the Member or certified individual complained of to be heard either in person, through legal counsel, or in a format agreed to by all parties. If the Board determines there are disputed issues of fact that are material to its decision, it may grant any party an opportunity to present relevant information, including documents and witnesses, and an opportunity to cross-examine the witnesses called by any party. The Board shall be the judge of the relevance and materiality of any information offered, and conformity to legal rules of evidence shall not be necessary.
2. The Board shall thereafter prepare a written decision containing its findings of fact and conclusions. It may issue a cautionary letter, warning, or statement of advice to the Member or individual.

Alternatively, the Board may recommend that the Member be expelled or suspended (up to one (1) year) from the Association or may order that the Member or individual be reprimanded. The decision for expulsion or suspension requires a two-thirds (2/3) vote of the Board of Directors at a meeting at which a quorum is present.

3. The Board shall inform all parties as to the status of the complaint within ninety (90) days after the case is received by the Board from the Executive Director. If a hearing is scheduled, the Board shall render its decision within sixty (60) days after the hearing is completed.

Appeals

1. The Executive Director shall promptly send a copy of the decision of the Board to the person making the complaint and the Member individual complained against. If a party wishes to appeal the Board's decision, such appeal must be filed in writing to the Board of Directors within 30 days from the date of the letter notifying all parties of the Board's decision. The appeal must specify the grounds upon which the party contends the Board's decision is erroneous and should be revised.
2. If no appeal is taken within the thirty-day (30) period from a decision by the Board, the Board's decision will be final, and a copy of the decision will be placed in the Member's individual's confidential file; provided that the Board of Directors shall sustain any decision to suspend or expel a Member in accordance with the Constitution & Bylaws.
3. If an appeal is received within the thirty-day (30) period, the Executive Director shall forward it to the other parties to the proceeding. Any party to the proceeding desiring to respond to the appeal must do so within fifteen (15) days from the date of the letter of notification that an appeal has been made. When the fifteen-day (15) period has elapsed, the Executive Director shall forward to the Board of Directors the appeal, any response, and all other documentation relating to the matter. The Board may decide the matter on the basis of these documents or may grant a request for oral argument made by any party, in person or through their attorney.

Costs and Expenses

1. Each party shall bear his or her own costs and expenses with respect to any proceeding, except in regard to an appeal of the Board's decision. In that case, at the discretion of the Executive Director, each party shall be required to bear the costs for producing copies of all documents necessary for the Board to review and decide the appeal.

PCRA reserves the right to eliminate, change, or modify policies at any time.