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# THE SUPREME COURT

STATE OF WASHINGTON



TEMPLE OF JUSTICE

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February 18, 2015

Honorable Charles W. Johnson  
Chair, Supreme Court Rules Committee  
Washington State Supreme Court  
Temple of Justice  
PO Box 41174  
Olympia, WA 98504-0929

Re: Comments regarding Pending Proposed Rule Changes reference Court  
Transcriptionists: Suggested Amendments to SPRC 3; RAP 9.2, 9.3, 9.4, 9.5, 9.8,  
9.9, 9.10, 10.2, 18.9; CR 43, 80; ARLJ 13; RALJ 5.3; CRLJ 75 and Suggested  
New Rules: CR, CrR, and GR.

Dear Justice Johnson:

As an active member of the Court Management Council (CMC), as well as a former CMC Co-Chair, I am writing to express my strong support for the recommendations contained in the February 12, 2015, letter addressed to you from the two current CMC Co-Chairs, State Court Administrator, Callie T. Dietz, and Snohomish County Clerk, Sonya Kraski. I have enclosed a copy of that letter.

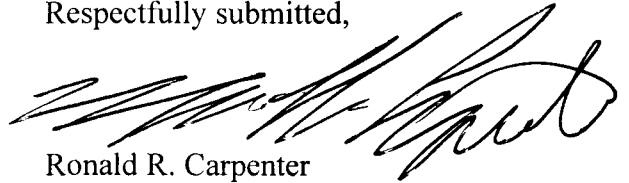
The CMC process of vetting regarding both the proposed amendments to the respective applicable current rules and proposed new rules was extremely thorough and represents a major expenditure of time and effort by both the CMC subcommittee, which was initially tasked with the responsibility to study and make recommendations for changes, as well the general membership of the CMC.

Suffice it to say, that I share the concerns expressed in the letter to you, and find very unsettling the proposed addition of the two words "or different" to the suggested new GR rule as proposed by the CMC. The change may only involve two words, but these words have the potential, if adopted by the Court, of substantially undermining the efforts of the CMC to reform the rules so as to ensure the adoption of statewide uniform minimum standards for court transcriptionists.



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February 18, 2015

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ronald R. Carpenter', written in a cursive style.

Ronald R. Carpenter  
Supreme Court Clerk

RRC:crf  
Enclosure a stated  
cc: Supreme Court Clerk's Office



# WASHINGTON COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

**Callie T. Dietz**  
State Court Administrator

February 12, 2015

The Honorable Charles Johnson  
Washington State Supreme Court  
Temple of Justice  
415 12<sup>th</sup> Ave SW  
PO Box 41174  
Olympia, WA 98504

RE: Comment on Suggested Amendments to Court Transcriptionist Rule Changes

Dear Justice Johnson:

We write as co-chairs of the Court Management Council (CMC) to urge the Court to adopt the Suggested Amendments to SPRC 3; RAP 9.2, 9.3, 9.4, 9.5, 9.8, 9.9, 9.10, 10.2, 18.9; CR 43, 80; ARLJ 13; RALJ 5.3; CRLJ 75 and Suggested New Rules: CR, CrR, and GR. However, we strongly urge the Court to make one very important change to the published "New Rule – Official Certified Superior Court Transcripts."

The CMC, created by Supreme Court Order in 1987, provides a statewide forum for advancing measures that enhance the administration of the courts. After many months of careful study and deliberation, the CMC members—experienced leaders in matters of court administration from all levels of appellate and trial courts—by unanimous vote proposed a series of reforms to modernize the process of creating, maintaining, and transmitting the verbatim report of proceedings. The CMC proposals were reviewed by the Court of Appeals Rules Committee, the Superior Court Judges' Association, and the District and Municipal Court Judges' Association, and later endorsed by the Board for Judicial Administration (BJA).

The "New Rule – Official Certified Superior Court Transcripts (d)" as originally suggested to the Court by the court administrators and BJA read:

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 qualifications at their discretion.

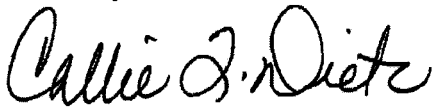
However, the published version added two words to the last sentence, and now reads: "Courts may require additional **or different** [emphasis added] qualifications at their discretion." This change from the original submission would undermine the very foundation of our proposals.

With full support from the administrative and judicial leadership in our state, the CMC suggested changes to improve practices by establishing minimum qualifications and experience for persons completing verbatim reports of proceedings across the state. The two words added to the published version provide unfettered discretion to set "different qualifications." This effectively means *lesser* qualifications and inconsistency across our state. It provides no impetus to change the status quo. This is not progress.

Adding those two words would mean CMC's years of work in this area will have been largely for naught. More importantly, the Court will have missed this opportunity to help improve consistency, accuracy, timeliness, and accountability for this vital part of our trial and appellate practice.

We strongly urge the Court to adopt the amendment as originally submitted by the Court Management Council.

Sincerely,



Callie T. Dietz  
CMC Co-Chair  
State Court Administrator  
Washington Administrative Office of the Courts



Sonya Kraski  
CMC Co-Chair  
Snohomish County Clerk