

April 27, 2015

Dear Honorary Members of the Supreme Court Rules Committee:

As a Washington State Certified Court Reporter, I urge you to adopt the proposed changes to 28(c), (d) and (e) of the Washington Court Rules. I believe in providing equal and neutral terms to all litigants. Along with that, I want to make sure that transcripts are offered to all parties when ordered, delivered to all parties simultaneously at equal rates for equal services in a case.

Regarding 28(c), 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. These rates and special services are not afforded to parties not contracted with.

Regarding 28(d), the proposed change will allow a system in place wherein court reporters and 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.

Regarding 28(e), all certified court reporters should have complete and final control of their transcripts. The proposed change would prevent contracting court reporting firms from making changes to transcripts after the original transcript has been completed. It also will prevent changing the characters per line of the transcript in order to create a longer transcript to bill for.

The adoption of CR80, which in part reads, "Courts may require additional or different qualifications or at their discretion" should exclude the words "or different". This changes the intent of the proposed rule entirely. Please adopt the proposed amendment to 80(d) as well. RAP9.2(g) is important because the official record should be transcribed by the court reporter who actually reported the proceedings.

Thank you,

Diane D. Nicholson

DIANE D. NICHOLSON, CCR
ACTA COURT REPORTING
P.O. Box 1692
Richland, WA 99352
509-946-4328 (w) 509-628-3793 (fax)

Tracy, Mary

From: Hinchcliffe, Shannon
Sent: Monday, April 27, 2015 2:20 PM
To: Tracy, Mary
Subject: FW: WCRA Legislative Proposed Changes
Attachments: Supreme Court Letter.doc

From: diane nicholson [acta@frontier.com]
Sent: Monday, April 27, 2015 2:08 PM
To: AOC DL - Rules Comments
Subject: WCRA Legislative Proposed Changes