

# SENATE BILL REPORT

## SB 6496

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As Reported By Senate Committee On:  
Judiciary, February 5, 2004

**Title:** An act relating to confidential court records.

**Brief Description:** Regulating access to confidential court records.

**Sponsors:** Senators Schmidt and Eide; by request of Administrative Office of the Courts.

**Brief History:**

**Committee Activity:** Judiciary: 2/4/04, 2/5/04 [DPS].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** That Substitute Senate Bill No. 6496 be substituted therefor, and the substitute bill do pass.

Signed by Senators McCaslin, Chair; Esser, Vice Chair; Brandland, Hargrove, Haugen, Johnson, Kline, Roach and Thibaudeau.

**Staff:** Lidia Mori (786-7755)

**Background:** Court employees routinely have access to confidential records concerning serious matters such as adoptions, juvenile dependencies, mental illness, alcohol commitments, and cases sealed by court order.

There is currently no statutes that address the issue of access to confidential records by court employees. The existing computer trespass statute, RCW 9A.52.110, does not deal with actions that compromise confidential records. The criminal records privacy act, RCW 10.97, is limited to criminal records and is focused on ensuring that only certain criminal information is disseminated.

**Summary of Substitute Bill:** No employee of a court, county clerk's office, government agency, the administrative office of the courts, or any other person under contract with any such agency may intentionally access, use, or disclose court records which he or she knows to be confidential, unless authorized.

**Substitute Bill Compared to Original Bill:** The substitute bill specifies that no employee of a court, county clerk's office, government agency, the administrative office of the courts, or any person under contract with any such agency may intentionally access, use, or disclose court records which he or she knows to be confidential, unless authorized.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill is aimed at the rogue court employee. There has been input from a large number of interested parties, including court employees, the media, and court clerks.

**Testimony Against:** None

**Testified:** Senator Schmidt, prime sponsor; Judge Kip Stiltz, Judicial Information Systems Committee.