

# SENATE BILL REPORT

## HB 1111

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As of March 16, 2015

**Title:** An act relating to court transcripts.

**Brief Description:** Concerning court transcripts.

**Sponsors:** Representatives Kilduff, Stokesbary, Walkinshaw, Goodman, Gregerson, Jinkins, Muri, Rodne and Moeller; by request of Board For Judicial Administration.

**Brief History:** Passed House: 2/12/15, 97-0.

**Committee Activity:** Law & Justice: 3/12/15.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Melissa Burke-Cain (786-7755)

**Background:** Court rules and statutes related to court operations are periodically revised to meet the courts' administrative needs and recognize updated technologies. Currently, superior courts have discretion to record testimony by stenographic, electronic, or mechanical devices.

Courts of limited jurisdiction must record proceedings electronically. By statute, the Office of Administrator of the Courts (OAC) supervises the selection, installation, and operation of any electronic recording equipment in courts of limited jurisdiction. A \$25 statutory fee is charged for each video tape or other electronic storage medium of duplicated recordings of court proceedings.

The Washington Supreme Court is amending the court rules concerning electronic recording and transcription of court proceedings. One new court rule allows superior courts to approve authorized transcriptionists to prepare an official verbatim report of proceedings of an electronically recorded court proceeding. Another proposed court rule amendment requires filing of a report of proceedings for purposes of appeal with the appellate court, instead of the trial court.

**Summary of Bill:** Statutory requirements for court transcripts are revised as follows:

- Superior courts may approve authorized transcriptionists to make official transcripts of court testimony or proceedings;

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*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.*

- A court-approved authorized transcriptionist's report is accepted to the same extent as the report of the official court reporter, and is considered a prima facie correct statement of the testimony or oral proceedings;
- Court proceedings transcribed for appellate proceedings must be filed with the appellate court, and not filed with the trial court;
- The \$25 fee for duplicated video recordings of a court's proceeding is no longer termed a video tape; and
- OAC must consult with, rather than supervise, limited jurisdiction courts when the courts implement electronic recording equipment.

**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: This bill will add efficiencies to the court transcript procedure and provide better access to the courts. The changes regarding who is authorized to provide the official testimony of a trial or hearing and where the record is filed match the updated court rules developed by the courts' transcriptionist subcommittee, the Board of Judicial Administration, and the Court Management Council.

**Persons Testifying:** PRO: Representative Kilduff, prime sponsor; Renee Townsley, administrator/clerk, Division III Court of Appeals.