

WSR 23-15-064
RULES OF COURT
STATE SUPREME COURT
[July 13, 2023]

IN THE MATTER OF THE ) ORDER
SUGGESTED AMENDMENTS TO ) NO. 25700-A-1526
THE CODE OF JUDICIAL CONDUCT )
PREAMBLE AND RULE 2.12 )
COMMENT [2] )

The Superior Court Judges' Association Ethics Committee, having recommended the adoption of the suggested amendments to the Code of Judicial Conduct Preamble and Rule 2.12 Comment [2], and the Court having considered the suggested amendments, and having determined that the suggested amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

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

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

DATED at Olympia, Washington this 13th day of July, 2023.

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

GR 9 COVER SHEET

Suggested Amendments to

WASHINGTON STATE CODE OF JUDICIAL CONDUCT (CJC): PREAMBLE; and Rule 2.12, Comment [2]

A. Name of Proponent:

Superior Court Judges Association, Judicial Ethics Committee

B. Spokesperson:

Judge Marshall L. Ferguson, Chair

C. Purpose:

The Consortium to Address Biased and Non-Inclusive Language in Court Rules suggested amendments to many court rules, including the Code of Judicial Conduct. In January 2023, the Court adopted proposed amendments to eliminate non-inclusive language from the court rules. The SCJA Judicial Ethics Committee applauds the work of the Consortium and now proposes two additional amendments within the spirit of that project.

The proposed amendments to the CJC Preamble and Rule 2.12, Comment [2] remove binary references to make the Code inclusive of all genders, including people who are nonbinary, transgender, intersex, gender expansive, or undefined.

The Committee proposes replacing "men and women" with "judges" in the CJC Preamble because the CJC defines a judge as "anyone who is authorized to perform judicial functions, including an officer such as a magistrate, court commissioner, part-time judge or judge pro tempore." CJC Application, Section I(A). The Committee believes the term "judge"

is gender neutral and its usage here will better encompass all judicial officers who are subject to the Code.

**D. Hearing:**

A hearing is not requested.

**E. Expedited Consideration:**

Expedited consideration is not necessary.

**F. Supporting Materials:**

Not Applicable.

**Washington State Code of Judicial Conduct (CJC)**

**PREAMBLE**

[1] "The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of ~~men and women~~ judges of integrity, will interpret and apply the law that governs our society."

[2] - [3] [Unchanged.]

**CJC**

**CANON 2**

**RULE 2.12. Supervisory Duties**

(A) - (B) [Unchanged.]

**Comments**

[1] [Unchanged.]

[2] Public confidence in the judicial system depends upon timely justice. To promote the efficient administration of justice, a judge with supervisory authority must take the steps needed to ensure that judges under ~~his or her~~ their supervision administer their workloads promptly.