

From: [Kara Van Dam](#)
To: [ADMcomment](#)
Subject: ADM File No. 2018-35
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I am writing to you as a freelance court reporter/recorder (CER) and co-founder of the Michigan Association of Freelance Court Reporters. I ask you to consider the ripple effect of your proposed rule change to court rule 8.108. While it may seem like a simple point of clarification it will have devastating effects on freelance court reporters throughout the state.

There are numerous circuit courts that primarily use freelance reporters for their transcript preparation. These freelance reporters do not have the luxury of salaries, benefits, or union representation. We are already bound by statute as to the per-page rate we are able to charge and are not allowed to operate on the free market. Our current rates were set in 1986 and after 34 years the legislature has failed to correct this injustice. This proposed rule will further limit our earnings capability and may put freelance firms --95 percent of which are women owned -- completely out of business.

Not only will this negatively affect reporters' ability to collect earnings on their work product, it may have a negative impact on the general public. Many courts take the position that they can charge their general copy fee, up to \$3.00 per-page in some counties, for a copy of a transcript. As set by statute, the current per-page copy rate is \$0.30. Imagine your average citizen involved in litigation and the financial impact that drastic rate increase will have on their litigation costs. It would be another step in making our court system less accessible to the public. Imagine you are the freelance court reporter who prepared that transcript bound by statute to only charge \$1.75 per page and the court is allowed to charge more for a copy of your work product than you are able to collect for producing it.

I do not believe this one-size-fits-all approach is appropriate given that our state takes a multi-faceted approach to recording proceedings and transcript preparation; we have in-house stenographers in some courts and electronic recorders in others, transcripts prepared in-house by county employees and transcripts prepared by freelancers and freelance firms.

Freelancers and freelance firms are on the cusp of collapse in the State of Michigan. The legislature has our hands tied by not yet passing HB4329 to bring our per-page rate up to national and free market standards, and this rule would be a punch in the gut to an already defenseless industry. I beg you to consider the totality of the circumstances and think of the women who run these small businesses, the pride they take in their work, and the future of court reporting in Michigan.

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