

Washington Supreme Court Adopts Rule Governing Public Access to Court Records October 07, 2004

(OLYMPIA-OCTOBER 7, 2004) In an order filed Thursday morning, the Washington Supreme Court approved a new comprehensive rule governing access to hard copy and electronic court records statewide. General Rule 31 will be effective October 26, 2004 and will include a one-year review of the policy with input from interested parties.

The rule was proposed by the Judicial Information System (JIS) Committee, which worked for several years to develop a comprehensive rule to define public access to court records in the electronic age.

“The adoption of this rule provides the citizens of Washington State assurance that they will have open access to the workings of the judicial system,” said Justice Bobbe J. Bridge, Chair of the Judicial Information System Committee. “Our state constitution mandates that government shall be administered openly, and we strived to develop a rule that would accomplish this, while still protecting a citizen’s reasonable expectation of privacy.”

The rule applies to all court records, regardless of the physical form, the method of recording, or the method of storage of the court record. Court records are further governed by GR 22, already in effect relating to access to family court records. GR 22 requires attorneys to redact personal identifier information such as financial records. GR 15 provides mechanisms for sealing of individual files where provided by statute or where there are compelling circumstances.

Chief Justice Gerry Alexander praised the JIS Committee on the extensive public input sought by the committee on the proposed rule, and in their accomplishment in providing a rule that will provide consistent access to courts for citizens throughout the state.

“This rule will provide a consistent set of rules for judges, county clerks and court administrators in all 39 counties of Washington State and will serve to provide consistent public access to court records,” said Chief Justice Gerry Alexander. “The Supreme Court received hundreds of letters from interested citizens on this issue and I commend the hard work of the JIS Committee.”

The first public hearing on the issue was held in 1999 and a comment period on GR 31 was held from August 5 - December 31, 2003. A special Supreme Court Rules Committee on the proposed rule was held on July 8, 2004.