

WSR 25-02-016
RULES OF COURT
STATE SUPREME COURT
[December 5, 2024]

IN THE MATTER OF THE) ORDER
SUGGESTED AMENDMENTS TO) NO. 25700-A-1618
JISC RULES 1-11 AND 14-18)

The Judicial Information Systems Committee (JISC), having recommended the suggested amendments to JISC Rules 1-11 and 14-18, 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 2025.

(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, 2025. 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 5th day of December, 2024.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment to
Judicial Information Systems Committee Rules: 1-11 and 14-18
Submitted by the Judicial Information Systems Committee

A. Name of Proponent: Judicial Information Systems Committee (JISC)

B. Spokespersons: Justice Barbara A. Madsen, Chair
Judge John Hart, Vice-Chair

C. Purpose:

These revisions to the language of the Judicial Information Systems Committee (JISC) Rules (JISCRs) are being proposed to reconcile various sections to developments in organizational changes, policies, and current technology, which have occurred since the inception of the JISC in 1976 or the most recent update to the JISCRs.

The JISC considered the revisions proposed to these rules at its regular meetings throughout 2024. Each of these changes were considered by the committee and unanimously approved. The changes proposed represent the consensus of the committee on changes needed to bring these rules into line with changes that have occurred since they were last updated.

We seek to amend, delete, and add language to JISCR 1 to clarify the responsibility over the Judicial Information System and more accurately define which system is administered.

We seek to amend language to JISCR 2 to update the name of an association and to correct grammar.

We seek to amend and add language to JISCR 3 to update terminology and to correct grammar.

We seek to amend and add language to JISCR 4 to reflect the current stage of the Judicial Information System (JIS).

We seek to amend and add language to JISCR 5 to update terminology and to include the statewide data standard, and the process and responsibilities surrounding this standard.

We seek to amend and add language to JISCR 6 to update terminology and to revise the entity responsible for reporting.

We seek to amend language to JISCR 7 to revise the entity responsible for creating a set of codes for criminal charges, civil actions, juvenile referrals, attorney identification, and standard disposition identification codes. We also seek to eliminate the responsibility for creating case numbering systems as this function is obsolete in modern case management systems. We seek to amend JISCR 8 to update terminology and to revise the entity responsible for records retention.

We seek to amend and add language to JISCR 9 to update terminology.

We seek to amend and add language to JISCR 10 to update terminology and to revise the entity responsible for assigning and maintaining a uniform attorney identification number for use in JIS.

We seek to amend and add language to JISCR 11 to update terminology and to revise the entity responsible for maintaining on file a copy of all system documentation related to the collection, storage, and dissemination of such information.

We seek to amend and add language to JISCR 14 to update terminology and to correct grammar. The revisions also clarify that the activity governed by this rule is the entry of court data, rather than the broader term data processing.

We seek to amend, delete, and add language to JISCR 15 to update terminology, delete a section that has been marked rescinded, update the sequential order of sections to account for the deletion, include references to GR31 and GR 31.1 to further substantiate JISCR 15, and to revise the entity responsible for promulgating policies and procedures for handling applications for electronic information. Also, we propose the removal of a policy statement at the beginning of this rule.

We seek to amend, delete, and add language to JISCR 16 to update terminology, specify jurisdiction over the policies and guidance of the Supreme Court and the Judicial Information System Committee as it relates to the development, management, operation, and use of the Judicial Information System.

We seek to add language to JISCR 17 to provide further information regarding the effective dates of JISCRCs that have been amended or adopted after May 15, 1976.

We seek to amend JISCR 18 to update terminology.

We request these changes to modernize the JISCRCs to the current organizational and technological court environment.

D. Hearing: A hearing is not requested.

E. Expedited Consideration: Expedited consideration is not requested.

Judicial Information Systems Committee Rules**JISCR 1****JUDICIAL INFORMATION SYSTEM**

It is the intent of the Supreme Court that a statewide Judicial Information System be developed. The Judicial Information System is to be designed and operated by the Administrator for Administrative Office of the Courts under the direction of the Judicial Information System Committee and with the approval of the Supreme Court pursuant to RCW 2.56. The Judicial Information System is to serve the courts of the state of Washington.

JISCR 2**COMPOSITION**

(a) Membership. The Judicial Information System Committee (JISC) shall be appointed by the Chief Justice. The Chief Justice will consider for appointment those individuals who have been suggested by representative groups and associations from within the judicial system but shall not be bound thereby. In addition, the Chief Justice shall consider for appointment only those individuals who have demonstrated an interest and commitment to judicial administration and to automation of judicial systems and functions. The committee shall be composed of four members from the appellate court level (Supreme Court and Court of Appeals), five members from the superior court level, two of whom shall be members of the Superior Court Judges' Association, and one of whom shall be a member of the Washington Association of Juvenile Court Administrators, five members from the courts of limited jurisdiction level, one of whom shall be a member of the Misdemeanant Corrections Probation Association, and three at large members from outside the judiciary, one of whom will be a member of the Washington State Bar Association, one of whom will be a member of the Washington Association of Sheriffs and Police Chiefs, and one of whom will be a member of the Washington State Association of Prosecuting Attorneys.

(b) Terms of Office. The term of membership for those who are appointed to represent specific organizations shall be for a term of 3 years with the initial term as determined by lot, staggered so as to ~~insure~~ ensure that an equal number of terms expire each year. Any vacancy in the membership of the committee shall be filled in the same manner in which the original appointment was made and the term of membership shall expire on the same date as the original appointment expiration date.

(c) Operation. The Supreme Court Justice shall be the chairperson. The members of the committee shall elect a vice-chairperson from among themselves. Meetings of the committee shall be called regularly and at a minimum of four times per year at the discretion of the chair. Any members with two unexcused absences from regularly scheduled JISC meetings during any calendar year shall be requested to resign and the respective association shall appoint a successor to fulfill the unexpired term. User advisory committees shall be established for each level of court and will be representative of the users at each level. Ad hoc committees shall also be established for the purpose of monitoring specific projects undertaken by the Judicial Information System.

JISCR 3

STAFF

Staff for the Judicial Information System Committee will be provided by and be responsible to the ~~Administrator for Administrative Office of the Courts~~ Administrative Office of the Courts ~~who~~ which will be charged with providing operational, statistical, and other information to legitimate and appropriate users of judicial information.

**JISCR 4
BUDGETS**

The Administrator for the Courts, under the direction of the Judicial Information System Committee, and with the approval of the Supreme Court, shall prepare funding requests for personnel, hardware, and software as required for ~~a phased implementation~~ the maintenance and upgrade of the Judicial Information System. Any budget requests prepared by the Administrator for the Courts shall address the issues of control and dissemination of data from court files, developmental and operational priorities, a clear definition of operational expenses and security, and privacy of information and facilities within the system.

**JISCR 5
STANDARD DATA ELEMENTS**

A standard court data element dictionary for the Judicial Information System shall be prepared and maintained by the ~~Administrator for Administrative Office of the Courts~~ Administrative Office of the Courts with the approval of the Judicial Information System Committee. A statewide data standard for locally operated, alternate electronic court record systems shall be prepared and maintained by the Administrative Office of the Courts with the approval of the Judicial Information System Committee. This data standard shall be consistent with the standard court data element dictionary and will identify data elements that are necessary for the operation of the Judicial Information System. Any modifications, additions, or deletions from the standard court data element dictionary or the data standard for locally operated, alternate court record systems must be reviewed and approved by the Judicial Information System Committee.

**JISCR 6
REPORTS**

The ~~Administrator for Administrative Office of the Courts~~ shall furnish to the courts and clerks of the state standard report formats as recommended and approved by the Judicial Information System Committee. Records and reports either in ~~computerized~~ electronic or manual formats shall be in accordance with the standard court data elements established by the Judicial Information System Committee and consistent with the definitions contained therein.

**JISCR 7
CODES AND CASE NUMBERS**

The ~~Administrator for Administrative Office of the Courts~~ shall establish, with the approval of the Judicial Information System Committee, a uniform set of codes ~~and case numbering systems~~ for criminal charges, civil actions, juvenile referrals, attorney identification, and standard disposition identification codes.

JISCR 8

RETENTION

The ~~Administrator for Administrative Office of~~ the Courts shall establish retention periods for all ~~computerized~~ electronic records based upon the recommendations of the Judicial Information System Committee and consistent with state law.

JISCR 9**~~COMMUNICATIONS LINK DATA EXCHANGES WITH OTHER SYSTEMS~~**

The Judicial Information System will serve as the ~~communications link~~ data exchange source for the courts with all local, regional, statewide, and national ~~noncourt~~ governmental systems. The Judicial Information System shall perform all functions relating to the transfer of ~~computerized~~ electronic judicial data or information except as specifically approved by the Supreme Court upon the recommendations of the Judicial Information System Committee.

JISCR 10**ATTORNEY IDENTIFICATION NUMBERS**

The ~~Office of the Administrator for Administrative Office of~~ the Courts will assign and maintain a uniform attorney identification number consistent with the number currently ~~utilized~~ used by the Washington State Bar Association. The use of such code numbers will be subject to rules promulgated by the Supreme Court upon recommendations by the Judicial Information System Committee and the Board of Governors of the Washington State Bar Association.

JISCR 11**SECURITY, PRIVACY, AND CONFIDENTIALITY**

All court record systems must conform to the privacy and confidentiality rules as promulgated by the Supreme Court upon the recommendation of the Judicial Information System Committee, which rules shall be consistent with all applicable law relating to public records. Any modifications, additions, or deletions from the established rules must be reviewed by the Judicial Information System Committee and approved by the Supreme Court. Additionally:

(a) Courts obtaining information from ~~computerized~~ electronic files subject to special security and privacy administrative rules or legislative direction must ~~insure~~ ensure that all such rules or legislative enactments are followed in the handling of such information.

(b) In all automated systems, ~~duplicate records~~ electronic data backups must be prepared regularly and stored separately and a transaction log kept of all record changes covering the entire time period since the preparation of the last ~~duplicate set of records~~ electronic data backups.

(c) The ~~Office of the Administrator for Administrative Office of~~ the Courts will maintain a library of court system documentation for the state. All automated information systems which have received approval from the Supreme Court to collect, store, and/or disseminate ~~computerized~~ electronic judicial information must submit to the ~~Office of the Administrator for Administrative Office of~~ the Courts and maintain on file a copy of all system documentation related to the collection, storage, and dissemination of such information.

JISCERS 12 and 13 [Unchanged.]

JISCR 14**CONTROL OF COURT DATA ENTRY PROCESSING EQUIPMENT**

~~Entry of court data processing for courts shall be processed accomplished on computer equipment managed and controlled by the courts. In exceptional instances where extreme care has been taken to insure ensure the integrity of the internal function of the courts, explicit approval may be obtained from the Supreme Court upon the recommendation of the Administrator for the Courts and the Judicial Information System Committee to utilize facilities computer equipment not totally managed and controlled by the courts.~~

JISCR 15

DATA DISSEMINATION OF ~~COMPUTER-BASED~~ ELECTRONIC COURT INFORMATION

~~It is declared to be the policy of the courts to facilitate public access to court records, provided such disclosures in no way present an unreasonable invasion of personal privacy and will not be unduly burdensome to the ongoing business of the courts.~~

Due to the confidential nature of some court information, authority over the dissemination of such information shall be exercised by the judicial branch pursuant General Rule 31 (Court Case Records) and General Rule 31.1 (Court Administrative Records). In furtherance of the access to records requirements in GR 31 and GR 31.1, ~~t~~. This rule establishes the minimum criteria to be met by each information request before allowing dissemination.

(a) Application. This rule applies to all requests for ~~computer-based~~ electronic court information submitted by an individual, as well as public and private associations and agencies. This rule does not apply to requests initiated by or with the consent of the Administrator for the Courts for the purpose of answering a request vital to the internal business of the courts.

(b) Excluded Information. Records sealed, exempted, or otherwise restricted by law or court rule may not be released to the general public except by court order.

~~(c) Data Dissemination Committee. [Rescinded.]~~

(dc) Data Dissemination Policies and Procedures. The Administrator for Administrative Office of the Courts shall promulgate policies and procedures for handling applications for ~~computer-based~~ electronic information. These policies and procedures shall be subject to the approval of the Judicial Information System Committee.

(ed) Information for Release of Data. Information which must be supplied by the requestor and upon which evaluation will be made includes:

- (1) Requestor's identifying information concerning the applicant;
- (2) Statement of the intended use and distribution;
- (3) Type of information needed.

(fe) Criteria To Determine Release of Data. The criteria against which the applications are evaluated are as follows:

- (1) Availability of data;
- (2) Specificity of the request;
- (3) Potential for infringement of personal privacy created by release of the information requested;
- (4) Potential disruption to the internal, ongoing business of the courts.

(gf) Cost. The requestor shall bear the cost of honoring the request for information in accordance with section ~~(dc)~~.

(hg) Appeal. If a request is denied by the Administrator for the Courts, the requestor may appeal the decision to the Judicial Information System Committee in accordance with section ~~(dc)~~. The Judicial

Information System Committee shall review and act upon the appeal in accordance with procedures promulgated by the Committee for this purpose.

JISCR 16

RECORDING AND DISSEMINATION OF JUDICIAL INFORMATION SYSTEM POLICIES **DATA PROCESSING**

The Administrative Office of the Courts shall be responsible for the recording and dissemination of ~~decisions concerning~~ the policies and guidance of the Supreme Court and the Judicial Information System Committee in relating to the area of data processing development, management, operation, and use of the Judicial Information System, except for such policies as relate to the preparation of appellate court opinions and their publication in the official law reports which are the responsibility of the Washington Court Reports Commission.

JISCR 17

EFFECTIVE DATE

These rules, with the exception of rule 2, shall take effect on May 15, 1976. Rule 2 shall take effect on July 1, 1976, and until such time, the Superior Courts Management Information System (SCOMIS) Committee formed on February 21, 1974, shall continue to function as directed by this court. All other rules that are adopted or amended shall take effect in accordance with Supreme Court rule making authority.

JISCR 18

ADDING RECORDS TO THE JUDICIAL INFORMATION SYSTEM

In all courts adding records to the Judicial Information System, for all persons on whom a juvenile or adult criminal offense, infraction, or a juvenile non-offender case is filed, a record will be created in the person ~~data base~~ database according to rules and procedures adopted by the Judicial Information System Committee. Provided, truancy records associated with a juvenile who has no other case history, and records of a juvenile's parents who have no other case history, shall be removed from the Judicial Information System when the juvenile is no longer subject to the compulsory attendance laws under Chapter 28A.225 RCW.