

HOUSE BILL REPORT

SHB 1205

As Passed House:
February 26, 2011

Title: An act relating to licensing of court reporters.

Brief Description: Licensing court reporters.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Goodman, Kirby and Bailey).

Brief History:

Committee Activity:

Judiciary: 1/27/11, 2/3/11, 2/10/11 [DPS].

Floor Activity:

Passed House: 2/26/11, 52-45.

Brief Summary of Substitute Bill

- Requires court reporters and court reporting firms to be licensed by the Department of Licensing.
- Requires court reporting firms to comply with the same rules and regulations pertaining to individual licensed court reporters.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Pedersen, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Eddy, Frockt, Kirby, Orwall and Roberts.

Minority Report: Do not pass. Signed by 5 members: Representatives Shea, Assistant Ranking Minority Member; Chandler, Klippert, Nealey and Rivers.

Staff: Kelly Pfundheller (786-7289).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Court reporters make verbatim records of court proceedings, depositions, and other official proceedings. Court reporters must be certified by the Department of Licensing (DOL). The DOL establishes the requirements for certification and renewal of certification. A person may become certified in Washington by passing the court reporter examination or being certified by the National Court Reporters Association, the National Stenomask Verbatim Reporters Association, or by another state.

Summary of Substitute Bill:

Court reporters must be licensed by the DOL. The requirements for obtaining a license are the same as the current requirements for obtaining a certificate.

Court reporting firms are entities that provide or arrange for the services of court reporters or provide referral services for court reporters in exchange for compensation. Court reporting firms must obtain a court reporting license from the DOL. An application for a license must contain a list of information about the court reporting firm, which is set forth in the bill, and include the DOL licensing fee.

Court reporting firms are subject to the same rules and regulations pertaining to individual court reporters. In addition, court reporting firms are required to appoint an individual to act as the designated representative for the firm.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The purpose of the bill is to ensure consumer protection and compliance with the rules and regulations pertaining to court reporters. The bill was drafted in consultation with the DOL, the Office of the Attorney General, and the Washington State Bar Association, and it has the full support of the Washington Court Reporters Association.

In recent years there has been a problem with some court reporting firms located outside Washington that fail to comply with industry standards. A certified court reporter will send the firm transcripts, and then the firms will stretch and pad the transcripts in order to bill extra charges to the clients. The bill addresses this problem by requiring court reporting firms conducting business in Washington to obtain a license and comply with the laws pertaining to court reporters. Many court reporters support this legislation because it will help to maintain the integrity of the profession.

Some of the concerns raised by those who oppose this bill are based on misconceptions. There are no new penalties related to the laws governing court reporters.

(Opposed) The purpose of this bill is to limit competition within the court reporting industry by keeping court reporting firms outside of Washington. The bill will increase the cost of court reporting services. In addition, court reporting firms will be subject to serious penalties that will jeopardize their businesses. There is a current shortage of court reporters, and court reporters will be discouraged from working here. In turn, the cost of services will increase and the economy will suffer. This bill places an undue burden on the industry.

The bill is unnecessary because individual court reporters are currently required to be certified in Washington. Individual court reporters are already subject to rules and regulations, so requiring a license will serve no purpose. In Oregon, court reporters are neither certified nor licensed.

Persons Testifying: (In support) Representative Goodman, prime sponsor; Dylan Doty, Roger Flygare, and David Storey, Washington Court Reporters Association; and Patricia Lessard, Mills and Lessard.

(Opposed) Ray Castro, Court Reporters International; Marsha Naegeli, Naegeli Reporting; Phyllis Lykken, Central Court Reporting; and Yvette Winden.

Persons Signed In To Testify But Not Testifying: None.