

WSR 23-21-019
RULES OF COURT
STATE SUPREME COURT
[October 3, 2023]

IN THE MATTER OF THE PROPOSED) ORDER
AMENDMENTS TO THE MENTAL) NO. 25700-A-1532
PROCEEDINGS RULES (MPR))

The Superior Court Judges' Association, having recommended the adoption of the suggested amendments to the Mental Proceedings Rules (MPR), and the Court having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

(b) That pursuant to the emergency provisions of GR 9 (j)(1), the proposed amendments will be expeditiously published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 3rd day of October, 2023.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Gonzalez, C.J.
Gordon McCloud, J.
Yu, J.
Montoya-Lewis, J.
Whitener, J.

GR 1
CLASSIFICATION SYSTEM FOR COURT RULES

PART I-III

[Unchanged.]

PART IV: RULES FOR SUPERIOR COURT

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Superior Court Civil Rules CR
Superior Court Civil Arbitration Rules SCCAR
Superior Court Special Proceedings Rules SPR
Superior Court Guardian ad Litem Rules GALR
Superior Court Criminal Rules CrR
Superior Court Special Proceeding Rules—Criminal SPCR
Superior Court Mental Proceedings Civil Commitment Rules MPR CCR
Juvenile Court Rules JuCR

PART V

[Unchanged.]

SUPERIOR COURT
MENTAL PROCEEDINGS RULES (MPR)
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INTRODUCTION

~~The following rules have been designed and promulgated to give full force and effect to Laws of 1973, 1st Ex. Sess., ch. 142. Any future amendments which may be enacted will be dealt with in rules as the need may arise.~~

Section 62 of the act directs the Supreme Court to adopt rules with respect to court procedures and proceedings. Adoption of these rules is not to be construed as approval of what could be a breach of the separation of powers of government. While the Legislature may recommend rulemaking as to particular matters, it may not mandate rulemaking which is an inherent power of the judicial branch.

Although the courts generally do not pass upon the wisdom or the workability of statutes, they are concerned with their constitutionality. The adoption of these rules, which are merely designed to give effect to the statute as it is written, does not in any manner indicate an opinion of the court that the statute is or is not constitutional in any respect. In promulgating them, the court does not in any manner obviate further consideration of any portion of the statute or these rules in a proper case.

Because of the complicated nature of the statute necessitating these rules and the need that they be effective January 1, 1974, the court has promulgated them without submitting them for comment, and now invites comment from the bench and bar.

The enactment of the Involuntary Treatment Act (ITA) has largely vitiated the need for the prior Mental Proceedings Rules (MPR) by codifying circumstances in which involuntary commitment is permitted and specifying procedures for such commitments (see, e.g., Chapters 71.05 and 71.34 RCW). Accordingly, the MPR were rescinded in their entirety effective , except that the title to the rule set and individual rule numbers and titles were reserved to provide a framework to jurisdictions seeking to adopt local commitment rules consistent with the ITA. The rule set was also retitled as the "Superior Court Civil Commitment Rules" ("CCR") for consistency with applicable statutory enactments.

1. General

MPR CCR 1.1 NOTICE—GENERAL

[Reserved.]

Whenever any notice or document pursuant to the provisions of RCW 71.05 is required to be served on a person who is detained or committed, such notice or document shall be provided to the person's attorney, guardian, if any, and, if the person is under 18 years of age, to any person, entity, or institution having actual custody, in addition to any other person provided by statute.

(a) **Notice to Prosecutor.** In any judicial proceeding under RCW 71.05 for involuntary commitment or detention in which the prosecuting attorney is required to represent a party (see RCW 71.05.130), the prosecuting attorney for the county in which the proceeding is initiated shall be served with written notice of the proceedings and copies of the initiating papers by the party initiating the proceedings.

(b) **Notice to Attorney General.** In any judicial proceeding under RCW 71.05 for involuntary commitment or detention in which the Attorney General is required to represent a party (see RCW 71.05.130), the Attorney General shall be served with written notice of the proceedings and copies of the initiating papers by the party initiating the proceedings.

(c) **Notice of Release.** Whenever a person committed or detained under RCW 71.05 is released or conditionally released, the court ordering such commitment shall be notified immediately in writing of the release by the superintendent or professional person in charge of the facility from which the person is released.

~~[Adopted effective January 1, 1974; Amended effective July 1, 1975; January 1, 1981.]~~

MPR CCR 1.2 CONTINUANCE OR POSTPONEMENT

[Reserved.]

~~In any judicial proceeding for involuntary commitment or detention held pursuant to RCW 71.05 the court may continue or postpone such proceeding for a reasonable time, subject to RCW 71.05.210 and RCW 71.05.240, on the following grounds:~~

~~(a) On motion of the respondent if there is a showing of good cause;~~

~~(b) On motion of the prosecuting attorney or the Attorney General if:~~

~~(1) The respondent expressly consents to a continuance or delay and there is a showing of good cause; or~~

~~(2) Required in the proper administration of justice and the respondent will not be substantially prejudiced in the presentation of respondent's case.~~

~~(c) The court on its own motion may continue the case when required in the due administration of justice and when the respondent will not be substantially prejudiced in the presentation of his case.~~

~~An order granting continuance shall state whether detention will be extended and the grounds therefor.~~

~~[Adopted effective January 1, 1974; Amended effective July 1, 1975; January 1, 1981].~~

MPR CCR 1.3

[Reserved.]

~~[Adopted effective January 1, 1974; Amended effective April 30, 2013].~~

MPR CCR 1.4 ALTERNATIVE LESS RESTRICTIVE TREATMENT

[Reserved.]

~~(a) As an alternative to detention, where the court makes a finding or a special verdict is returned that the respondent should receive less restrictive alternative treatment, the court may order such less restrictive alternative treatment for no longer than the period for which the respondent could have been committed at the hearing.~~

~~(b) If the court orders less restrictive alternative treatment, the order shall specify the terms and conditions of the alternative treatment and a copy shall be delivered to the respondent.~~

~~(c) If the conditions of the alternative treatment are not adhered to, the designated mental health professional may order the respondent apprehended according to the procedure defined by rules 4.1 through 4.5.~~

~~[Adopted effective January 1, 1974; Amended effective July 1, 1974; January 1, 1981.]~~

2. Proceedings for Initial Detention

MPR CCR 2.1 SUMMONS

[Reserved.]

~~The summons issued pursuant to RCW 71.05.150 shall include the following:~~

~~(a) The date and time for appearance, not less than 24 hours from the time at which the summons is served, at an evaluation and treatment facility.~~

~~(b) The address of the evaluation and treatment facility.~~

~~(c) The business address and business telephone number of the designated mental health professional.~~

~~(d) A statement that the person summoned may be detained at the evaluation and treatment facility for up to 72 hours excluding Saturdays, Sundays, and holidays.~~

~~(e) A statement whether the 72-hour evaluation period is on out-patient or inpatient status.~~

~~(f) A statement that if the person summoned fails to appear at the evaluation and treatment facility on or before the date and time indicated, he may be taken into custody.~~

~~(g) A statement that an attorney will be appointed for the person summoned unless the person has retained his own attorney.~~

~~(h) The name, business address and business telephone number of the designated attorney.~~

~~(i) The summons shall be in substantially the following form:~~

~~THE STATE OF WASHINGTON TO (name of person to be detained)~~

~~It is alleged that because of mental disorder you present a likelihood of serious harm to yourself, other persons, or the property of other persons, or are gravely disabled.~~

~~You are hereby required to appear in person at (address of evaluation and treatment facility) in (city), Washington, on or before (hour) on (month, day, year) for evaluation and possible treatment. You may be detained without court order for evaluation and possible treatment for not more than 72 hours, not including Saturdays, Sundays, or holidays. If you fail to appear in person on or before the date stated above, you may be taken into custody.~~

~~You have the right to have an attorney. (Name, address, telephone number) will be appointed as your attorney unless you make arrangements to be represented by another attorney.~~

~~Dated this _____ day of _____, 19~~

~~(Signed)~~

~~Mental Health Professional~~

~~(name) County, Washington~~

~~Address:~~

~~Telephone:~~

~~[Adopted effective January 1, 1974; Amended effective January 1, 1981].~~

MPR CCR STANDARDS FOR INDIGENT DEFENSE (SID)

[Reserved.]

Preamble

The Washington Supreme Court adopts the following Standards to address certain basic elements of public defense practice related to the effective assistance of counsel. The Certification of Appointed Counsel of Compliance with Standards Required by CrR 3.1/CrRLJ 3.1/JuCR 9.2/MPR 2.1 references specific "Applicable Standards." The court adopts additional Standards beyond those required for certification as guidance for public defense attorneys in addressing issues identified in State v. A.N.J., 168 Wn.2d 91 (2010), including the suitability of contracts that public defense attorneys may negotiate and sign. To the extent that certain Standards may refer to or be interpreted as referring to local governments, the Court recognizes the authority of its Rules is limited to attorneys and the courts. Local courts and clerks

are encouraged to develop protocols for procedures for receiving and retaining Certifications.

[Adopted effective February 1, 2021.]

Standard 1. Compensation
Standard 2. Duties and Responsibilities of Counsel
Standard 3. Caseload Limits and Types of Cases

~~Standard 3.1.~~ [The contract or other employment agreement shall specify the types of cases for which representation shall be provided and the maximum number of cases which each attorney shall be expected to handle.

[Adopted effective October 1, 2012.]

~~Standard 3.2.~~ The caseload of public defense attorneys shall allow each lawyer to give each client the time and effort necessary to ensure effective representation. Neither defender organizations, county offices, contract attorneys, nor assigned counsel should accept workloads that, by reason of their excessive size, interfere with the rendering of quality representation. As used in this Standard, "quality representation" is intended to describe the minimum level of attention, care, and skill that Washington citizens would expect of their state's criminal justice system.

[Adopted effective October 1, 2012.]

~~Standard 3.3. General Considerations.~~ Caseload limits reflect the maximum caseloads for fully supported full-time defense attorneys for cases of average complexity and effort in each case type specified. Caseload limits assume a reasonably even distribution of cases throughout the year.

The increased complexity of practice in many areas will require lower caseload limits. The maximum caseload limit should be adjusted downward when the mix of case assignments is weighted toward offenses or case types that demand more investigation, legal research and writing, use of experts, use of social workers, or other expenditures of time and resources. Attorney caseloads should be assessed by the workload required, and cases and types of cases should be weighted accordingly.

If a defender or assigned counsel is carrying a mixed caseload including cases from more than one category of cases, these standards should be applied proportionately to determine a full caseload. In jurisdictions where assigned counsel or contract attorneys also maintain private law practices, the caseload should be based on the percentage of time the lawyer devotes to public defense.

The experience of a particular attorney is a factor in the composition of the case types in the attorney's caseload, but it is not a factor in adjusting the applicable numerical caseload limits except as follows: attorneys with less than six months of full time criminal defense experience as an attorney should not be assigned more than two-thirds of the applicable maximum numerical caseload limit. This provision applies whether or not the public defense system uses case weighting.

The following types of cases fall within the intended scope of the caseload limits for criminal and juvenile offender cases in standard 3.4 and must be taken into account when assessing an attorney's numerical caseload: partial case representations, sentence violations, specialty or therapeutic courts, transfers, extraditions, representation of material witnesses, petitions for conditional release or final discharge, and other matters that do not involve a new criminal charge.

~~Definition of case.~~ A case is defined as the filing of a document with the court naming a person as defendant or respondent, to which an attorney is appointed in order to provide representation. In courts of limited jurisdiction multiple citations from the same incident can be counted as one case.

~~[Adopted effective October 1, 2012; Amended effective January 1, 2015.]~~

~~Standard 3.4. Caseload Limits.~~ The caseload of a full-time public defense attorney or assigned counsel should not exceed the following:

~~150 felonies per attorney per year; or~~

~~300 misdemeanor cases per attorney per year or, in jurisdictions that have not adopted a numerical case weighting system as described in this standard, 400 cases per year; or~~

~~250 juvenile offender cases per attorney per year; or~~

~~80 open juvenile dependency cases per attorney; or~~

~~250 civil commitment cases per attorney per year; or~~

~~1 active death penalty trial court case at a time plus a limited number of non-death penalty cases compatible with the time demand of the death penalty case and consistent with the professional requirements of standard 3.2; or~~

~~36 appeals to an appellate court hearing a case on the record and briefs per attorney per year. (The 36 standard assumes experienced appellate attorneys handling cases with transcripts of an average length of 350 pages. If attorneys do not have significant appellate experience and/or the average transcript length is greater than 350 pages, the caseload should be accordingly reduced.)~~

~~Full-time rule 9 interns who have not graduated from law school may not have caseloads that exceed twenty-five percent (25%) of the caseload limits established for full-time attorneys.~~

~~In public defense systems in which attorneys are assigned to represent groups of clients at first appearance or arraignment calendars without an expectation of further or continuing representation for cases that are not resolved at the time (except by dismissal) in addition to individual case assignments, the attorneys' maximum caseloads should be reduced proportionally recognizing that preparing for and appearing at such calendars requires additional attorney time. This provision applies both to systems that employ case weighting and those that do not.~~

~~Resolutions of cases by pleas of guilty to criminal charges on a first appearance or arraignment docket are presumed to be rare occurrences requiring careful evaluation of the evidence and the law, as well as thorough communication with clients, and must be counted as one case. This provision applies both to systems that employ case weighting and those that do not.~~

~~In public defense systems in which attorneys are assigned to represent groups of clients in routine review hearing calendars in which there is no potential for the imposition of sanctions, the attorneys' maximum caseloads should be reduced proportionally by the amount of time they spend preparing for and appearing at such calendars. This provision applies whether or not the public defense system uses case weighting.~~

~~[Adopted effective October 1, 2013, except paragraph 3, regarding misdemeanor caseload limits, effective January 1, 2015; Amended effective January 1, 2015.]~~

~~Standard 3.5. Case Counting and Weighting.~~ Attorneys may not count cases using a case weighting system, unless pursuant to written policies and procedures that have been adopted and published by the

local government entity responsible for employing, contracting with, or appointing them. A weighting system must:

- A. recognize the greater or lesser workload required for cases compared to an average case based on a method that adequately assesses and documents the workload involved;
- B. be consistent with these Standards, professional performance guidelines, and the Rules of Professional Conduct;
- C. not institutionalize systems or practices that fail to allow adequate attorney time for quality representation;
- D. be periodically reviewed and updated to reflect current workloads; and
- E. be filed with the State of Washington Office of Public Defense.

Cases should be assessed by the workload required. Cases and types of cases should be weighted accordingly. Cases which are complex, serious, or contribute more significantly to attorney workload than average cases should be weighted upward. In addition, a case weighting system should consider factors that might justify a case weight of less than one case.

[Adopted effective October 1, 2012; Amended effective January 1, 2015.]

Standard 3.6. Case Weighting Examples. The following are some examples of situations where case weighting might result in representations being weighted as more or less than one case. The listing of specific examples is not intended to suggest or imply that representations in such situations should or must be weighted at more or less than one case, only that they may be, if established by an appropriately adopted case weighting system.

A. Case Weighting Upward. Serious offenses or complex cases that demand more than average investigation, legal research, writing, use of experts, use of social workers, and/or expenditures of time and resources should be weighted upward and counted as more than one case.

B. Case Weighting Downward. Listed below are some examples of situations where case weighting might justify representations being weighted less than one case. However, care must be taken because many such representations routinely involve significant work and effort and should be weighted at a full case or more.

i. Cases that result in partial representations of clients, including client failures to appear and recommencement of proceedings, preliminary appointments in cases in which no charges are filed, appearances of retained counsel, withdrawals or transfers for any reason, or limited appearances for a specific purpose (not including representations of multiple cases on routine dockets).

ii. Cases in the criminal or offender case type that do not involve filing of new criminal charges, including sentence violations, extraditions, representations of material witnesses, and other matters or representations of clients that do not involve new criminal charges. Noncomplex sentence violations should be weighted as at least 1/3 of a case.

iii. Cases in specialty or therapeutic courts if the attorney is not responsible for defending the client against the underlying charges before or after the client's participation in the specialty or therapeutic court. However, case weighting must recognize that numerous hearings and extended monitoring of client cases in such courts significantly contribute to attorney workload and in many instances such cases may warrant allocation of full case weight or more.

iv. Representation of a person in a court of limited jurisdiction on a charge which, as a matter of regular practice in the court where the case is pending, can be and is resolved at an early stage of the proceeding by a diversion, reduction to an infraction, stipulation on continuance, or other alternative noncriminal disposition that does not involve a finding of guilt. Such cases should be weighted as at least 1/3 of a case.

[Adopted effective October 1, 2012; Amended effective January 1, 2015.]

Related Standards

ABA STANDARDS FOR CRIMINAL JUSTICE: PROSECUTION FUNCTION AND DEFENSE FUNCTION Defense Function std. 4-1.2 (3d ed. 1993)

ABA STANDARDS FOR CRIMINAL JUSTICE: PROVIDING DEFENSE SERVICES std. 5-4.3 (3d ed. 1992)

AM. BAR ASS'N, GUIDELINES FOR THE APPOINTMENT AND PERFORMANCE OF DEFENSE COUNSEL IN DEATH PENALTY CASES (rev. ed. 2003)

ABA Comm. on Ethics & Prof'l Responsibility, Formal Op. 06-441 (2006) (*Ethical Obligations of Lawyers Who Represent Indigent Criminal Defendants When Excessive Caseloads Interfere With Competent and Diligent Representation*)

Am. Council of Chief Defenders, *Statement on Caseloads and Workloads* (Aug. 24, 2007)

ABA House of Delegates, *Eight Guidelines of Public Defense Related to Excessive Caseloads* (Aug. 2009)

TASK FORCE ON COURTS, NAT'L ADVISORY COMM'N ON CRIMINAL STANDARDS & GOALS, COURTS std. 13.12 (1973)

MODEL CODE OF PROF'L RESPONSIBILITY DR 6-101.

ABA House of Delegates, *The Ten Principles of a Public Defense Delivery System* (Feb. 2002)

ABA House of Delegates, *Standards of Practice for Lawyers Who Represent Children in Abuse and Neglect Cases* (Feb. 1996)

Nat'l Legal Aid & Defender Ass'n, Am. Council of Chief Defenders, *Ethical Opinion 03-01* (2003).

Nat'l Legal Aid & Defender Ass'n, *Standards for Defender Services* std. IV-1 (1976)

Nat'l Legal Aid & Defender Ass'n, *Model Contract for Public Defense Services* (2000)

Nat'l Ass'n of Counsel for Children, *NACC Recommendations for Representation of Children in Abuse and Neglect Cases* (2001)

Seattle Ordinance 121501 (June 14, 2004)

Indigent Defense Servs. Task Force, Seattle-King County Bar Ass'n, *Guidelines for Accreditation of Defender Agencies Guideline 1* (1982)

Wash. State Office of Pub. Defense, *Parents Representation Program Standards of Representation* (2009)

BUREAU OF JUDICIAL ASSISTANCE, U.S. DEP'T OF JUSTICE, INDIGENT DEFENSE SERIES NO. 4, KEEPING DEFENDER WORKLOADS MANAGEABLE (2001) (NCJ-185632)

Standard 4. Responsibility of Expert Witnesses

Standard 5. Administrative Costs

Standard 5.1.

Standard 5.2.

A. Contracts for public defense services should provide for or include administrative costs associated with providing legal representation. These costs should include but are not limited to travel; tel-

ephones; law library, including electronic legal research; financial accounting; case management systems; computers and software; office space and supplies; training; meeting the reporting requirements imposed by these standards; and other costs necessarily incurred in the day-to-day management of the contract.

B. Public defense attorneys shall have (1) access to an office that accommodates confidential meetings with clients and (2) a postal address, and adequate telephone services to ensure prompt response to client contact.

[Adopted effective October 1, 2012.]

Standard 6. Investigators

Standard 6.1. Public defense attorneys shall use investigation services as appropriate.

[Adopted effective October 1, 2012.]

Standards 7-12

Standard 13. Limitations on Private Practice

Private attorneys who provide public defense representation shall set limits on the amount of privately retained work which can be accepted. These limits shall be based on the percentage of a full-time caseload which the public defense cases represent.

[Adopted effective October 1, 2012].

Standard 14. Qualifications of Attorneys

Standard 14.1. In order to assure that indigent accused receive the effective assistance of counsel to which they are constitutionally entitled, attorneys providing defense services shall meet the following minimum professional qualifications:

A. Satisfy the minimum requirements for practicing law in Washington as determined by the Washington Supreme Court; and

B. Be familiar with the statutes, court rules, constitutional provisions, and case law relevant to their practice area; and

C. Be familiar with the Washington Rules of Professional Conduct; and

D. Be familiar with the Performance Guidelines for Criminal Defense Representation approved by the Washington State Bar Association; and when representing youth, be familiar with the Performance Guidelines for Juvenile Defense Representation approved by the Washington State Bar Association; and when representing respondents in civil commitment proceedings, be familiar with the Performance Guidelines for Attorneys Representing Respondents in Civil Commitment Proceedings approved by the Washington State Bar Association; and

E. Be familiar with the Washington State Guidelines for Appointed Counsel in Indigent Appeals; and

F. Be familiar with the consequences of a conviction or adjudication, including possible immigration consequences and the possibility of civil commitment proceedings based on a criminal conviction; and

G. Be familiar with mental health issues and be able to identify the need to obtain expert services; and

H. Complete seven hours of continuing legal education within each calendar year in courses relating to their public defense practice.

[Adopted effective October 1, 2012; Amended effective April 24, 2018; September 1, 2021.]

Standard 14.2. Attorneys' qualifications according to severity or type of case¹:

- 1 Attorneys working toward qualification for a particular category of cases under this standard may associate with lead counsel who is qualified under this standard for that category of cases.

~~A. Death Penalty Representation. Each attorney acting as lead counsel in a criminal case in which the death penalty has been or may be decreed and which the decision to seek the death penalty has not yet been made shall meet the following requirements:~~

- ~~i. The minimum requirements set forth in Section 1; and~~
- ~~ii. At least five years' criminal trial experience; and~~
- ~~iii. Have prior experience as lead counsel in no fewer than nine jury trials of serious and complex cases which were tried to completion; and~~
- ~~iv. Have served as lead or co-counsel in at least one aggravated homicide case; and~~
- ~~v. Have experience in preparation of mitigation packages in aggravated homicide or persistent offender cases; and~~
- ~~vi. Have completed at least one death penalty defense seminar within the previous two years; and~~
- ~~vii. Meet the requirements of SPRC 2.2.²~~

- 2 SPRC 2

APPOINTMENT OF COUNSEL

At least two lawyers shall be appointed for the trial and also for the direct appeal. The trial court shall retain responsibility for appointing counsel for trial. The Supreme Court shall appoint counsel for the direct appeal. Notwithstanding RAP 15.2(f) and (h), the Supreme Court will determine all motions to withdraw as counsel on appeal.

A list of attorneys who meet the requirements of proficiency and experience, and who have demonstrated that they are learned in the law of capital punishment by virtue of training or experience, and thus are qualified for appointment in death penalty trials and for appeals will be recruited and maintained by a panel created by the Supreme Court. All counsel for trial and appeal must have demonstrated the proficiency and commitment to quality representation which is appropriate to a capital case. Both counsel at trial must have five years' experience in the practice of criminal law (and) be familiar with and experienced in the utilization of expert witnesses and evidence, and not be presently serving as appointed counsel in another active trial level death penalty case. One counsel must be, and both may be, qualified for appointment in capital trials on the list, unless circumstances exist such that it is in the defendant's interest to appoint otherwise qualified counsel learned in the law of capital punishment by virtue of training or experience. The trial court shall make findings of fact if good cause is found for not appointing list counsel. At least one counsel on appeal must have three years' experience in the field of criminal appellate law and be learned in the law of capital punishment by virtue of training or experience. In appointing counsel on appeal, the Supreme Court will consider the list, but will have the final discretion in the appointment of counsel.

The defense team in a death penalty case should include, at a minimum, the two attorneys appointed pursuant to SPRC 2, a mitigation specialist, and an investigator. Psychiatrists, psychologists, and other experts and support personnel should be added as needed.

~~B. Adult Felony Cases Class A. Each attorney representing a defendant accused of a Class A felony as defined in RCW 9A.20.020 shall meet the following requirements:~~

- ~~i. The minimum requirements set forth in Section 1; and~~
- ~~ii. Either:~~
 - ~~a. has served two years as a prosecutor; or~~
 - ~~b. has served two years as a public defender; or two years in a private criminal practice; and~~
- ~~iii. Has been trial counsel alone or with other counsel and handled a significant portion of the trial in three felony cases that have been submitted to a jury.~~

~~C. Adult Felony Cases Class B Violent Offense. Each attorney representing a defendant accused of a Class B violent offense as defined in RCW 9A.20.020 shall meet the following requirements.~~

- ~~i. The minimum requirements set forth in Section 1; and~~
- ~~ii. Either;~~
 - ~~a. has served one year as a prosecutor; or~~
 - ~~b. has served one year as a public defender; or one year in a private criminal practice; and~~
- ~~iii. Has been trial counsel alone or with other counsel and handled a significant portion of the trial in two Class C felony cases that have been submitted to a jury.~~

~~D. Adult Sex Offense Cases.~~ Each attorney representing a client in an adult sex offense case shall meet the following requirements:

- ~~i. The minimum requirements set forth in Section 1 and Section 2(C); and~~
- ~~ii. Has been counsel alone of record in an adult or juvenile sex offense case or shall be supervised by or consult with an attorney who has experience representing juveniles or adults in sex offense cases.~~

~~E. Adult Felony Cases All Other Class B Felonies, Class C Felonies, Probation or Parole Revocation.~~ Each attorney representing a defendant accused of a Class B felony not defined in Section 2(C) or (D) above or a Class C felony, as defined in RCW 9A.20.020, or involved in a probation or parole revocation hearing shall meet the following requirements:

- ~~i. The minimum requirements set forth in Section 1, and~~
- ~~ii. Either:~~
 - ~~a. has served one year as a prosecutor; or~~
 - ~~b. has served one year as a public defender; or one year in a private criminal practice; and~~
- ~~iii. Has been trial counsel alone or with other trial counsel and handled a significant portion of the trial in two criminal cases that have been submitted to a jury; and~~
- ~~iv. Each attorney shall be accompanied at his or her first felony trial by a supervisor if available.~~

~~F. Persistent Offender (Life Without Possibility of Release) Representation.~~ Each attorney acting as lead counsel in a "two strikes" or "three strikes" case in which a conviction will result in a mandatory sentence of life in prison without parole shall meet the following requirements:

- ~~i. The minimum requirements set forth in Section 1;³ and~~

³ RCW 10.101.060 (1)(a)(iii) provides that counties receiving funding from the state Office of Public Defense under that statute must require "attorneys who handle the most serious cases to meet specified qualifications as set forth in the Washington state bar association endorsed standards for public defense services or participate in at least one case consultation per case with office of public defense resource attorneys who are so qualified. The most serious cases include all cases of murder in the first or second degree, persistent offender cases, and class A felonies."

- ~~ii. Have at least:~~
 - ~~a. four years' criminal trial experience; and~~
 - ~~b. one year's experience as a felony defense attorney; and~~
 - ~~c. experience as lead counsel in at least one Class A felony trial; and~~
 - ~~d. experience as counsel in cases involving each of the following:~~
 - ~~1. Mental health issues; and~~
 - ~~2. Sexual offenses, if the current offense or a prior conviction that is one of the predicate cases resulting in the possibility of life in prison without parole is a sex offense; and~~
 - ~~3. Expert witnesses; and~~
 - ~~4. One year of appellate experience or demonstrated legal writing ability.~~

~~G. Juvenile Cases Class A.~~

~~H. Juvenile Cases Classes B and C.~~ Each attorney representing a juvenile accused of a Class B or C felony shall meet the following requirements:

- ~~i. The minimum requirements set forth in Section 1; and~~
- ~~ii. Either:~~
 - ~~a. has served one year as a prosecutor; or~~
 - ~~b. has served one year as a public defender; or one year in a private criminal practice; and~~

~~iii. Has been trial counsel alone in five misdemeanor cases brought to a final resolution; and~~

~~iv. Each attorney shall be accompanied at his or her first juvenile trial by a supervisor if available.~~

~~I. Juvenile Sex Offense Cases. Each attorney representing a client in a juvenile sex offense case shall meet the following requirements:~~

~~i. The minimum requirements set forth in Section 1 and Section 2(H); and~~

~~ii. Has been counsel alone of record in an adult or juvenile sex offense case or shall be supervised by or consult with an attorney who has experience representing juveniles or adults in sex offense cases.~~

~~J. Juvenile Status Offenses Cases. Each attorney representing a client in a "Becca" matter shall meet the following requirements:~~

~~i. The minimum requirements as outlined in Section 1; and~~

~~ii. Either:~~

~~a. have represented clients in at least two similar cases under the supervision of a more experienced attorney or completed at least three hours of CLE training specific to "status offense" cases; or~~

~~b. have participated in at least one consultation per case with a more experienced attorney who is qualified under this section.~~

~~K. Misdemeanor Cases. Each attorney representing a defendant involved in a matter concerning a simple misdemeanor or gross misdemeanor or condition of confinement, shall meet the requirements as outlined in Section 1.~~

~~L. Dependency Cases. Each attorney representing a client in a dependency matter shall meet the following requirements:~~

~~i. The minimum requirements as outlined in Section 1; and~~

~~ii. Attorneys handling termination hearings shall have six months' dependency experience or have significant experience in handling complex litigation.~~

~~iii. Attorneys in dependency matters should be familiar with expert services and treatment resources for substance abuse.~~

~~iv. Attorneys representing children in dependency matters should have knowledge, training, experience, and ability in communicating effectively with children, or have participated in at least one consultation per case either with a state Office of Public Defense resource attorney or other attorney qualified under this section.~~

~~M. Civil Commitment Cases. Each attorney representing a respondent shall meet the following requirements:~~

~~i. The minimum requirements set forth in Section 1; and~~

~~ii. Each staff attorney shall be accompanied at his or her first 90 or 180 day commitment hearing by a supervisor; and~~

~~iii. Shall not represent a respondent in a 90 or 180 day commitment hearing unless he or she has either:~~

~~a. served one year as a prosecutor; or~~

~~b. served one year as a public defender; or one year in a private civil commitment practice, and~~

~~c. been trial counsel in five civil commitment initial hearings; and~~

~~iv. Shall not represent a respondent in a jury trial unless he or she has conducted a felony jury trial as lead counsel; or been co-counsel with a more experienced attorney in a 90 or 180 day commitment hearing.~~

~~N. Sex Offender "Predator" Commitment Cases. Generally, there should be two counsel on each sex offender commitment case. The lead counsel shall meet the following requirements:~~

- ~~i. The minimum requirements set forth in Section 1; and~~
- ~~ii. Have at least:~~
 - ~~a. Three years' criminal trial experience; and~~
 - ~~b. One year's experience as a felony defense attorney or one year's experience as a criminal appeals attorney; and~~
 - ~~c. Experience as lead counsel in at least one felony trial; and~~
 - ~~d. Experience as counsel in cases involving each of the following:~~
 - ~~1. Mental health issues; and~~
 - ~~2. Sexual offenses; and~~
 - ~~3. Expert witnesses; and~~
 - ~~e. Familiarity with the Civil Rules; and~~
 - ~~f. One year of appellate experience or demonstrated legal writing ability.~~

~~Other counsel working on a sex offender commitment case should meet the minimum requirements in Section 1 and have either one year's experience as a public defender or significant experience in the preparation of criminal cases, including legal research and writing and training in trial advocacy.~~

~~O. Contempt of Court Cases. Each attorney representing a respondent shall meet the following requirements:~~

- ~~i. The minimum requirements set forth in Section 1; and~~
- ~~ii. Each attorney shall be accompanied at his or her first three contempt of court hearings by a supervisor or more experienced attorney, or participate in at least one consultation per case with a state Office of Public Defense resource attorney or other attorney qualified in this area of practice.~~

~~P. Specialty Courts. Each attorney representing a client in a specialty court (e.g., mental health court, drug diversion court, homelessness court) shall meet the following requirements:~~

- ~~i. The minimum requirements set forth in Section 1; and~~
- ~~ii. The requirements set forth above for representation in the type of practice involved in the specialty court (e.g., felony, misdemeanor, juvenile); and~~
- ~~iii. Be familiar with mental health and substance abuse issues and treatment alternatives.~~

~~[Adopted effective October 1, 2012.]~~

~~Standard 14.3. Appellate Representation. Each attorney who is counsel for a case on appeal to the Washington Supreme Court or to the Washington Court of Appeals shall meet the following requirements:~~

- ~~A. The minimum requirements as outlined in Section 1; and~~
- ~~B. Either:~~
 - ~~i. has filed a brief with the Washington Supreme Court or any Washington Court of Appeals in at least one criminal case within the past two years; or~~
 - ~~ii. has equivalent appellate experience, including filing appellate briefs in other jurisdictions, at least one year as an appellate court or federal court clerk, extensive trial level briefing, or other comparable work.~~

~~C. Attorneys with primary responsibility for handling a death penalty appeal shall have at least five years' criminal experience, preferably including at least one homicide trial and at least six appeals from felony convictions, and meet the requirements of SPRC 2.~~

~~RALJ Misdemeanor Appeals to Superior Court: Each attorney who is counsel alone for a case on appeal to the Superior Court from a court of limited jurisdiction should meet the minimum requirements as outlined in Section 1, and have had significant training or experience in~~

~~either criminal appeals, criminal motions practice, extensive trial level briefing, clerking for an appellate judge, or assisting a more experienced attorney in preparing and arguing a RALJ appeal.~~

~~[Adopted effective October 1, 2012.]~~

~~Standard 14.4. Legal Interns.~~

~~A. Legal interns must meet the requirements set out in APR 9.~~

~~B. Legal interns shall receive training pursuant to APR 9, and in offices of more than seven attorneys, an orientation and training program for new attorneys and legal interns should be held.~~

~~[Adopted effective October 1, 2012.]~~

Standards 15-18

[RESERVED]

CERTIFICATION OF COMPLIANCE

[RESERVED]

~~For criminal and juvenile offender cases, and civil commitment proceedings under Chapter 71.05 RCW, a signed Certification of Compliance with Applicable Standards must be filed by an appointed attorney by separate written certification on a quarterly basis in each court in which the attorney has been appointed as counsel. The certification must be in substantially the following form:~~

SEPARATE CERTIFICATION FORM

[RESERVED]

_____ Court of Washington For State of Washington _____, Plaintiff vs. _____, Defendant	<input type="checkbox"/> No. <input type="checkbox"/> Administrative Filing CERTIFICATION OF APPOINTED COUNSEL OF COMPLIANCE WITH STANDARDS REQUIRED BY CrR 3.1/CrRLJ 3.1/JuCR 9.2/MPR 2.1
--	---

~~The undersigned attorney hereby certifies:~~

~~1. Approximately _____% of my total practice time is devoted to indigent defense cases.~~

~~2. I am familiar with the applicable Standards adopted by the Supreme Court for attorneys appointed to represent indigent persons and that:~~

~~**a. Basic Qualifications:** I meet the minimum basic professional qualifications in Standard 14.1.~~

~~**b. Office:** I have access to an office that accommodates confidential meetings with clients, and I have a postal address and adequate telephone services to ensure prompt response to client contact, in compliance with Standard 5.2.~~

~~**c. Investigators:** I have investigators available to me and will use investigative services as appropriate, in compliance with Standard 6.1.~~

~~**d. Caseload:** I will comply with Standard 3.2 during representation of the defendant in my cases. [Effective October 1, 2013 for felony and juvenile offender caseloads; effective January 1, 2015 for misdemeanor caseloads; effective February 21, 2021 for civil commitment caseloads. I should not accept a greater number of cases (or a proportional mix of different case types) than specified in Standard 3.4, prorated if the amount of time spent for indigent defense is less than full time, and taking into account the case counting and weighting system applicable in my jurisdiction.]~~

~~e. Case Specific Qualifications: I am familiar with the specific case qualifications in Standard 14.2, Sections B-K (criminal) and Section M (civil commitment) and will not accept appointment in a case as lead counsel unless I meet the qualifications for that case.~~

~~[Effective October 1, 2013; effective February 1, 2021 for civil commitment cases.]~~

Signature, WSBA No. _____ Date

2. Proceedings for Initial Detention

MPR CCR 2.1 SUMMONS

[Reserved.]

MPR CCR 2.2 AUTHORIZATION AND NOTICE OF DETENTION

[Reserved.]

~~At the time when any person is taken into custody or as soon as possible thereafter pursuant to RCW 71.05.150 (1)(d) or RCW 71.05.150(2) regardless of whether a summons has been issued pursuant to rule 2.1 written authorization to do so shall be served upon such person. A copy of the authorization and a notice of detention shall be filed with the court. The authorization and notice of detention shall include:~~

~~(a) The name of the person to be taken into custody.~~

~~(b) A statement that the person authorized to take custody is authorized pursuant to RCW 71.05.150 (1)(d) or RCW 71.05.150(2).~~

~~(c) A statement that the person is to be taken into custody for the purpose of delivering that person to an evaluation and treatment facility for a period of up to 72 hours excluding Saturdays, Sundays, and holidays. The 72-hour period begins when the evaluation and treatment facility provisionally accepts the person as provided in RCW 71.05.170.~~

~~(d) A statement specifying the name and location of the evaluation and treatment facility where such person will be detained.~~

~~(e) The authorization and notice of detention shall be in substantially the following form:~~

~~TO: ANY PEACE OFFICER OR MENTAL HEALTH PROFESSIONAL~~

~~(Name of person) _____ has failed to appear in response to summons issued by me pursuant to RCW 71.05.150 a copy of which is attached, or _____ as a result of mental disorder:~~

~~_____ presents an imminent likelihood of serious harm to him/herself~~

~~_____ presents an imminent likelihood of serious harm to others~~

~~_____ presents an imminent likelihood of serious harm to the property of others~~

~~_____ is in imminent danger because he/she is gravely disabled~~

~~You are notified to take or to cause such person to be taken into custody forthwith and placed in (name and location of evaluation and treatment facility) for evaluation and treatment for not more than 72 hours, or for such additional time as a court may order. The 72-hour period begins when the person is provisionally accepted at the evaluation and treatment facility and excludes Saturdays, Sundays, and holidays.~~

~~Dated: _____ (signed) _____~~

~~Mental Health Professional
(name) County, Washington~~

~~Respondent has been detained in (name and location of evaluation and treatment facility).~~

~~Dated: _____ Time: _____
(signed) _____
_____ Peace Officer or _____ Mental
Health Professional, (name) County,
Washington~~

~~[Adopted effective January 1, 1974; Amended effective July 1, 1974; January 1, 1981.]~~

MPR CCR 2.2A NOTICE OF EMERGENCY DETENTION

[Reserved.]

~~The notice of emergency detention required to be filed with the court and served upon the designated attorney of the detained person pursuant to RCW 71.05.160 shall include a statement specifying the name and location of the evaluation and treatment facility where the person taken into custody has been detained.~~

~~The notice of emergency detention shall be in substantially the following form:~~

~~(Respondent) has been detained in (name of evaluation and treatment facility).~~

~~Dated: _____ Time of provisional acceptance:
(signed)
Mental Health Professional
(name) County, Washington~~

~~[Adopted effective July 1, 1974; Amended effective July 1, 1974; January 1, 1981.]~~

MPR CCR 2.3 RIGHT TO COPY COURT FILES

[Reserved.]

~~Prior to and at the hearing provided for in RCW 71.05.200, 71.05.240, and 71.05.250, the attorney for any detained person who will be a respondent at such hearing shall be permitted to view and copy all documents relating to the detained person which have been filed with the court.~~

~~[Adopted effective January 1, 1974.]~~

MPR CCR 2.4 PROBABLE CAUSE HEARING

[Reserved.]

~~**(a) Notice.** If notice to the court and the prosecuting attorney of the probable cause hearing as required by RCW 71.05.150 (1) (c) includes the date and time of the provisional acceptance of any person involuntarily detained, no additional notice to the court shall be required pursuant to RCW 71.05.170.~~

~~**(b) Procedure.**~~

~~(1) The probable cause hearing provided in RCW 71.05.200(1) shall be held in accordance with the provisions of RCW 71.05.200(1), 71.05.240, and 71.05.250, except that under the circumstances defined by RCW 10.77.090, the prosecuting attorney may be the petitioner.~~

~~(2) The probable cause hearing shall proceed as in other civil actions, except that the court, in its discretion, may dispense with opening statements and final arguments.~~

~~(3) The court shall be advised of any medications administered to the respondent within the prior 24-hour period, and if it appears that the person detained has refused medication 24 hours before the hearing, but was nevertheless forced to receive medication during that pe-~~

~~riod, the court may continue the hearing for 24 hours, and may order that no medication shall be administered to the person detained during such period.~~

~~(4) At the conclusion of the hearing, the court shall make written findings of fact and conclusions of law, and enter an order for release or for detention for an additional 14 days in an evaluation and treatment facility, or such lesser treatment as shall to the court appear proper. A copy of the order shall be served upon the evaluation and treatment facility and on the mental health professional who signed the petition.~~

~~[Adopted effective January 1, 1974; Amended effective January 1, 1981.]~~

MPR CCR 2.5

~~[Rescinded. See RCW 71.34.]~~

~~[Adopted effective January 1, 1974; Amended effective July 1, 1974; Rescinded effective December 19, 1986.]~~

3. Proceedings for Ninety or One Hundred Eighty-Day Commitment

MPR CCR 3.1 FIRST COURT APPEARANCE

~~[Reserved.]~~

~~For purposes of proceedings for 90-day commitment, the phrase "first court appearance" provided in RCW 71.05.310, shall refer to the appearance provided for in RCW 71.05.300 of that act.~~

~~[Adopted effective January 1, 1974.]~~

MPR CCR 3.2 PRELIMINARY APPEARANCE

~~[Reserved.]~~

~~Prior to the hearing provided for in RCW 71.05.320(2), the committed person shall be brought before the court for an appearance which shall be the same as that provided in RCW 71.05.300 of that act.~~

~~[Adopted effective January 1, 1974.]~~

MPR CCR 3.3 JURY DEMAND

~~(a) **When Available.** A jury is available only in a hearing for 90- or 180-day commitment proceedings pursuant to RCW 71.05.300 and RCW 71.05.320.~~

~~(b) **Procedure for Demand.** Within two (2) judicial days after the person detained is advised in open court on the record of his the right to a jury trial as provided in RCW 71.05.300, the person detained may demand a trial by jury in the hearing on the petition for 90-day or 180-day detention by serving upon the prosecuting attorney a demand therefor in writing, by and filing the demand therefor with the clerk. No jury fee shall be required. If no party, within the time above specified, serves and files a demand for a jury trial, the matter shall be heard without a jury. If no party, within the time above specified, serves or files a demand that the matter be tried by a jury of 12, it shall be tried by a jury of 6 members, with concurrence of 5 being required to reach a verdict.~~

MPR CCR 3.4 HEARING

~~(a) **Procedure.** The hearing shall be proceeded with as in any other civil action.~~

~~(b) **Findings and Conclusions.** Unless the matter is tried to a jury, the court shall make and enter findings of fact and conclusions of law.~~

(c) **Verdict.** If the matter is tried to a jury, the court shall instruct the jury to bring in a special verdict, which shall be in terms of the issues specified in RCW 71.05.320. include, as relevant, findings regarding whether:

1. The respondent has a behavioral health disorder, mental disorder, substance use disorder, and/or a co-occurring mental disorder and substance use disorder;

2. The respondent is gravely disabled as a result of the behavioral health disorder;

3. The respondent, after having been taken into custody for evaluation and treatment, or during the current period of court ordered treatment, threatened, attempted, or inflicted physical harm upon self or another, or substantial damage upon the property of another;

4. The respondent, as a result of the behavioral health disorder, presents or continues to present a likelihood of serious harm to self or others or the property of others;

5. The respondent was taken into custody as a result of conduct in which the respondent attempted or inflicted physical harm upon self or the person of another, or substantial damage upon the property of another;

6. Criminal charges against the respondent have been dismissed due to a finding of incompetence, the respondent has been determined to be incompetent, and the respondent committed acts constituting a felony;

7. The respondent, as a result of the behavioral health disorder, presents a substantial likelihood of repeating similar acts; and

8. The petitioner has proved that less restrictive treatment will not serve the best interest of the respondent or others.

MPR CCR 3.5 NOTICE OF RESTRICTIONS

[Reserved.]

(a) **Record of Notice Requirements.** A record of the notice of ineligibility to possess a firearm required by RCW 9.41.047, RCW chapter 71.05, RCW chapter 71.34 and RCW chapter 10.77 shall be made. Within three judicial days of entry of the order of commitment, the clerk of the court shall forward a copy of the notice of ineligibility to possess a firearm to the Department of Licensing, Business & Professions Firearms Unit and to the National Instant Criminal Background Check System (NICS) either by mail or electronic means.

(b) **Form.** The notice shall be in substantially the following form:

<p>Superior Court of Washington County of</p> <p>In re the Detention of:</p> <p>_____</p> <p style="text-align: right;">Petitioner,</p> <p>and</p> <p>_____</p> <p style="text-align: right;">Respondent.</p>	<p>No.</p> <p>Notice of Ineligibility to Possess a Firearm (NFIPF)</p> <p>Clerk's Action Required</p>
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To the Respondent:

You are hereby advised that the court committed you for mental health treatment under chapter 71.05 RCW, chapter 71.34 RCW, or chapter 10.77 RCW.

~~You are required to immediately surrender any concealed pistol license. You may not possess a firearm until your right to do so has been restored by a court of record.~~

~~The information below has been filled in by the State based on available information.~~

~~The date of commitment: _____.~~

~~[] A copy of the Respondent's Driver's License or identicard is attached, or~~

Respondent's Last Name, First Name, Middle Name			
List any Aliases:			
Residential Address (Street)		(City)	(State) (Zip)
Date of Birth (month/date/year)		Driver's License/ID Number	
Race:	Sex:	Weight:	Height
Eyes:	Hair:	Court NCIC No.	

~~Submit to: Dept. of Licensing, Business & Professions Firearms Unit, PO Box 9649, Olympia, WA 98507-9649 and to the National Instant Criminal Background Check System (NICS)~~

~~[Adopted effective December 1, 2009.]~~

4. Proceedings for Conditional Release and Revocation or Modification

MPR CCR 4.1 NOTICE OF CONDITIONS

[Reserved.]

~~Any person conditionally released pursuant to RCW 71.05.340 shall be notified in writing of the terms and conditions of the release and shall be notified in writing of any modifications of such terms and conditions. Such notification shall also be given in writing to the court which ordered the person's commitment.~~

~~[Adopted effective January 1, 1974.]~~

MPR CCR 4.2 AUTHORIZATION FOR APPREHENSION AND DETENTION

[Reserved.]

~~At the time of taking any person into custody for failure to adhere to the terms and conditions of release under RCW 71.05.340 or of an alternative treatment under RCW 71.05.320, an authorization for apprehension and detention shall be served upon the person. The authorization for apprehension and detention shall include:~~

~~(a) The name of the person taken into custody;~~

~~(b) A statement that it is issued pursuant to the suspension of conditional release or alternative treatment;~~

~~(c) The date on which the order of commitment or order for alternative treatment was entered and the number of days, if any, for which the person was ordered committed.~~

~~(d) The authorization shall be in substantially the following form:~~

~~TO: ANY PEACE OFFICER OR MENTAL HEALTH PROFESSIONAL~~

~~You are authorized to take or cause to be taken (name of person) into custody and place such person in (name and location of evaluation and treatment facility) for detention pursuant to _____ RCW 71.05.340 (suspension of conditional release) or _____ RCW 71.05.320 (suspension of alternative treatment). The named person was _____ conditionally released from an order of commitment or _____ originally placed on alternative treatment, the conditions of which have been violated. The named person's commitment to inpatient treatment or alternative treat-~~

ment was originally ordered for (number) days by (name of court) on (date).

Date: _____ (signed) _____

Secretary, Department of Social and
Health Services, State of Washington, or His
Designee,

Mental Health Professional
(name) County, Washington

[Adopted effective January 1, 1974; Amended effective July 1, 1974; January 1, 1981.]

**MPR CCR 4.3 PETITION AND ORDER OF APPREHENSION
AND DETENTION—SERVICE**

[Reserved.]

Unless otherwise ordered by the court, the petition and order of apprehension and detention required in RCW 71.05.340, shall be served on the person to be apprehended and detained at the time of apprehension, and on his guardian, if any, and his attorney, if any, as soon as possible.

Where no order of apprehension and detention has been issued, a petition shall be filed with the court within 72 hours and the person, his attorney, if any, and his guardian, if any, shall be served with a copy of the petition within 24 hours after the petition is filed with the court. At the time the petition is served on the person, notice shall be filed with the court and served on the person that a hearing will be held within 15 days.

[Adopted effective January 1, 1974; Amended effective July 1, 1974.]

MPR CCR 4.4 PETITION FOR INITIAL DETENTION

[Reserved.]

A mental health professional may commence new proceedings for 72-hour detention pursuant to RCW 71.05.150, notwithstanding an order of less restrictive alternative treatment under RCW 71.05.320 or a grant of conditional release pursuant to RCW 71.05.340.

[Adopted effective January 1, 1974; Amended effective January 1, 1981.]

MPR CCR 4.5 Hearing BURDEN OF PROOF

(a) Burden of Proof. Before entering an order returning any person for involuntary treatment on an inpatient basis as a result of failure to adhere to the terms and conditions of conditional release pursuant to RCW 71.05.340 or less restrictive alternative treatment under RCW 71.05.320, the court shall find at the hearing that there is clear, cogent, and convincing evidence that such person did not adhere to the terms and conditions of release or less restrictive alternative treatment, that the terms of such release or treatment should not be modified, and that the person should be returned to inpatient treatment.

(b) Waiver. Waiver of the hearing provided for in RCW 71.05.340 shall be in writing signed by all persons required to waive under that section. A copy of the waiver shall be filed with the court in which the notice of apprehension and detention was filed.

5. Venue

MPR CCR 5.1 GENERAL[Reserved.]

~~Proceedings pursuant to RCW 71.05 shall be brought in the superior court of the county in which the person is being detained. The court, for good cause, may transfer a proceeding to the county of respondent's residence, or to the county in which the alleged conduct evidencing need for treatment occurred.~~

~~[Adopted effective January 1, 1974; Amended effective July 1, 1974.]~~

MPR CCR 5.2 CONDITIONAL RELEASE HEARING[Reserved.]

~~The notice of apprehension and detention and the petition for hearing required in RCW 71.05.340, shall be filed in the county ordering the commitment from which the person was conditionally released. Upon motion for good cause, the court may order the proceeding transferred to the court in the county in which the person was receiving outpatient care or the county of the person's residence.~~

~~[Adopted effective January 1, 1974.]~~

MPR CCR 5.3 RELEASE OF RECORDS[Reserved.]

~~A proceeding for the release of records or files pursuant to RCW 71.05.390 shall be in the court maintaining such records or files.~~

MPR CCR 5.4

[Reserved.]

~~[Adopted effective January 1, 1974; Amended effective July 1, 1974.]~~

6. Petitions [Reserved.]MPR CCR 6.1 PETITION FOR INITIAL DETENTION[Reserved.]

~~The petition for initial detention shall contain the following:~~

~~(a) Identification of the petitioner as a peace officer or designated mental health professional.~~

~~(b) A statement describing the circumstances under which the condition of the respondent was brought to the petitioner's attention.~~

~~(c) A statement that as a result of the petitioner's personal observation or investigation, the petitioner believes that the actions of the respondent constitute a likelihood of harm to the respondent, others, or to the property of others, or that the respondent is gravely disabled.~~

~~(d) A statement of the specific facts known to the petitioner upon which he bases his belief that respondent should be detained for the purposes and under the authority of RCW 71.05.~~

~~(e) A request that the respondent be detained at an evaluation and treatment facility for no more than a 72-hour treatment and evaluation period.~~

~~(f) The date and the signature of the petitioner.~~

~~(g) The petition shall be in substantially the following form:~~

SUPERIOR COURT OF WASHINGTON
FOR [] COUNTY

~~(e) A request that the respondent be detained at an evaluation and treatment facility for no more than a 72-hour treatment and evaluation period.~~

~~(f) A statement that voluntary admission for inpatient treatment is not possible.~~

~~(g) The date and the signature of the petitioner.~~

~~(h) The petition shall be in substantially the following form:~~

SUPERIOR COURT OF WASHINGTON
FOR [] COUNTY

In-re the Detention of:)
) No. _____
Petitioner:)
and) PETITION FOR INITIAL
) DETENTION OF A MINOR
Respondent:)
) RCW 71.34.050

Pursuant to RCW 71.34 petitioner, a mental health professional designated by the county, alleges under penalty of perjury that: Respondent, _____, was brought to my attention under the following circumstances:

As a result of my personal observation or investigation I believe that the actions of the respondent constitute a likelihood of serious harm or that the respondent is gravely disabled.

The specific facts known to me as a result of personal observation or investigation, upon which I base the belief that the respondent should be detained for the purposes and under the authority of RCW 71.34 are:

Voluntary admission is not possible. Therefore the petitioner requests that the respondent be detained at an evaluation and treatment facility for no more than a 72-hour evaluation and treatment period, excluding Saturdays, Sundays, and holidays.

Dated this _____ day of _____, 19 _____.

Petitioner

Sworn and Subscribed on _____
Notary Public for the State of
Washington
Residing at
My commission expires on

[Adopted effective July 1, 1974; Amended effective July 1, 1974; December 19, 1986; July 31, 1987; Rescinded effective _____.]

MPR CCR 6.2 PETITION FOR FOURTEEN-DAY INVOLUNTARY TREATMENT

[Reserved.]

The petition for 14-day involuntary treatment shall contain the following:

- ~~(a) The name and address of the petitioner(s).~~
- ~~(b) The name of the person alleged, as a result of mental disorder, to present a likelihood of serious harm to him/herself, others, or the property of others, or to be gravely disabled, and, if known to the petitioner, the address, age, sex, marital status and occupation of the person. Such person shall be denominated the respondent.~~

- ~~(c) The facts upon which the allegations of the petition are based.~~
- ~~(d) The name of every person known or believed by the petitioner to be legally responsible for the care, support, and maintenance of the person alleged, as a result of mental disorder, to present a likelihood of serious harm to others or himself, or to be gravely disabled, and the address of each such person if known to the petitioner.~~
- ~~(e) A statement that the professional staff of the evaluation and treatment facility has examined and analyzed respondent's condition and finds that as a result of mental disorder respondent presents a likelihood of serious harm to himself or others or is gravely disabled.~~
- ~~(f) A statement that the respondent has been advised of the need for voluntary treatment and that the professional staff of the facility has evidence that he has not in good faith volunteered.~~
- ~~(g) A statement that the facility providing intensive treatment is certified to provide such treatment by the Department of Social and Health Services of the State of Washington.~~
- ~~(h) A statement that there is no less restrictive alternative to detention in the best interests of respondent or others, or that a less restrictive alternative is sought and a specification of what that alternative is.~~
- ~~(i) A demand that a probable cause hearing be held within 72 hours after provisional acceptance at the evaluation and treatment facility, excluding Saturdays, Sundays, and holidays, unless the person is sooner released, on the issue of whether the respondent shall be detained for an additional 14 days' involuntary treatment or whether such person shall be treated under less restrictive alternatives.~~
- ~~(j) The petition shall be in substantially the following form:~~

SUPERIOR COURT OF WASHINGTON
FOR [_____] COUNTY

In re the Detention of:)	
)	No. _____
)	
)	PETITION FOR FOURTEEN-
)	DAY INVOLUNTARY
)	TREATMENT
Respondent:)	
)	RCW _____

~~(Petitioner(s)), _____ mental health professional for _____ County, _____ member(s) of professional staff of _____ (agency or facility), prosecuting attorney for _____ County pursuant to RCW 10.77.090, alleges that:~~
~~(Respondent), residing at (address) in (city or town), is a _____ single _____ married _____ widowed _____ divorced _____ male _____ female age _____.
 (Respondent's) occupation is _____~~

~~The professional staff of the evaluation agency or facility has examined respondent's condition and finds that as a result of mental disorder (respondent) presents:~~

- ~~a likelihood of serious harm to him/herself,~~
- ~~a likelihood of serious harm to others,~~
- ~~a likelihood of serious harm to the property of others,~~
- ~~is gravely disabled.~~

~~The facts upon which the allegations of this petition are based are as follows:~~

~~(use back of page if necessary)~~

~~The person(s) legally responsible for the care, support, and maintenance of (respondent) and their relationship to him are, so far as known to the petitioner, as follows: (Give names, addresses, and relationship of persons named as respondents.)~~

~~(use back of page if necessary)~~

~~The respondent has been advised of the need for, but has not accepted voluntary treatment.~~

~~The facility providing intensive treatment is certified to provide such treatment by the Department of Social and Health Services.~~

~~The petitioner(s) request(s) that a hearing be held before (time and date) unless the respondent is sooner released, to determine whether (respondent) shall be detained for 14 days' involuntary treatment because there is no less restrictive alternative to detention in the best interest of respondent or others, or shall be required to comply with the following less restrictive alternative:~~

~~Dated _____ this day of _____, 19 _____.~~

~~Petitioner _____ Physician _____ MHP _____ Prosecuting Attorney _____~~

~~Petitioner _____ Physician _____ MHP _____ Prosecuting Attorney _____~~

~~Address~~

~~Sworn and Subscribed on _____~~

~~Notary Public for the State of
Washington
Residing at
My commission expires on~~

~~[Adopted effective January 1, 1974; Amended effective July 1, 1974; January 1, 1976; January 1, 1981.]~~

MPR CCR 6.3 PETITION FOR NINETY-DAY INVOLUNTARY TREATMENT

[Reserved.]

~~The petition for 90-day involuntary treatment shall contain the following:~~

~~(a) The name and address of the petitioner.~~

~~(b) The name and address of the person alleged, as a result of mental disorder, to present a likelihood of serious harm to him/herself or others because such person (1) has threatened, attempted, or inflicted physical harm upon the person of another or him/herself or substantial damage upon the property of another after having been taken into custody for evaluation and treatment, or (2) was taken into custody as a result of conduct in which he/she attempted or inflicted physical harm upon the person of another or him/herself, or (3) is gravely disabled, or (4) has been determined to be incompetent and criminal charges have been dismissed pursuant to RCW 10.77.090(3) and has committed acts constituting a felony, and presents substantial likelihood of repeating similar acts. Such person shall be denominated the respondent.~~

~~(c) A statement that petitioner is the professional person in charge of the treatment facility in which the respondent is detained~~

~~pursuant to court order or his professional designee, or the county mental health professional of (name) County.~~

~~(d) The name of the court ordering 14-day involuntary treatment or finding the respondent incompetent pursuant to RCW 10.77.090(3) and the date on which such order or finding was entered.~~

~~(e) A summary of the facts supporting the allegations of the petition.~~

~~(f) A demand that a hearing be held within 5 judicial days of the first court appearance after the probable cause hearing unless the person named in the petition requests a jury trial, in which case trial shall commence within 10 judicial days of the filing of the petition for 90-day treatment on the issue of whether the person alleged, as a result of mental disorder, to present a likelihood of serious harm, to himself or others, shall be detained for involuntary treatment for a period not to exceed 90 days.~~

~~(g) A statement that the petition is supported by accompanying affidavits and the names of the persons signing such affidavits.~~

~~(h) The petition shall be in substantially the following form:~~

SUPERIOR COURT OF WASHINGTON
FOR [] COUNTY

In-re-the Detention-of:) No. _____
))
) PETITION FOR NINETY-DAY
Respondent:) INVOLUNTARY TREATMENT
))
) RCW _____

~~(Petitioner), _____ the professional person in charge, or _____ his professional designee, or _____ the county mental health professional for (name) county, of (name of facility) in which (respondent) is detained for (number) days pursuant to an order of (name of court) entered on (date) alleges that:~~

~~(Respondent), residing at (address) in (city or town), is a _____ single _____ married _____ widowed _____ divorced _____ male _____ female age _____.~~

~~As a result of mental disorder (respondent) presents a likelihood of serious harm to him/herself or others because respondent _____ has threatened, attempted, or inflicted physical harm upon the person of another or him/herself or substantial damage upon the property of another after having been taken into custody for evaluation and treatment, or _____ was taken into custody as a result of conduct in which respondent threatened, attempted or inflicted physical harm upon the person of another or him/herself, or _____ is gravely disabled, or _____ has been determined to be incompetent and criminal charges have been dismissed pursuant to RCW 10.77.090(3), and has committed acts constituting a felony, and as a result of mental disorder, presents a substantial likelihood of repeating similar acts.~~

~~The facts upon which the allegations of this petition are based are summarized as follows:~~

~~The allegations are supported by the accompanying affidavits signed by~~

~~The petitioner requests that a hearing be held to determine whether (respondent) shall be detained for involuntary treatment for a period not to exceed 90 days.~~

Dated this _____ day of _____, 19 _____.

Petitioner

Sworn and Subscribed on _____

Notary Public for the State of
Washington
Residing at
My commission expires on

[Adopted effective January 1, 1974; Amended effective July 1, 1974; January 1, 1976; January 1, 1981.]

MPR CCR 6.4 PETITION FOR ONE HUNDRED EIGHTY-DAY INVOLUNTARY TREATMENT

[Reserved.]

The petition for 180-day involuntary treatment shall contain the following:

~~(a) The name and address of the person filing the petition and the statement that the petitioner is the superintendent or professional person in charge of the facility in which the person who is alleged, as a result of mental disorder, to present a likelihood of serious harm to others, is detained, or in the event that the defendant has received involuntary treatment but has not been committed to a treatment facility or has been conditionally released from such a facility, a statement that the petitioner is the county mental health professional of (name) County.~~

~~(b) The name and address of the person alleged, as a result of a mental disorder, to present a likelihood of serious harm to others because such person (1) during his/her current period of court ordered treatment has threatened, attempted or actually inflicted physical harm on another or substantial damage upon the property of another, or (2) was taken into custody as a result of conduct in which he/she attempted or inflicted serious physical harm upon the person of another and continues to present, as a result of mental disorder, a likelihood of serious harm to others, or (3) is in custody pursuant to RCW 71.05.280(3) (acts constituting a felony) and as a result of mental disorder presents a substantial likelihood of repeating similar acts, or (4) continues to be gravely disabled. Such person shall be denominated the respondent.~~

~~(c) The name of the court ordering involuntary treatment for which the respondent is presently detained, and the date on which such order was entered.~~

~~(d) A summary of the facts supporting the allegations of the petition.~~

~~(e) A demand that a hearing be held within 5 judicial days of the first court appearance after the probable cause hearing unless the person named in the petition requests a jury trial, in which case trial shall commence within 10 judicial days of the filing of the petition for 180-day treatment on the issue of whether the person alleged, as a result of mental disorder, to present a likelihood of serious harm to others, shall be detained for involuntary treatment for a period not to exceed 180 days.~~

~~(f) A statement that a form of treatment less restrictive than involuntary detention is not in the best interest of the respondent or others.~~

~~(g) The petition shall be in substantially the following form:~~

SUPERIOR COURT OF WASHINGTON
FOR [_____] COUNTY

In re the Detention of:) No. _____
)
) PETITION FOR ONE
) HUNDRED EIGHTY-DAY
) INVOLUNTARY TREATMENT
Respondent:)
) RCW _____

(Petitioner), the superintendent or professional person in charge of (name of facility) in which (respondent) is detained for (number) days pursuant to an order of (name of court) entered on (date) alleges that:

(Respondent), residing at (address) in (city or town), is a _____ single _____ married _____ widowed _____ divorced _____ male _____ female age _____.

(Respondent) _____ has threatened, attempted or actually inflicted harm on another person, or substantial damage upon the property of another during respondent's current period of court ordered treatment and as a result of mental disorder presents a likelihood of serious harm to others, or _____ was taken into custody as a result of conduct in which respondent attempted or inflicted serious physical harm upon the person of another and continues to present as a result of mental disorder a likelihood of serious harm to others, or _____ is in custody pursuant to RCW 71.05.280(3) (acts constituting a felony) and as a result of mental disorder presents a substantial likelihood of repeating similar acts, or _____ continues to be gravely disabled.

The facts upon which the allegations of this petition are based are as follows:

A form of treatment less restrictive than involuntary detention is not in the best interest of the respondent or others.

The petitioner requests that a hearing be held to determine whether (respondent) shall be detained for involuntary treatment for a period not to exceed 180 days.

Dated this _____ day of _____, 19 _____.

Petitioner

Sworn and Subscribed on _____

Notary Public for the State of
Washington
Residing at
My commission expires on

[Adopted effective January 1, 1974; Amended effective July 1, 1974; January 1, 1976; January 1, 1981.]

MPR CCR 6.4A PETITION FOR ONE HUNDRED EIGHTY-DAY INVOLUNTARY TREATMENT OF A MINOR

[Reserved.]

The petition for 180-day involuntary treatment of a minor shall contain the following:

(a) The name and address of the person filing the petition and the statement that the petitioner is the professional person in charge of the facility in which the person who is alleged, as a result of mental disorder, to present a likelihood of serious harm to others or is gravely disabled, is detained, or in the event that the defendant has received involuntary treatment but has not been committed to a treatment facility or has been conditionally released from such a fa-

ility, a statement that the petitioner is the county mental health professional of (name) County.

(b) The name and address and age of the minor alleged, as a result of a mental disorder, to present a likelihood of serious harm to him/herself, others, or property or continues to be disabled. Such minor shall be denominated the respondent.

(c) The name of the court ordering involuntary treatment for which the respondent is presently detained, and the date on which such order was entered.

(d) A summary of the facts supporting the allegations of the petition.

(e) A demand that a hearing be held within 7 days of the filing of the petition for 180-day treatment on the issue of whether the minor alleged, as a result of mental disorder, to present a likelihood of serious harm or is gravely disabled, shall be detained for involuntary treatment for a period not to exceed 180 days.

(f) A statement that the minor is in need of further treatment that can only be provided in a 180-day commitment and this treatment is in the minors best interests.

(g) A statement that less restrictive alternative treatment is/is not available and/or appropriate.

(h) The petition shall be supported by accompanying affidavits signed by two examining physicians, one of whom shall be a child psychiatrist, or by one examining physician and one children's mental health specialist.

(i) The petition shall be in substantially the following form:

SUPERIOR COURT OF WASHINGTON
FOR [] COUNTY

In re the Detention of:) No.
)
) PETITION FOR ONE
) HUNDRED EIGHTY-DAY
) INVOLUNTARY TREATMENT
Respondent:) OF A MINOR
)
) RCW 71.34.090

(Petitioner), professional person in charge of (name of facility) in which (respondent) is detained for (number) days pursuant to an order of (name of court) entered on (date) alleges that:

(Respondent), residing at (address) in (city or town), is a single married widowed divorced male female age.

(Respondent) presents a likelihood of serious harm to him/herself or presents a likelihood of serious harm to others or presents a likelihood of serious harm to property or is gravely disabled.

(Respondent) has threatened, attempted or actually inflicted harm on another person, or substantial damage upon the property of another during respondent's current period of court ordered treatment and as result of mental disorder presents a likelihood of serious harm to other, or was taken into custody as a result of conduct in which respondent attempted or inflicted serious physical harm upon the person of another and continues to present as a result of mental disorder a likelihood of serious harm to others, or is in custody pursuant to RCW 71.05.280(3) (acts constituting a felony) and as a result of mental disorder presents a substantial likelihood of repeating similar acts, or continues to be gravely disabled.

Summary of facts supporting the petition: _____

A form of treatment less restrictive than involuntary detention _____ is or _____ is not in the best interest of the respondent or others.

The petitioner requests that a hearing be held to determine whether (respondent) shall be detained for involuntary treatment for a period not to exceed 180 days.

Dated this _____ day of _____, 19 _____.

Petitioner (MD)-

Petitioner (MD/MHP)-

Sworn and Subscribed on _____

Notary Public for the State of
Washington
Residing at
My commission expires on

[Adopted effective January 1, 1974; Amended effective July 31, 1987.]

MPR CCR 6.5 PETITION FOR REVOCATION OF CONDITIONAL RELEASE OR LESS RESTRICTIVE TREATMENT

[Reserved.]

The petition for revocation of conditional release or less restrictive treatment shall contain the following:

~~(a)~~ The name and address of the petitioner and the statement that petitioner is the Secretary of the Department of Social and Health Services, State of Washington, or is the county mental health professional for (name) County.

~~(b)~~ The name and address of the person alleged to have failed to adhere to the terms and conditions of release or less restrictive treatment. Such person shall be denominated the respondent.

~~(c)~~ The facts upon which the allegations of the petition are based.

~~(d)~~ A statement that the respondent was released under terms and conditions of a court ordered less restrictive treatment or under terms and conditions set by an evaluation and treatment facility, and that a copy of the terms and conditions is attached to the petition. The statement shall also contain the date the order was entered, number of days for which effective, and the court entering such order.

~~(e)~~ The date, time and place of detention of the respondent if he is detained pursuant to an order of the secretary, or whether such an order has been or will be issued.

~~(f)~~ A demand that a hearing be held within 5 days of the date on which respondent was detained pursuant to an order of the secretary, or not less than 15 days from the date of service of the petition on the respondent, on the issues of whether the respondent failed to adhere to the terms and conditions of release or less restrictive treatment, whether the conditions of the release should be modified, or whether the person should be placed in an involuntary treatment facility.

~~(g)~~ The petition shall be in substantially the following form, with a copy of the terms and conditions attached:

SUPERIOR COURT OF WASHINGTON
FOR [] COUNTY

In re the Detention of:) No.
)
) PETITION FOR REVOCATION
) OF CONDITIONAL RELEASE
Respondent:)
) RCW

(Petitioner), Secretary of the Department of Social and Health Services, State of Washington, or county mental health professional for (name) County alleges that:

(Respondent), residing at (address) in (city or town), is a single married widowed divorced male female age.

Pursuant to an order of (name) court entered on (date), respondent was detained for involuntary treatment for a period not to exceed (number) days in (name of facility), or was placed on less restrictive alternative treatment.

(Respondent) was conditionally released from inpatient care at (name of facility) prior to expiration of the court ordered period of detention, under terms and conditions for such release copies of which, including modifications, are attached and were filed in (name) court on (date(s)) or respondent was placed on less restrictive treatment under terms and conditions copies of which, including modifications, are attached.

During the period of conditional release or less restrictive treatment, respondent was receiving outpatient care from (name of facility) located in (city or town), (name) County.

Pursuant to RCW, petitioner has has not issued an order for the apprehension and detention of respondent and respondent is not detained is detained in (name of facility) located in (city, town), (name) county.

(Respondent) has failed to adhere to the terms and conditions of respondent's release from involuntary detention or less restrictive alternative treatment and the conditions of release or less restrictive treatment should be modified or the person should be placed in an involuntary treatment facility.

The facts upon which the allegations of this petition are based are as follows:

Three horizontal lines for listing facts.

The petitioner requests that a hearing be held to determine whether respondent has failed to adhere to the terms and conditions of release or less restrictive treatment, and whether the respondent shall be placed on involuntary treatment on an inpatient basis or whether the terms and conditions of release or less restrictive treatment shall be modified.

Dated this day of, 19.

Sworn and Subscribed on

Notary Public for the State of Washington
Residing at
My commission expires on

[Adopted effective January 1, 1974; Amended effective July 1, 1974; January 1, 1981; Rescinded effective.]

RESTRICTIVE TREATMENT OF A MINOR

[Reserved.]

The petition for revocation of conditional release or less restrictive treatment shall contain the following:

(a) The name and address of the petitioner and the statement that petitioner is the Secretary of the Department of Social and Health Services, State of Washington, or is the county mental health professional for (name) County.

(b) The name and address of the person alleged to have failed to adhere to the terms and conditions of release or less restrictive treatment or whose functioning has substantially deteriorated. Such person shall be denominated the respondent.

(c) The facts upon which the allegations of the petition are based.

(d) A statement that the respondent was released under terms and conditions of a court ordered less restrictive treatment or under terms and conditions set by an evaluation and treatment facility, and that a copy of the terms and conditions is attached to the petition, or that substantial deterioration of the minors functioning has occurred. The statement shall also contain the date the order was entered, number of days for which effective, and the court entering such order.

(e) The date, time and place of detention of the respondent if he/she is detained pursuant to an order of the secretary, or whether such an order has been or will be issued.

(f) A demand that a hearing be held within 7 days of the date on which respondent was detained.

(g) The petition shall describe the behavior of the minor indicating violation of the conditions or deterioration of routine functioning and a dispositional recommendation.

(h) The petition shall be in substantially the following form, with a copy of the terms and conditions attached:

SUPERIOR COURT OF WASHINGTON
FOR [] COUNTY

In re the Detention of:) No.
)
) PETITION FOR REVOCATION
) OF CONDITIONAL RELEASE
) OR LESS RESTRICTIVE
) ALTERNATIVE TREATMENT
Respondent:)
) RCW 71.34.110

(Petitioner), Secretary of the Department of Social and Health Services, State of Washington, or county mental health professional for (name) County alleges that:

(Respondent), residing at (address) in (city or town), is a single married widowed divorced male female age.

Pursuant to an order of (name) court entered on (date), respondent was detained for involuntary treatment for a period not to exceed (number) days in (name of facility), or was placed on less restrictive alternative treatment.

(Respondent) was conditionally released from inpatient care at (name of facility) prior to expiration of the court ordered period of detention, under terms and conditions for such release copies of which, including modifications, are attached and were filed in (name) court on (date(s)) or respondent was placed on less restrictive

~~treatment under terms and conditions copies of which, including modifications, are attached.~~

~~During the period of conditional release or less restrictive treatment, respondent was receiving outpatient care from (name of facility) located in (city or town), (name) County.~~

~~Pursuant to RCW _____, petitioner _____ has _____ has not issued an order for the apprehension and detention of respondent and respondent _____ is not detained _____ is detained in (name of facility) located in (city, town), (name) county.~~

~~(Respondent) has failed to adhere to the terms and conditions of respondent's release from involuntary detention or less restrictive alternative treatment and _____ the conditions of release or less restrictive treatment should be modified or _____ the person should be placed in an involuntary treatment facility.~~

~~The facts upon which the allegations of this petition are based are as follows:~~

~~The petitioner requests that a hearing be held to determine whether respondent has failed to adhere to the terms and conditions of release or less restrictive treatment, and whether the respondent shall be placed on involuntary treatment on an inpatient basis or whether the terms and conditions of release or less restrictive treatment shall be modified.~~

~~Dated this _____ day of _____, 19 _____.~~

Petitioner

~~Sworn and Subscribed on _____~~

~~Notary Public for the State of
Washington
Residing at
My commission expires on~~

~~[Adopted effective January 1, 1974; Amended effective July 31, 1987.]~~

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: The typographical error in the above material occurred in the copy filed by the state supreme court and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 23-23-002
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE**

(Habitat and Recreation Lands Coordinating Group)
[Filed November 1, 2023, 1:20 p.m.]

Following is the schedule of regular quarterly meetings and the monitoring forum for the habitat and recreation lands coordinating group for 2024:

Regular Quarterly Meetings		
Date	Time	Location
April 24, 2024	9:00 to 11:00 a.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501
Joint Regular Meeting and Lands Coordinating Forum		
November 20, 2024	9:00 a.m. to 1:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501

For further information, please contact Julia McNamara, Board Liaison, 1111 Washington Avenue S.E., P.O. Box 40917, Olympia, WA 98504-0917, phone 360-902-2956, fax 360-902-3026, Julia.McNamara@rco.wa.gov, www.rco.wa.gov; or Brock Milliern, Policy Director, 1111 Washington Avenue S.E., P.O. Box 40917, Olympia, WA 98504-0917, phone 360-902-3021, fax 360-902-3026, Brock.Milliern@rco.wa.gov, www.rco.wa.gov.

The recreation and conservation office schedules all public meetings at barrier-free sites. Persons who need special assistance may contact Leslie Frank at 360-902-0220 or email Leslie.Frank@rco.wa.gov.

WSR 23-23-003
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE
(Invasive Species Council)
[Filed November 1, 2023, 1:21 p.m.]

Following is the schedule of regular meetings for the Washington invasive species council for 2024:

Date	Time	Location
March 21, 2024	9:00 a.m. to 3:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom
June 6, 2024	9:00 a.m. to 3:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom
September 12, 2024	9:00 a.m. to 3:00 p.m.	To be determined
December 5, 2024	9:00 a.m. to 3:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom

If you need further information, please visit our meeting page at invasivespecies.wa.gov or contact Julia McNamara, Board Liaison, 1111 Washington Avenue S.E., P.O. Box 40917, Olympia, WA 98504-0917, phone 360-902-2956, fax 360-902-3026, Julia.McNamara@rco.wa.gov, www.rco.wa.gov; or Stephanie Helms, Executive Coordinator, 1111 Washington Avenue S.E., P.O. Box 40917, Olympia, WA 98504-0917, phone 360-704-0973, fax 360-902-3026, Stephanie.Helms@rco.wa.gov, InvasiveSpecies.wa.gov.

The recreation and conservation office schedules all public meetings at barrier-free sites. Persons who need special assistance may contact Leslie Frank at 360-902-0220 or email Leslie.Frank@rco.wa.gov.

**WSR 23-23-006
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE**

(Recreation and Conservation Funding Board)
[Filed November 1, 2023, 1:58 p.m.]

Following is the schedule of regular meetings for the recreation and conservation funding board (RCFB) for 2024:

Date	Time	Location
January 30-31, 2024	9:00 a.m. to 5:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom
April 16-17, 2024	9:00 a.m. to 5:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom
July 24-25, 2024	9:00 a.m. to 5:00 p.m.	To be determined
August 7, 2024	9:00 a.m. to 12:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom
October 29-30, 2024	9:00 a.m. to 5:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom

For further information, please see the RCFB meeting page or contact Julia McNamara, Board Liaison, 1111 Washington Avenue S.E., P.O. Box 40917, Olympia, WA 98504-0917, phone 360-902-2956, fax 360-902-3026, Julia.McNamara@rco.wa.gov.

The recreation and conservation office schedules all public meetings at barrier-free sites. Persons who need special assistance may contact Leslie Frank at 360-902-0220 or email Leslie.Frank@rco.wa.gov.

WSR 23-23-007
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE
 (Salmon Recovery Funding Board)
 [Filed November 1, 2023, 1:59 p.m.]

Following is the schedule of regular meetings for the salmon recovery funding board (SRFB) for 2024:

Date	Time	Location
March 6-7, 2024	9:00 a.m. to 5:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom
June 12-13, 2024	9:00 a.m. to 5:00 p.m.	To be determined
August 7, 2024	1:00 to 4:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom
September 24-25, 2024	9:00 a.m. to 5:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom
December 18-19, 2024	9:00 a.m. to 5:00 p.m.	Natural Resource Building 1111 Washington Street S.E. Room 172 Olympia, WA 98501 Online via Zoom

For further information, please visit the SRFB meeting page or contact Julia McNamara, Board Liaison, 1111 Washington Avenue S.E., P.O. Box 40917, Olympia, WA 98504-0917, phone 360-902-2956, fax 360-902-3026, Julia.McNamara@rco.wa.gov.

The recreation and conservation office schedules all public meetings at barrier-free sites. Persons who need special assistance may contact Leslie Frank at 360-902-0220 or email Leslie.Frank@rco.wa.gov.

WSR 23-23-008
INTERPRETIVE STATEMENT
DEPARTMENT OF
FINANCIAL INSTITUTIONS

(Securities Division)

[Filed November 1, 2023, 3:34 p.m.]

Notice of Adoption of Franchise Act Interpretive Statement
No. 9 - Disclosure of Franchise Fees

On November 1, 2023, the securities division of the department of financial institutions adopted Franchise Act Interpretive Statement No. 9 - Disclosure of Franchise Fees.

The adoption of Franchise Act Interpretive Statement No. 9 responds to reports of franchisors charging fees to franchisees that were not disclosed in the franchise disclosure document. Franchise Act Interpretive Statement No. 9 explains a franchisor must disclose all fees, including prospective fees, to a prospective franchisee in the franchise disclosure document prior to the execution of the franchise agreement or the receipt of any payment by the franchisor or any of its affiliates, and further explains that a franchisor cannot impose a fee, through the operations manual or otherwise, without presale disclosure.

Please contact Timothy Varney by phone 360-902-8785 or email timothy.varney@dfi.wa.gov with any questions or to obtain a copy of the Franchise Act Interpretive Statement No. 9.

William M. Beatty
Securities Administrator

WSR 23-23-012

NOTICE OF PUBLIC MEETINGS

OFFICE OF THE STATE ACTUARY

(Select Committee on Pension Policy)

[Filed November 2, 2023, 11:24 a.m.]

Following is the 2024 select committee on pension policy meeting dates. Please note there are no meetings scheduled during legislative session or the month of August.

Location: Full Committee - House Hearing Room A and Remote
Executive Committee - House Hearing Room A and Remote

Time: 8:00 a.m. - 4:30 p.m.

April 16, 2024

May 21, 2024

June 18, 2024

July 16, 2024

September 17, 2024

October 15, 2024

November 12, 2024

December 10, 2024

WSR 23-23-017

NOTICE OF PUBLIC MEETINGS

HOP COMMISSION

[Filed November 2, 2023, 2:13 p.m.]

The Washington hop commission has scheduled its 2024 regular and annual meetings as follows. This information is being filed as required by RCW 42.30.075:

Wednesday, March 20

Wednesday, May 15

Wednesday, July 17

Annual meeting

Wednesday, October 16

Interested individuals may contact the Washington hop commission at 509-453-4749 prior to each scheduled date for the specific time and location of each meeting and special accommodations.

WSR 23-23-019
NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD
 [Filed November 2, 2023, 3:22 p.m.]

MEETINGS FOR 2024

The public works board (PWB) will hold regularly scheduled business meetings on the following dates at 8:30 a.m.:

Date	Time	Location	Venue
Friday, January 19	8:30 a.m. - 12:00 p.m.	Hybrid (Olympia)	Zoom
Friday, February 2	8:30 a.m. - 9:30 a.m.	Online	Zoom
Friday, March 15	8:30 a.m. - 12:00 p.m.	Hybrid (Olympia)	Zoom
Friday, April 5	8:30 a.m. - 12:00 p.m.	Online	Zoom
Friday, May 3	8:30 a.m. - 2:00 p.m.	Hybrid (Bellingham)	Pacific Street Operations Center
Friday, June 7	8:30 a.m. - 12:00 p.m.	Online	Zoom
Friday, July 12	8:30 a.m. - 2:00 p.m.	Hybrid (Olympia)	Zoom
Friday, August 2	8:30 a.m. - 12:00 p.m.	Online	Zoom
Friday, September 6	8:30 a.m. - 12:00 p.m.	Online	Zoom
Friday, October 4	1:00 - 2:30 p.m.	Hybrid (Winthrop)	Sun Mountain Lodge
Friday, November 1	8:30 a.m. - 12:00 p.m.	Online	Zoom
Friday, December 6	8:30 a.m. - 12:00 p.m.	Online	Zoom

Meeting sign-in details, materials, and additional information are available at www.pwb.wa.gov. Contact Izabela Kocan 564-669-1788.

WSR 23-23-041

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed November 3, 2023, 4:05 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT

Title of Policy Statement: Enforcement of USP General Chapters <795>, <797>, <800>, and <825>. Policy Statement P010.

Issuing Entity: Pharmacy quality assurance commission.

Subject Matter: This policy clarifies the pharmacy quality assurance commission's approach to United States Pharmacopeia General chapters <795>, <797>, <800>, and <825> as it relates to WAC 246-945-100 and RCW 18.64.270(2).

Effective Date: November 1, 2023.

Contact Person: Haleigh Mauldin, Program Consultant, Pharmacy Quality Assurance Commission, Washington State Department of Health, 360-890-0720, PharmacyRules@doh.wa.gov.

WSR 23-23-042
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON
STATE HISTORICAL SOCIETY
 [Filed November 3, 2023, 4:46 p.m.]

Following is the 2024 schedule for the board of trustees meetings for Eastern Washington State Historical Society (also known as Northwest Museum of Arts and Culture). This passed at the November 1, 2023, board meeting. We are agency 395 and our board is a volunteer board.

Board meetings on first Wednesday of odd months

January 10, 2024	3:00 - 5:00 [p.m.]	Gilkey Community Room
March 6, 2024	3:00 - 5:00 [p.m.]	Gilkey Community Room
May 1, 2024	3:00 - 5:00 [p.m.]	Gilkey Community Room
July 3, 2024	3:00 - 5:00 [p.m.]	Gilkey Community Room
September 4, 2024	3:00 - 5:00 [p.m.]	Gilkey Community Room
November 6, 2024	3:00 - 5:00 [p.m.]	Gilkey Community Room

WSR 23-23-047
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed November 6, 2023, 12:29 p.m.]

Notice of Interpretive or Policy Statement

In accordance with RCW 34.05.230(12), following is a list of policy and interpretive statements issued by the department of social and health services.

Economic Services Administration
Division of Child Support (DCS)

Document Title: DCS Administrative Policy 10.05.00: Information Security Risk Management.

Subject: DCS AP 10.05.00.

Effective Date: November 3, 2023.

Document Description: This DCS administrative policy explains procedures for managing information security risks.

To receive a copy of the interpretive or policy statements, contact Rachel Shaddox, DCS, P.O. Box 11520, Tacoma, WA 98411-5520, phone 360-664-5073, TDD/TTY 800-833-6384, fax 360-664-5342, email Rachel.Shaddox@dshs.wa.gov, website <http://www.dshs.wa.gov/dcs/>.

WSR 23-23-048

INTERPRETIVE STATEMENT

DEPARTMENT OF HEALTH

[Filed November 6, 2023, 5:00 p.m.]

NOTICE OF ADOPTION

INTERPRETIVE STATEMENT

Title of Interpretive Statement: Establishing the Use of Nitrous Oxide in Office-Based Settings Under WAC 246-919-601. INS2023-02.

Issuing Entity: Washington medical commission.

Subject Matter: Regulating the use of analgesia, anesthesia, and sedation in office-based settings to exempt the use of nitrous oxide from the requirements of WAC 246-919-601.

Effective Date: October 20, 2023.

Contact Person: Michael Farrell, JD, supervising Staff Attorney, 564-233-8105, michael.farrell@wmc.wa.gov.

WSR 23-23-061

NOTICE OF PUBLIC MEETINGS

HOP COMMISSION

[Filed November 8, 2023, 12:48 p.m.]

The Washington hop commission has scheduled its 2024 regular and annual meetings as follows:

Wednesday, March 20

Wednesday, May 15

Wednesday, July 17

Annual Meeting

Wednesday, October 16

Interested individuals may contact the Washington hop commission at 509-453-4749 prior to each scheduled date for the specific time and location of each meeting and special accommodations.

WSR 23-23-063

NOTICE OF PUBLIC MEETINGS

APPLE COMMISSION

[Filed November 8, 2023, 3:25 p.m.]

Following is the 2024 schedule of regular meetings for the Washington apple commission:

March 14, 2024	10:00 a.m.	Yakima, Washington
May 23, 2024	10:00 a.m.	Wenatchee, Washington
October 10, 2024	10:00 a.m.	Ellensburg, Washington
December 5, 2024	10:00 a.m.	Yakima, Washington

For further information, please contact Eric Clark, 2900 Euclid Avenue, Wenatchee, WA 98801, email eric.clark@waapple.org.

These meetings are open to all persons without regard to race, color, national origin, age, gender, religion, political beliefs, or disability. Persons with disabilities who require reasonable accommodations or alternative means of communication such as Braille, large print, audio file, sign language or language interpretation, or have any special dietary needs should contact the Washington apple commission at 509-663-9600 at least three days prior to the date of the meeting.

WSR 23-23-065

NOTICE OF PUBLIC MEETINGS

BATES TECHNICAL COLLEGE

[Filed November 9, 2023, 4:02 p.m.]

The Bates Technical College's board of trustees meeting date has been rescheduled from January 29, 2024, to January 8, 2024.

WSR 23-23-069
NOTICE OF PUBLIC MEETINGS
STUDENT ACHIEVEMENT COUNCIL
 [Filed November 9, 2023, 10:57 a.m.]

The following is the schedule of regular meetings for the Washington student achievement council for 2024:

Date	Tentative Time	Tentative Location
January 23	9:00 a.m.	Hybrid meeting: In person, location TBD Virtual, registration required https://us02web.zoom.us/j/84461212693
May 14	9:00 a.m.	Hybrid meeting: In person, location TBD Virtual, registration required https://us02web.zoom.us/j/91912345678
August 20	9:00 a.m.	Virtual meeting: Registration required https://us02web.zoom.us/j/12345678901
November 6	9:00 a.m.	Hybrid meeting: In person, location TBD Virtual, registration required https://us02web.zoom.us/j/23456789012

If you need further information, contact Crystal Hall, P.O. Box 43430, Olympia, WA 98504-3430, main line 360-753-7800, crystalh@wsac.wa.gov, www.wsac.wa.gov.

**WSR 23-23-070
NOTICE OF PUBLIC MEETINGS
COUNTY ROAD
ADMINISTRATION BOARD**

[Filed November 9, 2023, 11:31 a.m.]

MEETING NOTICE	January 18, 2024 County Road Administration Board 2404 Chandler Court S.W., Suite 240 Olympia, WA 98502 Zoom attendance available 1:30 to 5:00 p.m. Possible executive session
MEETING NOTICE	January 19, 2024 County Road Administration Board 2404 Chandler Court S.W., Suite 240 Olympia, WA 98502 Zoom attendance available 8:30 a.m. to 12:00 p.m. Possible executive session

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodation, by contacting Jason Bergquist at 360-753-5989.

Hearing and/or speech impaired persons, call 1-800-833-6384.

For questions, please call 360-753-5989.

WSR 23-23-072

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF

NATURAL RESOURCES

(Board of Natural Resources)

[Filed November 9, 2023, 1:30 p.m.]

The board of natural resources (board) is rescheduling the regular January 2, 2024, board meeting to January 3, 2024.

If you have any questions, please feel free to call Tami Kellogg at 360-902-2122.

**WSR 23-23-085
NOTICE OF PUBLIC MEETINGS
INDETERMINATE SENTENCE
REVIEW BOARD**

[Filed November 13, 2023, 3:27 p.m.]

The indeterminate sentence review board (ISRB) will meet twice each month in 2024 except for May, November, and December. ISRB meetings are open public meetings and are held at 637 Woodland Square Loop S.E., Lacey, WA 98504. This building complies with the Americans with Disabilities Act. ISRB's upcoming meetings are scheduled as follows:

January 8	Monday	9:00 a.m.
January 22	Monday	9:00 a.m.
February 12	Monday	9:00 a.m.
February 26	Monday	9:00 a.m.
March 11	Monday	9:00 a.m.
March 25	Monday	9:00 a.m.
April 8	Monday	9:00 a.m.
April 22	Monday	9:00 a.m.
May 13	Monday	9:00 a.m.
June 10	Monday	9:00 a.m.
June 24	Monday	9:00 a.m.
July 8	Monday	9:00 a.m.
July 22	Monday	9:00 a.m.
August 12	Monday	9:00 a.m.
August 26	Monday	9:00 a.m.
September 9	Monday	9:00 a.m.
September 23	Monday	9:00 a.m.
October 14	Monday	9:00 a.m.
October 28	Monday	9:00 a.m.
November 25	Monday	9:00 a.m.
December 9	Monday	9:00 a.m.

Persons interested in attending the ISRB meetings can call 360-407-2400 for directions and meeting agendas. Directions can also be found at www.doc.wa.gov.

WSR 23-23-088
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY
 [Filed November 13, 2023, 4:13 p.m.]

Following is the schedule of regular meetings for the associated students of Eastern Washington University for winter quarter 2024:

Date	Time	Location
January 11, 2024	3:30 p.m.	926 Elm Street, PUB 207 Cheney, WA 99004
January 25, 2024	3:30 p.m.	926 Elm Street, PUB 207 Cheney, WA 99004
February 1, 2024	3:30 p.m.	926 Elm Street, PUB 207 Cheney, WA 99004
February 8, 2024	3:30 p.m.	926 Elm Street, PUB 207 Cheney, WA 99004
February 15, 2024	3:30 p.m.	926 Elm Street, PUB 207 Cheney, WA 99004
February 22, 2024	3:30 p.m.	926 Elm Street, PUB 207 Cheney, WA 99004
February 29, 2024	3:30 p.m.	926 Elm Street, PUB 207 Cheney, WA 99004
March 7, 2024	3:30 p.m.	926 Elm Street, PUB 207 Cheney, WA 99004

If you need further information, contact Gabriel Blackwell, Advisor, 926 Elm Street, PUB 207, Cheney, WA 99004, phone 509-359-2514, gblackwell@ewu.edu, <https://www.ewu.edu/>.

WSR 23-23-091
NOTICE OF PUBLIC MEETINGS
PARKS AND RECREATION
COMMISSION

[Filed November 14, 2023, 9:49 a.m.]

As required by RCW 42.30.075, Open Public Meetings Act, the following schedule is submitted for publishing in the Washington State Register.

The Washington state parks and recreation commission (commission) will be holding their regularly scheduled commission meeting on July 17-18, 2024. This meeting will be held at Four Points by Sheraton, Bellingham Hotel and Conference Center, 714 Lakeway Drive, Bellingham, WA 98229.

Regular meetings run from 9 a.m. to 5 p.m. and include an opportunity for public comment.

The commission typically meets in a work session from 9 a.m. to 5 p.m. the day prior to the regular meeting in the same location or at a location near the regular meeting location. Work sessions are educational sessions on park operations and issues that eventually may go before the commission.

The public is welcome to attend all commission meetings. Meeting sites will be barrier free to the greatest extent feasible. The commission will provide Braille or taped agenda items for the visually impaired and interpreters for those with hearing impairments if a request is received at the appropriate address shown above at least 10 working days in advance of the scheduled meeting date.

A recording is retained by the commission as the formal record of the meeting. The recording is accessible on the park's website approximately one week after the meeting <https://www.parks.wa.gov/154/Commission-meetings-agendas>.

WSR 23-23-092
NOTICE OF PUBLIC MEETINGS
BREE COLLABORATIVE

[Filed November 14, 2023, 11:50 a.m.]

The following is the regular meetings of the Dr. Robert Bree collaborative's hot topic: Weight health and GLP1 medications event.

Date	Time	Location
December 5	1:00 - 3:00 p.m.	<p>This is a hybrid event. In-person meeting will be held at 705 Second Avenue, Suite 410, Seattle, WA 98104. If you are coming in person, please contact the person listed below for directions to the office, and email bree@qualityhealth.org so [they] may plan for your attendance. Join Zoom meeting https://us02web.zoom.us/j/84848915894?pwd=M0lZRWY2ZTRGVVBHZzBncWtsVE1jZz09, Meeting ID 848 4891 5894, Passcode 166367.</p>

If you need further information, contact Beth Bojkov, Foundation for Health Care Quality, 705 Second Avenue, Suite 410, Seattle, WA 98104, ebojkov@qualityhealth.org, 206-204-7387.

WSR 23-23-094
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
CLEAN AIR AGENCY

[Filed November 14, 2023, 1:19 p.m.]

Below is our agency's list of board of directors meeting dates for the year 2024. All meetings are currently expected to be hybrid meetings held via Zoom online and at Puget Sound Clean Air Agency, 1904 3rd Avenue, Suite 105, Seattle, WA.

If you have any questions, email MaryC@psc Clean Air.gov.

January 25	Board, advisory council joint meeting
February 22	
March 28	
April 25	In-person board retreat
May 23	
June 27	
July 25	
September 26	
October 24	
November 21	
December 19	

WSR 23-23-097
RULES OF COURT
STATE SUPREME COURT
[November 9, 2023]

IN THE MATTER OF THE PROPOSED) ORDER
AMENDMENTS TO RULE OF) NO. 25700-A-1547
APPELLATE PROCEDURE (RAP) 16.5)
-PERSONAL RESTRAINT)
PETITION-WHERE TO SEEK)
RELIEF, RAP 16.11-PERSONAL)
RESTRAINT PETITION-)
CONSIDERATION OF PETITION,)
AND RAP 16.13-PERSONAL)
RESTRAINT PETITION-)
PROCEDURE AFTER REFERENCE)
HEARING)

Justice Barbara A. Madsen and Justice Sheryl Gordon McCloud, having recommended the adoption of the proposed amendments to Rule of Appellate Procedure (RAP) 16.5—Personal Restraint Petition—Where to Seek Relief, RAP 16.11—Personal Restraint Petition—Consideration of Petition, and RAP 16.13—Personal Restraint Petition—Procedure After Reference Hearing, and the Court having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

(b) That pursuant to the emergency provisions of GR 9 (j)(1), the proposed amendments will be expeditiously published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 9th day of November, 2023.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Gonzalez, C.J.
Gordon McCloud, J.
Yu, J.
Montoya-Lewis, J.
Whitener, J.

RAP 16.5

PERSONAL RESTRAINT PETITION—WHERE TO SEEK RELIEF

(a) Court of Appeals. A personal restraint petition should be filed in the Court of Appeals, unless the petition is subject to subsection (b). A petition seeking review of a pretrial detention order under RCW 10.21.040 shall be filed in the Court of Appeals.

(b) Supreme Court. A personal restraint petition filed by a person under sentence of death shall be filed in the Supreme Court. See RAP 16.3(c).

(c) A personal restraint petition may be transferred by the court in which it is filed. The transfer of a personal restraint petition between the Supreme Court and the Court of Appeals shall not be subject to a motion to reconsider or, if the transfer is ordered by the clerk of the court, a motion to modify.

(d) If a petition filed in the Supreme Court is not transferred to the Court of Appeals, or has been transferred from the Court of Appeals to the Supreme Court, the determinations ordinarily made by the

"Chief Judge" under rules 16.11 and 16.13 may be made by a commissioner.

References

RCW 7.36, Habeas Corpus.

[Adopted effective July 1, 1976; Amended effective April 16, 2002; September 1, 2014.]

RAP 16.11

PERSONAL RESTRAINT PETITION—CONSIDERATION OF PETITION

(a) Generally. The Chief Judge will consider the petition promptly after the time has expired to file petitioner's reply brief. The Chief Judge determines at the initial consideration if the petition will be retained by the appellate court for determination on the merits or transferred to a superior court for determination on the merits or for a reference hearing. Review of a detention order issued pursuant to RCW 10.21.040 shall be expedited. For the purpose of rules in this Title 16, "Chief Judge" includes "Acting Chief Judge."

(b) Determination by Appellate Court. The Chief Judge determines at the initial consideration of the petition the steps necessary to properly decide on the merits the issues raised by the petition. If, after consideration of the response and any reply, the Chief Judge determines that the issues presented are frivolous, the Chief Judge will dismiss the petition. If the petition is not frivolous and can be determined solely on the record, the Chief Judge will refer the petition to a panel of judges for determination on the merits. If the petition cannot be determined solely on the record, the Chief Judge will transfer the petition to a superior court for a determination on the merits or for a reference hearing. If a petitioner is subject to a pretrial detention order, the hearing must be expedited pursuant to RCW 10.21.040. The Chief Judge may enter other orders necessary to obtain a prompt determination of the petition on the merits.

(c) Oral Argument. Decisions of the Chief Judge will be made without oral argument. If a petition is to be decided on the merits by a panel of judges, the appellate court clerk will set the petition for consideration by the panel of judges, with or without oral argument. If oral argument is directed, the clerk will notify the parties of the date set for oral argument.

[Adopted effective July 1, 1976; Amended effective January 1, 1977; September 1, 1998; September 1, 2014.]

RAP 16.13

PERSONAL RESTRAINT PETITION—PROCEDURE AFTER REFERENCE HEARING

After a reference hearing and the findings of fact and appellate court files have been returned to the appellate court, the Chief Judge will dismiss the petition if the issues presented are frivolous. If the petition is not frivolous, the Chief Judge will refer the petition to a panel of judges for determination on the merits. Review of a detention order issued pursuant to RCW 10.21.040 shall be expedited. The appellate court may, on motion of a party, order the preparation of and transmittal to the appellate court of a part or all of the record of the reference proceeding. The appellate court order will define at whose expense the record is prepared. The record will be prepared at public expense where the petitioner is indigent, as set forth in rule 16.15(h). Oral argument is governed by rule 16.11(c).

[Adopted effective July 1, 1976; Amended effective July 2, 1976; September 1, 2014.]

WSR 23-23-098
 RULES OF COURT
 STATE SUPREME COURT
 [November 9, 2023]

IN THE MATTER OF THE) ORDER
 SUGGESTED AMENDMENT TO IRLJ) NO. 25700-A-1548
 2.6—SCHEDULING OF HEARINGS)

The District and Municipal Court Judges' Association, having recommended the adoption of the suggested amendment to IRLJ 2.6—Scheduling of Hearings, and the Court having considered the suggested amendment, and having determined that the suggested amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the suggested amendment as shown below is adopted.

(b) The purpose statement is published solely for the information of the Bench, Bar, and other interested parties.

(c) That pursuant to the emergency provisions of GR 9 (j)(1), the suggested amendment will be expeditiously published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 9th day of November, 2023.

	Gonzalez, C.J.
Johnson, J.	Gordon McCloud, J.
Madsen, J.	Yu, J.
Owens, J.	Montoya-Lewis, J.
Stephens, J.	Whitener, J.

GENERAL RULE 9

RULE AMENDMENT COVER SHEET

PROPOSED AMENDMENT TO INFRACTION RULE FOR COURTS OF LIMITED JURISDICTION 2.6 (IRLJ 2.6)

1. **Proponent Organization:** District and Municipal Court Judges' Association (DMCJA)

2. **Spokespersons:** Judge Jeffrey R. Smith, President DMCJA; Judge Catherine McDowall, Co-Chair DMCJA Court Rules Committee; Judge Wade Samuelson, Co-Chair DMCJA Court Rules Committee.

3. **Purpose of Proposed Rule Amendment:** IRLJ 2.4 was recently amended, enlarging the driver's response deadline from 15 days (18 days if the notice was served by mail) to 30 days (33 days if the notice was served by mail). IRLJ 2.6 (a)(i) was not amended at that time, effectively reducing the amount of time each court has to schedule a prehearing conference by 15 days. This proposed amendment lengthens the scheduling deadline from 45 days to 60 days.

4. **Hearing:** No, because the change is not of general public interest.

5. **Expedited Consideration:** Yes, because this is a largely a technical amendment that should have been previously considered when IRLJ 2.4 was amended, and courts face a significant burden to comply with the rule as it currently exists.

IRLJ 2.6

SCHEDULING OF HEARINGS

(a) Contested Hearings.

(1) Except as provided in sections (1)(i) and (ii), upon receipt of a response submitted pursuant to rule 2.4 (b)(2), the court shall schedule a hearing to determine whether the defendant committed the infraction. The hearing shall be scheduled for not less than 14 days from the date the written notice of hearing is sent by the court, nor more than 120 days from the date of the notice of infraction or the date a default judgment is set aside.

(i) If authorized by local court rule, a defendant who requests a contested hearing may first be scheduled for a prehearing conference, which shall be scheduled for not less than 14 days from the date the written notice of the hearing is sent by the court nor more than ~~45~~ 60 days from the date of the notice of infraction or the date a default judgment is set aside.

Reviser's note: The typographical error in the above material occurred in the copy filed by the state supreme court and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 23-23-099
RULES OF COURT
STATE SUPREME COURT
[November 9, 2023]

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [24-01](#) issue of the Register.

WSR 23-23-100
RULES OF COURT
STATE SUPREME COURT
[November 9, 2023]

IN THE MATTER OF THE) ORDER
SUGGESTED AMENDMENTS TO) NO. 25700-A-1550
RAP 9.6—DESIGNATION OF)
CLERK'S PAPERS AND EXHIBITS)

The Office of Public Defense, having recommended the suggested amendments to RAP 9.6—Designation of Clerk's Papers and Exhibits, and the Court having approved the suggested amendments for publication; Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2024.

(b) The purpose statement as required by GR 9(e) is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2024. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 9th day of November, 2023.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment

Rules of Appellate Procedure

RAP 9.6 — DESIGNATION OF CLERK'S PAPERS AND EXHIBITS

A. Proponent: Washington State Office of Public Defense

B. Spokespersons: Gideon Newmark, Appellate Program Managing Attorney, Washington State Office of Public Defense, PO Box 40957, Olympia, WA 98504-0957, (360) 586-3164, gideon.newmark@opd.wa.gov

C. Purpose: To clarify that superior court county clerks must copy all documents and electronic exhibits in the court file at the request of appellate attorneys, subject to any applicable restrictions. Many county clerks believe they have no such obligation, and have denied attorneys access to exhibit copies. The lack of a rule clarifying this responsibility imperils the smooth functioning of the appellate system and the constitutional right to effective assistance of counsel. Because of the statutory fee structure that applies to county clerk's offices, this rule will not impose a financial burden on the clerks. And nothing in this suggested rule change would compel county clerks to copy exhibits that they are prohibited from duplicating, or to copy items that cannot be duplicated. Finally, while some may argue that attorneys can obtain exhibit copies from trial counsel

or prosecutors, there is only one source for official exhibit copies: the county clerks.

In a workgroup hosted by the Court of Appeals, several county clerks asserted that their offices are not required to provide copies of exhibits in court cases. OPD has received reports of clerk's offices denying requests for copies of exhibits on various grounds, including lack of technology to duplicate an exhibit and insufficient staffing.¹ Such denials both the efficiency of the appellate system and the right to effective assistance of counsel.

The ability for attorneys to obtain copies of exhibits is vital to the smooth functioning of the appellate system. Appellate attorneys are responsible for designating the clerk's papers and exhibits, which are a major part of the appellate record. For the sake of judicial economy, attorneys must review all documents and exhibits in the court file before designating the clerk's papers and exhibits. Otherwise, the record could contain voluminous irrelevant or duplicative material, needlessly slowing down the appellate process. An appellate process that is slower and less efficient burdens the courts and all litigants who appear before them, not to mention delaying finality and justice for parties.

Furthermore, for indigent appeals, the inability to obtain copies of exhibits imperils the right to the effective assistance of counsel. The effective assistance of counsel requires attorneys to investigate the sufficiency of the evidence by reviewing the exhibits. An attorney who fails to investigate the sufficiency of the evidence is almost certainly providing ineffective assistance of counsel. And because Washington has a statewide appellate public defense system, attorneys appointed to indigent clients must be able to obtain copies of exhibits in order to review them.

Washington's statewide appellate public defense system, administered by OPD, relies on contract attorneys to represent indigent clients. Experienced appellate attorneys are concentrated in Western Washington. As such, many indigent appeals are assigned to attorneys who are located far from the county of origin. Under this system, it is impossible for attorneys to manage their caseloads and also travel to the county courthouse to view exhibits for every case.² In order to protect the right to effective assistance of counsel therefore, appellate attorneys need to be able to order copies of exhibits from county clerk's offices.

Without the ability to order copies, it becomes impossible for appellate attorneys to safeguard the right to effective assistance of counsel. Either they must proceed without fully investigating the evidence, or they must overextend themselves by traveling to many remote, hard-to-reach destinations to review exhibits in person. Neither option is compatible with the constitutional right to the effective assistance of counsel.

Requiring county clerks to provide copies of exhibits will not impose an undue burden on clerk's offices because the clerks have statutory authority to charge appropriate fees. County clerks may bill 50 cents per page for copying physical documents, and 25 cents per page for copying electronic documents. Both of these fees should cover the expenses for copying documents, especially since most documents are now stored electronically and can be duplicated with a few clicks of a mouse. While many exhibits may be stored on physical media, county clerks may charge \$20 for copying a DVD or other electronic media. Considering a DVD burner can be purchased for around \$25, and blank

DVDs cost around 25 cents, the fee structure seems more than adequate for duplicating DVDs. And while other common media such as USB drives may cost a bit more, they require no special equipment to copy.³

Even if the current statutory fees are insufficient, this should not be a barrier to adopting this suggested rule change. Rather, it would be an argument for the legislature to increase the permissible fees. Insufficient funding of a constitutionally mandated government function is not a valid excuse for depriving a party of their constitutional rights.

Nothing in this suggested rule change would require county clerks to copy exhibits that they are otherwise prohibited from copying, or to copy exhibits that cannot be copied. It was raised during the Court of Appeals workgroup that county clerks are prohibited from copying certain exhibits, such as those depicting child sexual exploitation. To address this concern, the suggested rule change explicitly disclaims any obligation on the part of the county clerks to copy exhibits when doing so is otherwise prohibited by law. To review such exhibits, attorneys would need to follow any special statutory procedures that apply.

It was also raised during the Court of Appeals workgroup that clerks cannot make copies of physical items, such as firearms, drugs, and clothing. It should not need to be said, but the RAPs cannot obligate clerks to do something that is physically impossible. However, to address this sincere concern, the suggested RAP change makes clear that clerks are not obligated to copy exhibits which consist of physical items like firearms, drugs, or clothing.

Finally, it was suggested during the workgroup that attorneys should obtain copies of exhibits from trial counsel, or from prosecutors. Such an alternative is insufficient for one simple, insurmountable reason: trial attorneys and prosecutors are not the official custodians of any court records. Appellate attorneys must review official court records to provide effective assistance of counsel. There is an unjustifiable risk that any unofficial records they receive are inaccurate. As such, a competent attorney cannot base legal arguments off of exhibit copies obtained from a trial attorney or prosecutor. They must have access to the official exhibits which, as argued above, requires the county clerks to make copies available.

For the foregoing reasons, OPD requests that the Court approve this suggested rule change.

- 1 Attorneys have also been told that they could not come to the courthouse to view exhibits in person, creating a total denial of access to records that are public under GR 31. But because in-person access to exhibits is not an adequate remedy to the denial of exhibit copies in indigent appeals, this suggested rule change does not address in-person access.
- 2 This is assuming that in-person access is allowed. As noted in footnote 1 above, this is not always so.
- 3 Some clerks have suggested that they cannot duplicate USB drives because county IT policy prohibits inserting unknown USB drives into county computers. This problem can be overcome by using a non-networked computer with virus scanning technology to copy USB drives. Or, if a county considers USB drives too dangerous to access under any circumstances, they should be banned as a medium for court exhibits. Court exhibits are public records under GR 31. Any county IT policy barring access to exhibits stored on USB drives is an unambiguous violation of GR 31 and the public's constitutional right to open courts.

D. **Hearing:** A hearing is not requested.

E. **Expedited Consideration:** Expedited consideration is requested. The suggested amendment is to clarify the clerical process, and should be adopted quickly to avoid clients having their cases prejudiced or delayed by the inability of their attorneys to obtain exhibit copies.

F. **Supporting material:** Suggested rule amendment.

SUGGESTED AMENDMENT

RULES OF APPELLATE PROCEDURE (RAP) RULE 9.6—DESIGNATION OF CLERK'S PAPERS

(a) Generally. The party seeking review should, within 30 days after the notice of appeal is filed or discretionary review is granted, serve on all other parties and file with the trial court clerk a designation of those clerk's papers and exhibits the party wants the trial court clerk to transmit to the appellate court. A copy of the designation shall also be filed with the appellate court clerk. Any party may supplement the designation of clerk's papers and exhibits prior to or with the filing of the party's last brief. Thereafter, a party may supplement the designation only by order of the appellate court, upon motion. Each party is encouraged to designate only clerk's papers and exhibits needed to review the issues presented to the appellate court.

(b) Copies Necessary for Preparation of Designation. On request, the trial court clerk shall provide, via postal mail, electronic mail, or internet file transfer, copies of all documents in the court file and all exhibits, regardless of format, to the parties. Copies shall be in substantially the same form as the original (e.g. copies of color photographs must be provided in color), except that the clerk may provide photographs of cumbersome exhibits that cannot feasibly be copied, such as large maps or diagrams. The clerk may charge appropriate fees for copies in accordance with applicable law. Nothing in this subsection shall be interpreted to mandate copying of exhibits whose copying is otherwise prohibited by law, such as exhibits protected under RCW 9.68A.180. Nothing in this subsection shall be interpreted to mandate copying of exhibits that consist of physical items that cannot be duplicated, such as firearms, clothing, or drugs.

~~(bc)~~ Designation and Contents.

(1) The clerk's papers shall include, at a minimum:

- (A) the notice of appeal or the notice for discretionary review;
- (B) the indictment, information, or complaint in a criminal case;
- (C) the summons and complaint or case initiating petition in a civil case;
- (D) any written order or ruling not attached to the notice of appeal, of which a party seeks review;
- (E) the final pretrial order, or the final complaint and answer or other pleadings setting out the issues to be tried if the final pretrial order does not set out those issues;
- (F) any written opinion, findings of fact, or conclusions of law;
- (G) any jury instruction given or refused that presents an issue on appeal; and
- (H) any order sealing documents if sealed documents have been designated;

(I) in a criminal case where a cost bill may be filed, any order concerning the defendant's indigency and current or likely future ability to pay discretionary legal financial obligations.

(2) Each designation or supplement shall specify the full title of the pleading, the date filed, and, in counties where subnumbers are used, the clerk's subnumber.

(3) Each designation of exhibits shall include the trial court clerk's list of exhibits and shall specify the exhibit number and the description of the exhibit to be transmitted.

~~(ed)~~ Format.

(1) Full copies of all designated pleadings shall be included, unless the trial court orders otherwise.

(2) The trial court clerk shall number the papers sequentially from beginning to end, including any supplemental clerk's papers, regardless of which party designated them.

(3) The trial court clerk shall make available a copy of the clerk's papers transmitted to the appellate court to any party, upon payment of the trial court clerk's reasonable expenses. If the trial court clerk generates the clerk's papers in electronic format, the trial court clerk shall make available to any party a copy of the clerk's papers in electronic format, upon payment of the trial court clerk's reasonable expenses.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the state supreme court and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 23-23-101

NOTICE OF PUBLIC MEETINGS

BOARD OF ACCOUNTANCY

[Filed November 15, 2023, 9:05 a.m.]

2024 BOARD MEETING SCHEDULE

Date	Time	Location
January 26, 2024 Friday	9:00 a.m.	Radisson Hotel Seattle Airport San Juan Rooms 2 and 3 18118 International Boulevard Seattle, WA 98188 or Microsoft Teams meeting
April 26, 2024 Friday	9:00 a.m.	Radisson Hotel Seattle Airport San Juan Rooms 2 and 3 18118 International Boulevard Seattle, WA 98188 or Microsoft Teams meeting
July 19, 2024 Friday	9:00 a.m.	DoubleTree by Hilton Spokane City Center Suites A and B 322 North Spokane Falls Court Spokane, WA 99201 or Microsoft Teams meeting
October 18, 2024 Friday	9:00 a.m.	Capital Event Center 6005 Tyee Drive S.W. Tumwater, WA 98512 or Microsoft Teams meeting

All meetings are scheduled as hybrid meetings with the option to attend in person or virtually through Microsoft Teams. Teams meeting attendance information will be posted on the board's website at www.acb.wa.gov approximately two weeks prior to the meeting date. The information will be available on the home page under the "Quick Links" section in the "Next Board Meeting" link.

If you need further information, please visit the board's website at www.acb.wa.gov. If you need special assistance, such as enlarged type materials, contact Kirsten Donovan, board clerk, voice 360-664-9191, email kirsten.donovan@acb.wa.gov, or TDD 800-833-6388. The board schedules all public meetings at barrier-free sites.

WSR 23-23-109
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Occupational Therapy Practice Board)
 [Filed November 15, 2023, 11:07 a.m.]

In accordance with the Open Public Meeting[s] Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the approved schedule of regular meetings for the department of health (DOH), occupational therapy practice board (board), for the year 2024. The board meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via GovDelivery and the DOH website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board reserves the right to change or amend agendas at the meeting.

Date	Time	Location
January 19, 2024	11 a.m.	Physical location TBD. Board will be virtual only.
April 19, 2024	9 a.m.	Yakima location TBD, virtual option as well.
July 19, 2024	9 a.m.	Physical location TBD. Board will be virtual only.
October 18, 2024	9 a.m.	Auburn location TBD, virtual option as well.

If you need further information, please contact Kathy Weed, Program Manager, DOH, Occupational Therapy Practice Board, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4883, fax 360-236-2901, email kathy.weed@doh.wa.gov, web www.doh.wa.gov.

Please be advised the board is required to comply with the Public Disclosure [Records] Act, chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the board, including personal information, may be subject to disclosure as a public record.

WSR 23-23-110

AGENDA

BOARD OF ACCOUNTANCY

[Filed November 15, 2023, 1:38 p.m.]

Semi-Annual Rules Development Agenda
January through June 2024

The Washington state board of accountancy's semi-annual rules development agenda follows for publication in the Washington State Register under RCW 34.05.314.

This agenda is for informational purposes, and the noted dates of anticipated activity are estimates. Additional rule development activity not on the agenda may occur as conditions warrant.

If you have questions about this rule development agenda, please contact Michael J. Paquette, CPA, Executive Director, P.O. Box 9131, Olympia, WA 98507-9131, phone 360-485-1659, email mike.paquette@acb.wa.gov.

WAC Citation	Subject Matter	Anticipated Activity Dates		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
4-30-010	Definitions.	May 2023	November 2023	January 2024
4-30-020	What are the authority for and the purpose of the board's rules?	May 2023	November 2023	January 2024
4-30-028	What rules govern the proceedings before the board?	May 2023	November 2023	January 2024
4-30-030	What are the requirements for communicating with the board and staff?	May 2023	November 2023	January 2024
4-30-032	Do I need to notify the board if I change my address?	May 2023	November 2023	January 2024
4-30-034	Must I respond to inquiries from the board?	May 2023	November 2023	January 2024
4-30-036	What enforcement activities must be reported to the board?	May 2023	November 2023	January 2024
4-30-038	Fees.	May 2023	November 2023	January 2024
4-30-082	How does a CPA-inactive certificate holder apply for licensure?	May 2023	November 2023	January 2024
4-30-084	Converting license from an inactive to active status.	May 2023	November 2023	January 2024
4-30-088	What is the effect on a Washington individual licensee or CPA-inactive certificate holder in the armed forces, reserves, or National Guard if the individual receives orders to deploy for active military duty?	May 2023	November 2023	January 2024
4-30-094	How do I renew my individual license, CPA-inactive certificate, or registration as a resident nonlicensee firm owner?	May 2023	November 2023	January 2024
4-30-104	How do I renew a Washington CPA-inactive certificate and/or license granted through foreign reciprocity?	May 2023	November 2023	January 2024

WAC Citation	Subject Matter	Anticipated Activity Dates		
4-30-120	I am a CPA-inactive certificate holder—Prior to July 1, 2001, I held a license—How do I apply to return to my previous May 2023 status as a licensee?	May 2023	November 2023	January 2024
4-30-122	If I retire my license or CPA-inactive certificate, how do I apply to renew my license or CPA-inactive certificate out of retirement?	May 2023	November 2023	January 2024
4-30-124	How do I reinstate a lapsed license, CPA-inactive certificate, or registration as a resident nonlicensee firm owner?	May 2023	November 2023	January 2024
4-30-126	How do I reinstate a revoked or suspended license, CPA-inactive certificate, or registration as a resident nonlicensee firm owner?	May 2023	November 2023	January 2024
4-30-134	Continuing professional education (CPE) requirements.	May 2023	November 2023	January 2024
4-30-136	Reporting continuing professional education (CPE) to the board.	May 2023	November 2023	January 2024
4-30-142	What are the bases for the board to impose discipline?	May 2023	November 2023	January 2024

Michael J. Paquette, CPA
Executive Director

WSR 23-23-111
NOTICE OF PUBLIC MEETINGS
BEEF COMMISSION

[Filed November 15, 2023, 2:44 p.m.]

2024 Meeting Schedule

January 25, 2024	Regular meeting	Virtual
March 13-14, 2024	Strategic planning meeting	Location TBD
April 18, 2024	Budget meeting	Ellensburg
May 22, 2024	Annual meeting	Spokane
September 17, 2024	Regular meeting	Ellensburg
November 7 or 8, 2024	Regular meeting	Washington Cattlemen's Association Convention

If you have any questions or need more information, please contact the beef commission at 206-444-2902.

WSR 23-23-112

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed November 15, 2023, 3:36 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT

Title of Policy Statement: Organ Transport Services and Vehicles.
EMS23-01.

Issuing Entity: Department of health.

Subject Matter: Continuing organ transport services while the department of health conducts rule making to implement SHB 1271 (chapter 290, Laws of 2023) regarding organ transport vehicles.

Effective Date: August 1, 2023.

Contact Person: Catie Holstein, EMS manager, 360-236-2841, Catie.holstein@doh.wa.gov.

WSR 23-23-115

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed November 15, 2023, 9:13 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT

Title of Policy Statement: Delegation of Decision-Making to Panels and Health Law Judges for Disciplinary Cases Involving Pharmaceutical Firms and Pharmacy Professionals. P009.2.

Issuing Entity: Pharmacy quality assurance commission (commission).

Subject Matter: This policy clarifies the commission's approach to licensing, complaints, investigations, case disposition, and adjudication involving pharmaceutical firms and pharmacy professionals.

Effective Date: August 24, 2023.

Contact Person: Marlee B. O'Neill, Executive Director, Pharmacy Quality Assurance Commission, Washington State Department of Health, 360-236-4700, WSPQAC@doh.wa.gov.

WSR 23-23-116

POLICY STATEMENT

DEPARTMENT OF HEALTH

[Filed November 15, 2023, 9:39 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT

Title of Policy Statement: Applying for New Agency Affiliated Counselor Credentials. Policy Number: AAC-23-01.

Issuing Entity: Department of health (DOH).

Subject Matter: Clarifying DOH's position on implementation of new agency affiliated counselor credentials.

Effective Date: July 23, 2023.

Contact Person: Ted Dale, program manager, ted.dale@doh.wa.gov, 360-236-2991.

WSR 23-23-117
NOTICE OF PUBLIC MEETINGS
STATE BOARD OF HEALTH
 [Filed November 15, 2023, 9:58 p.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the Washington state board of health (board), for the year 2024. The board's meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

Agendas for the meetings listed below are made available in advance via listserv and the board's website (see below). Every attempt is made to ensure that the agenda is up-to-date. However, the board reserves the right to change or amend agendas at the meeting.

Meeting Date	Location
Wednesday January 10, 2024	Hybrid: Washington State Department of Health, 111 Israel Road S.E., Town Center 2, Rooms 166 and 167, Tumwater, WA 98501. Virtual Meeting via Zoom webinar; hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online.
Wednesday March 13, 2024	Hybrid: To be determined (TBD), possibly La Conner, Washington, Swinomish Indian Tribal Community. Virtual Meeting via Zoom webinar; hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online.
Wednesday April 10, 2024	Hold date - meet only if necessary.
Wednesday June 12, 2024	Hybrid: Physical location TBD. Virtual meeting via Zoom webinar; hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online. <i>(Note: Washington state association of local public health officials (WSALPHO) annual meeting is in Spokane, June 4-6, 2024.)</i>
Wednesday July 10, 2024	Hold date - meet only if necessary.
Wednesday August 14, 2024	Hybrid: Capitol Campus, Cherberg Building, Conference Room ABC, 304 15[th] Avenue S.W., Olympia, WA 98501. Virtual meeting via Zoom webinar; hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online.
Tuesday October 8, 2024	Hybrid: Physical location TBD or Yakima. Virtual meeting via Zoom webinar; hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online. <i>(Note: Washington State Public Health Association annual conference is in Yakima, October 9-11, 2024. The WSALPHO environmental public health directors' meeting is October 1-4, [2024], in Leavenworth.)</i>
Wednesday November 13, 2024	Hybrid: Tumwater, Washington. Virtual meeting via Zoom webinar; hyperlink provided on website and agenda. Public attendees can preregister and access the meeting online.

Start time is 9:30 a.m. unless otherwise specified. Time and locations subject to change as needed. See the board of health website for the most current information.

If you need further information, please contact Melanie Hisaw, Executive Assistant, Washington State Board of Health, P.O. Box 47990, Olympia, WA 98504-7990, phone 360-236-4110, email melanie.hisaw@sboh.wa.gov, web www.sboh.wa.gov.

Please be advised the board is required to comply with the Public Records Act, chapter 42.56 RCW. This act establishes a strong state mandate in favor of disclosure of public records. As such, the information you submit to the board, including personal information, may ultimately be subject to disclosure as a public record.

WSR 23-23-122

NOTICE OF PUBLIC MEETINGS

LAW ENFORCEMENT OFFICERS' AND
FIREFIGHTERS' PLAN 2 RETIREMENT BOARD

[Filed November 15, 2023, 10:14 a.m.]

**2024 Law Enforcement Officers' and Firefighters' Plan 2 Retirement
Board Meeting Schedule**

Please contact Jessie Jackson at 360-586-2330 or email
jessie.jackson@leoff.wa.gov should you have any questions.

Wednesday, January 24

Wednesday, February 28

Wednesday, March 27

Wednesday, April 24

Wednesday, May 29

Monday, June 17

Wednesday, July 24

Wednesday, August 28

Wednesday, September 25

Wednesday, October 23

Wednesday, November 20

Wednesday, December 18

WSR 23-23-123
NOTICE OF PUBLIC MEETINGS
WORKFORCE TRAINING AND
EDUCATION COORDINATING BOARD
 [Filed November 16, 2023, 11:32 a.m.]

2024 Workforce Regular Board Meetings

Date	Time	Location
Thursday, February 15, 2024	9:00 a.m. - 4:00 p.m. Pacific Time	TBD, hybrid or remote
Thursday, March 21, 2024	9:00 a.m. - 4:00 p.m. Pacific Time	TBD, hybrid or remote
Board Retreat: Wednesday, May 1 - Thursday, May 2	9:00 a.m. - 4:00 p.m. Pacific Time	Cave B Estate Winery 348 Silica Road N.W. Quincy, WA 98848
Thursday, June 20, 2024	9:00 a.m. - 4:00 p.m. Pacific Time	TBD, hybrid or remote
Thursday, August 22, 2024	9:00 a.m. - 4:00 p.m. Pacific Time	TBD, hybrid or remote
Thursday, September 26, 2024	9:00 a.m. - 4:00 p.m. Pacific Time	TBD, hybrid or remote
Thursday, November 7, 2024	9:00 a.m. - 4:00 p.m. Pacific Time	TBD, hybrid or remote
Possible special board meeting Thursday, December 12, 2024	9:00 a.m. - 4:00 p.m. Pacific Time	TBD, hybrid or remote

If you need further information, please contact Bianca Laxton, 128 10th Avenue S.W., Olympia, WA 98501, Mailstop 43105, office 360-709-4600, fax 360-586-5862, bianca.laxton@wtb.wa.gov, <https://wtb.wa.gov/>.

WSR 23-23-131

NOTICE OF PUBLIC MEETINGS

UNIFORM LAW COMMISSION

[Filed November 17, 2023, 10:34 a.m.]

Following are the meeting times and locations for 2024 for the Washington uniform law commission for publication in the Washington State Register. These meetings are scheduled to take place as follows:

February 14, 2024	4:00 p.m.	Zoom conference
May 1, 2024	4:00 p.m.	Zoom conference
November 13, 2024	4:00 p.m.	Law Offices of Davis Wright Tremaine LLP 920 Fifth Avenue Suite 3300 Seattle, WA 206-757-8124 Zoom link available

Shayne O'Grady and Mary Murphy are the contact persons for information concerning these meetings and can be reached at 360-786-6777.

WSR 23-23-132

NOTICE OF PUBLIC MEETINGS
STATE BOARD FOR COMMUNITY
AND TECHNICAL COLLEGES

[Filed November 17, 2023, 10:40 a.m.]

Following is the schedule of regular meetings for the state board for community and technical colleges for fiscal year 2023-24:

October 18 - 19, 2023	South Seattle Georgetown Campus
December 6 - 7, 2023	Zoom
January 30 - February 1, 2024	State Board Office
March 27 - 28, 2024	TBD
May 8 - 9, 2024, TBD	TBD
June 26 - 27, 2024, TBD	TBD

If you need further information, please contact Julie Walter, Executive Assistant, P.O. Box 42495, Olympia, WA 98504, 360-704-4309, jwalter@sbctc.edu, sbctc.edu.

WSR 23-23-135

NOTICE OF PUBLIC MEETINGS

HUMAN RIGHTS COMMISSION

[Filed November 17, 2023, 2:27 p.m.]

REVISED December 2023 Commission Meeting

The following REVISED location and times: Washington state human rights commission, commission meeting, on December 28 at 9:30 a.m., via telephone conference, Conference Line 833-322-1218 (Toll Free), 564-999-2000 (Olympia), Access Code 721 466 55#.

WSR 23-23-139
NOTICE OF PUBLIC MEETINGS
ANDY HILL CANCER
RESEARCH ENDOWMENT BOARD
 [Filed November 20, 2023, 10:11 a.m.]

The following is the 2024 schedule for the Andy Hill Cancer Research Endowment Board meetings.

Date	Type	Time	Location
2/28/24	Board meeting	3:00 - 5:00 p.m.	Zoom http://zoom.us/j/88502517039 Physical Location: Fred Hutchison Cancer Center, Yale Building, J1-102, 1100 Fairview Avenue North, Seattle, WA 98109.
3/13/24	Special board meeting	3:00 - 4:00 p.m.	Zoom http://zoom.us/j/88516823198 Physical Location: Spokane Public Library, South Hill Branch, Study Room B, 3324 South Perry Street, Spokane, WA 99203.
4/10/24	Standing committee on grants meeting	3:00 - 4:00 p.m.	Zoom http://zoom.us/j/82102986509 Physical Location: Spokane Public Library, South Hill Branch, Study Room B, 3324 South Perry Street, Spokane, WA 99203.
5/22/24	Board meeting	10:00 a.m. - 4:00 p.m.	Washington Park Arboretum, Wisteria Hall, 2300 Arboretum Drive East, Seattle, WA 98112.
6/12/24	Standing committee on grants meeting	3:00 - 4:00 p.m.	Zoom http://zoom.us/j/85256649058 Physical Location: Spokane Public Library, South Hill Branch, Study Room B, 3324 South Perry Street, Spokane, WA 99203.
8/14/24	Board meeting	3:00 - 5:00 p.m.	Zoom http://zoom.us/j/85269874809 Physical Location: Fred Hutchison Cancer Center, Yale Building, J1-102, 1100 Fairview Avenue North, Seattle, WA 98109.
11/6/24	Board meeting	3:00 - 5:00 p.m.	Zoom http://zoom.us/j/88105791159 Physical Location: Fred Hutchison Cancer Center, Yale Building, J1-102, 1100 Fairview Avenue North, Seattle, WA 98109.

WSR 23-23-148
RULES COORDINATOR
DEPARTMENT OF
FISH AND WILDLIFE

[Filed November 20, 2023, 2:29 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the Department of Fish and Wildlife is Scott Bird, P.O. Box 43200, Olympia, WA 98504-3200, phone 360-995-2442, email scott.bird@dfw.wa.gov.

Scott Bird
Rules Coordinator

WSR 23-23-149

HEALTH CARE AUTHORITY

[Filed November 20, 2023, 3:48 p.m.]

NOTICE

Subject: Medicaid State Plan Amendments (SPAs) 24-0001, 24-0002, 24-0003, and a 1915(i) Waiver Amendment to Add Community Behavioral Health Support Services (CBHS).

Effective Date: July 1, 2024.

Description: The health care authority (HCA) in conjunction with the aging and long-term support administration (AL TSA) in the department of social and health services (DSHS) intend to submit three SPAs and a 1915i waiver amendment to add CBHS services. CBHS services will include two services intended to better support the needs of individuals with complex behavioral health needs in long-term settings: Skills development and restoration and supportive supervision and oversight.

CBHS will begin replacing the majority of behavioral health personal care (BHPC) services in July 2024. Currently, BHPC services are offered as nontraditional services through managed care and are paid for with state-only funds. The new services will be available through both fee-for-service and managed care.

In order to prepare for CBHS, HCA and DSHS intend to:

- Submit SPA 24-0001 to add CBHS to the medicaid state plan via a 1915i application.
- Submit SPA 24-0002 to update the medicaid state plan managed care table so CBHS services can be provided either FFS or within managed care.
- Submit SPA 24-0003 to adjust the income rules to expand eligibility for CBHS in the medicaid state plan.
- Submit an amendment to the 1915(b) waiver to adjust the projected rates to include the cost of implementing the 1915(i) CBHS benefit.

Collectively, these SPAs are expected to increase the annual aggregate cost/payment for CBHS. HCA will utilize its established rate setting methodologies to set rates to be paid for these new services in both the managed care and fee-for-service delivery models. The costs/payments associated with these new services will increase because HCA forecasts an increase in the number of clients eligible for these services. However, specific data are not currently available.

A copy of SPA 24-0001 is available for review. HCA and DSHS would appreciate any input or concerns regarding this SPA. SPAs 24-0002 and 24-0003 and the 1915(i) waiver amendment are under development. To request a copy of SPA 24-0001 or submit comments, or request a copy of SPAs 24-0002, 24-0003, or the waiver amendment when they become available, please contact the person named below. Please note that all comments are subject to public review and disclosure, as are the names of those who comment.

CONTACT: Jessica Diaz, Medicaid Program Division, 626 8th Street S.E., Mailstop 45530, Olympia, WA 98501, phone 360-725-1177, TRS 711, email jessica.diaz@hca.wa.gov, website <https://hca.wa.gov>.

WSR 23-23-157

**NOTICE OF PUBLIC MEETINGS
WASHINGTON MATERIALS MANAGEMENT
AND FINANCING AUTHORITY**

[Filed November 21, 2023, 9:38 a.m.]

The Washington materials management and financing authority (WMMFA) would like to publish the schedule for regularly held board meetings for calendar year 2024. Regular meetings of the board of directors of WMMFA will be held on the third Thursday of every other month beginning in January, except for the September meeting which will be delayed one week. Therefore, in 2023 [2024], regular meetings will be held:

January 18
March 21
May 16
July 18
September 26
November 21

All meetings are held virtually via conference call at 9:30 a.m. The September meeting may also be available virtually. Board members can choose to attend the meeting in person at our Seattle office.

WSR 23-23-158

OFFICE OF

FINANCIAL MANAGEMENT

[Filed November 21, 2023, 10:12 a.m.]

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [23-24](#) issue of the Register.

WSR 23-23-169
NOTICE OF PUBLIC MEETINGS
STATE INDEPENDENT
LIVING COUNCIL

[Filed November 21, 2023, 4:38 p.m.]

The following is the schedule of regular meetings for the Washington state independent living council (SILC) for 2024.

Once specific locations have been determined, an updated notice will be sent. A time for public comment will be available. All are welcome to attend.

Date	Time	Location
January 18, 2024	9:00 a.m. - 4:00 p.m.	Hybrid meeting Divisions of Vocational Rehabilitation Fourth Floor 4565 7th Avenue S.E., Lacey, WA 98503 Zoom day one https://dshs-telehealth.zoom.us/j/88161277125?pwd=c1VHcXg1eEZBR1pRLZAwam9taG50dz09
January 19, 2024	9:00 a.m. - 12:00 p.m.	Hybrid meeting Divisions of Vocational Rehabilitation Fourth Floor 4565 7th Avenue S.E., Lacey, WA 98503 Zoom day two https://dshs-telehealth.zoom.us/j/83332580410?pwd=NUhpajJsbUN5VIA2QnBrV205MTdEQT09
April 11, 2024	9:00 a.m. - 4:00 p.m.	Hybrid meeting Spokane, Washington Location TBA Zoom day one https://dshs-telehealth.zoom.us/j/81085570433?pwd=Yzc0dmxpSjFhRHRNcjFwQWtSOEFjUT09
April 12, 2024	9:00 a.m. - 12:00 p.m.	Hybrid meeting Spokane, Washington Location TBA Zoom day two https://dshs-telehealth.zoom.us/j/88293345074?pwd=TnczNk5iS2ZYM1BqdW9vamcwWWF2QT09
July 11, 2024	9:00 a.m. - 4:00 p.m.	Hybrid meeting Ellensburg, Washington Location TBA Zoom day One https://dshs-telehealth.zoom.us/j/85167163086?pwd=RIUxWHlvNnhnZWglcnVEUHFCRnZhQT09
July 12, 2024	9:00 a.m. - 12:00 p.m.	Hybrid meeting Ellensburg, Washington Location TBA Zoom day two https://dshs-telehealth.zoom.us/j/83068816499?pwd=dVhVMloyankSWZPcVU1ZHdFVDdDQ09
October 24, 2024	9:00 a.m. - 4:00 p.m.	Hybrid meeting Vancouver, Washington Location TBA Zoom day one https://dshs-telehealth.zoom.us/j/83809489260?pwd=RVkybUxESjFRRIMxaEVHdjFIUHpzQT09
October 25, 2024	9:00 a.m. - 12:00 p.m.	Hybrid meeting Vancouver, Washington Location TBA Zoom day two https://dshs-telehealth.zoom.us/j/88495690219?pwd=Z2VtM0w1L1hESEkvZFF0MjJTHIKZz09

For accommodation requests or for further information, please contact SILC at 800-624-4105.

SILC is appointed by the governor to guide development of and promote access to independent living services for individuals with

disabilities statewide. SILC works to increase opportunities for self-determination and empowerment of people with disabilities, and to create awareness of people with disabilities as a valuable human resource. We welcome your feedback concerning your experiences and concerns.

WSR 23-23-185
NOTICE OF PUBLIC MEETINGS
BUILDING CODE COUNCIL
 [Filed November 22, 2023, 10:46 a.m.]

2024 Meeting Schedule

Date	Meeting	Location	Start Time
January - April Thursdays as necessary	Legislative Committee	Virtual	9 a.m.
Friday January 19	Council	1500 Jefferson Street S.E. Room 1213 Olympia 98501 Optional remote access	10 a.m.
Friday February 16	Council	1500 Jefferson Street S.E. Room 1213 Olympia 98501 Optional remote access	10 a.m.
Friday March 8	MVE Committee BFP Committee	1500 Jefferson Street S.E. Olympia 98501 Optional remote access	9 a.m. 1 p.m.
Friday March 15	Council	1500 Jefferson Street S.E. Room 1213 Olympia 98501 Optional remote access	10 a.m.
Friday April 12	MVE Committee BFP Committee	1500 Jefferson Street S.E. Olympia 98501 Optional remote access	9 a.m. 1 p.m.
Friday April 19	Council	1500 Jefferson Street S.E. Room 1213 Olympia 98501 Optional remote access	10 a.m.
Friday May 17	MVE Committee BFP Committee	1500 Jefferson Street S.E. Olympia 98501 Optional remote access	9 a.m. 1 p.m.
Friday May 24	Council	EAST SIDE of the State (Location TBD)	10 a.m.
Friday June 14	MVE Committee BFP Committee	1500 Jefferson Street S.E. Olympia 98501 Optional remote access	9 a.m. 1 p.m.
Friday June 21	Council	1500 Jefferson Street S.E. Room 1213 Olympia 98501 Optional remote access	10 a.m.
Friday September 13	MVE Committee BFP Committee	1500 Jefferson Street S.E. Olympia 98501 Optional remote access	9 a.m. 1 p.m.
Friday September 20	Council	EAST SIDE of the State (Location TBD)	10 a.m.
Friday October 18	Council	1500 Jefferson Street S.E. Room 1213 Olympia 98501 Optional remote access	10 a.m.
Friday November 8	MVE Committee BFP Committee	1500 Jefferson Street S.E. Olympia 98501 Optional remote access	9 a.m. 1 p.m.
Friday November 15	Council	1500 Jefferson Street S.E. Room 1213 Olympia 98501 Optional remote access	10 a.m.

*BFP Committee - Building, fire and plumbing codes committee.

*MVE Committee - Mechanical, ventilation and energy codes committee.

BFP and MVE committees may be renamed after the council meeting scheduled for January 20, 2024.

**WSR 23-23-188
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed November 22, 2023, 11:34 a.m.]

2024 Notice of Public Meeting Schedule

Industrial Insurance Chiropractic Advisory Committee
Advisory Committee on Healthcare Innovation Evaluation
Industrial Insurance Medical Advisory Committee

Pursuant to chapter 42.30 RCW, the Open Public Meetings Act, this memo gives notice that the following industrial insurance advisory committee meetings are scheduled in calendar year 2024.

COMMITTEE	DATE	TIME	LOCATION
Industrial Insurance Chiropractic Advisory Committee (IICAC)	January 18, 2024 April 18, 2024 July 18, 2024 October 10, 2024	8:30 a.m. - 12:00 p.m. 8:30 a.m. - 12:00 p.m. 8:30 a.m. - 12:00 p.m. 8:30 a.m. - 12:00 p.m.	January: Labor and Industries (L&I) 12806 Gateway Drive South Room C30 Tukwila, WA 98168 April and July: L&I Headquarters 7273 Linderson Way S.E. Room S117 Tumwater, WA 98501 October: L&I Headquarters 7273 Linderson Way SE Room S130 Tumwater, WA 98501 The link to attend virtually via Zoom and meeting updates will be available on the L&I website at https://Lni.wa.gov/patient-care/advisory-committees/industrial-insurance-chiropractic-advisory-committee-iicac .
Advisory Committee on Healthcare Innovation and Evaluation (ACHIEv)	January 25, 2024 April 25, 2024 July 25, 2024 October 24, 2024	8:30 a.m. - 12:00 p.m. 8:30 a.m. - 12:00 p.m. 8:30 a.m. - 12:00 p.m. 8:30 a.m. - 12:00 p.m.	L&I 12806 Gateway Drive South Room C30 Tukwila, WA 98168 The link to attend virtually via Zoom and meeting updates will be available on the L&I website at https://Lni.wa.gov/patient-care/advisory-committees/advisory-committee-on-health-care-innovation-and-evaluation#meetings .
Industrial Insurance Medical Advisory Committee (IIMAC)	January 25, 2024 April 25, 2024 July 25, 2024 October 24, 2024	1:00 - 5:00 p.m. 1:00 - 5:00 p.m. 1:00 - 5:00 p.m. 1:00 - 5:00 p.m.	L&I 12806 Gateway Drive South Room C30 Tukwila, WA 98168 The link to attend virtually via Zoom and meeting updates will be available on the L&I website at https://Lni.wa.gov/patient-care/advisory-committees/industrial-insurance-medical-advisory-committee-iimac .

Please contact us at IIHCAC@Lni.wa.gov if you have questions about these meetings.

The IIMAC meeting agendas and materials will be posted at <https://Lni.wa.gov/patient-care/advisory-committees/industrial-insurance-medical-advisory-committee-iimac>.

The IICAC meeting agendas and materials will be posted at <https://Lni.wa.gov/patient-care/advisory-committees/industrial-insurance-chiropractic-advisory-committee-iicac>.

The ACHIEv meeting agendas and materials will be posted at <https://Lni.wa.gov/patient-care/advisory-committees/advisory-committee-on-health-care-innovation-and-evaluation#meetings>.

WSR 23-23-189
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES

(Board of Boiler Rules)

[Filed November 22, 2023, 11:35 a.m.]

Pursuant to chapter 42.30 RCW, the Open Public Meetings Act, the board of boiler rules meetings and study sessions for 2024 are scheduled as follows:

Dates	Times	Location
Study Session: February 20, 2024	10:00 a.m.	The boiler board study session will be held virtually only. The link to attend virtually and meeting updates are available on the department of labor and industries (L&I) website at https://Lni.wa.gov/Licensing-permits/boilers/board-of-boiler-rules .
Board Meeting: February 21, 2024	10:00 a.m.	L&I 7273 Linderson Way S.W. Tumwater, WA 98501 The link to attend virtually and meeting updates are available on the L&I website at https://Lni.wa.gov/Licensing-permits/boilers/board-of-boiler-rules .
Study Session: May 21, 2024	10:00 a.m.	The boiler board study session will be held virtually only. The link to attend virtually and meeting updates are available on the L&I website at https://Lni.wa.gov/Licensing-permits/boilers/board-of-boiler-rules .
Board Meeting: May 22, 2024	10:00 a.m.	L&I 7273 Linderson Way S.W. Tumwater, WA 98501 The link to attend virtually and meeting updates are available on the L&I website at https://Lni.wa.gov/Licensing-permits/boilers/board-of-boiler-rules .
Study Session: August 20, 2024	10:00 a.m.	The boiler board study session will be held virtually only. The link to attend virtually and meeting updates are available on the L&I website at https://Lni.wa.gov/Licensing-permits/boilers/board-of-boiler-rules .
Board Meeting: August 21, 2024	10:00 a.m.	L&I 7273 Linderson Way S.W. Tumwater, WA 98501 The link to attend virtually and meeting updates are available on the L&I website at https://Lni.wa.gov/Licensing-permits/boilers/board-of-boiler-rules .
Study Session: November 19, 2024	10:00 a.m.	The boiler board study session will be held virtually only. The link to attend virtually and meeting updates are available on the L&I website at https://Lni.wa.gov/Licensing-permits/boilers/board-of-boiler-rules .
Board Meeting: November 20, 2024	10:00 a.m.	L&I 7273 Linderson Way S.W. Tumwater, WA 98501 The link to attend virtually and meeting updates are available on the L&I website at https://Lni.wa.gov/Licensing-permits/boilers/board-of-boiler-rules .

If you have any questions, please contact Meagan Edwards, management analyst, at 360-522-0125 or Meagan.Edwards@Lni.wa.gov.

WSR 23-23-190
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
 (Electrical Board)

[Filed November 22, 2023, 11:36 a.m.]

Pursuant to chapter 42.30 RCW, the Open Public Meetings Act, the electrical board meetings for 2024 are scheduled as follows:

Dates	Time	Location
January 25, 2024	9:00 a.m.	Department of Labor and Industries 7273 Linderson Way S.W. Tumwater, WA 98501
April 25, 2024	9:00 a.m.	TBD
July 25, 2024	9:00 a.m.	TBD
October 24, 2024	9:00 a.m.	TBD

If you have any questions, please contact Meagan Edwards, management analyst, at 360-522-0125 or Meagan.Edwards@Lni.wa.gov.

WSR 23-23-191
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
(Elevator Safety Advisory Committee)
[Filed November 22, 2023, 11:39 a.m.]

Pursuant to chapter 42.30 RCW, the Open Public Meetings Act, the elevator safety advisory committee meetings for 2024 are scheduled as follows:

Dates	Times	Location
February 20, 2024 May 21, 2024 August 20, 2024 November 11, 2024	8:00 a.m. - Stakeholder discussion 9:00 a.m. - Meeting	The elevator safety advisory committee meeting will be held virtually. The link to attend and meeting updates are available on the department of labor and industries website at https://Lni.wa.gov/Licensing-permits/elevators/about-the-elevator-program/committees .

If you need any additional information or have any questions, please contact Meagan Edwards, management analyst, at 360-522-0125 or Meagan.Edwards@Lni.wa.gov.

WSR 23-23-192
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
(Factory Assembled Structures Advisory Board)
[Filed November 22, 2023, 11:41 a.m.]

Pursuant to chapter 42.30 RCW, the Open Public Meetings Act, the factory assembled structures advisory board (board) meetings for 2024 are scheduled as follows:

Dates	Time	Location
February 15, 2024 May 16, 2024 August 15, 2024 November 21, 2024	10:00 a.m. - 12:00 p.m.	The board meeting will be held virtually. The link to attend and meeting updates are available on the department of labor and industries website at https://Lni.wa.gov/Licensing-permits/manufactured-modular-mobile-structures/factory-assembled-structures-fas-advisory-board .

If you need any additional information or have any questions, please contact Meagan Edwards, management analyst, at 360-522-0125 or Meagan.Edwards@Lni.wa.gov.

WSR 23-23-193
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
 (Advisory Board of Plumbers)
 [Filed November 22, 2023, 11:41 a.m.]

Pursuant to chapter 42.30 RCW, the Open Public Meetings Act, the advisory board of plumbers meetings for 2024 are scheduled as follows:

Dates	Time	Location
January 16, 2024	9:30 a.m. - 11 a.m.	Department of Labor and Industries (L&I) 7273 Linderson Way S.W. Tumwater, WA 98501 For meeting information, visit the L&I website https://Lni.wa.gov/Licensing-permits/plumbing/plumber-advisory-board .
April 16, 2024	9:30 a.m. - 11 a.m.	L&I 3001 West Broadway Avenue Moses Lake, WA 98837 For meeting information, visit the L&I website https://Lni.wa.gov/Licensing-permits/plumbing/plumber-advisory-board .
July 16, 2024	9:30 a.m. - 11 a.m.	L&I 7273 Linderson Way S.W. Tumwater, WA 98501 For meeting information, visit the L&I website https://Lni.wa.gov/Licensing-permits/plumbing/plumber-advisory-board .
October 15, 2024	9:30 a.m. - 11 a.m.	L&I 3001 West Broadway Avenue Moses Lake, WA 98837 For meeting information, visit the L&I website https://Lni.wa.gov/Licensing-permits/plumbing/plumber-advisory-board .

If you have any questions, please contact Meagan Edwards, management analyst, at 360-522-0125 or Meagan.Edwards@Lni.wa.gov.