

HOUSE BILL REPORT

SSB 6240

As Passed House - Amended:

March 3, 1998

Title: An act relating to superior court reporters.

Brief Description: Allowing a superior court judge to appoint a stenographer reporter.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senator Stevens).

Brief History:

Committee Activity:

Law & Justice: 2/25/98, 2/27/98 [DPA].

Floor Activity:

Passed House - Amended: 3/3/98, 98-0.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended. Signed by 13 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Mulliken; Robertson and Sherstad.

Staff: Trudes Hutcheson (786-7384).

Background: Each superior court judge in a county or district where the population exceeds 35,000 must appoint a stenographic reporter for the judge's court. Superior court judges authorized after 1987 are exempted from this requirement. Appointment of a stenographic reporter is optional in smaller counties or districts. A stenographic reporter holds his or her position for the judge's term of office. The statute establishes an examining committee, qualifications a stenographic reporter must meet, terms of service, and other details.

Court rules allow a superior court judge to use electronic or mechanical recording devices to record civil and criminal proceedings instead of, or in addition to, a stenographic reporter.

Summary of Bill: Superior court judges in counties or judicial districts where the population exceeds 35,000 must appoint a stenographic reporter. However, a judge may

elect to use an alternative method of making the record if the court was previously exempted from the requirement or the court is authorized under court rule to use an alternative recording device.

Appropriation: None.

Fiscal Note: Requested on February 25, 1998.

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

Testimony For: Sometimes people cannot appeal their cases because they cannot afford the costs of the trial transcripts. New technology will make it easier and cheaper for courts to make a record of proceedings.

Testimony Against: The bill would cause courts to fight with county officials over the court's budget because the county will no longer want to provide funds for courts to have reporters. Using a court reporter is the best way to make a clear record of the court proceedings. Today's electronic devices are still inferior. Court reporters often rotate and serve different judges and may also act as a judge's secretary. Using electronic means would still cost the court and appellants money. Appellants do not have to produce the entire record for appeal, but can transcribe only portions that are relevant to the issues.

Testified: Senator Stevens, prime sponsor; Deni Mathiesen, citizen (pro); Judge Gordon Godfrey, Superior Court Judges Association (con); and Don Briscoe, International Federation of Professional and Technical Engineers, Local 17 (con).