



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 12th 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.

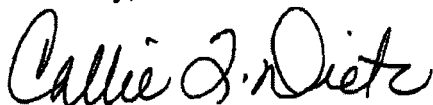
However, the published version added two words to the last sentence, and now reads: "Courts may require additional **or different** [emphasis added] qualifications at their discretion." This change from the original submission would undermine the very foundation of our proposals.

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