

SENATE BILL REPORT

HB 2861

As Reported by Senate Committee On:
Judiciary, February 26, 2010

Title: An act relating to state certified court reporters.

Brief Description: Adding state certified court reporters to the list of persons authorized to administer oaths and affirmations.

Sponsors: Representatives Rodne, Pedersen and Wallace.

Brief History: Passed House: 2/10/10, 96-0.

Committee Activity: Judiciary: 2/26/10 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell, Gordon, Hargrove, Kohl-Welles and Roach.

Staff: Lidia Mori (786-7755)

Background: A court reporter is a person whose occupation is to make a verbatim written record of spoken or recorded speech. Court reporters are used to document the official record and produce official transcripts of court proceedings, administrative hearings, depositions, and other proceedings.

Court reporters are required to be certified in order to operate in Washington. The Department of Licensing is responsible for the certification and regulation of court reporters, including regulating the standards of professional practice for court reporters and requirements for transcript preparation. To be certified in Washington, a court reporter must meet certain standards and either: pass the state certification examination; or have a certification or registration designation from the National Court Reporters Association or the National Stenomask Verbatim Reporters Association.

Court reporters often have to administer oaths or affirmations, e.g., when documenting the record for a deposition taken in connection with a court proceeding. Court reporters, however, are not currently included in a state statute that designates who is authorized to administer oaths and affirmations and take testimony. Under this statute, persons authorized

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to administer oaths and affirmations and take testimony are: a judge, a clerk of the court, or a notary public.

Summary of Bill: State-certified court reporters are authorized to administer oaths and affirmations and take testimony in actions or proceedings.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Court reporters already do what this bill addresses. They administer oaths and affirmations under their powers of notary public but not as court reporters. This bill will allow them to do that. It passed out of the House unanimously.

Persons Testifying: PRO: Dylan Doty, Washington Court Reporters Association.