

HOUSE BILL REPORT

SSB 5724

As Passed House - Amended:

April 5, 1995

Title: An act relating to state court reports.

Brief Description: Simplifying publication and distribution of court reports.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Quigley, Long and Haugen; by request of State Law Library).

Brief History:

Committee Activity:

Law & Justice: 3/28/95, 3/31/95 [DPA].

Floor Activity:

Amended.

Passed House: 4/5/95, 95-0.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended. Signed by 16 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Smith; Thibaudeau and Veloria.

Staff: Bill Perry (786-7123).

Background: The state constitution provides for a reporter of decisions of the Washington State Supreme Court. The reporter is appointed by the supreme court. The reporter's duties include preparing the decisions for publication with a syllabus of the decision and summary of the facts of the case and preparing an index and table of cases for the reported decisions.

There is also a statutory Commission on Supreme Court Reports. The commission consists of six members: The chief justice; the reporter of decisions; the state law librarian; a judge of the court of appeals appointed by the chief justice; the public printer; and a representative of the Washington State Bar Association appointed by the president of the association. The commission supervises the publication of the decisions of the supreme court and the court of appeals, and is given authority to enter into contracts for the publication of the reports.

The supreme court is required to purchase 300 copies of the decisions from the publisher for distribution by the state law librarian to various entities and individuals. The distribution of these volumes includes: One copy for each judge who signed an opinion in the volume; and sufficient copies to the state law library for the use of the supreme court and the court of appeals. Others who are to receive copies include: The attorney general's office; county prosecuting attorneys; each department of state government with an office in Olympia; certain federal courts and district attorneys; various libraries; and the state's three law schools.

The 1994 supplemental state operating budget conditioned an appropriation for the supreme court with a requirement that the court "fully recover all costs, including staff costs, associated with publishing supreme court opinions by the reporter of decisions."

Summary of Bill: The makeup and duties of the Commission on Supreme Court Reports are changed. The commission consists of the chief justice, the reporter of decisions, the state law librarian, and such other persons as are appointed by the chief justice, including a judge of the court of appeals and a member of the Washington State Bar Association.

The duty of distributing the reports is given to the reporter. The list of those entitled to copies of the reports is reduced. Distribution is to be made as follows: One copy for each judge who signed an opinion in the volume; sufficient copies to the state law library for the use of the supreme court and the court of appeals; one copy to each county law library; and one copy to each accredited law school. The supreme court is required to purchase from the publisher sufficient copies to satisfy this distribution requirement.

The Commission on Supreme Court Reports is directed to develop a plan by July 1, 1997 to ensure that materials prepared by the reporter of decisions are available for commercial resale on a nonexclusive basis.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The bill will allow the court to meet the goal of the 1994 supplemental budget and will streamline the publication of the court's decisions.

Testimony Against: None.

Testified: Deborah Norwood, Washington State Supreme Court Reporter of Decisions (pro); and Scott Wetzel, CD Law, Inc. (con without amendment).