

CHAPTER 69.

[S. B. 89.]

OFFICIAL COURT REPORTERS.

AN Act relating to official court reporters; providing for their appointment; prescribing their qualifications, fixing their compensation and amending section 1, chapter 126, Laws of 1913 as amended by section 1, chapter 42, Laws of 1921, section 4, chapter 126, Laws of 1913, as amended by section 2, chapter 178, Laws of 1939, sections 3, 5 and 11, chapter 126, Laws of 1913 (sections 42-1, 42-3, 42-5 and 42-11, Remington's Revised Statutes and 42-4, Remington's Revised Statutes, Supplement), section 42-9, Remington's Revised Statutes (section 9, chapter 126, Laws of 1913 as amended by section 2, chapter 66, Laws of 1919) and repealing section 12, chapter 126, Laws of 1913 (section 42-12, Remington's Revised Statutes).

Be it enacted by the Legislature of the State of Washington:

Amendment. SECTION 1. Section 1, chapter 126, Laws of 1913, as amended by section 1, chapter 42, Laws of 1921 (section 42-1, Remington's Revised Statutes) is amended to read as follows:

Judge to
appoint
reporter.

Section 1. It shall be and is the duty of each and every Superior Court judge in counties or judicial districts in the State of Washington having a population of over twenty-five thousand inhabitants to appoint a stenographic reporter to be attached to the court holden by him who shall have had at least three years' experience as a skilled, practical reporter, or who upon examination shall be able to report and transcribe accurately one hundred and seventy-five words per minute of the judge's charge or two hundred words per minute of testimony each for five consecutive minutes; said test of proficiency, in event of inability to meet qualifications as to length of time of experience, to be given by an examining committee composed of one judge of the Superior Court and two official reporters of the Superior Court of the State of Washington, appointed

Test of
proficiency.

by the Governor and such stenographic reporter shall thereupon become an officer of the court and shall be designated and known as the official reporter for the court or judicial district for which he is appointed: *Provided, however,* That not more than twelve (12) official reporters shall be appointed in any one county and in no event more than there are active judges in any county or judicial district; the appointments in Class A counties and counties of the first class may be made by each individual judge therein or by the judges in said county acting en banc. Each official reporter so appointed shall hold office during the term of office of the judge appointing him, but may be removed for incompetency, misconduct or neglect of duty, and before entering upon the discharge of his duties shall take an oath to perform faithfully the duties of his office, and file a bond in the sum of two thousand dollars (\$2,000) for the faithful discharge of his duties. No person shall be appointed to the office of official reporter who is not a citizen of and a duly qualified elector in the State of Washington. Such reporter in each court is hereby declared to be a necessary part of the judicial system of the State of Washington.

Number limited.

Term of office.

Bond.

SEC. 2. Section 3, chapter 126, Laws of 1913 (section 42-3, Remington's Revised Statutes) is amended to read as follows:

Amendment.

Section 3. Each official reporter so appointed shall be paid a compensation at the rate of twenty-seven hundred dollars (\$2700) per annum, payable in equal monthly installments of two hundred twenty-five dollars (\$225) each, which compensation shall be paid out of the general fund of the county where such court is held. In districts comprising more than than one county it shall be the duty of the judge or judges in each such district on the first day of January of each year, or as soon there-

Compensation fixed.

Judges to apportion.

after as may be, to apportion the amount of the salary to be paid to the reporter by each county in his district according and in proportion to the number of criminal and civil actions entered and commenced in the Superior Court of such counties respectively in the preceding year. In addition to the salary above provided, in judicial districts comprising more than one county, the reporter shall receive his actual and necessary expense of transportation and living expenses when he goes on official business to a county of his judicial district other than the county in which he resides from the time he leaves his place of residence until he returns thereto, said expenses to be paid by the county to which he travels. If one trip includes two or more counties, the expenses may be apportioned between the counties visited in the same proportion as the amount of time spent in each county on that trip. If an official reporter uses his own automobile for the purpose of such transportation, he shall be paid therefor at the same rate per mile as county officials are paid for use of their private automobiles. The sworn statement of the official reporter, when certified to as correct by the judge presiding, shall be a sufficient voucher upon which the County Auditor shall draw his warrant upon the treasurer of the county in favor of the official reporter. The salaries of official court reporters shall be paid upon sworn statements, when certified as correct by the judge presiding, as other state and county officers are paid.

Expenses
for travel.

Amendment.

SEC. 3. Section 4, chapter 126, Laws of 1913, as amended by section 2, chapter 178, Laws of 1939 (section 42-4, Remington's Revised Statutes, Supplement) is amended to read as follows:

Stenogra-
phers' costs.

Section 4. In each civil action hereafter commenced the sum of two dollars (\$2.00) shall be paid by the plaintiff at the time of the filing of the complaint to the Clerk of the Court, and at the time of

the appearance of the defendant, or any defendant appearing separately, there shall be paid in to the Clerk of the Court two dollars (\$2.00), and these sums so paid shall be taxed as costs in the case, and collected from the unsuccessful party in said action, and shall be known as stenographers' costs, which said stenographers' costs shall be paid by the Clerk of the Court into the county treasury of the county in which said action is commenced.

SEC. 4. Section 5, chapter 126, Laws of 1913 (section 42-5, Remington's Revised Statutes) is amended to read as follows: Amendments.

Section 5. When shorthand notes have been taken in any cause as in this act provided, if the court, or either party to the suit or action, or his attorney, request a transcript of the notes into long-hand, the official reporter shall make, or cause to be made, with reasonable diligence, full and accurate typewritten transcript of the testimony and other proceedings, which shall, when certified to as hereinafter provided, be filed with the Clerk of the Court where such trial is had for the use of the court or parties to the action. The fees of the reporter for making such transcript shall be fifteen cents (15¢) per folio of one hundred words for the original copy, and five cents (5¢) per folio for each carbon copy ordered before the original is made or made at the same time as the original; and when such transcript is ordered by any party to any suit or action, said fee shall be paid forthwith by the party ordering the same, and in all cases where a transcript is made as provided for under the provisions of this act, the cost thereof shall be taxable as costs in the case, and shall be so taxed as other costs in the case are taxed: *Provided*, That when the defendant in any criminal case shall present to the judge presiding satisfactory proof by affidavit or otherwise that he is unable to pay for such tran- Transcript on request.

Fees for transcript.

Taxable as costs.

Proviso.

script, the judge presiding, if in his opinion justice will thereby be promoted, may order said transcript to be made by the official reporter, which transcript fee therefor shall be paid out of the county treasury as other expenses of the court are paid.

Amendments. SEC. 5. Section 42-9 of Remington's Revised Statutes (section 9, chapter 126, Laws of 1913 and section 2, chapter 66, Laws of 1919) is amended to read as follows:

Amanuensis to court. Section 42-9. In all counties or judicial districts except in Class A counties and counties of the first class, such official reporter shall act as amanuensis to the court for which he is appointed.

Amendments. SEC. 6. Section 11, chapter 126, Laws of 1913 (section 42-11, Remington's Revised Statutes) is amended to read as follows:

Office furnished. Section 11. Suitable office space shall be furnished the official reporter.

Repealing. SEC. 7. Section 12, chapter 126, Laws of 1913 (section 42-12, Remington's Revised Statutes) is repealed.

May perform other services. SEC. 8. Nothing in this act or any other act or parts of acts or court rule shall be construed to preclude such official reporter from performing other and additional reporting service at any time when such service can be performed without conflict with or prejudice to the duties of the official reporter.

Acts inconsistent repealed. SEC. 9. All laws or parts of laws inconsistent with or repugnant to the provisions of this act are hereby repealed.

Passed the Senate February 15, 1943.

Passed the House March 3, 1943.

Approved by the Governor March 9, 1943.