

HCS#2 SCS SB 163 -- BASIC CIVIL LEGAL SERVICES FUND

SPONSOR: Mayer (Pratt)

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary by a vote of 8 to 4.

This substitute disallows any state legal service programs from using state funds to sue the state, its agencies, or its officials. The expiration date for the Basic Civil Legal Services Fund Program is extended to December 31, 2012.

The cost for preparing an original copy of a court transcript by a court reporter is increased from \$1.50 to \$2.00 per page. Uncertified court reporters will be allowed to prepare depositions for use in any court under the following conditions:

- (1) All parties consent in writing to using the uncertified court reporter prior to the deposition;
- (2) All parties certify by signature that the deposition to be used in court is a true and correct copy of the testimony;
- (3) The uncertified court reporter must state on the record that he or she is an uncertified court reporter appearing by consent of the parties;
- (4) A voice recording must be kept and provided to any party upon written request within 14 days;
- (5) The uncertified court reporter must have made application for the court reporter exam;
- (6) The notice of deposition must contain a statement that an uncertified court reporter will be used; and
- (7) The uncertified court reporter preparing depositions operates under temporary certification.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$71,842 in FY 2008, \$86,210 in FY 2009, and \$86,210 in FY 2010. Estimated Cost on Other State Funds of \$1,500,000 in FY 2008, \$3,000,000 in FY 2009, and \$3,000,000 in FY 2010.

PROPOSERS: Supporters say that the bill provides technical changes for the Basic Civil Legal Services Fund and extends the expiration of the fund which is scheduled to end this year.

Testifying for the bill were Representative Pratt for Senator Mayer; Legal Services of Eastern Missouri; Legal Services of

Southern Missouri; Legal Aid of Western Missouri; Harvey Tettlebaum, Board of Governors of the Missouri Bar Association; Patrick McLarney, Missouri Institute of Justice; Missouri Bar; and Kansas City Metropolitan Bar Association.

OPPONENTS: There was no opposition voiced to the committee.