

Tracy, Mary

From: OFFICE RECEPTIONIST, CLERK
Sent: Wednesday, April 08, 2015 8:30 AM
To: Tracy, Mary
Subject: FW: Revisions to CR 28

Good Morning! For you ☺

From: kathleenmckee@comcast.net [mailto:kathleenmckee@comcast.net]
Sent: Wednesday, April 08, 2015 8:20 AM
To: OFFICE RECEPTIONIST, CLERK
Subject: Revisions to CR 28

RE: STRONGLY OPPOSE REVISION TO CR 28

I am submitting this document in order to state my objections to the proposed changes in CR 28. These are changes which seem completely unnecessary to me.

I am an independent court reporter working in Washington. I have been licensed by the state for approximately eight years. During that time period I have worked as an independent contractor for various firms. The firms handle the marketing, billing, and transcript production but subcontracts the deposition to me. I go out to the attorney's office and make an official record of the proceedings and then I return to my home and prepare the transcript. I spend many hours editing and preparing the transcript and I then submit it to the firm who gave me the assignment. They print out the final transcript and contact the deponent to review the transcript for any errors. They also bill the attorneys involved and file any transcripts with the court. This is the way the vast majority of independent court reporters in the state work.

One of the proposed changes to CR 28 would require me to bind my own transcripts and deliver them to the attorney and then bill that attorney for my services. It is a much better business model for me to have a court reporting firm do all the final transcript production (i.e., binding the transcripts and delivering the electronic copies) so that I don't have to do that part. That is a time-consuming process and I would rather be free to take on more deposition work instead. That way I make more money and the state makes more tax money, so it benefits everyone.

Another unnecessary and unrealistic proposed change to the bill requires all attorneys be billed the same rate for transcripts. When an attorney schedules a deposition and orders the transcript he receives what is called an original transcript. He pays a higher rate for that original and he also pays the court reporter's appearance fee. Any other attorneys present at the deposition who order a copy of the transcript pay a lower rate and do not pay for the court reporter. The attorneys know this is the ordinary course of business and it works fine for all parties involved. There is no reason to sign an affidavit regarding equal rates for depositions. As an independent contractor I don't know what rate the attorneys are paying so I would not be able to sign an affidavit attesting to that. What happens to these affidavits after they are signed? Do we really need more paperwork and bureaucracy for a system that works just fine the way it is?

Another proposed change to CR 28 would prevent court reporting firms from offering discounts to law firms who they contract with. Although I am not involved in that end of the business since I am an independent contractor I don't understand why a ruling change is necessary. It seems like good

business to offer discounts to repeat customers who use your services on a regular business. That's what loyalty cards at the grocery store are designed to do. It makes sense to offer a better rate to someone who repeatedly uses your services. It's good customer service. This in no way means the transcript is not an accurate and honest record of the deposition proceedings. The independent court reporter doesn't know what rate the attorneys are paying and those rates don't influence how we do our job.

Thank you for your consideration of my opinions on CR 28. These proposed changes are unnecessary and impractical and would actually make more work for the independent court reporter, which in the long run would cause us to make less money. The legal community would not benefit from these changes to CR 28.

Sincerely,

Kathleen McKee, CCR 3115, CVR
Washington Certified Court Reporter