

Tracy, Mary

From: Hinchcliffe, Shannon
Sent: Sunday, April 26, 2015 2:22 PM
To: Tracy, Mary
Subject: FW: Court Reporter Rules 28(c),(d) and (e); CR 80

From: Judy Webb [jwebb@yomreporting.com]
Sent: Saturday, April 25, 2015 4:53 PM
To: AOC DL - Rules Comments
Subject: Court Reporter Rules 28(c),(d) and (e); CR 80

TO: Office Receptionist, Clerk,

What is a court reporter? In Washington state to work as a court reporter you must pass the examination administered by our State at 95% accuracy, and then you will become licensed to work as a court reporter (CCR). Please take this fact into consideration as you look at all the letters and emails you receive from out-of-state agencies and reporters and non-reporters who are not certified as a Certified Court Reporter (CCR) in the State of Washington regarding the following topics at hand.

I, Judy Steenbergen-Webb, Washington CCR No. 2495, am writing to urge the members of the Supreme Court to adopt the proposed changes to 28(c), (d) and (e).

Addressing 28(c) first, I believe the changes outlined will prohibit the practice of insurance companies and large corporations entering into exclusive agreements or contracts with court reporting firms or networks that require the provision of preferential services and pricing offered to one of the party litigants that are not offered equally to all of the parties. In a typical arrangement, an insurance company will agree to use one court reporting agency exclusively to report all their depositions in exchange for offering reduced rates and other special perks. I believe this practice to be completely unethical adding hidden costs to the opposing parties in a case. This practice violates the ethical standards set out by our national association, National Court Reporters Association, NCRA.

The proposed change to 28(d) will allow for a system in place wherein court reporters and, very importantly, court reporting firms can be required to show proof of equal terms and held accountable by being required to sign an affidavit of equal terms upon request.

The proposed change to 28(e) will prevent court reporting firms from making changes to transcripts after the original transcript has been completed, what has been called "padding the transcript," an unethical practice that ensures a profit for the third-party contracting insurance company. It will also allow certified court reporters to ensure equal terms have been provided to all parties, which has already been called out in the rule, but there is currently no means or requirements related in enforcement. Lastly, it will prevent unethical and unscrupulous "stretching" of transcripts by changing the characters per line of the transcript in order to create a longer transcript to invoice parties for. This has nothing to do with limiting competition, as some court reporters are alleging in their comments to the Court. It has everything to do with protecting consumers providing an ethically produced and priced transcript. The adoption of CR 80, which currently reads --

"Except as otherwise ordered by the court the minimum qualification to become an authorized transcriptionist in order to complete and file an official certified court transcript from electronically recorded proceedings is certification as a court reporter or certification by AAERT (American Association of Electronic Reporters and Transcribers) or proof of one year of supervised mentorship with a certified court reporter or an authorized transcriptionist. Courts may require additional or different qualifications at their discretion"

-- should exclude the unintentionally added words "or different" in the last sentence. Those words reverse the effect of the rule and may allow underqualified people to transcribe court transcripts. Please adopt the proposed amendment to 80(d) as well.

RAP 9.2(g) is important because the official record should be transcribed by the court reporter who was present to report it.

Please listen to the CCRs of Washington state and not to the out-of-state agencies or insurance companies who want to do business their own way, without any regard for the rules we as CCRs are to abide by.

Very truly yours,

Judy Steenbergen-Webb

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