

## Tracy, Mary

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**From:** Hinchcliffe, Shannon  
**Sent:** Friday, April 24, 2015 4:02 PM  
**To:** Tracy, Mary  
**Cc:** Jennings, Cindy  
**Subject:** FW: In support of proposed changes to Rule 29 (c), (d) and (e)

**From:** Sandy Nelson/CPR [mailto:sandy@capitolpacificreporting.com]  
**Sent:** Friday, April 24, 2015 4:01 PM  
**To:** AOC DL - Rules Comments  
**Subject:** In support of proposed changes to Rule 29 (c), (d) and (e)

TO: Office Receptionist, Clerk

As a long established court reporter and freelance firm owner of Capitol Pacific Reporting with primary offices in Olympia, I am writing to urge the members of the Supreme Court to adopt the proposed changes to 28(c), (d) and (e).

Capitol Pacific Reporting strongly believes in providing equal and neutral terms to all of our clients. We diligently make sure that transcripts are offered to all parties when ordered, delivered to all parties simultaneously when possible, at equal rates for equal services in a case. Our rates are not secret. Any client, at any time, can ask and compare. We emphatically believe that we are mandated as officers of the court to always remain neutral "Guardians of the Record."

1. Regarding 28(c): 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.
2. Regarding 28 (d): 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 be held accountable by being required to sign an affidavit of equal terms upon request.
3. Regarding 28(e): All of Capitol Pacific Reporting's independent contractor court reporters have complete and final control of their transcripts. They are submitted through a secure system that requires that the transcript pages be numbered and that the reporter's signature be affixed to the final numbered certificate page. The proposed change to 28(e) will prevent contracting court reporting firms from making changes to transcripts after the original transcript has been completed. 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.

Some have alleged that these proposed changes are about limiting competition. No so. Competition is very much alive and well in our industry and in this state. It is about protecting consumers, especially plaintiff litigants, as they are generally the ones targeted with what's known as "cost shifting" by the contracting firms. By cost shifting, contracting firms attempt to recover the losses sustained from offering reduced rates to large corporate clients and insurance companies by artificially inflating costs to non-contracted parties.

Sincerely,

Sandra Nelson

Sandra Nelson | President/Court Reporter  
Capitol Pacific Reporting, Inc. | 2401 Bristol Court SW, # C-103 | Olympia WA 98502 | Ph: (360) 352-2054 | Fax: (360) 705-6539 | Toll Free: (800) 407-0148  
E-mail: [production@capitolpacificreporting.com](mailto:production@capitolpacificreporting.com) | Scheduling: [scheduling@capitolpacificreporting.com](mailto:scheduling@capitolpacificreporting.com) | Web Site: [www.capitolpacificreporting.com](http://www.capitolpacificreporting.com)

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