

Dear Members of the Supreme Court:

I am a certified court reporter in Washington State and am writing to urge adoption of the proposed changes to CR 28(d), CR 28(e), and CR 30(b)(1). They are vital changes to keep the court reporting community in this state an unbiased and effective partner within the judicial system that we all participate in.

CR 28(d): A court reporting firm that has a long-term contract with one of the parties is not a disinterested person under CR 28(c). I believe it is in the judicial and public's best interests we serve that we remain impartial. All parties should be treated on equal terms — not a price break for one side or hidden costs to another party. If court reporting services have not been provided on equal terms, the Court should be allowed to sanction the court reporter, the court reporting firm, as well as the counsel or party who hired the reporter or contracted with the firm to provide the court reporting services. This will provide quick resolution of any concerns and provide clear transparency.

CR 28(e): All certified court reporters should have complete and final control of their transcripts. We should have the final say on how our product is produced and delivered. If outside contracting court reporting firms make changes to transcripts after the original transcript has been completed and we don't know about these changes, how does the ultimate consumer, you, the judicial branch, know if it is truly receiving a correct transcript to make a ruling or decision on?

CR 30(b)(1). The proposed amendment would require the deposition notice to disclose the existence of any known contractual relationships between the noticing party, its counselor, a third party paying to record the noticed deposition and the person, court reporting firm, consortium, or other organization providing a court reporter for the noticed deposition, and will state whether the noticing party or a third party directed his or her attorney to use a particular court reporting firm. Disclosure of contractual relationships on the Notice of Deposition would be clear for all to see.

I believe in providing fair and equal access to justice for all parties concerned, and I know you do also. That is what our legal system is based on. Third-party contracting gives the appearance of compromising the court reporter's impartiality and integrity and restricts the ability of the reporter to be held accountable to the court, to the public, and, most importantly, to the individual litigant. Please make it possible to hold all parties engaging in unethical practices accountable for their actions. Thank you.

Marilynn S. McMartin, RMR, CRR, CCR #2515
Court Reporter
Affiliated Court Reporters

Tracy, Mary

From: OFFICE RECEPTIONIST, CLERK
Sent: Thursday, August 18, 2016 12:05 PM
To: Tracy, Mary
Subject: FW: CR 28d, CR 28e, CR30b1
Attachments: support wcra proposed rule changes.docx

Forwarding☺

From: Marilyn McMartin [mailto:marilyn@acr.rocks]
Sent: Thursday, August 18, 2016 11:58 AM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Subject: CR 28d, CR 28e, CR30b1

Please see attached letter of support for the above proposed rule changes to be considered.

Thank you.

Marilynn S. McMartin, RMR, CRR, CCR #2515
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