

State of Washington

WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION

(name of governing body)

(agency name, if applicable)

Resolution No. \_\_\_\_\_

Administrative Order No. 8A

(1) Be it resolved by the Washington State Criminal Justice Training Commission acting at Seattle, Washington

(place)

that it does promulgate and adopted the annexed rules relating to:

WAC 139-32-010 ((GOALS-OF-BOARD-ON-PROSECUTOR-TRAINING-STANDARDS AND-EDUCATION)) PROSECUTOR, PUBLIC DEFENDER, AND MUNICIPAL ATTORNEY TRAINING.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 81-10-031 filed with the code reviser on 4/28/81. Such rules shall take effect:

- [X] pursuant to RCW 34.04.040(2).
[] at a later date, such date being \_\_\_\_\_

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, \_\_\_\_\_ find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

[] (a) This rule is promulgated pursuant to RCW 43.101.080 (2) and is intended to administratively implement that statute.

[] (b) This rule is promulgated pursuant to RCW \_\_\_\_\_ which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW \_\_\_\_\_

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED June 12, 1981

JUN 30 1981

By James C. Scott

Executive Director

Title

CODE REVISER'S OFFICE WSR 81-14-049

AMENDATORY SECTION (Amends Order 8, filed 9/23/75)

WAC 139-32-010 ((GOALS-OF-BOARD-ON-PROSECUTOR-TRAINING STANDARDS-AND-EDUCATION)) PROSECUTOR, PUBLIC DEFENDER, AND MUNICIPAL ATTORNEY TRAINING. ((The-Washington-State-Criminal-Justice-Training-Commission-shall-make-available-the-following-orientation-and-in-service-training-to-county-prosecuting attorneys,-municipal-attorneys,-and-attorneys-who-are-engaged primarily-in-the-defense-of-persons-charged-with-offenses: 1.--An-orientation-program-approved-by-the-Commission designed-for-persons-whose-responsibility-is-prosecution-of criminal,-juvenile-and-traffic-offenses-shall-be-offered-at times-and-locations-to-allow-such-personnel-the-opportunity of-attending-within-their-first-six-months-of-employment. 2.--An-orientation-course-approved-by-the-Commission-for persons-whose-responsibility-is-defense-of-criminal,-juvenile and-traffic-offenses-shall-be-offered-at-least-annually. 3.--A-criminal-law-refresher-course-approved-by-the-Commission-which-is-open-to-county-prosecuting-attorneys,-municipal attorneys,-attorneys-who-are-engaged-primarily-in-the-defense of-persons-charged-with-offenses,-and-their-staffs,-shall-be offered-annually. 4.--Specialized-training-courses-approved-by-the-Commission shall-be-offered-to-county-prosecutors,-municipal-attorneys and-attorneys-who-are-engaged-primarily-in-the-defense-of persons-charged-with-offenses,-their-staffs-and-public defenders-as-frequently-as-quality-courses-can-be-developed and-offered. 5.--Selected-courses-shall-be-offered-from-time-to-time, regionally,-to-county-prosecutors,-municipal-attorneys, attorneys-engaged-primarily-in-the-defense-of-persons-charged with-offenses,-and-their-staffs. 6.--The-Board-on-Prosecutor-Training-Standards-and-Education shall-assist-the-Commission-in-developing-at-least-one interdisciplinary-training-program-each-year.)) The Wash- ington State Criminal Justice Training Commission shall, within the fiscal resources available, develop and annually conduct the following types of training:

(1) basic orientation training for attorneys whose responsibility is prosecuting of criminal, juvenile, and traffic offenses and for attorneys whose primary responsibility is defense of such offenses; and

(2) advanced training for county prosecutors, municipal attorneys, attorneys engaged primarily in the defense of persons charged with offenses, and their attendant support staffs.

Additionally, the Commission may, upon the recommenda- tion of the Board on Prosecutor Training Standards and Educa- tion, develop, publish, or distribute training materials and manuals for county prosecutors, municipal attorneys, and attorneys engaged primarily in the defense of persons charged with offenses.

For purposes herein, the term "attorneys who are engaged primarily in the defense of persons charged with offenses" shall be limited to attorneys who expend at least 50 per cent of their employment in the provision of criminal defense services and who are

(a) staff attorneys of any not-for-profit organiza- tion which has as its primary function the provision of

criminal defense services,

(b) attorneys who provide such services pursuant to a contractual agreement with any public entity, or

(c) attorneys employed by any duly constituted public defender district.