

Washington State Register, Issue 10-01

OFFICE OF THE CODE REVISER
 Quarterly Rule-Making Report
 Covering Registers 09-19 through 09-24

Type of Activity	New	Amended	Repealed
ACCOUNTANCY, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	30	0
Number of Rules Proposed for Permanent Adoption	1	10	0
Number of Sections Adopted at Request of a Nongovernmental Entity	1	6	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	0	0
Number of Sections Adopted on the Agency's own Initiative	0	24	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	30	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ATTORNEY GENERAL'S OFFICE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	20	0
BLIND, DEPARTMENT OF SERVICES FOR THE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
CENTRAL WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	0	0
COMMERCE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Adopted as Emergency Rules	3	6	0
Number of Rules Proposed for Permanent Adoption	3	10	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	6	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	3	6	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	3	6	0
Number of Sections Adopted using Negotiated Rule Making	3	6	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

COUNTY ROAD ADMINISTRATION BOARD

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	22	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	19	0
Number of Sections Adopted on the Agency's own Initiative	2	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

CRIMINAL JUSTICE TRAINING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	2	0
Number of Rules Proposed for Permanent Adoption	0	10	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

EARLY LEARNING, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	45	52	43
Number of Rules Adopted as Emergency Rules	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	45	52	43
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	45	55	43
Number of Sections Adopted using Pilot Rule Making	0	0	0

EASTERN WASHINGTON UNIVERSITY

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	11	0	11

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	11	0	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	11	0	1
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	11	0	1
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ECOLOGY, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	91	3	0
Number of Rules Adopted as Emergency Rules	12	0	0
Number of Rules Proposed for Permanent Adoption	32	0	0
Number of Rules Withdrawn	2	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	12	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	72	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	91	2	0
Number of Sections Adopted on the Agency's own Initiative	19	0	0
Number of Sections Adopted using Negotiated Rule Making	72	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	72	0	0
EMPLOYMENT SECURITY DEPARTMENT			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	3	3
Number of Rules Adopted as Emergency Rules	4	4	0
Number of Rules Proposed for Permanent Adoption	4	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	6	7	0
Number of Sections Adopted on the Agency's own Initiative	0	2	3
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ENVIRONMENTAL HEARINGS OFFICE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EVERGREEN STATE COLLEGE, THE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
FINANCIAL INSTITUTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	80	96	20
Number of Rules Proposed for Permanent Adoption	81	96	20
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	6	5	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	2	5	1
Number of Sections Adopted in Order to Comply with Federal Statute	18	30	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	34	54	0
Number of Sections Adopted on the Agency's own Initiative	28	55	2
Number of Sections Adopted using Negotiated Rule Making	72	82	18
Number of Sections Adopted using Other Alternative Rule Making	9	13	2
Number of Sections Adopted using Pilot Rule Making	0	0	0
FISH AND WILDLIFE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Adopted as Emergency Rules	76	0	79
Number of Rules Proposed for Permanent Adoption	3	38	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	15	0	22
Number of Sections Adopted in Order to Comply with Federal Statute	15	0	22
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	73	4	78
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
GAMBLING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	8	0
Number of Rules Proposed for Permanent Adoption	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	8	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	1	0
Number of Sections Adopted on the Agency's own Initiative	2	7	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	8	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
GENERAL ADMINISTRATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	25	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	25	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	25	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
GROWTH MANAGEMENT HEARINGS BOARDS			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	33	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	33	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	33	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
HEALTH CARE AUTHORITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	45	3
Number of Rules Proposed for Permanent Adoption	4	44	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	4	45	3
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	4	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	10	2
Number of Sections Adopted on the Agency's own Initiative	2	20	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
HEALTH, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	26	19	24
Number of Rules Adopted as Emergency Rules	2	2	0
Number of Rules Proposed for Permanent Adoption	9	15	0
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	6	11	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	8	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	0	6
Number of Sections Adopted on the Agency's own Initiative	26	13	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	28	20	7
Number of Sections Adopted using Pilot Rule Making	0	0	0
HIGHER EDUCATION COORDINATING BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	14	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	14	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	4	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	10	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
HOME CARE QUALITY AUTHORITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
HORSE RACING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	4	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	1	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	0	4	0
Number of Sections Adopted using Negotiated Rule Making	1	4	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
INSURANCE COMMISSIONER, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	28	29	2
Number of Rules Adopted as Emergency Rules	7	13	2
Number of Rules Proposed for Permanent Adoption	49	21	4
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	18	4
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	24	6	0
Number of Sections Adopted on the Agency's own Initiative	14	21	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	16	26	4
Number of Sections Adopted using Pilot Rule Making	0	0	0
LABOR AND INDUSTRIES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	20	58	2
Number of Rules Proposed for Permanent Adoption	3	27	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	10	26	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	1	14	2
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	10	0	0
Number of Sections Adopted on the Agency's own Initiative	0	40	0
Number of Sections Adopted using Negotiated Rule Making	0	4	0
Number of Sections Adopted using Other Alternative Rule Making	19	36	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LICENSING, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	21	0
Number of Rules Proposed for Permanent Adoption	3	9	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	14	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	7	0
Number of Sections Adopted on the Agency's own Initiative	3	20	0
Number of Sections Adopted using Negotiated Rule Making	2	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	8	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
LIQUOR CONTROL BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	10	0
Number of Rules Proposed for Permanent Adoption	21	37	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	10	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	10	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LOTTERY, WASHINGTON STATE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
MARINE EMPLOYEES' COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	1
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
OLYMPIC COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	6	0	0
PERSONNEL, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	7	0
Number of Rules Proposed for Permanent Adoption	1	8	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0

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Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	7	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	7	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PILOTAGE COMMISSIONERS, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PROFESSIONAL EDUCATOR STANDARDS BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	18	1
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	10	1
Number of Sections Adopted on the Agency's own Initiative	2	6	0
Number of Sections Adopted using Negotiated Rule Making	3	15	1
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC DISCLOSURE COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	3	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

Washington State Register, Issue 10-01

Type of Activity	New	Amended	Repealed
PUBLIC INSTRUCTION, SUPERINTENDENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	14	45	1
Number of Rules Proposed for Permanent Adoption	22	10	0
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	14	13	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	13	0
Number of Sections Adopted in Order to Comply with Federal Statute	1	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	8	0
Number of Sections Adopted on the Agency's own Initiative	0	23	1
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	1	31	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
RETIREMENT SYSTEMS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	2	0
Number of Rules Proposed for Permanent Adoption	0	0	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	2	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
REVENUE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	11	0
Number of Rules Proposed for Permanent Adoption	0	10	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	11	0
Number of Sections Adopted on the Agency's own Initiative	0	11	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SALARIES FOR ELECTED OFFICIALS, WASHINGTON CITIZENS' COMMISSION ON			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

Washington State Register, Issue 10-01

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SECRETARY OF STATE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	8	0
Number of Rules Proposed for Permanent Adoption	5	26	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	6	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	0	6	0
Number of Sections Adopted using Negotiated Rule Making	0	8	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SENTENCING GUIDELINES COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	11	10
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	10	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	8
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SKAGIT VALLEY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	21	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	21	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	21	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	21	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	12	55	2
Number of Rules Adopted as Emergency Rules	23	79	4
Number of Rules Proposed for Permanent Adoption	75	154	5

Washington State Register, Issue 10-01

Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	12	11	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	8	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	8	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	24	103	6
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	36	130	6
Number of Sections Adopted using Pilot Rule Making	0	0	0
SOUTH PUGET SOUND COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	0	29	8
SPOKANE, COMMUNITY COLLEGES OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	4	0
TRANSPORTATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	4	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
UTILITIES AND TRANSPORTATION COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	27	15
Number of Rules Proposed for Permanent Adoption	0	14	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	22	15
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	5	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
VETERANS AFFAIRS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
VOLUNTEER FIREFIGHTERS AND RESERVE OFFICERS, BOARD FOR			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0

Washington State Register, Issue 10-01

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

WASHINGTON STATE PATROL

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Proposed for Permanent Adoption	1	54	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

WASHINGTON STATE UNIVERSITY

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	6	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	5	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	6	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

YAKIMA VALLEY COMMUNITY COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	7	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	6	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	6	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

Type of Activity	New	Amended	Repealed
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	385	689	138
Number of Rules Adopted as Emergency Rules	127	110	85
Number of Rules Proposed for Permanent Adoption	324	631	40
Number of Rules Withdrawn	2	33	8
Number of Sections Adopted at Request of a Nongovernmental Entity	14	14	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	216	340	70
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	17	34	23
Number of Sections Adopted in Order to Comply with Federal Statute	49	80	29
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	203	269	16
Number of Sections Adopted on the Agency's own Initiative	204	351	95
Number of Sections Adopted using Negotiated Rule Making	164	129	20
Number of Sections Adopted using Other Alternative Rule Making	165	411	63
Number of Sections Adopted using Pilot Rule Making	72	0	0

WSR 09-23-033
RULES OF COURT
STATE SUPREME COURT
 [November 5, 2009]

IN THE MATTER OF THE ADOPTION) ORDER
 OF THE AMENDMENTS TO RAP 2.4,) NO. 25700-A-929
 RAP 4.2, RAP 4.3, RAP 4.4, RAP 9.5, RAP)
 9.6, RAP 9.7, RAP 9.8, RAP 10.3, RAP)
 10.4, RAP 12.4, RAP 12.7, RAP 12.9, RAP)
 14.3, RAP 15.1, RAP 16.7, RAP 16.20,)
 RAP 17.4, RAP 17.5, RAP 18.1, RAP 18.6,)
 RAP 18.14, RAP FORM 15A AND RAP)
 FORM 19)

The Court of Appeals having recommended the adoption of the proposed amendments to RAP 2.4, RAP 4.2, RAP 4.3, RAP 4.4, RAP 9.5, RAP 9.6, RAP 9.7, RAP 9.8, RAP 10.3, RAP 10.4, RAP 12.4, RAP 12.7, RAP 12.9, RAP 14.3, RAP 15.1, RAP 16.7, RAP 16.20, RAP 17.4, RAP 17.5, RAP 18.1, RAP 18.6, RAP 18.14, RAP FORM 15A AND RAP FORM 19, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed 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, 2010.

(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, 2010. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 5th day of November 2009.

For the Court

Gerry L. Alexander

CHIEF JUSTICE

GR 9 Cover Sheet

Suggested Amendment to RAP 2.4
SCOPE OF REVIEW OF A TRIAL COURT DECISION

Purpose: The proposal corrects two cross-references to a superior court criminal rule.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 2.4
SCOPE OF REVIEW OF A TRIAL COURT DECISION

(a) **Generally.** [No change.]

(b) **Order or Ruling Not Designated in Notice.** [No change.]

(c) **Final Judgment Not Designated in Notice.** Except as provided in rule 2.4(b), the appellate court will review a final judgment not designated in the notice only if the notice designates an order deciding a timely posttrial motion based on (1) CR 50(b) (judgment as a matter of law), (2) CR 52(b) (amendment of findings), (3) CR 59 (reconsideration, new trial, and amendment of judgments), (4) CrR 7.4 (arrest of judgment), or (5) CrR ~~7-6~~ 7.5 (new trial).

(d) **Order Deciding Alternative Post-Trial Motions in Civil Case.** [No change.]

(e) **Order Deciding Alternative Post-Trial Motions in Criminal Case.** [No change.]

(f) **Decisions on Certain Motions Not Designated in Notice.** An appeal from a final judgment brings up for

review the ruling of the trial court on an order deciding a timely motion based on (1) CR 50(b) (judgment as a matter of law), (2) CR 52(b) (amendment of findings), (3) CR 59 (reconsideration, new trial, and amendment of judgments), (4) CrR 7.4 (arrest of judgment), or (5) CrR ~~7.6~~ 7.5 (new trial).

(g) **Award of Attorney Fees.** [No change.]

GR 9 Cover Sheet

Suggested Amendment to RAP 4.2 DIRECT REVIEW OF SUPERIOR COURT DECISION BY SUPREME COURT

Purpose: The proposal amends section (b) to state that a statement of grounds for direct review should be filed only if the notice of appeal or notice for discretionary review is directed to the Supreme Court. The change is intended to clarify that: (1) a statement of grounds is required only when direct review is being sought in the Supreme Court; and (2) the statement of grounds for direct review is not a pleading that may be used to request transfer of review from the Court of Appeals to the Supreme Court.

The rule's sections (c) and (d) are amended to specify that both the statement of grounds for direct review and the answer to that statement need to meet the formatting requirements for appellate briefs found in RAP 10.4(a).

The technical changes in this proposal reflect current appellate practice.

SUGGESTED AMENDMENT RULES OF APPELLATE PROCEDURE (RAP)

RULE 4.2 DIRECT REVIEW OF SUPERIOR COURT DECISION BY SUPREME COURT

(a) **Type of Cases Reviewed Directly.** [No change.]

(b) ~~Service and Filing of Statement of Grounds for Direct Review.~~ **Procedure for Seeking Direct Review.** A party seeking direct review of a superior court decision in the Supreme Court must file a notice of appeal or notice for discretionary review directed to the Supreme Court. ~~Within~~ within 15 days after filing the notice of appeal or notice for discretionary review, the party seeking direct review must serve on all other parties and file in the Supreme Court a statement of grounds for direct review in the form provided in section (c).

(c) **Form of Statement of Grounds for Direct Review.** The statement should be captioned "Statement of Grounds for Direct Review," contain the title of the case as provided in rule 3.4, conform to the formatting requirements of rule 10.4(a). and contain under appropriate headings and in the order here indicated:

(1) *Nature of the Case and Decision.* A short statement of the substance of the case below and the basis for the superior court decision;

(2) *Issues Presented for Review.* A statement of each issue the party intends to present for review; and

(3) *Grounds for Direct Review.* The grounds upon which the party contends direct review should be granted.

The statement of grounds for direct review should not exceed 15 pages, exclusive of appendices and the title sheet.

(d) **Answer to Statement of Grounds for Direct Review.** A respondent may file an answer to the statement of grounds for direct review. In an appeal, the answer should be filed within 14 days after service of the statement on respondent. In a discretionary review, the answer should be filed with any response to the motion for discretionary review. The answer should conform to the formatting requirements of rule 10.4(a). The answer should not exceed 15 pages, exclusive of appendices and the title sheet.

(e) **Effect of Denial of Direct Review.** [No change.]

GR 9 Cover Sheet

Suggested Amendment to RAP 4.3 DIRECT REVIEW OF DECISIONS OF COURTS OF LIMITED JURISDICTION

Purpose: The proposal amends sections (c) and (d) to specify that both the statement of grounds for direct review and the answer to that statement need to meet the formatting requirements for appellate briefs that are found in RAP 10.4(a).

These technical changes reflect current appellate practice.

SUGGESTED AMENDMENT RULES OF APPELLATE PROCEDURE (RAP)

RULE 4.3 DIRECT REVIEW OF DECISIONS OF COURTS OF LIMITED JURISDICTION

(a) **Prerequisites for Direct Review of Decisions of Courts of Limited Jurisdiction.** [No change.]

(b) **Service and Filing of Statement of Grounds for Direct Review.** [No change.]

(c) **Form of Statement of Grounds for Direct Review.** The statement should be captioned "Statement of Grounds for Direct Review," contain the title of the case as provided in rule 3.4, conform to the formatting requirements of rule 10.4(a). and contain under appropriate headings and in the order here indicated:

(1) *Nature of Case and Decision.* [No change.]

(2) *Issues Presented for Review.* [No change.]

(3) *Grounds for Direct Review.* [No change.]

(4) *Appendix.* [No change.]

(d) **Answer to Statement of Grounds for Direct Review.** A respondent may file an answer to the statement of grounds for direct review. The answer should be filed within 14 days after service of the statement on respondent. The answer should conform to the formatting requirements of rule 10.4(a). The answer should not exceed 15 pages, exclusive of appendices and the title sheet.

(e) **Procedure.** [No change.]

GR 9 Cover Sheet

Suggested Amendment to RAP 4.4
TRANSFER OF CASES BY SUPREME COURT

Purpose: The proposal directs parties to perfect the record and file all briefs before filing a motion to transfer a case from the Court of Appeals to the Supreme Court. The proposal reflects current appellate practice.

SUGGESTED AMENDMENT
 RULES OF APPELLATE PROCEDURE (RAP)

RULE 4.4
 TRANSFER OF CASES BY SUPREME COURT

The Supreme Court, to promote the orderly administration of justice may, on its own initiative, upon certification by the Court of Appeals, or on motion of a party, transfer a case from the Court of Appeals to the Supreme Court or from one division to another division of the Court of Appeals. The Court of Appeals, on its own initiative or on motion of a party, may transfer a case from one division to another division pursuant to CAR 21(a). A party should not file a motion to transfer until the record has been perfected and all briefs have been filed in the Court of Appeals.

GR 9 Cover Sheet

Suggested Amendment to RAP 9.5
FILING AND SERVICE OF REPORT OF PROCEEDINGS—OBJEC-
TIONS

Purpose: The proposal eliminates a conflict between sections (a) and (b) by clarifying that it is the court reporter, not a party, who is required to file the notice of filing of the report of proceedings. The proposal also changes in several places the phrase "court reporter, or video transcriber, or authorized person" so that it more simply refers to "court reporter or authorized person." This change merely recognizes that courts have been moving away from the use of video transcribers and that video transcribers are otherwise covered with the term "authorized person."

SUGGESTED AMENDMENT
 RULES OF APPELLATE PROCEDURE (RAP)

RULE 9.5
 FILING AND SERVICE OF REPORT OF PROCEEDINGS—OBJEC-

(a) Generally. The party seeking review must file an agreed or narrative report of proceedings with the clerk of the trial court within 60 days after the statement of arrangements is filed. The court reporter or person authorized to prepare the verbatim report of proceedings must file it within 60 days after the statement of arrangements is filed and all named court reports are served. If the proceeding being reviewed was recorded on videotape, the transcript must be filed by the transcriber with the clerk of the trial court within 60 days

after the statement of arrangements is filed and all named court reporters are served. ~~The party who caused a report of proceedings to be filed should at the time of filing the report of proceedings serve notice that the report of proceedings has been filed and file proof of the service on all parties.~~

(1) [No change.]

(2) [No change.]

(b) Filing and Service of Verbatim Report of Proceedings. If a verbatim report of proceedings cannot be completed within 60 days after the statement of arrangement is filed and served, the court reporter or ~~video transcriber~~ or authorized person shall, no later than 10 days before the report of proceedings is due to be filed, submit an affidavit to the party who ordered the report of proceedings stating the reasons for the delay. The party who requested the verbatim report of proceedings should move for an extension of time from the appellate court. The clerk will notify the parties of the action taken on the motion. When the court reporter ~~or video transcriber~~ or authorized person files the verbatim report of proceedings, a copy shall be provided to the party who arranged for transcription and either the reporter ~~or video transcriber~~ or authorized person shall serve and file notice of the filing on all other parties and the appellate court. The notice of filing served on the appellate court shall include a declaration that (1) the transcript was computer generated and an ASCII diskette or compact disc was filed or (2) the transcript was not computer generated. Failure to timely file the verbatim report of proceedings and notice of service may subject the court reporter ~~or video transcriber~~ or authorized person to sanctions as provided in rule 18.9.

(c) Objections to Report of Proceedings. A party may serve and file objections to, and propose amendments to, a narrative report of proceedings or a verbatim report of proceedings within 10 days after receipt of the report of proceedings or receipt of the notice of filing of the report of proceedings. If objections or amendments to the report of proceedings are served and filed, any objections or proposed amendments must be heard by the trial court judge before whom the proceedings were held for settlement and approval, except objections to the form of a report of proceedings, which shall be heard by motion in the appellate court. The court may direct a party or a reporter ~~or typist~~ or authorized ~~person transcribing videotape~~ transcriber to pay for the expense of any modifications of the proposed report of proceedings. The motion procedure of the court deciding any objections shall be used in settling the report of proceedings.

(d) Substitute Judge May Settle Report of Proceedings. [No change.]

GR 9 Cover Sheet

Suggested Amendment to RAP 9.6
DESIGNATION OF CLERK'S PAPERS AND EXHIBITS

Purpose: The proposal specifies that a copy of the designation of clerk's papers needs to be filed with the appellate court clerk, while the original document needs to be filed with the trial court clerk. The proposal also clarifies that the

clerk's papers need to include either the notice of appeal or the notice for discretionary review.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 9.6
DESIGNATION OF CLERK'S PAPERS AND EXHIBITS

(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) 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) any written order or ruling not attached to the notice of appeal, of which a party seeks review;

(D) 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;

(c) Format. [No change.]

GR 9 Cover Sheet

**Suggested Amendment to RAP 9.7
PREPARING CLERK'S PAPERS AND
EXHIBITS FOR APPELLATE COURT**

Purpose: The proposal allows trial court clerks to transmit clerk's papers electronically, if authorized by the appellate court. The proposal also requires trial court clerks to file the clerk's papers within 14 days of receiving the party's payment.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 9.7
PREPARING CLERK'S PAPERS AND
EXHIBITS FOR APPELLATE COURT

(a) Clerk's Papers. The clerk of the trial court shall make copies at cost, not to exceed 50 cents a page, of those portions of the clerk's papers designated by the parties and prepare them for transmission to the appellate court. The clerk shall assemble the copies and number each page of the clerk's papers in chronological order of filing, and bind in volumes of no more than 200 pages, or, as authorized by the

appellate court, assemble and transmit the numbered clerk's papers to the appellate court in electronic format. The clerk shall prepare a cover sheet for the papers with the title "Clerk's Papers" and prepare an alphabetical index to the papers. The clerk shall promptly send a copy of the index to each party. The reproduction costs must be paid to the trial court clerk within 14 days of receipt of the index. Failure to do so may result in sanctions under rule 18.9. ~~Upon receipt of~~ Within 14 days of receiving payment, the clerk shall forward the clerk's papers to the appellate court.

(b) Exhibits. [No change.]

(c) Certified record of administrative adjudicative orders. [No change.]

GR 9 Cover Sheet

**Suggested Amendment to RAP 9.8
TRANSMITTING RECORD ON REVIEW**

Purpose: The proposal adds "hazardous items" to the list of exhibits that should not be forwarded to the appellate court without specific direction from that court.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 9.8
TRANSMITTING RECORD ON REVIEW

(a) Duty of Trial Court Clerk. [No change.]

(b) Cumbersome Exhibits. The clerk of the trial court shall transmit to the appellate court exhibits which are difficult or unusually expensive to transmit only if the appellate court directs or if a party makes arrangements with the clerk to transmit the exhibits at the expense of the party requesting the transfer of the exhibits. No weapons, controlled substances, hazardous items, or currency shall be forwarded unless directed by the appellate court.

(c) Temporary Transmittal to Another Court. [No change.]

GR 9 Cover Sheet

**Suggested Amendment to RAP 10.3
CONTENT OF BRIEF**

Purpose: The proposal specifies that many of the existing formatting requirements for an appellant/petitioner's opening brief also apply to the reply brief.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 10.3
CONTENT OF BRIEF

(a) Brief of Appellant or Petitioner. The brief of the appellant or petitioner should contain under appropriate headings and in the order here indicated:

(1) *Title Page.* A title page, which is the cover.

(2) *Tables.* A table of contents, with page references, and a table of cases (alphabetically arranged), statutes and other authorities cited, with references to the pages of the brief where cited.

(3) *Introduction.* A concise introduction. This section is optional. The introduction need not contain citations to the record of authority.

(4) *Assignments of Error.* A separate concise statement of each error a party contends was made by the trial court, together with the issues pertaining to the assignments of error.

(5) *Statement of the Case.* A fair statement of the facts and procedure relevant to the issues presented for review, without argument. Reference to the record must be included for each factual statement.

(6) *Argument.* The argument in support of the issues presented for review, together with citations to legal authority and references to relevant parts of the record. The argument may be preceded by a summary. The court ordinarily encourages a concise statement of the standard of review as to each issue.

(7) *Conclusion.* A short conclusion stating the precise relief sought.

(8) *Appendix.* An appendix to the brief if deemed appropriate by the party submitting the brief. An appendix may not include materials not contained in the record on review without permission from the appellate court, except as provided in rule 10.4(c).

(b) Brief of Respondent. [No change.]

(c) Reply Brief. A reply brief should conform with subsections (1), (2), (6), (7), and (8) of section (a) and be limited to a response to the issues in the brief to which the reply brief is directed.

(d) [Reserved; see rule 10.10.] [No change.]

(e) Amicus Curiae Brief. [No change.]

(f) Answer to Brief of Amicus Curiae. [No change.]

(g) Special Provision for Assignments of Error. [No change.]

(h) Assignments of Error on Review of Certain Administrative Orders. [No change.]

GR 9 Cover Sheet

**Suggested Amendment to RAP 10.4
PREPARATION AND FILING OF BRIEF BY PARTY**

Purpose: Currently, section (d) of RAP 10.4 addresses motions submitted in briefs. The proposal adds a sentence describing how to submit answers to these motions. The same sentence is also proposed for addition to the other rule that directly addresses motions in briefs, RAP 17.4(d).

**SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)**

**RULE 10.4
PREPARATION AND FILING OF BRIEF BY PARTY**

(a) Typing or Printing Brief. [No change.]

(b) Length of Brief. [No change.]

(c) Text of Statute, Rule, Jury Instruction, or the Like. [No change.]

(d) Motion in Brief. A party may include in a brief only a motion which, if granted, would preclude hearing the case on the merits. The answer to a motion within a brief may be made within the brief of the answering party in the time allowed for filing the brief.

(e) Reference to Party. [No change.]

(f) Reference to Record. [No change.]

(g) Citation Format. [No change.]

(h) Unpublished opinions. [No change.]

GR 9 Cover Sheet

**Suggested Amendment to RAP 12.4
MOTION FOR RECONSIDERATION OF
DECISION TERMINATING REVIEW**

(C) Purpose: The proposal provides that an order denying a petition for review is not subject to a motion for reconsideration. The proposal reflects the current appellate practice.

**SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)**

**RULE 12.4
MOTION FOR RECONSIDERATION OF
DECISION TERMINATING REVIEW**

(a) Generally. A party may file a motion for reconsideration only of a decision by the judges (1) terminating review, or (2) granting or denying a personal restraint petition on the merits. The motion should be in the form and be served and filed as provided in rules 17.3(a), 17.4 (a) and (g), and 18.5, except as otherwise provided in this rule. A party may not file a motion for reconsideration of an order refusing to modify a ruling by the commissioner or clerk, nor may a party file a motion for reconsideration of a Supreme Court order denying a petition for review.

(b) Time. [No change.]

(c) Content. [No change.]

(d) Answer and Reply. [No change.]

(e) Length. [No change.]

(f) No Oral Argument. [No change.]

(g) Grant of Motion. [No change.]

(h) Only One Motion Permitted. [No change.]

(i) Amicus Curiae Memoranda. [No change.]

GR 9 Cover Sheet

**Suggested Amendment to RAP 12.7
FINALITY OF DECISION**

Purpose: Currently, RAP 12.7(c) specifies that the appellate court may rule on fees and costs following the issuance of a mandate. The proposal expands the rule so that

these rulings are also allowed after the issuance of a certificate of finality.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 12.7
FINALITY OF DECISION

(a) **Court of Appeals.** [No change.]

(b) **Supreme Court.** [No change.]

(c) **Special Rule for Costs and Attorney Fees and Expenses.** The appellate court retains the power after the issuance of the mandate or the certificate of finality to act on questions of costs as provided in Title 14 and on questions of attorney fees and expenses as provided in rule 18.1.

(d) **Special Rule for Law of the Case.** [No change.]

GR 9 Cover Sheet

Suggested Amendment to RAP 12.9
RECALL OF MANDATE

Purpose: The proposal expands the rule on recalling mandates (RAP 12.9) to similarly allow for recalling certificates of finality. The proposal reflects current appellate practice.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 12.9
RECALL OF MANDATE OR CERTIFICATE OF FINALITY

(a) **To Require Compliance with Decision.** [No change.]

(b) **To Correct Mistake or Remedy Fraud.** The appellate court may recall a mandate or certificate of finality issued by it to correct an inadvertent mistake or to modify a decision obtained by the fraud of a party or counsel in the appellate court.

(c) **Time for Motion.** The motion to recall the mandate or certificate of finality must be made within a reasonable time.

GR 9 Cover Sheet

Suggested Amendment to RAP 14.3
EXPENSES ALLOWED AS COSTS

Purpose: The proposal changes the "reference" that accompanies RAP 14.3 to more specifically identify the applicable statute on attorney fees. No change is proposed for the rule itself.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 14.3
EXPENSES ALLOWED AS COSTS

[No change is proposed for the text of the rule, only for the references that appear after the rule.]

(a) **Generally.** [No change.]

(b) **Special Rule for Cost of Preparing Brief or Other Original Document.** [No change.]

(c) **Special Rule for Indigent Review.** [No change.]

References

Rule 18.1, Attorney Fees and Expenses; ~~RCW 4.84, Costs~~ RCW 4.84.080(2), Schedule of Attorneys' Fees.

GR 9 Cover Sheet

Suggested Amendment to RAP 15.1
PROCEDURES TO WHICH TITLE APPLIES

Purpose: The proposal corrects a cross-reference to another rule.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 15.1
PROCEDURES TO WHICH TITLE APPLIES

The rules in this title define the procedure to be used (1) to determine indigency and to determine the expenses of an indigent party to review which will be paid from public funds as provided in rule 15.2, (2) to obtain a waiver of charges imposed by the court as provided in rule 15.3, (3) to claim payment from public funds for services rendered to an indigent party to review as provided in rule 15.4, (4) to allow claims for expense as provided in rule 15.5, and (5) to recover public funds expended on behalf of an indigent as provided in rule 15.6. The rules in this title apply to all proceedings in the appellate court, except the rules apply to personal restraint petitions only to the extent defined in rule 16.15 ~~(f) and~~ (g) and (h).

GR 9 Cover Sheet

Suggested Amendment to RAP 16.7
PERSONAL RESTRAINT PETITION—FORM OF PETITION

Purpose: The proposal limits personal restraint petitions to 50 pages.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 16.7
PERSONAL RESTRAINT PETITION—FORM OF PETITION

(a) **Generally.** [No change.]

(b) **Standard Form.** [No change.]

(c) **Length of Petition.** The petition should not exceed 50 pages.

GR 9 Cover Sheet

Suggested Amendment to RAP 16.20
TRANSMITTAL OF JURY QUESTIONNAIRES AND
CLERK'S PAPERS IN CAPITAL CASES

Purpose: The proposal clarifies that it is the Supreme Court clerk, not the trial court clerk, that provides the juror questionnaires to the appellate attorneys in a capital case.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 16.20
TRANSMITTAL OF JURY QUESTIONNAIRES AND
CLERK'S PAPERS IN CAPITAL CASES

If questionnaires are used during jury selection, the clerk of the trial court shall seal and transmit a copy of all the questionnaires to the Supreme Court along with all of the clerk's papers, including copies of any clerk's minutes. The clerk of the Supreme Court will provide defendant's appellate counsel and the prosecuting attorney copies of all of the juror questionnaires. These copies shall remain in the possession of counsel and not be made available to the defendant.

The clerk of the Supreme Court shall copy and distribute the clerk's papers as follows: one copy to the defendant, two copies to the defendant's appellate attorneys, and one copy to the prosecuting attorney.

GR 9 Cover Sheet

Suggested Amendment to RAP 17.4
FILING AND SERVICE OF MOTION—ANSWER TO MOTION

Purpose: The proposal revises deadlines and procedures for filing and hearing motions:

- Several specific deadlines that are inconsistent with current appellate practices are deleted or revised.
- Section (a)'s procedures for noting motions are changed to provide greater consistency among the practices of the three divisions.
- The procedures for emergency motions are revised in section (b).
- Procedures for responding to a motion within a brief are added to section (d). The same change is also being proposed in RAP 10.4(d).
- New procedures relating to answers to motions are added to section (e).

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

RULE 17.4
FILING AND SERVICE OF MOTION—ANSWER TO MOTION

(a) Filing and Service Generally; Procedure for Noting a Motion Where Permitted.

(1) A motion filed by a party Except in the special circumstances defined in section (c), a motion must be served on all parties, amicus, and other persons entitled to notice.

(2) The Supreme Court and each division of the Court of Appeals will determine by General Order whether a party may note a motion for hearing. Except in the special circumstances defined in sections (b), (c), and (d), a motion which is to be decided by a commissioner or the clerk If a party is permitted to note a motion for hearing, the motion must be accompanied by a notice of the time and date set for oral argument of the motion. The movant should contact the clerk of the appellate court to determine the date and time available for argument of the motion. The motion and notice must be served on all parties, amicus, and other persons entitled to notice and filed in the appellate court at least 10 15 days before the date noted for the hearing on the motion. If service is by mail, the moving party must mail the motion and notice at least 13 days before the date noted for hearing the motion. If a motion is not noted for hearing and the court does not set a date for a hearing, the motion will be decided without oral argument.

(b) Emergency Motion. In an emergency, a person may present request expedited consideration of a motion to the commissioner or clerk on notice less than that required by section (a) and at any time and place the commissioner or clerk will make available to hear the motion. The person presenting the motion must, at the time the motion is made, file an affidavit stating the type of notice given and the time and date the notice was given to each person, and explain in the motion why it should be decided on an emergency basis. The If the court requires an answer or sets the motion for argument, it will notify the parties and other persons entitled to notice as to when an answer should be filed, and of the date, time, and place the motion will be heard. The commissioner or clerk may decide the motion only if satisfied (1) that adequate relief cannot be given if a decision of the motion is delayed to permit the notice required by section (a) the motion is considered in the normal course, and (2) the movant has taken reasonable steps under the circumstances to give notice to persons who would be affected by the ruling sought. An emergency motion may be presented on less notice that that required by section (a).

(c) Summary Determination.

(1) The commissioner or clerk may summarily determine without oral argument, and without awaiting a response an answer, a motion which, in the judgment of the commissioner or clerk, does not affect a substantial right of a party.

(2) If the commissioner or clerk makes a summary determination granting a motion under subsection (c)(1) of this rule, and a party files and serves a timely responsive pleading after the ruling has been entered, the commissioner or clerk will treat the responsive pleading as a motion for reconsideration of the ruling. If such a responsive pleading is filed, the

commissioner or clerk may permit the moving party to file a reply and may allow oral argument on the motion.

(d) Motion in Brief. A party may include in a brief only a motion which, if granted, would preclude hearing the case on the merits. The answer to a motion within a brief may be made within the brief of the answering party in the time allowed for filing the brief.

(e) Answer and Reply to Motion; Reply. A person with a recognized interest in the subject matter of the motion may submit a written answer to the motion. ~~If the motion is to be determined without oral argument, the court will set a date for the filing of the answer to the motion. If the motion is set for oral argument, the answer must be served and filed at least 4 days preceding the day of hearing. If service is by mail, the answering party must mail the answer at least 7 days before the day noted for hearing the motion. Unless the court directs otherwise, any answer must be filed and served no later than 10 days after the motion is served on the answering party.~~ The answer to a motion within a brief may be made within the brief of the answering party. The moving party may submit a written reply to the answer to the motion. ~~If the motion is to be determined without oral argument, the court will set a date for the filing of a reply. If the motion is set for oral argument, the reply to an answer must be served and filed by noon 2 days before the hearing. Unless the court directs otherwise, any reply to an answer must be filed and served no later than 3 days after the answer is served on the moving party, but at least 1 day prior to the date set for oral argument.~~

(f) Supporting Papers. A person should serve and file with the motion all affidavits and other papers submitted in support of the motion. ~~A person must, in any event, serve and file affidavits and other papers submitted in support of the motion not less than 5 days before the date designated for hearing the motion. If the affidavits and other papers are mailed, the person must, in any event, mail them at least 8 days before the day noted for hearing the motion.~~ Affidavits and other papers submitted in support of an answer or reply must be served and filed with the answer or reply. Rule 9.11 does not apply to affidavits and other papers submitted in connection with a motion other than a motion on the merits under rule 18.14.

(g) Length of Motion, ~~Response~~ Answer and Reply; Form of Papers and Number of Copies.

(1) A motion and ~~response~~ answer should not exceed 20 pages, not including supporting papers. A reply should not exceed 10 pages, not including supporting papers. For compelling reasons, the court may grant a motion to file an over-length motion, ~~response~~ answer, or reply.

(2) All papers relating to motions or ~~responses~~ answers should be filed in the form provided for briefs in rule 10.4(a), provided an original only and no copy should be filed. The appellate court commissioner or clerk will reproduce additional copies that may be necessary for the appellate court and charge the appropriate party as provided in rule 10.5(a).

GR 9 Cover Sheet

Suggested Amendment to RAP 17.5 ORAL ARGUMENT OF MOTION

Purpose: The proposal revised RAP 17.5 for consistency with the changes that are proposed for RAP 17.4

SUGGESTED AMENDMENT RULES OF APPELLATE PROCEDURE (RAP)

RULE 17.5 ORAL ARGUMENT OF MOTION

(a) Oral Argument to Commissioner or Clerk. ~~Unless the motion is determined without oral argument, as provided in rule 17.4(e) for a motion determined summarily~~ If oral argument is permitted by General Order, the movant, and any person entitled to notice of the motion who has filed a response to the motion, may present oral argument on a motion to be decided by a commissioner or the clerk.

(b) Oral Argument to Judges. [No change.]

(c) Date and Time of Argument. [No change.]

(d) Time Allowed, Order, and Conduct of Oral Argument. [No change.]

(e) Telephone Argument. [No change.]

GR 9 Cover Sheet

Suggested Amendment to RAP 18.1 ATTORNEY FEES AND EXPENSES

Purpose: The proposal amends section (b) to add a cross-reference to section (j). The change makes explicit what is currently implied. Section (j) represents an exception to the statement in section (b) that a request for attorney fees made in the Court of Appeals is treated as a continuing request in the Supreme Court. Under section (j), a party who seeks attorney fees in the Supreme Court for answering a petition for review that is subsequently denied must include a request for those fees in the answer.

SUGGESTED AMENDMENT RULES OF APPELLATE PROCEDURE (RAP)

RULE 18.1 ATTORNEY FEES AND EXPENSES

(a) Generally. [No change.]

(b) Argument in Brief. The party must devote a section of its opening brief to the request for the fees or expenses. Requests made at the Court of Appeals will be considered as continuing requests at the Supreme Court, except as stated in section (j). The request should not be made in the cost bill. In a motion on the merits pursuant to rule 18.14, the request and supporting argument must be included in the motion or response if the requesting party has not yet filed a brief.

(c) Affidavit of Financial Need. [No change.]

(d) Affidavit of Fees and Expenses. [No change.]

(e) **Objection to Affidavit of Fees and Expenses; Reply.** [No change.]

(f) **Commissioner or Clerk Award Fees and Expenses.** [No change.]

(g) **Objection to Award.** [No change.]

(h) **Transmitting Judgment on Award.** [No change.]

(i) **Fees and Expenses Determined After Remand.** [No change.]

(j) **Fees for Answering Petition for Review.** If attorney fees and expenses are awarded to the party who prevailed in the Court of Appeals, and if a petition for review to the Supreme Court is subsequently denied, reasonable attorney fees and expenses may be awarded for the prevailing party's preparation and filing of the timely answer to the petition for review. A party seeking attorney fees and expenses should request them in the answer to the petition for review. The Supreme Court will decide whether fees are to be awarded at the time the Supreme Court denies the petition for review. If fees are awarded, the party to whom fees are awarded should submit an affidavit of fees and expenses within the time and in the manner provided in section (d). An answer to the request or a reply to an answer may be filed within the time and in the manner provided in section (e). The commissioner or clerk of the Supreme Court will determine the amount of fees without oral argument, unless oral argument is requested by the commissioner or clerk. Section (g) applies to objections to the award of fees and expenses by the commissioner or clerk.

GR 9 Cover Sheet

**Suggested Amendment to RAP 18.6
COMPUTATION OF TIME**

Purpose: The proposal removes a cross-reference to RAP 17.4. Due to the changes being proposed to RAP 17.4, that rule will no longer set forth an exception to the computation of time under RAP 18.6.

**SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)**

**RULE 18.6
COMPUTATION OF TIME**

(a) **Generally.** [No change.]

(b) **Service by Mail.** Except as provided in ~~rule 17.4 or~~ GR 3.1, if the time period in question applies to a party serving a paper by mail, the paper is timely served if mailed within the time permitted for service. Except as provided in GR 3.1, if the time period in question applies to the party upon whom service is made, the time begins to run 3 days after the paper is mailed to the party.

(c) **Filing by Mail.** Except as provided in GR 3.1, a brief authorized by Title 10 or Title 13 is timely filed if mailed to the appellate court within the time permitted for filing. Except as provided in ~~rule 17.4 or~~ GR 3.1, any other paper, including a petition for review, is timely filed only if it is received by the appellate court within the time permitted for filing.

GR 9 Cover Sheet

**Suggested Amendment to RAP 18.14
MOTION ON THE MERITS**

Purpose: The proposal amends the rule on motions on the merits by substituting "opening brief" for "appellant's brief." This change is needed because motions on the merits can be filed whether a case is on appeal or discretionary review. The term "appellant's brief" is too narrow for this context.

**SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)**

**RULE 18.14
MOTION ON THE MERITS**

(a) **Generally.** [No change.]

(b) **Time.** A party may submit a motion on the merits to affirm any time after the ~~appellant's~~ opening brief has been filed. A party may submit a motion on the merits to reverse any time after the respondent's brief has been filed. The appellate court on its own motion may, at any time, set a case on the motion calendar for disposition and enter orders the court deems appropriate to facilitate the hearing and disposition of the case. The clerk will notify the parties of the setting and of any orders entered by the court.

(c) **Content, Filing, and Service; Response.** [No change.]

(d) **Who Decides Motion.** [No change.]

(e) **Considerations Governing Decision on Motion.** [No change.]

(f) **Oral Argument.** [No change.]

(g) **Form of Decision Denying Motion.** [No change.]

(h) **Form of Decision Granting Motion.** [No change.]

(i) **Review of Ruling.** [No change.]

(j) **Nondisqualification of Judge.** [No change.]

(k) **Procedure Optional With Court.** [No change.]

GR 9 Cover Sheet

**Suggested Amendment to RAP Form 15A
NOTICE OF FILING
VERBATIM REPORT OF PROCEEDINGS**

Purpose: The proposal changes the form that court reporters/transcribers use for filing a verbatim report of proceedings. The proposal adds checkboxes and a sentence relating to computer-generated transcripts. The sentence serves to remind court reporters/transcribers that they need to file the ASCII version of a computer-generated transcript.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

FORM 15A. NOTICE OF FILING
VERBATIM REPORT OF PROCEEDINGS

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON,
DIVISION _____

) No.
)
v.) NOTICE OF FILING VERBATIM
) REPORT OF PROCEEDINGS (RAP
) 9.5)

DECLARATION

I, (name), court reporter/transcriber, filed the verbatim report of proceedings for 20 on 20, for the following dates and provided a copy to the party who arranged for transcription:

The transcript (check one): was computer generated
was not computer generated.

If it was computer generated, I filed a copy of the ASCII diskette or compact disk on the same date as the transcript was filed and provided a copy to the party who arranged for transcription.

CERTIFICATE OF SERVICE

I certify that on the day of 20, I caused a true and correct copy of this Notice to be served on the following in the manner indicated below:

() U.S. Mail
() Hand Delivery
()

() U.S. Mail
() Hand Delivery
()

() U.S. Mail
() Hand Delivery
()

By: _____

GR 9 Cover Sheet

Suggested Amendment to RAP Form 19
NOTICE OF MOTION

Purpose: The proposal corrects a mistake in the form's caption. The form is a notice for motion, not a civil appeal statement. The proposal also changes "rule" to "RAP," reflecting the fact that forms like this are sometimes found separated from the rules themselves, such that a reference to a "rule" does not clearly identify the rule being referred to.

SUGGESTED AMENDMENT
RULES OF APPELLATE PROCEDURE (RAP)

FORM 19
NOTICE OF MOTION

(Rule RAP 17.4(a))
(Supreme Court or Court of Appeals, Division _____)
of the State of Washington

[Title of trial court proceeding with) No. (appellate court)
parties designated as in Rule 3.4])
) CIVIL APPEAL STATEMENT
) NOTICE FOR MOTION

To: (Names of persons entitled to notice and their attorneys. See rule RAP 17.4(a).)

(Name of moving party), (appellant, petitioner, or respondent), will bring on for hearing (name of motion, for example: "Motion to Substitute Appellant") on (date). The motion will be heard by the (Judges, Commissioner, or Clerk) at (hour), or as soon thereafter as the motion can be heard. The address of the place of hearing is [room number and address].

(Date)

Signature
(Name of attorney)
Washington State Bar Association membership number
Attorney for (Appellant, Respondent, or Petitioner)

(The notice may be made a part of the motion.)

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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 09-23-034
RULES OF COURT
STATE SUPREME COURT

[November 5, 2009]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE NEW CODE OF JUDICIAL CON-) NO. 25700-A-930
DUCT)

The Code of Judicial Conduct Task Force having recommended the adoption of the new Code of Judicial Conduct, and the Court having approved the proposed adoption for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed adoption shown below is to be published for comment in the Washington Reports, Washington Register, Washing-

ton State Bar Association and Administrative Office of the Court's websites in January 2010.

(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, 2010. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 5th day of November, 2009.

For the Court

Gerry L. Alexander
CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendments
RESCINDING
CURRENT CODE OF JUDICIAL CONDUCT
and
ADOPTING
NEW CODE OF JUDICIAL CONDUCT

(Hearing is Not Recommended)

Submitted by the Code of Judicial Conduct Task Force

Purpose: This proposal is a wholesale substantive revision of the Code of Judicial Conduct, which govern conduct of judicial officers in Washington. To accomplish the revision, the current Code of Judicial Conduct would be rescinded and the new Code of Judicial Conduct adopted. The Task Force makes this recommendation after its review of the 2007 American Bar Association (ABA) Model Code of Judicial Conduct and the provisions in the current Code of Judicial Conduct over the over the last year.

In addition to the substantive changes in the Code, the new Code has been substantially reformatted. Scope [2]

explains the functionality of the new Code organization. That is, that the canons state the overarching principles of judicial ethics that all judicial officers are to observe but a judicial officer may only be punished for the violation of a rule. The comments are more extensive than those in the current Code. They are intended to provide guidance of the meaning and application of the rules but the comment itself is not enforceable. The second purpose for the comments is to identify aspirational goals for judicial officers.

The changes suggested are too numerous to set out. A detailed summary of those changes is posted on the task force Web site at: http://www.courts.wa.gov/committee/?fa=committee.home&committee_id=141. Proposed Code provisions which are the same as those in the ABA Model Code are not noted here but are detailed in the summary cited above.

The major substantive changes are:

- The appearance of impropriety standard is removed from Rule 1.2 and the comments to that rule although it is retained in Canon 1.
Rule 2.11 (A)(4) is a new concept in the Code specifically addressing disqualification based on contributions made to a judge's campaign.
Rule 2.16 specifically requires that a judge cooperate with judicial and lawyer disciplinary agencies and not retaliate against a person who has assisted or cooperated in such an investigation.
A judicial officer's personal and extrajudicial activities are now combined under Canon 3 and its rules and comments. In the current Code those activities are addressed in Canons 4, 5 and 6.
Even though Canon 4 and its rules governing political and campaign conduct are reorganized, the rules governing campaign conduct mirror those under the current Code.

Additional supporting information, including Task Force minutes, is available at the AOC Web site at: http://www.courts.wa.gov/committee/?fa=committee.home&committee_id=141

Washington State Supreme Court Code of Judicial Conduct Task Force Proposed New Washington State Code of Judicial Conduct September 8, 2009

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PREAMBLE

[1] An independent, fair and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of men and women of integrity, will interpret and apply the law that governs our society. Thus, the judiciary plays a central role in preserving the principles of justice and the rule of law. Inherent in all the Rules contained in this Code are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system.

[2] Judges should maintain the dignity of judicial office at all times, and avoid both impropriety and the appearance of impropriety in their professional and personal lives. They should aspire at all times to conduct that ensures the greatest possible public confidence in their independence, impartiality, integrity, and competence.

[3] The Washington State Code of Judicial Conduct establishes standards for the ethical conduct of judges and judicial candidates. It is not intended as an exhaustive guide. The Code is intended, however, to provide guidance and assist judges in maintaining the highest standards of judicial and personal conduct, and to provide a basis for regulating their conduct through the Commission on Judicial Conduct.

SCOPE

[1] The Washington State Code of Judicial Conduct consists of four Canons, numbered Rules under each Canon, and Comments that generally follow and explain each Rule. Scope and Terminology sections provide additional guidance in interpreting and applying the Code. An Application section establishes when the various Rules apply to a judge or judicial candidate.

[2] The Canons state overarching principles of judicial ethics that all judges must observe. They provide important guidance in interpreting the Rules. A judge may be disciplined only for violating a Rule.

[3] The Comments that accompany the Rules serve two functions. First, they provide guidance regarding the purpose, meaning, and proper application of the Rules. They contain explanatory material and, in some instances, provide examples of permitted or prohibited conduct. Comments neither add to nor subtract from the binding obligations set forth in the Rules. Therefore, when a Comment contains the term "must," it does not mean that the Comment itself is binding or enforceable; it signifies that the Rule in question, properly understood, is obligatory as to the conduct at issue.

[4] Second, the Comments identify aspirational goals for judges. To implement fully the principles of this Code as articulated in the Canons, judges should strive to exceed the standards of conduct established by the Rules, holding themselves to the highest ethical standards and seeking to achieve those aspirational goals, thereby enhancing the dignity of the judicial office.

[5] The Rules of the Washington State Code of Judicial Conduct are rules of reason that should be applied consistent with constitutional requirements, statutes, other court rules, and decisional law, and with due regard for all relevant circumstances. The Rules should not be interpreted to impinge upon the essential independence of judges in making judicial decisions.

[6] Although the black letter of the Rules is binding and enforceable, it is not contemplated that every transgression will result in the imposition of discipline. It is recognized, for example, that it would be unrealistic to sanction judges for minor traffic or civil infractions. Whether discipline should be imposed should be determined through a reasonable and reasoned application of the Rules. The relevant factors for consideration should include the seriousness of the transgression, the facts and circumstances that existed at the time of the transgression, including the willfulness or knowledge of the impropriety of the action, the extent of any pattern of improper activity, whether there have been previous violations, and the effect of the improper activity upon the judicial system or others.

[7] The Code is not designed or intended as a basis for civil or criminal liability. Neither is it intended to be the basis for litigants to seek collateral remedies against each other or to obtain tactical advantages in proceedings before a court.

APPLICATION

The Application section establishes when the various Rules apply to a judge, court commissioner, judge pro tempore or judicial candidate.

I. APPLICABILITY OF THIS CODE

(A) A judge, within the meaning of this Code, is anyone who is authorized to perform judicial functions, including an officer such as a magistrate, court commissioner, special master, referee, part-time judge or judge pro tempore.

(B) The provisions of the Code apply to all judges except as otherwise noted for part-time judges and judges pro tempore.

(C) All judges who hold a position that is subject to election shall comply with all provisions of Rules 4.1 (Political and Campaign Activities of Judges and Judicial Candidates in General), 4.2 (Political and Campaign Activities of Judicial Candidates in Public Elections), 4.3 (Activities of Candidates for Appointive Judicial Office), 4.4 (Campaign Committees), and 4.5 (Activities of Judges Who Become Candidates for Nonjudicial Office). Rules 4.1 (Political and Campaign Activities of Judges and Judicial Candidates in General), 4.2 (Political and Campaign Activities of Judicial Candidates in Public Elections), 4.3 (Activities of Candidates for Appointive Judicial Office) and 4.4 (Campaign Committees) apply to judicial candidates.

(D) All judges shall comply with statutory requirements applicable to their position with respect to reporting and disclosure of financial affairs.

COMMENT

[1] The Rules in this Code have been formulated to address the ethical obligations of any person who serves a judicial function, and are premised upon the supposition that a uniform system of ethical principles should apply to all those authorized to perform judicial functions.

[2] This Code and its Rules do not apply to any person who serves as an administrative law judge or in a judicial capacity within an administrative agency.

[3] The determination of whether an individual judge is exempt from specific Rules depends upon the facts of the particular judicial service.

[4] The Legislature has authorized counties to establish and operate drug courts and mental health courts. Judges presiding in these special courts are subject to these Rules, including Rule 2.9 (A)(1) on ex parte communications, and must continue to operate within the usual judicial role as an independent decision maker on issues of fact and law. But the Rules should be applied with the recognition that these courts may properly operate with less formality of demeanor and procedure than is typical of more traditional courts. Application of the rules should also be attentive to the terms and waivers in any contract to which the individual whose conduct is being monitored has agreed in exchange for being allowed to participate in the special court program.

II. PART-TIME JUDGE

(A) A part-time judge is not required to comply:

(1) with Rule 2.10 (Judicial Statements on Pending and Impending Cases), except while serving as a judge; or

(2) at any time with Rules 3.4 (Appointments to Governmental Positions), 3.8 (Appointments to Fiduciary Positions), 3.9 (Service as Arbitrator or Mediator), 3.10 (Practice of Law), 3.11 (Financial, Business, or Remunerative Activities), and 3.14 (Reimbursement of Expenses and Waivers of Fees or Charges).

(B) A part-time judge shall not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto.

(C) When a person who has been a part-time judge is no longer a part-time judge, that person may act as a lawyer in a proceeding in which he or she served as a judge or in any other proceeding related thereto only with the express consent of all parties pursuant to the Rules of Professional Conduct.

COMMENT

[1] Part-time judges should be alert to the possibility of conflicts of interest and should liberally disclose on the record to litigants appearing before them the fact of any extrajudicial employment or other judicial role, even if there is no apparent reason to withdraw.

[2] In view of Rule 2.1, which provides that the judicial duties of judges should take precedence over all other activities, part-time judges should not engage in outside employment which would interfere with their ability to sit on cases that routinely come before them.

III. JUDGE PRO TEMPORE

A judge pro tempore is not required to comply:

(A) except while serving as a judge, with Rule 1.2 (Promoting Confidence in the Judiciary), Rule 2.4 (External Influences on Judicial Conduct), Rule 2.10 (Judicial Statements on Pending and Impending Cases); or Rule 3.1 (Extrajudicial Activities in General); or

(B) at any time with Rules 3.2 (Appearances before Governmental Bodies and Consultation with Government Officials), 3.3 (Acting as a Character Witness), or 3.4 (Appointments to Governmental Positions), or with Rules 3.6 (Affiliation with Discriminatory Organizations), 3.7 (Participation in Educational, Religious, Charitable, Fraternal, or Civic Organizations and Activities), 3.8 (Appointments to Fiduciary Positions), 3.9 (Service as Arbitrator or Mediator), 3.10 (Practice of Law), 3.11 (Financial, Business, or Remunerative Activities), or 3.12 (Compensation for Extrajudicial Activities).

(C) A judge pro tempore shall not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto.

(D) When a person who has been a judge pro tempore is no longer a judge pro tempore, that person may act as a lawyer in a proceeding in which he or she served as a judge or in any other proceeding related thereto only with the express consent of all parties pursuant to the Rules of Professional Conduct.

VI. TIME FOR COMPLIANCE

A person to whom this Code becomes applicable shall comply immediately with its provisions, except that those judges to whom Rules 3.8 (Appointments to Fiduciary Positions) and 3.11 (Financial, Business, or Remunerative Activities) apply shall comply with those Rules as soon as reasonably possible, but in no event later than one year after the Code becomes applicable to the judge.

COMMENT

[1] If serving as a fiduciary when selected as judge, a new judge may, notwithstanding the prohibitions in Rule 3.8, continue to serve as fiduciary, but only for that period of time necessary to avoid serious adverse consequences to the bene-

ficiaries of the fiduciary relationship and in no event longer than one year. Similarly, if engaged at the time of judicial selection in a business activity, a new judge may, notwithstanding the prohibitions in Rule 3.11, continue in that activity for a reasonable period but in no event longer than one year.

TERMINOLOGY

The first time any term listed below is used in a Rule in its defined sense, it is followed by an asterisk (*).

"Aggregate," in relation to contributions for a candidate, means not only contributions in cash or in-kind made directly to a candidate's campaign committee, but also all contributions made indirectly with the understanding that they will be used to support the election of a candidate or to oppose the election of the candidate's opponent. See Rules 2.11 and 4.4.

"Appropriate authority" means the authority having responsibility for initiation of disciplinary process in connection with the violation to be reported. See Rules 2.14 and 2.15.

"Contribution" means both financial and in-kind contributions, such as goods, professional or volunteer services, advertising, and other types of assistance, which, if obtained by the recipient otherwise, would require a financial expenditure. See Rules 2.11, 2.13, 3.7, 4.1, and 4.4.

"De minimis," in the context of interests pertaining to disqualification of a judge, means an insignificant interest that could not raise a reasonable question regarding the judge's impartiality. See Rule 2.11.

"Domestic partner" means a person with whom another person maintains a household and an intimate relationship, other than a person to whom he or she is legally married. See Rules 2.11, 2.13, 3.13, and 3.14.

"Economic interest" means ownership of more than a de minimis legal or equitable interest. Except for situations in which the judge participates in the management of such a legal or equitable interest, or the interest could be substantially affected by the outcome of a proceeding before a judge, it does not include:

- (1) an interest in the individual holdings within a mutual or common investment fund;
- (2) an interest in securities held by an educational, religious, charitable, fraternal, or civic organization in which the judge or the judge's spouse, domestic partner, parent, or child serves as a director, an officer, an advisor, or other participant;
- (3) a deposit in a financial institution or deposits or proprietary interests the judge may maintain as a member of a mutual savings association or credit union, or similar proprietary interests; or
- (4) an interest in the issuer of government securities held by the judge.

See Rules 1.3 and 2.11.

"Fiduciary" includes relationships such as executor, administrator, trustee, or guardian. See Rules 2.11, 3.2, and 3.8.

"Financial Support" shall mean the total of the following items:

(1) Contributions to the judge's campaign and independent expenditures in support of the judge's campaign or against the judge's opponent as defined by RCW 42.17.020.

(2) The pro rata share of any contribution to a political committee as defined by RCW 42.17.020 that is either contributed to the judge's campaign or spent by the political committee in support of the judge's campaign or against the judge's opponent.

(3) The pro rata share is calculated by multiplying the total spent by the political committee by a fraction the numerator of which is the total contributed by the adverse party to the political committee and the denominator is the total contributed by all persons to the political committee.

(4) In calculating the pro rata share, if funds are passed through a series of political committees, the same fractional calculation will be used for each committee.

(5) The attribution rules of RCW 42.17.650 through .680 shall be used in calculating financial support.

(6) Any financial support by an officer, director, or owner of an equity interest of 10% or more in any corporation, partnership or other entity shall be attributed to the corporation, partnership or other entity, and any financial support by the corporation, partnership or other entity shall be attributed to any officer, director, or owner of an equity interest of 10% or more.

See Rule 2.11.

"Impartial," "impartiality," and "impartially" mean absence of bias or prejudice in favor of, or against, particular parties or classes of parties, as well as maintenance of an open mind in considering issues that may come before a judge. See Canons 1, 2, and 4, and Rules 1.2, 2.2, 2.10, 2.11, 2.13, 3.1, 3.12, 3.13, 4.1, and 4.2.

"Impending matter" is a matter that is imminent or expected to occur in the near future. See Rules 2.9, 2.10, 3.13, and 4.1.

"Impropriety" includes conduct that violates the law, court rules, or provisions of this Code, and conduct that undermines a judge's independence, integrity, or impartiality. See Canon 1 and Rule 1.2.

"Independence" means a judge's freedom from influence or controls other than those established by law. See Canons 1 and 4, and Rules 1.2, 3.1, 3.12, 3.13, and 4.2.

"Integrity" means probity, fairness, honesty, uprightness, and soundness of character. See Canon 1 and Rule 1.2.

"Invidious discrimination" is a classification which is arbitrary, irrational, and not reasonably related to a legitimate purpose. Differing treatment of individuals based upon race, sex, gender, religion, national origin, ethnicity, sexual orientation, age, or other classification protected by law, are situations where invidious discrimination may exist. See Rules 3.1 and 3.6.

"Judicial candidate" means any person, including a sitting judge, who is seeking selection for or retention in judicial office by election or appointment. A person becomes a candidate for judicial office as soon as he or she makes a public announcement of candidacy, declares or files as a candidate with the election or appointment authority, authorizes or, where permitted, engages in solicitation or acceptance of contributions or support, or is nominated for election or appointment to office. See Rules 2.11, 4.1, 4.2, and 4.4.

"Knowingly," "knowledge," "known," and "knows" mean actual knowledge of the fact in question. A person's knowledge may be inferred from circumstances. See Rules 2.11, 2.13, 2.15, 2.16, 3.6, and 4.1.

"Law" encompasses court rules as well as statutes, constitutional provisions, and decisional law. See Rules 1.1, 2.1, 2.2, 2.6, 2.7, 2.9, 3.1, 3.4, 3.9, 3.12, 3.13, 3.14, 3.15, 4.1, 4.2, 4.4, and 4.5.

"Member of the candidate's family" means a spouse, domestic partner, child, grandchild, parent, grandparent, or other relative or person with whom the candidate maintains a close familial relationship.

"Member of the judge's family" means a spouse, domestic partner, child, grandchild, parent, grandparent, or other relative or person with whom the judge maintains a close familial relationship. See Rules 3.7, 3.8, 3.10, and 3.11.

"Member of a judge's family residing in the judge's household" means any relative of a judge by blood or marriage, or a person treated by a judge as a member of the judge's family, who resides in the judge's household. See Rules 2.11 and 3.13.

"Nonpublic information" means information that is not available to the public. Nonpublic information may include, but is not limited to, information that is sealed by statute or court order or impounded or communicated in camera, and information offered in grand jury proceedings, presentencing reports, dependency cases, or psychiatric reports. See Rule 3.5.

"Part-time judge" Part-time judges are judges who serve on a continuing or periodic basis, but are permitted by law to devote time to some other profession or occupation and whose compensation for that reason is less than a full-time judge. A person who serves part-time as a judge on a regular or periodic basis in excess of eleven cases or eleven dockets annually, counted cumulatively without regard to each jurisdiction in which that person serves as a judge, is a part-time judge.

"Pending matter" is a matter that has commenced. A matter continues to be pending through any appellate process until final disposition. See Rules 2.9, 2.10, 3.13, and 4.1.

"Personally solicit" means a direct request made by a judge or a judicial candidate for financial support or in-kind services, whether made by letter, telephone, or any other means of communication. See Rule 4.1.

"Political organization" means a political party or other group sponsored by or affiliated with a political party or candidate, the principal purpose of which is to further the election or appointment of candidates for political office. For purposes of this Code, the term does not include a judicial candidate's campaign committee created as authorized by Rule 4.4. See Rules 4.1 and 4.2.

"Pro tempore judge" Without regard to statutory or other definitions of a pro tempore judge, within the meaning of this Code a pro tempore judge is a person who serves only once or at most sporadically under a separate appointment for a case or docket. Pro tempore judges are excused from compliance with certain provisions of this Code because of their infrequent service as judges. A person who serves or expects to serve part-time as a judge on a regular or periodic basis in fewer than twelve cases or twelve dockets annually, counted

cumulatively without regard to each jurisdiction in which that person serves as a judge, is a pro tempore judge.

"**Public election**" includes primary and general elections, partisan elections, nonpartisan elections, and retention elections. See Rules 4.2 and 4.4.

"**Third degree of relationship**" includes the following persons: great-grandparent, grandparent, parent, uncle, aunt, brother, sister, child, grandchild, great-grandchild, nephew, and niece. See Rule 2.11.

CANON 1

A JUDGE SHALL UPHOLD AND PROMOTE THE INDEPENDENCE, INTEGRITY, AND IMPARTIALITY OF THE JUDICIARY, AND SHALL AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY.

RULE 1.1

Compliance with the Law

A judge shall comply with the law,* including the Code of Judicial Conduct.

COMMENT

See Scope [6].

RULE 1.2

Promoting Confidence in the Judiciary

A judge shall act at all times in a manner that promotes public confidence in the independence,* integrity,* and impartiality* of the judiciary, and shall avoid impropriety.*

COMMENT

[1] Public confidence in the judiciary is eroded by improper conduct. This principle applies to both the professional and personal conduct of a judge.

[2] A judge should expect to be the subject of public scrutiny that might be viewed as burdensome if applied to other citizens, and must accept the restrictions imposed by the Code.

[3] Conduct that compromises the independence, integrity, and impartiality of a judge undermines public confidence in the judiciary.

[4] Judges should participate in activities that promote ethical conduct among judges and lawyers, support professionalism within the judiciary and the legal profession, and promote access to justice for all.

[5] The statement in Canon 1 that a judge shall avoid the appearance of impropriety is aspirational. Rule 1.2 sets forth the basis for discipline. Consistent with Scope [2], a judge may be disciplined for acts or conduct violating any part of Rule 1.2, including failing to avoid impropriety, but may not be disciplined for failing to avoid the appearance of impropriety. Improprieties include violations of law, court rules or provisions of this Code. Whether a judge has violated Rule 1.2 by failing to act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary shall be determined by use of an objective reasonable person test, not by subjective perceptions.

[6] A judge should initiate and participate in community outreach activities for the purpose of promoting public understanding of and confidence in the administration of justice. In conducting such activities, the judge must act in a manner consistent with this Code.

RULE 1.3

Avoiding Abuse of the Prestige of Judicial Office

A judge shall not abuse the prestige of judicial office to advance the personal or economic interests* of the judge or others, or allow others to do so.

COMMENT

[1] It is improper for a judge to use or attempt to use his or her position to gain personal advantage or deferential treatment of any kind. For example, it would be improper for a judge to allude to his or her judicial status to gain favorable treatment in encounters with traffic officials. Similarly, a judge must not use judicial letterhead to gain an advantage in conducting his or her personal business.

[2] A judge may provide a reference or recommendation for an individual based upon the judge's personal knowledge. The judge may use official letterhead if the judge indicates that the reference is personal and if there is no likelihood that the use of the letterhead would reasonably be perceived as an attempt to exert pressure by reason of the judicial office.

[3] Judges may participate in the process of judicial selection by cooperating with appointing authorities and screening committees, and by responding to inquiries from such entities concerning the professional qualifications of a person being considered for judicial office.

[4] Special considerations arise when judges write or contribute to publications of for-profit entities, whether related or unrelated to the law. A judge should not permit anyone associated with the publication of such materials to exploit the judge's office in a manner that violates this Rule or other applicable law. In contracts for publication of a judge's writing, the judge should retain sufficient control over the advertising to avoid such exploitation.

CANON 2

A JUDGE SHOULD PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY, COMPETENTLY, AND DILIGENTLY.

RULE 2.1

Giving Precedence to the Duties of Judicial Office

The duties of judicial office, as prescribed by law, *shall take precedence over all of a judge's personal and extrajudicial activities.

COMMENT

[1] To ensure that judges are available to fulfill their judicial duties, judges must conduct their personal and extrajudicial activities to minimize the risk of conflicts that would result in frequent disqualification. See Canon 3.

[2] Although it is not a duty of judicial office unless prescribed by law, judges are encouraged to participate in activities that promote public understanding of and confidence in the justice system.

RULE 2.2

Impartiality and Fairness

A judge shall uphold and apply the law,* and shall perform all duties of judicial office fairly and impartially.*

COMMENT

[1] To ensure impartiality and fairness to all parties, a judge must be objective and open-minded.

[2] Although each judge comes to the bench with a unique background and personal philosophy, a judge must interpret and apply the law without regard to whether the judge approves or disapproves of the law in question.

[3] When applying and interpreting the law, a judge sometimes may make good-faith errors of fact or law. Errors of this kind do not violate this Rule.

[4] It is not a violation of this Rule for a judge to make reasonable accommodations to ensure pro se litigants the opportunity to have their matters fairly heard.

RULE 2.3

Bias, Prejudice, and Harassment

(A) A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice.

(B) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so.

(C) A judge shall require lawyers in proceedings before the court to refrain from manifesting bias or prejudice, or engaging in harassment, against parties, witnesses, lawyers, or others.

(D) The restrictions of paragraphs (B) and (C) do not preclude judges or lawyers from making reference to factors that are relevant to an issue in a proceeding.

COMMENT

[1] A judge who manifests bias or prejudice in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute.

[2] Examples of manifestations of bias or prejudice include but are not limited to epithets; slurs; demeaning nicknames; negative stereotyping; attempted humor based upon stereotypes; threatening, intimidating, or hostile acts; suggestions of connections between race, ethnicity, or nationality and crime; and irrelevant references to personal characteristics. Even facial expressions and body language can convey to parties and lawyers in the proceeding, jurors, the media, and others an appearance of bias or prejudice. A judge must avoid conduct that may reasonably be perceived as prejudiced or biased.

[3] Harassment, as referred to in paragraphs (B) and (C), is verbal or physical conduct that denigrates or shows hostility or aversion toward a person on bases such as race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation.

[4] Sexual harassment includes but is not limited to sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwelcome.

[5] "Bias or prejudice" does not include references to or distinctions based upon race, color, sex, religion, national origin, disability, age, marital status, changes in marital status, pregnancy, parenthood, sexual orientation, or social or economic status when these factors are legitimately relevant to the advocacy or decision of the proceeding, or, with regard to administrative matters, when these factors are legitimately relevant to the issues involved.

RULE 2.4

External Influences on Judicial Conduct

(A) A judge shall not be swayed by public clamor, or fear of criticism.

(B) A judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.

(C) A judge shall not convey or authorize others to convey the impression that any person or organization is in a position to influence the judge.

COMMENT

[1] Judges shall decide cases according to the law and facts, without regard to whether particular laws or litigants are popular or unpopular with the public, the media, government officials, or the judge's friends or family.

RULE 2.5

Competence, Diligence, and Cooperation

(A) A judge shall perform judicial and administrative duties, competently and diligently.

(B) A judge shall cooperate with other judges and court officials in the administration of court business.

COMMENT

[1] Competence in the performance of judicial duties requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary to perform a judge's responsibilities of judicial office.

[2] A judge should seek the necessary docket time, court staff, expertise, and resources to discharge all adjudicative and administrative responsibilities.

[3] Prompt disposition of the court's business requires a judge to devote adequate time to judicial duties, to be punctual in attending court and expeditious in determining matters under submission, and to take reasonable measures to ensure that court officials, litigants, and their lawyers cooperate with the judge to that end.

[4] In disposing of matters promptly and efficiently, a judge must demonstrate due regard for the rights of parties to be heard and to have issues resolved without unnecessary cost or delay. A judge should monitor and supervise cases in ways that reduce or eliminate dilatory practices, avoidable delays, and unnecessary costs.

RULE 2.6

Ensuring the Right to Be Heard

(A) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law.*

(B) Consistent with controlling court rules, a judge may encourage parties to a proceeding and their lawyers to settle matters in dispute but should not act in a manner that coerces any party into settlement.

COMMENT

[1] The right to be heard is an essential component of a fair and impartial system of justice. Substantive rights of litigants can be protected only if procedures protecting the right to be heard are observed.

[2] The judge plays an important role in overseeing the settlement of disputes, but should be careful that efforts to further settlement do not undermine any party's right to be heard according to law. The judge should keep in mind the effect that the judge's participation in settlement discussions may have, not only on the judge's own views of the case, but also on the perceptions of the lawyers and the parties if the case remains with the judge after settlement efforts are unsuccessful. Among the factors that a judge should consider

when deciding upon an appropriate settlement practice for a case are (1) whether the parties have requested or voluntarily consented to a certain level of participation by the judge in settlement discussions, (2) whether the parties and their counsel are relatively sophisticated in legal matters, (3) whether the case will be tried by the judge or a jury, (4) whether the parties participate with their counsel in settlement discussions, (5) whether any parties are unrepresented by counsel, and (6) whether the matter is civil or criminal.

[3] Judges must be mindful of the effect settlement discussions can have, not only on their objectivity and impartiality, but also on the appearance of their objectivity and impartiality. Despite a judge's best efforts, there may be instances when information obtained during settlement discussions could influence a judge's decision making during trial, and, in such instances, the judge should consider whether disqualification or recusal may be appropriate. See Rule 2.11 (A)(1).

RULE 2.7

Responsibility to Decide

A judge shall hear and decide matters assigned to the judge, except when disqualification or recusal is required by Rule 2.11 or other law.*

COMMENT

[1] Judges must be available to decide the matters that come before the court. Although there are times when disqualification is necessary to protect the rights of litigants and preserve public confidence in the independence, integrity, and impartiality of the judiciary, judges must be available to decide matters that come before the courts. Unwarranted disqualification may bring public disfavor to the court and to the judge personally. The dignity of the court, the judge's respect for fulfillment of judicial duties, and a proper concern for the burdens that may be imposed upon the judge's colleagues require that a judge not use disqualification or recusal to avoid cases that present difficult, controversial, or unpopular issues.

RULE 2.8

Decorum, Demeanor, and Communication with Jurors

(A) A judge shall require order and decorum in proceedings before the court.

(B) A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity, and shall require similar conduct of lawyers, court staff, court officials, and others subject to the judge's direction and control.

(C) A judge shall not commend or criticize jurors for their verdict other than in a court order or opinion in a proceeding.

COMMENT

[1] The duty to hear all proceedings with patience and courtesy is not inconsistent with the duty imposed in Rule 2.5 to dispose promptly of the business of the court. Judges can be efficient and businesslike while being patient and deliberate.

[2] Commending or criticizing jurors for their verdict may imply a judicial expectation in future cases and may impair a juror's ability to be fair and impartial in a subsequent case.

[3] A judge who is not otherwise prohibited by law from doing so may meet with jurors who choose to remain after trial but should be careful not to discuss the merits of the case.

RULE 2.9

Ex Parte Communications

(A) A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers, concerning a pending* or impending matter,* before that judge's court except as follows:

(1) When circumstances require it, ex parte communication for scheduling, administrative, or emergency purposes, which does not address substantive matters, or ex parte communication pursuant to a written policy or rule for a mental health court, drug court, or other therapeutic court, is permitted, provided:

(a) the judge reasonably believes that no party will gain a procedural, substantive, or tactical advantage as a result of the ex parte communication; and

(b) the judge makes provision promptly to notify all other parties of the substance of the ex parte communication, and gives the parties an opportunity to respond.

(2) A judge may obtain the written advice of a disinterested expert on the law applicable to a proceeding before the judge, if the judge affords the parties a reasonable opportunity to object and respond to the advice received.

(3) A judge may consult with court staff and court officials whose functions are to aid the judge in carrying out the judge's adjudicative responsibilities, or with other judges, provided the judge makes reasonable efforts to avoid receiving factual information that is not part of the record, and does not abrogate the responsibility personally to decide the matter.

(4) A judge may, with the consent of the parties, confer separately with the parties and their lawyers in an effort to settle matters pending before the judge.

(5) A judge may initiate, permit, or consider any ex parte communication when expressly authorized by law* to do so.

(B) If a judge inadvertently receives an unauthorized ex parte communication bearing upon the substance of a matter, the judge shall make provision promptly to notify the parties of the substance of the communication and provide the parties with an opportunity to respond.

(C) A judge shall not investigate facts in a matter pending or impending before that judge, and shall consider only the evidence presented and any facts that may properly be judicially noticed, unless expressly authorized by law.

(D) A judge shall make reasonable efforts, including providing appropriate supervision, to ensure that this Rule is not violated by court staff, court officials, and others subject to the judge's direction and control.

COMMENT

[1] To the extent reasonably possible, all parties or their lawyers shall be included in communications with a judge.

[2] Whenever the presence of a party or notice to a party is required by this Rule, it is the party's lawyer, or if the party is unrepresented, the party, who is to be present or to whom notice is to be given.

[3] The proscription against communications concerning a proceeding includes communications with lawyers, law teachers, and other persons who are not participants in the proceeding, except to the limited extent permitted by this Rule.

[4] A judge may initiate, permit, or consider ex parte communications expressly authorized by law, such as when serving on therapeutic or problem-solving courts, mental health courts, or drug courts. In this capacity, judges may assume a more interactive role with parties, treatment providers, probation officers, social workers, and others.

[5] A judge may consult with other judges on pending matters, but must avoid ex parte discussions of a case with judges who have previously been disqualified from hearing the matter, and with judges who have appellate jurisdiction over the matter.

[6] The prohibition against a judge investigating the facts in a matter extends to information available in all mediums, including electronic.

[7] A judge may consult ethics advisory committees, outside counsel, or legal experts concerning the judge's compliance with this Code. Such consultations are not subject to the restrictions of paragraph (A)(2).

RULE 2.10

Judicial Statements on Pending and Impending Cases

(A) A judge shall not make any public statement that would reasonably be expected to affect the outcome or impair the fairness of a matter pending* or impending* in any court, or make any nonpublic statement that would reasonably be expected to substantially interfere with a fair trial or hearing.

(B) A judge shall not, in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial* performance of the adjudicative duties of judicial office.

(C) A judge shall require court staff, court officials, and others subject to the judge's direction and control to refrain from making statements that the judge would be prohibited from making by paragraphs (A) and (B).

(D) Notwithstanding the restrictions in paragraph (A), a judge may make public statements in the course of official duties, may explain court procedures, and may comment on any proceeding in which the judge is a litigant in a personal capacity.

(E) Subject to the requirements of paragraph (A), a judge may respond directly or through a third party to allegations in the media or elsewhere concerning the judge's conduct in a matter.

COMMENT

[1] This Rule's restrictions on judicial speech are essential to the maintenance of the independence, integrity, and impartiality of the judiciary.

[2] This Rule does not prohibit a judge from commenting on proceedings in which the judge is a litigant in a personal capacity. In cases in which the judge is a litigant in an official capacity, such as a writ of mandamus, the judge must not comment publicly.

[3] Depending upon the circumstances, the judge should consider whether it may be preferable for a third party, rather

than the judge, to respond or issue statements in connection with allegations concerning the judge's conduct in a matter.

[4] A judge should use caution in discussing the rationale for a decision and limit such discussion to what is already public record or controlling law.

RULE 2.11

Disqualification

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality* might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge* of facts that are in dispute in the proceeding.

(2) The judge knows* that the judge, the judge's spouse or domestic partner,* or a person within the third degree of relationship* to either of them, or the spouse or domestic partner of such a person is:

(a) a party to the proceeding, or an officer, director, general partner, managing member, or trustee of a party;

(b) acting as a lawyer in the proceeding;

(c) a person who has more than a de minimis* interest that could be substantially affected by the proceeding; or

(d) likely to be a material witness in the proceeding.

(3) The judge knows that he or she, individually or as a fiduciary,* or the judge's spouse, domestic partner, parent, or child, or any other member of the judge's family residing in the judge's household,* has an economic interest* in the subject matter in controversy or in a party to the proceeding.

(4) The judge learns by means of a timely motion by a party that an adverse party has provided financial support* for any of the judge's judicial election campaigns within the last six years in an amount in excess of 10 times the dollar amount of the campaign contribution limit established by RCW 42.17.

(5) The judge, while a judge or a judicial candidate,* has made a public statement, other than in a court proceeding, judicial decision, or opinion, that commits the judge to reach a particular result or rule in a particular way in the proceeding or controversy.

(6) The judge:

(a) served as a lawyer in the matter in controversy, or was associated with a lawyer who participated substantially as a lawyer or a material witness in the matter during such association;

(b) served in governmental employment, and in such capacity participated personally and substantially as a public official concerning the proceeding, or has publicly expressed in such capacity an opinion concerning the merits of the particular matter in controversy;

(c) was a material witness concerning the matter; or

(d) previously presided as a judge over the matter in another court.

(B) A judge shall keep informed about the judge's personal and fiduciary economic interests, and make a reasonable effort to keep informed about the personal economic interests of the judge's spouse or domestic partner and minor children residing in the judge's household.

(C) A judge disqualified by the terms of Rule 2.11 (A)(2) or Rule 2.11 (A)(3) may, instead of withdrawing from the

proceeding, disclose on the record the basis of the disqualification. If, based on such disclosure, the parties and lawyers, independently of the judge's participation, all agree in writing or on the record that the judge's relationship is immaterial or that the judge's economic interest is de minimis, the judge is no longer disqualified, and may participate in the proceeding. When a party is not immediately available, the judge may proceed on the assurance of the lawyer that the party's consent will be subsequently given.

COMMENT

[1] Under this Rule, a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless of whether any of the specific provisions of paragraphs (A)(1) through (5) apply. In many jurisdictions in Washington, the term "recusal" is used interchangeably with the term "disqualification."

[2] A judge's obligation not to hear or decide matters in which disqualification is required applies regardless of whether a motion to disqualify is filed.

[3] The rule of necessity may override the rule of disqualification. For example, a judge might be required to participate in judicial review of a judicial salary statute, or might be the only judge available in a matter requiring immediate judicial action, such as a hearing on probable cause or a temporary restraining order. In matters that require immediate action, the judge must disclose on the record the basis for possible disqualification and make reasonable efforts to transfer the matter to another judge as soon as practicable.

[4] The fact that a lawyer in a proceeding is affiliated with a law firm with which a relative of the judge is affiliated does not itself disqualify the judge. If, however, the judge's impartiality might reasonably be questioned under paragraph (A), or the relative is known by the judge to have an interest in the law firm that could be substantially affected by the proceeding under paragraph (A)(2)(c), the judge's disqualification is required.

[5] A judge should disclose on the record information that the judge believes the parties or their lawyers might reasonably consider relevant to a possible motion for disqualification, even if the judge believes there is no basis for disqualification.

[6] "Economic interest," as set forth in the Terminology section, means ownership of more than a de minimis legal or equitable interest. Except for situations in which a judge participates in the management of such a legal or equitable interest, or the interest could be substantially affected by the outcome of a proceeding before a judge, it does not include:

- (1) an interest in the individual holdings within a mutual or common investment fund;
- (2) an interest in securities held by an educational, religious, charitable, fraternal, or civic organization in which the judge or the judge's spouse, domestic partner, parent, or child serves as a director, officer, advisor, or other participant;
- (3) a deposit in a financial institution or deposits or proprietary interests the judge may maintain as a member of a mutual savings association or credit union, or similar proprietary interests; or
- (4) an interest in the issuer of government securities held by the judge.

[7] A judge may disqualify himself or herself if the judge learns by means of a timely motion by a party that an adverse party has provided financial support for any of the judge's judicial election campaigns within the last six years in an amount more than two times but less than 10 times the dollar amount of the campaign contribution limit established by RCW 42.17, if the judge concludes the judge's impartiality might reasonably be questioned. In making this determination the judge should consider:

(1) the total amount of financial support provided by the party relative to the total amount of the financial support for the judge's election,

(2) the timing between the financial support and the pendency of the matter, and

(3) any additional circumstances pertaining to disqualification.

[8] A judge should not ordinarily disqualify himself or herself based on an amount less than two times the campaign contribution limit, absent additional circumstances supporting disqualification.

RULE 2.12

Supervisory Duties

(A) A judge shall require court staff, court officials, and others subject to the judge's direction and control to act with fidelity and in a diligent manner consistent with the judge's obligations under this Code.

(B) A judge with supervisory authority for the performance of other judges shall take reasonable measures to ensure that those judges properly discharge their judicial responsibilities, including the prompt disposition of matters before them.

COMMENT

[1] A judge is responsible for his or her own conduct and for the conduct of others, such as staff, when those persons are acting at the judge's direction or control. A judge may not direct court personnel to engage in conduct on the judge's behalf or as the judge's representative when such conduct would violate the Code if undertaken by the judge.

[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 supervision administer their workloads promptly.

RULE 2.13

Administrative Appointments

(A) In making administrative appointments, a judge:

(1) shall exercise the power of appointment impartially*and on the basis of merit; and

(2) shall avoid nepotism and unnecessary appointments.

(B) A judge shall not appoint a lawyer to a position under circumstances where it would be reasonably to be interpreted to be quid pro quo for campaign contributions or other favors, unless:

(1) the position is substantially uncompensated;

(2) the lawyer has been selected in rotation from a list of qualified and available lawyers compiled without regard to their having made political contributions; or

(3) the judge or another presiding or administrative judge affirmatively finds that no other lawyer is willing, competent, and able to accept the position.

(C) A judge shall not approve compensation of appointees beyond the fair value of services rendered.

COMMENT

[1] Appointees of a judge include assigned counsel, officials such as referees, commissioners, special masters, receivers, and guardians, and personnel such as clerks, secretaries, and bailiffs. Consent by the parties to an appointment or an award of compensation does not relieve the judge of the obligation prescribed by paragraph (A).

[2] Unless otherwise defined by law, nepotism is the appointment or hiring of any relative within the third degree of relationship of either the judge or the judge's spouse or domestic partner, or the spouse or domestic partner of such relative.

RULE 2.14

Disability and Impairment

A judge having a reasonable belief that the performance of a lawyer or another judge is impaired by drugs or alcohol, or by a mental, emotional, or physical condition, shall take appropriate action, which may include a confidential referral to a lawyer or judicial assistance program.

COMMENT

[1] "Appropriate action" means action intended and reasonably likely to help the judge or lawyer in question address the problem and prevent harm to the justice system. Depending upon the circumstances, appropriate action may include but is not limited to speaking directly to the impaired person, notifying an individual with supervisory responsibility over the impaired person, or making a referral to an assistance program.

[2] Taking or initiating corrective action by way of referral to an assistance program may satisfy a judge's responsibility under this Rule. Assistance programs have many approaches for offering help to impaired judges and lawyers, such as intervention, counseling, or referral to appropriate health care professionals. Depending upon the gravity of the conduct that has come to the judge's attention, however, the judge may be required to take other action, such as reporting the impaired judge or lawyer to the appropriate authority, agency, or body. See Rule 2.15.

RULE 2.15

Responding to Judicial and Lawyer Misconduct

(A) A judge having knowledge* that another judge has committed a violation of this Code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects shall inform the appropriate authority.*

(B) A judge having knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate authority.

(C) A judge who receives credible information indicating a substantial likelihood that another judge has committed a violation of this Code shall take appropriate action.

(D) A judge who receives credible information indicating a substantial likelihood that a lawyer has committed a violation of the Rules of Professional Conduct shall take appropriate action.

COMMENT

[1] Taking action to address known misconduct is a judge's obligation. Paragraphs (A) and (B) impose an obligation on the judge to report to the appropriate disciplinary authority the known misconduct of another judge or a lawyer that raises a substantial question regarding the honesty, trustworthiness, or fitness of that judge or lawyer. Ignoring or denying known misconduct among one's judicial colleagues or members of the legal profession undermines a judge's responsibility to participate in efforts to ensure public respect for the justice system. This Rule limits the reporting obligation to those offenses that an independent judiciary must vigorously endeavor to prevent.

[2] A judge who does not have actual knowledge that another judge or a lawyer may have committed misconduct, but receives information indicating a substantial likelihood of such misconduct, is required to take appropriate action under paragraphs (C) and (D). Appropriate action may include, but is not limited to, communicating directly with the judge who may have violated this Code, communicating with a supervising judge, or reporting the suspected violation to the appropriate authority or other agency or body. Similarly, actions to be taken in response to information indicating that a lawyer has committed a violation of the Rules of Professional Conduct may include but are not limited to communicating directly with the lawyer who may have committed the violation, or reporting the suspected violation to the appropriate authority or other agency or body.

RULE 2.16

Cooperation with Disciplinary Authorities

(A) A judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies.

(B) A judge shall not retaliate, directly or indirectly, against a person known* or suspected to have assisted or cooperated with an investigation of a judge or a lawyer.

COMMENT

[1] Cooperation with investigations and proceedings of judicial and lawyer discipline agencies, as required in paragraph (A), instills confidence in judges' commitment to the integrity of the judicial system and the protection of the public.

CANON 3

A JUDGE SHALL CONDUCT THE JUDGE'S PERSONAL AND EXTRAJUDICIAL ACTIVITIES TO MINIMIZE THE RISK OF CONFLICT WITH THE OBLIGATIONS OF JUDICIAL OFFICE.

RULE 3.1

Extrajudicial Activities in General

A judge may engage in extrajudicial activities, except as prohibited by law* or this Code. However, when engaging in extrajudicial activities, a judge shall not:

(A) participate in activities that will interfere with the proper performance of the judge's judicial duties;

(B) participate in activities that will lead to frequent disqualification of the judge; except activities expressly allowed under this code. This rule does not apply to national or state military service;

(C) participate in activities that would undermine the judge's independence,* integrity,* or impartiality;*

(D) engage in conduct that would be coercive; or

(E) make extrajudicial or personal use of court premises, staff, stationery, equipment, or other resources, except for incidental use permitted by law.

COMMENT

[1] Participation in both law-related and other extrajudicial activities helps integrate judges into their communities, and furthers public understanding of and respect for courts and the judicial system. To the extent that time permits, and judicial independence and impartiality are not compromised, judges are encouraged to engage in appropriate extrajudicial activities. Judges are uniquely qualified to engage in extrajudicial activities that concern the law, the legal system, and the administration of justice, such as by speaking, writing, teaching, or participating in scholarly research projects. In addition, judges are permitted and encouraged to engage in educational, religious, charitable, fraternal or civic extrajudicial activities not conducted for profit, even when the activities do not involve the law. See Rule 3.7.

[2] Discriminatory actions and expressions of bias or prejudice by a judge, even outside the judge's official or judicial actions, are likely to appear to a reasonable person to call into question the judge's integrity and impartiality. Examples include jokes or other remarks that demean individuals based upon their race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, or socioeconomic status. For the same reason, a judge's extrajudicial activities must not be conducted in connection or affiliation with an organization that practices invidious discrimination.

[3] While engaged in permitted extrajudicial activities, judges must not coerce others or take action that would reasonably be perceived as coercive. For example, depending upon the circumstances, a judge's solicitation of contributions or memberships for an organization, even as permitted by Rule 3.7(A), might create the risk that the person solicited would feel obligated to respond favorably, or would do so to curry favor with the judge.

[4] Before speaking or writing about social or political issues, judges should consider the impact of their statements under Canon 3.

RULE 3.2

Appearances before Governmental Bodies and Consultation with Government Officials

A judge shall not appear voluntarily at a public hearing before, or otherwise consult with, an executive or a legislative body or official, except:

(A) in connection with matters concerning the law, the legal system, or the administration of justice;

(B) in connection with matters about which the judge acquired knowledge or expertise in the course of the judge's judicial duties; or

(C) when the judge is acting in a matter involving the judge's, the judge's marital community's, or the judge's domestic partnership's legal or economic interests, or those of members of the judge's immediate family residing in the judge's household, or when the judge is acting in a fiduciary* capacity. In engaging in such activities, however, judges must exercise caution to avoid abusing the prestige of judicial office.

COMMENT

[1] Judges possess special expertise in matters of law, the legal system, and the administration of justice, and may properly share that expertise with governmental bodies and executive or legislative branch officials.

[2] In appearing before governmental bodies or consulting with government officials, judges must be mindful that they remain subject to other provisions of this Code, such as Rule 1.3, prohibiting judges from using the prestige of office to advance their own or others' interests, Rule 2.10, governing public comment on pending and impending matters, and Rule 3.1(C), prohibiting judges from engaging in extrajudicial activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality.

RULE 3.3

Acting as a Character Witness

A judge shall not act as a character witness in a judicial, administrative, or other adjudicatory proceeding or otherwise vouch for the character of a person in a legal proceeding, except when duly summoned.

COMMENT

[1] A judge who, without being subpoenaed, acts as a character witness abuses the prestige of judicial office to advance the interests of another. See Rule 1.3. Except in unusual circumstances where the demands of justice require, a judge should discourage a party from requiring the judge to act as a character witness.

[2] This rule does not prohibit judges from writing letters of recommendation in non-adjudicative proceedings pursuant to Rule 1.3, comments [2] and [3].

RULE 3.4

Appointments to Governmental Positions

A judge shall not accept appointment to a governmental committee, board, commission, or other governmental position, unless it is one that concerns the law, the legal system, or the administration of justice. A judge may represent his or her country, state, or locality on ceremonial occasions or in connection with historical, educational, or cultural activities.

COMMENT

[1] Rule 3.4 implicitly acknowledges the value of judges accepting appointments to entities that concern the law, the legal system, or the administration of justice. Even in such instances, however, a judge should assess the appropriateness of accepting an appointment, paying particular attention to the subject matter of the appointment and the availability and allocation of judicial resources, including the judge's time commitments, and giving due regard to the requirements of the independence and impartiality of the judiciary.

RULE 3.5

Use of Nonpublic Information

A judge shall not intentionally disclose or use nonpublic information* acquired in a judicial capacity for any purpose unrelated to the judge's judicial duties.

COMMENT

[1] This rule is not intended to affect a judge's ability to act on information as necessary to protect the health or safety of any individual if consistent with other provisions of this Code and/or law.

RULE 3.6***Affiliation with Discriminatory Organizations***

(A) A judge shall not hold membership in any organization that practices invidious discrimination on the bases of race, sex, gender, religion, national origin, ethnicity, sexual orientation or other classification protected by law.

(B) A judge shall not use the benefits or facilities of an organization if the judge knows* or should know that the organization practices invidious discrimination on one or more of the bases identified in paragraph (A). A judge's attendance at an event in a facility of an organization that the judge is not permitted to join is not a violation of this Rule when the judge's attendance is an isolated event that could not reasonably be perceived as an endorsement of the organization's practices.

COMMENT

[1] A judge's public manifestation of approval of invidious discrimination on any basis gives rise to the appearance of impropriety and diminishes public confidence in the integrity and impartiality of the judiciary. A judge's membership in an organization that practices invidious discrimination creates the perception that the judge's impartiality is impaired.

[2] Whether an organization practices invidious discrimination is a complex question to which judges should be attentive at all times, given the prevailing state and federal law. The answer cannot be determined from a mere examination of an organization's current membership rolls, but rather, depends on how the organization selects members, as well as other relevant factors, such as the organization's purposes or activities, and whether the organization is dedicated to the preservation or religious, ethnic, or cultural values of legitimate common interest to its members.

[3] If a judge learns that an organization to which the judge belongs engages in invidious discrimination, the judge must resign immediately from the organization.

[4] A judge's membership in a religious organization as a lawful exercise of the freedom of religion is not a violation of this Rule.

RULE 3.7***Participation in Educational, Religious, Charitable, Fraternal, or Civic Organizations and Activities***

Subject to the requirements of Rule 3.1, a judge may participate in activities sponsored by organizations or governmental entities concerned with the law, the legal system, or the administration of justice, and those sponsored by or on behalf of educational, religious, charitable, fraternal, or civic organizations not conducted for profit, including but not limited to the following activities:

(A) assisting such an organization or entity in planning related to fundraising, and participating in the management and investment of the organization's or entity's funds, or volunteering services or goods at fundraising events as long as the situation could not reasonably be deemed coercive;

(B) soliciting* contributions* for such an organization or entity, but only from members of the judge's family,* or from judges over whom the judge does not exercise supervisory or appellate authority;

(C) appearing or speaking at, receiving an award or other recognition at, being featured on the program of, and permitting his or her title to be used in connection with an event of

such an organization or entity, but if the event serves a fundraising purpose, the judge may do so only if the event concerns the law, the legal system, or the administration of justice;

(D) serving as an officer, director, trustee, or nonlegal advisor of such an organization or entity, unless it is likely that the organization or entity:

(1) will be engaged in proceedings that would ordinarily come before the judge; or

(2) will frequently be engaged in adversary proceedings in the court of which the judge is a member, or in any court subject to the appellate jurisdiction of the court of which the judge is a member.

COMMENT

[1] The activities permitted by Rule 3.7 generally include those sponsored by or undertaken on behalf of public or private not-for-profit educational institutions, and other not-for-profit organizations, including law-related, charitable, and other organizations.

[2] Even for law-related organizations, a judge should consider whether the membership and purposes of the organization, or the nature of the judge's participation in or association with the organization, would conflict with the judge's obligation to refrain from activities that reflect adversely upon a judge's independence, integrity, and impartiality.

[3] Mere attendance at an event, whether or not the event serves a fundraising purpose, does not constitute a violation of paragraph (C). It is also generally permissible for a judge to serve as an usher or a food server or preparer, or to perform similar functions, at fundraising events sponsored by educational, religious, charitable, fraternal, or civic organizations. Such activities are not solicitation and do not present an element of coercion or abuse the prestige of judicial office.

[4] Identification of a judge's position in educational, religious, charitable, fraternal, or civic organizations on letterhead used for fundraising or membership solicitation does not violate this Rule. The letterhead may list the judge's title or judicial office if comparable designations are used for other persons.

[5] In addition to appointing lawyers to serve as counsel for indigent parties in individual cases, a judge may promote broader access to justice by encouraging lawyers to participate in pro bono legal services, if in doing so the judge does not employ coercion, or abuse the prestige of judicial office. Such encouragement may take many forms, including providing lists of available programs, training lawyers to do pro bono legal work, and participating in events recognizing lawyers who have done pro bono work.

[6] A judge may not directly solicit funds, except as permitted under Rule 3.7(B), however a judge may assist a member of the judge's family in their charitable fundraising activities if the procedures employed are not coercive and the sum is de minimis.

[7] A judge may encourage lawyers to provide pro bono legal services.

[8] A judge may provide leadership in identifying and addressing issues involving equal access to the justice system; developing public education programs; engaging in activities to promote the fair administration of justice; and convening, participating or assisting in advisory committees

and community collaborations devoted to the improvement of the law, the legal system, the provision of services, or the administration of justice.

[9] A judge may endorse or participate in projects and programs directly related to the law, the legal system, the administration of justice, and the provision of services to those coming before the courts, and may actively support the need for funding of such projects and programs.

RULE 3.8

Appointments to Fiduciary Positions

(A) A judge shall not accept appointment to serve in a fiduciary* position, such as executor, administrator, trustee, guardian, attorney in fact, or other personal representative, except for the estate, trust, or person of a member of the judge's family,* and then only if such service will not interfere with the proper performance of judicial duties.

(B) A judge shall not serve in a fiduciary position if the judge as fiduciary will likely be engaged in proceedings that would ordinarily come before the judge, or if the estate, trust, or ward becomes involved in adversary proceedings in the court on which the judge serves, or one under its appellate jurisdiction.

(C) A judge acting in a fiduciary capacity shall be subject to the same restrictions on engaging in financial activities that apply to a judge personally.

(D) If a person who is serving in a fiduciary position becomes a judge, he or she must comply with this Rule as soon as reasonably practicable, but in no event later than one year after becoming a judge.

COMMENT

[1] A judge should recognize that other restrictions imposed by this Code may conflict with a judge's obligations as a fiduciary; in such circumstances, a judge should resign as fiduciary. For example, serving as a fiduciary might require frequent disqualification of a judge under Rule 2.11 because a judge is deemed to have an economic interest in shares of stock held by a trust if the amount of stock held is more than de minimis.

RULE 3.9

Service as Arbitrator or Mediator

A judge shall not act as an arbitrator or a mediator or perform other judicial functions in a private capacity unless authorized by law.*

COMMENT

[1] This Rule does not prohibit a judge from participating in arbitration, mediation, or settlement conferences performed as part of assigned judicial duties. Rendering dispute resolution services apart from those duties, whether or not for economic gain, is prohibited unless it is authorized by law.

[2] Retired, part-time, or pro tempore judges may be exempt from this section. (See Application)

RULE 3.10

Practice of Law

(A) A judge shall not practice law. A judge may act pro se or on behalf of his or her marital community or domestic partnership and may, without compensation, give legal advice to and draft or review documents for a member of the judge's family,* but is prohibited from serving as the family member's lawyer in any adjudicative forum.

(B) This rule does not prevent the practice of law pursuant to national or state military service.

COMMENT

[1] A judge may act pro se or on behalf of his or her marital community or domestic partnership in all legal matters, including matters involving litigation and matters involving appearances before or other dealings with governmental bodies. A judge must not use the prestige of office to advance the judge's personal or family interests. See Rule 1.3.

RULE 3.11

Financial, Business, or Remunerative Activities

(A) A judge may hold and manage investments of the judge and members of the judge's family.*

(B) A judge shall not serve as an officer, director, manager, general partner, advisor, or employee of any business entity except that a judge may manage or participate in:

(1) a business closely held by the judge or members of the judge's family; or

(2) a business entity primarily engaged in investment of the financial resources of the judge or members of the judge's family.

(C) A judge shall not engage in financial activities permitted under paragraphs (A) and (B) if they will:

(1) interfere with the proper performance of judicial duties;

(2) lead to frequent disqualification of the judge;

(3) involve the judge in frequent transactions or continuing business relationships with lawyers or other persons likely to come before the court on which the judge serves; or

(4) result in violation of other provisions of this Code.

(D) As soon as practicable without serious financial detriment, the judge must divest himself or herself of investments and other financial interests that might require frequent disqualification or otherwise violate this Rule.

COMMENT

[1] Judges are generally permitted to engage in financial activities, subject to the requirements of this Rule and other provisions of this Code. For example, it would be improper for a judge to spend so much time on business activities that it interferes with the performance of judicial duties. See Rule 2.1. Similarly, it would be improper for a judge to use his or her official title or appear in judicial robes in business advertising, or to conduct his or her business or financial affairs in such a way that disqualification is frequently required. See Rules 1.3 and 2.11.

[2] There is a limit of not more than one (1) year allowed to comply with Rule 3.11(D). (See Application Part IV)

RULE 3.12

Compensation for Extrajudicial Activities

A judge may accept reasonable compensation for extrajudicial activities permitted by this Code or other law* unless such acceptance would appear to a reasonable person to undermine the judge's independence,* integrity,* or impartiality.*

COMMENT

[1] A judge is permitted to accept honoraria, stipends, fees, wages, salaries, royalties, or other compensation for speaking, teaching, writing, and other extrajudicial activities, provided the compensation is reasonable and commensurate with the task performed. The judge should be mindful, how-

ever, that judicial duties must take precedence over other activities. See Rule 2.1.

[2] Compensation derived from extrajudicial activities may be subject to public reporting. See Rule 3.15.

RULE 3.13

Acceptance and Reporting of Gifts, Loans, Bequests, Benefits, or Other Things of Value

(A) A judge shall not accept any gifts, loans, bequests, benefits, or other things of value, if acceptance is prohibited by law* or would appear to a reasonable person to undermine the judge's independence,* integrity,* or impartiality.*

(B) Unless otherwise prohibited by law, or by paragraph (A), a judge may accept the following:

(1) items with little intrinsic value, such as plaques, certificates, trophies, and greeting cards;

(2) gifts, loans, bequests, benefits, or other things of value from friends, relatives, or other persons, including lawyers, whose appearance or interest in a proceeding pending* or impending* before the judge would in any event require disqualification of the judge under Rule 2.11;

(3) ordinary social hospitality;

(4) commercial or financial opportunities and benefits, including special pricing and discounts, and loans from lending institutions in their regular course of business, if the same opportunities and benefits or loans are made available on the same terms to similarly situated persons who are not judges;

(5) rewards and prizes given to competitors or participants in random drawings, contests, or other events that are open to persons who are not judges;

(6) scholarships, fellowships, and similar benefits or awards, if they are available to similarly situated persons who are not judges, based upon the same terms and criteria;

(7) books, magazines, journals, audiovisual materials, and other resource materials supplied by publishers on a complimentary basis for official use; or

(8) gifts, awards, or benefits associated with the business, profession, or other separate activity of a spouse, a domestic partner,* or other family member of a judge residing in the judge's household,* but that incidentally benefit the judge.

(9) gifts incident to a public testimonial;

(10) invitations to the judge and the judge's spouse, domestic partner, or guest to attend without charge:

(a) an event associated with a bar-related function or other activity relating to the law, the legal system, or the administration of justice; or

(b) an event associated with any of the judge's educational, religious, charitable, fraternal or civic activities permitted by this Code, if the same invitation is offered to non-judges who are engaged in similar ways in the activity as is the judge.

COMMENT

[1] Whenever a judge accepts a gift or other thing of value without paying fair market value, there is a risk that the benefit might be viewed as intended to influence the judge's decision in a case. Rule 3.13 imposes restrictions upon the acceptance of such benefits. Acceptance of any gift or thing of value may require reporting pursuant to Rule 3.15 and Washington law.

[2] Gift-giving between friends and relatives is a common occurrence, and ordinarily does not create an appearance of impropriety or cause reasonable persons to believe that the judge's independence, integrity, or impartiality has been compromised. In addition, when the appearance of friends or relatives in a case would require the judge's disqualification under Rule 2.11, there would be no opportunity for a gift to influence the judge's decision making. Paragraph (B)(2) places no restrictions upon the ability of a judge to accept gifts or other things of value from friends or relatives under these circumstances.

[3] Businesses and financial institutions frequently make available special pricing, discounts, and other benefits, either in connection with a temporary promotion or for preferred customers, based upon longevity of the relationship, volume of business transacted, and other factors. A judge may freely accept such benefits if they are available to the general public, or if the judge qualifies for the special price or discount according to the same criteria as are applied to persons who are not judges. As an example, loans provided at generally prevailing interest rates are not gifts, but a judge could not accept a loan from a financial institution at below-market interest rates unless the same rate was being made available to the general public for a certain period of time or only to borrowers with specified qualifications that the judge also possesses.

[4] Rule 3.13 applies only to acceptance of gifts or other things of value by a judge. Nonetheless, if a gift or other benefit is given to the judge's spouse, domestic partner, or member of the judge's family residing in the judge's household, it may be viewed as an attempt to evade Rule 3.13 and influence the judge indirectly. Where the gift or benefit is being made primarily to such other persons, and the judge is merely an incidental beneficiary, this concern is reduced. A judge should, however, remind family and household members of the restrictions imposed upon judges, and urge them to take these restrictions into account when making decisions about accepting such gifts or benefits.

[5] Rule 3.13 does not apply to contributions to a judge's campaign for judicial office. Such contributions are governed by other Rules of this Code, including Rules 4.3 and 4.4.

RULE 3.14

Reimbursement of Expenses and Waivers of Fees or Charges

(A) Unless otherwise prohibited by Rules 3.1 and 3.13(A) or other law,* a judge may accept reimbursement of necessary and reasonable expenses for travel, food, lodging, or other incidental expenses, or a waiver or partial waiver of fees or charges for registration, tuition, and similar items, from sources other than the judge's employing entity, if the expenses or charges are associated with the judge's participation in extrajudicial activities permitted by this Code.

(B) Reimbursement of expenses for necessary travel, food, lodging, or other incidental expenses shall be limited to the actual costs reasonably incurred by the judge.

COMMENT

[1] Educational, civic, religious, fraternal, and charitable organizations often sponsor meetings, seminars, symposia, dinners, awards ceremonies, and similar events. Judges are

encouraged to attend educational programs, as both teachers and participants, in law-related and academic disciplines, in furtherance of their duty to remain competent in the law. Participation in a variety of other extrajudicial activity is also permitted and encouraged by this Code.

[2] Not infrequently, sponsoring organizations invite certain judges to attend seminars or other events on a fee-waived or partial-fee-waived basis, and sometimes include reimbursement for necessary travel, food, lodging, or other incidental expenses. A judge's decision whether to accept reimbursement of expenses or a waiver or partial waiver of fees or charges in connection with these or other extrajudicial activities must be based upon an assessment of all the circumstances. The judge must undertake a reasonable inquiry to obtain the information necessary to make an informed judgment about whether acceptance would be consistent with the requirements of this Code and Washington law.

[3] A judge must assure himself or herself that acceptance of reimbursement or fee waivers would not appear to a reasonable person to undermine the judge's independence, integrity, or impartiality. The factors that a judge should consider when deciding whether to accept reimbursement or a fee waiver for attendance at a particular activity include:

(a) whether the sponsor is an accredited educational institution or bar association rather than a trade association or a for-profit entity;

(b) whether the funding comes largely from numerous contributors rather than from a single entity and is earmarked for programs with specific content;

(c) whether the content is related or unrelated to the subject matter of litigation pending or impending before the judge, or to matters that are likely to come before the judge;

(d) whether the activity is primarily educational rather than recreational, and whether the costs of the event are reasonable and comparable to those associated with similar events sponsored by the judiciary, bar associations, or similar groups;

(e) whether information concerning the activity and its funding source(s) is available upon inquiry;

(f) whether the sponsor or source of funding is generally associated with particular parties or interests currently appearing or likely to appear in the judge's court, thus possibly requiring disqualification of the judge under Rule 2.11;

(g) whether differing viewpoints are presented; and

(h) whether a broad range of judicial and nonjudicial participants are invited, whether a large number of participants are invited, and whether the program is designed specifically for judges.

RULE 3.15

Reporting Requirements

A judge shall make such financial disclosures as required by law.

CANON 4

JUDGE OR CANDIDATE FOR JUDICIAL OFFICE SHALL NOT ENGAGE IN POLITICAL OR CAMPAIGN ACTIVITY THAT IS INCONSISTENT WITH THE INDEPENDENCE, INTEGRITY, OR IMPARTIALITY OF THE JUDICIARY.

RULE 4.1

Political Activities of Judges and Judicial Candidates in General

(A) Except as permitted by law,* or by Rules 4.2 (Political and Campaign Activities of Judicial Candidates in Public Elections), 4.3 (Activities of Candidates for Appointive Judicial Office), and 4.4 (Campaign Committees), a judge or a judicial candidate* shall not:

(1) act as a leader in, or hold an office in, a political organization;*

(2) make speeches on behalf of a political organization or nonjudicial candidate;

(3) publicly endorse or oppose a nonjudicial candidate for any public office, except for participation in a precinct caucus limited to selection of delegates to a nominating convention for the office of President of the United States pursuant to (5) below.

(4) solicit funds for, pay an assessment to, or make a contribution* to a political organization or a nonjudicial candidate for public office;

(5) publicly identify himself or herself as a member or a candidate of a political organization, except

(a) as required to vote, or

(b) for participation in a precinct caucus limited to selection of delegates to a nominating convention for the office of President of the United States.

(6) seek, accept, or use endorsements from a political organization;

(7) personally solicit* or accept campaign contributions other than through a campaign committee authorized by Rule 4.4, except for members of the judge's family or individuals who have agreed to serve on the campaign committee authorized by Rule 4.4 and subject to the requirements for campaign committees in Rule 4.4(B).

(8) use or permit the use of campaign contributions for the private benefit of the judge, the candidate, or others except as permitted by law;

(9) use court staff, facilities, or other court resources in a campaign for judicial office except as permitted by law;

(10) knowingly,* or with reckless disregard for the truth, make any false or misleading statement;

(11) make any statement that would reasonably be expected to affect the outcome or impair the fairness of a matter pending* or impending* in any court; or

(12) in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial* performance of the adjudicative duties of judicial office.

(B) A judge or judicial candidate shall take reasonable measures to ensure that other persons do not undertake, on behalf of the judge or judicial candidate, any activities prohibited under paragraph (A).

COMMENT

GENERAL CONSIDERATIONS

[1] Even when subject to public election, a judge plays a role different from that of a legislator or executive branch official. Rather than making decisions based upon the expressed views or preferences of the electorate, a judge makes decisions based upon the law and the facts of every case. Therefore, in furtherance of this interest, judges and judicial candidates must, to the greatest extent possible, be free and appear to be free from political influence and political pressure. This Canon imposes narrowly tailored restric-

tions upon the political and campaign activities of all judges and judicial candidates, taking into account the various methods of selecting judges.

[2] When a person becomes a judicial candidate, this Canon becomes applicable to his or her conduct.

PARTICIPATION IN POLITICAL ACTIVITIES

[3] Public confidence in the independence and impartiality of the judiciary is eroded if judges or judicial candidates are perceived to be subject to political influence. Therefore, they are prohibited by paragraph (A)(1) from assuming leadership roles in political organizations.

[4] Paragraphs (A)(2) and (A)(3) prohibit judges and judicial candidates from making speeches on behalf of political organizations or publicly endorsing or opposing candidates for nonjudicial public office, respectively, to prevent them from abusing the prestige of judicial office to advance the interests of others. See Rule 1.3. These Rules do not prohibit candidates from campaigning on their own behalf, or from endorsing or opposing candidates for judicial office. See Rule 4.2 (B)(2).

[5] Although members of the families of judges and judicial candidates are free to engage in their own political activity, including running for public office, there is no "family exception" to the prohibition in paragraph (A)(3) against a judge or judicial candidate publicly endorsing nonjudicial candidates for public office. A judge or judicial candidate must not become involved in, or publicly associated with, a family member's political activity or campaign for public office. To avoid public misunderstanding, judges and judicial candidates should take, and should urge members of their families to take, reasonable steps to avoid any implication that they are using the prestige of their judicial office to endorse any family member's candidacy or other political activity.

[6] Judges and judicial candidates retain the right to participate in the political process as voters in both primary and general elections. For purposes of this Canon, participation in a caucus-type election procedure does not constitute public support for or endorsement of a political organization or candidate, is not prohibited by paragraphs (A)(2) or (A)(3) and is allowed by Paragraphs (A)(2) and (A)(5). Because Washington uses a caucus system for selection of delegates to the nominating conventions of the major political parties for the office of President of the United States, precluding judges and judicial candidates from participating in these caucuses would eliminate their ability to participate in the selection process for Presidential nominations. Accordingly, Paragraph (A)(3) and (5) allows judges and judicial candidates to participate in precinct caucuses, limited to selection of delegates to a nominating convention for the office of President of the United States. This narrowly tailored exception from the general rule is provided for because of the unique system used in Washington for nomination of Presidential candidates. If a judge or a judicial candidate participates in a precinct caucus, such person must limit participation to selection of delegates for various candidates.

STATEMENTS AND COMMENTS MADE DURING A CAMPAIGN FOR JUDICIAL OFFICE

[7] Judicial candidates must be scrupulously fair and accurate in all statements made by them and by their cam-

aign committees. Paragraph (A)(10) obligates candidates and their committees to refrain from making statements that are false or misleading, or that omit facts necessary to make the communication considered as a whole not materially misleading.

[8] Judicial candidates are sometimes the subject of false, misleading, or unfair allegations made by opposing candidates, third parties, or the media. For example, false or misleading statements might be made regarding the identity, present position, experience, qualifications, or judicial rulings of a candidate. In other situations, false or misleading allegations may be made that bear upon a candidate's integrity or fitness for judicial office. As long as the candidate does not violate paragraphs (A)(10), (A)(11), or (A)(12), the candidate may make a factually accurate public response. In addition, when an independent third party has made unwarranted attacks on a candidate's opponent, the candidate may disavow the attacks, and request the third party to cease and desist.

[9] Subject to paragraph (A)(11), a judicial candidate is permitted to respond directly to false, misleading, or unfair allegations made against him or her during a campaign, although it is preferable for someone else to respond if the allegations relate to a pending case.

[10] Paragraph (A)(11) prohibits judicial candidates from making comments that might impair the fairness of pending or impending judicial proceedings. This provision does not restrict arguments or statements to the court or jury by a lawyer who is a judicial candidate, or rulings, statements, or instructions by a judge that may appropriately affect the outcome of a matter.

PLEDGES, PROMISES, OR COMMITMENTS INCONSISTENT WITH IMPARTIAL PERFORMANCE OF THE ADJUDICATIVE DUTIES OF JUDICIAL OFFICE

[11] The role of a judge is different from that of a legislator or executive branch official, even when the judge is subject to public election. Campaigns for judicial office must be conducted differently from campaigns for other offices. The narrowly drafted restrictions upon political and campaign activities of judicial candidates provided in Canon 4 allow candidates to conduct campaigns that provide voters with sufficient information to permit them to distinguish between candidates and make informed electoral choices.

[12] Paragraph (A)(12) makes applicable to both judges and judicial candidates the prohibition that applies to judges in Rule 2.10(B), relating to pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office.

[13] The making of a pledge, promise, or commitment is not dependent upon, or limited to, the use of any specific words or phrases; instead, the totality of the statement must be examined to determine if a reasonable person would believe that the candidate for judicial office has specifically undertaken to reach a particular result. Pledges, promises, or commitments must be contrasted with statements or announcements of personal views on legal, political, or other issues, which are not prohibited. When making such statements, a judge should acknowledge the overarching judicial obligation to apply and uphold the law, without regard to his or her personal views.

[14] A judicial candidate may make campaign promises related to judicial organization, administration, and court management, such as a promise to dispose of a backlog of cases, start court sessions on time, or avoid favoritism in appointments and hiring. A candidate may also pledge to take action outside the courtroom, such as working toward an improved jury selection system, or advocating for more funds to improve the physical plant and amenities of the courthouse.

[15] Judicial candidates may receive questionnaires or requests for interviews from the media and from issue advocacy or other community organizations that seek to learn their views on disputed or controversial legal or political issues. Paragraph (A)(12) does not specifically address judicial responses to such inquiries. Depending upon the wording and format of such questionnaires, candidates' responses might be viewed as pledges, promises, or commitments to perform the adjudicative duties of office other than in an impartial way. To avoid violating paragraph (A)(12), therefore, candidates who respond to media and other inquiries should also give assurances that they will keep an open mind and will carry out their adjudicative duties faithfully and impartially if elected. Candidates who do respond to questionnaires should post the questionnaire and their substantive answers so they are accessible to the general public. Candidates who do not respond may state their reasons for not responding, such as the danger that answering might be perceived by a reasonable person as undermining a successful candidate's independence or impartiality, or that it might lead to frequent disqualification. See Rule 2.11.

PERSONAL SOLICITATION OF CAMPAIGN FUNDS

[16] Judicial candidates should be particularly cautious in regard to personal solicitation of campaign funds. This can be perceived as being coercive and an abuse of judicial office. Accordingly, a general prohibition on personal solicitation is retained with a narrowly tailored exception contained in Paragraph (A)(7) for members of the judge's family and those who have agreed to serve on the judge's campaign committee. These types of individuals generally have a close personal relationship to the judicial candidate and therefore the concerns of coercion or abuse of judicial office are greatly diminished. Judicial candidates should not use this limited exception as a basis for attempting to skirt the general prohibition against solicitation of campaign contributions.

RULE 4.2

Political and Campaign Activities of Judicial Candidates in Public Elections

(A) A judicial candidate* in a nonpartisan, public election* shall:

- (1) Act at all times in a manner consistent with the independence,* integrity,* and impartiality* of the judiciary;
- (2) comply with all applicable election, election campaign, and election campaign fund-raising laws and regulations of this jurisdiction;
- (3) review and approve the content of all campaign statements and materials produced by the candidate or his or her campaign committee, as authorized by Rule 4.4, before their dissemination; and
- (4) take reasonable measures to ensure that other persons do not undertake on behalf of the candidate activities, other

than those described in Rule 4.4, that the candidate is prohibited from doing by Rule 4.1.

(B) A candidate for elective judicial office may:

- (1) establish a campaign committee pursuant to the provisions of Rule 4.4;
- (2) speak on behalf of his or her candidacy through any medium, including but not limited to advertisements, websites, or other campaign literature;
- (3) seek, accept, or use endorsements from any person or organization.

COMMENT

[1] Paragraphs (B) permits judicial candidates in public elections to engage in some political and campaign activities otherwise prohibited by Rule 4.1.

[2] Despite paragraph (B), judicial candidates for public election remain subject to many of the provisions of Rule 4.1. For example, a candidate continues to be prohibited from soliciting funds for a political organization, knowingly making false or misleading statements during a campaign, or making certain promises, pledges, or commitments related to future adjudicative duties. See Rule 4.1(A), paragraphs (4), (10), and (12).

[3] Judicial candidates are permitted to attend or purchase tickets for dinners and other events sponsored by political organizations on behalf of their own candidacy or that of another judicial candidate.

[4] In endorsing or opposing another candidate for judicial office, a judicial candidate must abide by the same rules governing campaign conduct and speech as apply to the candidate's own campaign.

[5] Although judicial candidates in nonpartisan public elections are prohibited from running on a ticket or slate associated with a political organization, they may group themselves into slates or other alliances to conduct their campaigns more effectively.

RULE 4.3

Activities of Candidates for Appointive Judicial Office

A candidate for appointment to judicial office may:

- (A) communicate with the appointing or confirming authority, including any selection, screening, or nominating commission or similar agency; and
- (B) seek endorsements for the appointment from any person or organization.

COMMENT

[1] When seeking support or endorsement, or when communicating directly with an appointing or confirming authority, a candidate for appointive judicial office must not make any pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of the office. See Rule 4.1 (A)(12).

RULE 4.4

Campaign Committees

(A) A judicial candidate* subject to public election* may establish a campaign committee to manage and conduct a campaign for the candidate, subject to the provisions of this Code. The candidate is responsible for ensuring that his or her campaign committee complies with applicable provisions of this Code and other applicable law.*

(B) A judicial candidate subject to public election shall direct his or her campaign committee:

(1) to solicit and accept only such campaign contributions* as are reasonable, in any event not to exceed, in the aggregate amount allowed as provided for by law;

(2) not to solicit contributions for a candidate's current campaign more than 120 days before the date when filing for that office is first permitted and may accept contributions after the election only as permitted by law; and

(3) to comply with all applicable statutory requirements for disclosure and divestiture of campaign contributions, and to file with the Public Disclosure Commission all reports as required by law.

COMMENT

[1] Judicial candidates are generally prohibited from personally soliciting campaign contributions or personally accepting campaign contributions. See Rule 4.1 (A)(7). This Rule recognizes that judicial candidates must raise campaign funds to support their candidacies, and permits candidates, other than candidates for appointive judicial office, to establish campaign committees to solicit and accept reasonable financial contributions or in-kind contributions.

[2] Campaign committees may solicit and accept campaign contributions, manage the expenditure of campaign funds, and generally conduct campaigns. Candidates are responsible for compliance with the requirements of election law and other applicable law, and for the activities of their campaign committees.

RULE 4.5

Activities of Judges Who Become Candidates for Non-judicial Office

(A) Upon becoming a candidate for a nonjudicial elective office, a judge shall resign from judicial office, unless permitted by law* to continue to hold judicial office.

(B) Upon becoming a candidate for a nonjudicial appointive office, a judge is not required to resign from judicial office, provided that the judge complies with the other provisions of this Code.

COMMENT

[1] In campaigns for nonjudicial elective public office, candidates may make pledges, promises, or commitments related to positions they would take and ways they would act if elected to office. Although appropriate in nonjudicial campaigns, this manner of campaigning is inconsistent with the role of a judge, who must remain fair and impartial to all who come before him or her. The potential for misuse of the judicial office, and the political promises that the judge would be compelled to make in the course of campaigning for nonjudicial elective office, together dictate that a judge who wishes to run for such an office must resign upon becoming a candidate.

[2] The "resign to run" rule set forth in paragraph (A) ensures that a judge cannot use the judicial office to promote his or her candidacy, and prevents post-campaign retaliation from the judge in the event the judge is defeated in the election. When a judge is seeking appointive nonjudicial office, however, the dangers are not sufficient to warrant imposing the "resign to run" rule.

~~Washington State Code of Judicial Conduct Preamble~~

~~Our legal system is based on the principle that an independent, fair and competent judiciary will interpret and apply the laws that govern us. The role of the judiciary is central to American concepts of justice and the rule of law. Intrinsic to all sections of this Code are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to enhance and maintain confidence in our legal system. The judge is an arbiter of facts and law for the resolution of disputes and a highly visible symbol of government under the rule of law.~~

~~The Code of Judicial Conduct is intended to establish standards for ethical conduct of judges. It consists of broad statements called Canons, specific rules set forth in Sections under each Canon, a Terminology Section, an Application Section and Comments. The text of the Canons and the Sections, including the Terminology and Application Sections, is authoritative. The use of permissive language in various sections of the Code does not relieve judges from the other requirements of the Code that apply to specific conduct. The Comments provide explanation and guidance with respect to the purpose and meaning of the Canons and Sections. The Comments are not intended as a statement of additional rules nor as a basis for discipline.~~

~~The Canons and Sections are rules of reason. They should be applied consistent with constitutional requirements, statutes, other court rules and decisional law and in the context of all relevant circumstances. The Code is to be construed so as not to impinge on the independence of judges which is essential in making judicial decisions.~~

~~The Code is designed to provide guidance to judges and candidates for judicial office and to provide a structure for regulating conduct through disciplinary agencies. It is not designed or intended as a basis for civil liability or criminal prosecution. Furthermore, the purpose of the Code would be subverted if the Code were invoked by lawyers for mere tactical advantage in a proceeding.~~

~~The text of the Canons and Sections is intended to govern conduct of judges and to be binding upon them. It is not intended, however, that every transgression will result in disciplinary action. Whether disciplinary action is appropriate, and the degree of discipline to be imposed, should be determined through a reasonable and reasoned application of the text and should depend on such factors as the seriousness of the transgression, whether the activity was inadvertent, unintentional or based on a reasonable but mistaken interpretation of obligations under the Code, whether there is a pattern of improper activity and the effect of the improper activity on others or on the judicial system.~~

~~The Code of Judicial Conduct is not intended as an exhaustive guide for the conduct of judges. They should also be governed in their judicial and personal conduct by general ethical standards. The Code is intended, however, to state basic standards which should govern the conduct of all judges and to provide guidance to assist judges in establishing and maintaining high standards of judicial and personal conduct.~~

Terminology

"Appropriate authority" denotes the authority with responsibility for initiation of disciplinary process with respect to the violation to be reported. See Sections 3 (C)(1) and 3 (C)(2).

"Candidate" is a person seeking election to judicial office. A person becomes a candidate for judicial office as soon as he or she makes a public announcement of candidacy, declares or files as a candidate with the election authority, or authorizes solicitation or acceptance of contributions or support. See Preamble and Sections 7(A) and 7(B).

"Court personnel" does not include the lawyers in a proceeding before a judge. See Sections 3 (A)(7)(e) and 3 (A)(9).

"De minimis" denotes an insignificant interest that could not raise reasonable question as to a judge's impartiality. See Section 3(E).

"Economic interest" denotes ownership of a more than de minimis legal or equitable interest, or a relationship as officer, director, advisor or other active participant in the affairs of a party, except that:

(i) ownership of an interest in a mutual or common investment fund that holds securities is not an economic interest in such securities unless the judge participates in the management of the fund or a proceeding pending or impending before the judge could substantially affect the value of the interest;

(ii) service by a judge as an officer, director, advisor or other active participant in an educational, religious, charitable, fraternal or civic organization, or service by a judge's spouse, parent or child as an officer, director, advisor or other active participant in any organization does not create an economic interest in securities held by that organization;

(iii) a deposit in a financial institution, the proprietary interest of a policy holder in a mutual insurance company, of a depositor in a mutual savings association or of a member in a credit union, or a similar proprietary interest, is not an economic interest in the organization unless a proceeding pending or impending before the judge could substantially affect the value of the interest;

(iv) ownership of government securities is not an economic interest in the issuer unless a proceeding pending or impending before the judge could substantially affect the value of the securities. See Sections 3 (D)(1)(d) and 3 (D)(2).

"Fiduciary" includes such relationships as executor, administrator, trustee and guardian. See Sections 3 (D)(2) and 5(D).

"Knowingly," "knowledge," "known" or "knows" denotes actual knowledge of the fact in question. See Sections 3(C) and 3 (D)(1).

"Member of the candidate's family" denotes a spouse, child, grandchild, parent, grandparent or other relative or person with whom the candidate maintains a close familial relationship. See Sections 7 (B)(1)(a) and 7 (B)(2).

"Member of the judge's family" denotes a spouse, child, grandchild, parent, grandparent, or other relative or person with whom the judge maintains a close familial relationship. See Sections 5(D) and 5(F).

"Member of the judge's family residing in the judge's household" denotes any relative of a judge by blood or mar-

riage, or a person treated by a judge as a member of the judge's family, who resides in the judge's household. See Sections 3 (D)(1) and 5 (C)(5).

"Part time judges." Part time judges are judges who serve on a continuing or periodic basis, but are permitted by law to devote time to some other profession or occupation and whose compensation for that reason is less than a full-time judge. See Application Section (A)(1).

"Political organization." Political organization denotes a political party or other group, the principal purpose of which is to further the election or appointment of candidates to political office or to support or oppose a ballot measure except those concerning the law, the legal system, and the administration of justice. See Sections 7 (A)(1) and 7 (A)(2).

"Pro tempore judges." Pro tempore judges are persons who are appointed to act temporarily as judges. See Application Section (A)(2).

"Require." The rules prescribing that a judge "require" certain conduct of others are, like all of the rules in this Code, rules of reason. The use of the term "require" in that context means a judge is to exercise reasonable direction and control over the conduct of those persons subject to the judge's direction and control. See Sections 3 (A)(3), 3 (A)(5), 3 (A)(6), 3 (A)(9) and 3 (B)(2).

Application of the Code of Judicial Conduct

(A) Anyone, whether or not a lawyer, who is an officer of a judicial system and who performs judicial functions, including an officer such as a magistrate, court commissioner, special master or referee, is a judge within the meaning of this Code. All judges should comply with this Code except as provided below:

(1) A Part-Time Judge

(a) is not required to comply:

(i) except while serving as a judge, with Section 3 (A)(9); and

(ii) at any time with Sections 5 (C)(2) and (3), 5(D), 5(E), 5(F), 5(G) and 6(C).

(b) should not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto.

Comment

When a person who has been a part-time judge is no longer a part-time judge, that person may act as a lawyer in a proceeding in which he or she has served as a judge or in any other proceeding related thereto only with the express consent of all parties pursuant to the Rules of Professional Conduct:

(2) A Pro Tempore Judge

(a) is not required to comply:

(i) except while serving as a judge, with Sections 2(A), 2(B), 3 (A)(9), 4(B), 4(C) and 7(A);

(ii) at any time with Sections 2(C), 5(B), 5 (C)(2), 5 (C)(3), 5 (C)(4), 5(D), 5(E), 5(F), 5(G) and 6(C).

(b) A person who has been a pro tempore judge should not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto

except as otherwise permitted by the Rules of Professional Conduct.

(B) Time for Compliance. Persons to whom this Code becomes applicable should arrange their affairs as soon as reasonably possible to comply with it.

Canons

- CANON 1 Judges shall uphold the integrity and independence of the judiciary.
- CANON 2 Judges should avoid impropriety and the appearance of impropriety in all their activities.
- CANON 3 Judges shall perform the duties of their office impartially and diligently.
- CANON 4 Judges may engage in activities to improve the law, the legal system and the administration of justice.
- CANON 5 Judges shall regulate their extrajudicial activities to minimize the risk of conflict with their judicial duties.
- CANON 6 Judges shall regularly file reports of compensation received for quasi-judicial and extra-judicial activities.
- CANON 7 Judges shall refrain from political activity inappropriate to their judicial office.

CANON 1

Judges shall uphold the integrity and independence of the judiciary.

An independent and honorable judiciary is indispensable to justice in our society. Judges should participate in establishing, maintaining and enforcing high standards of judicial conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved. The provisions of this Code are to be construed and applied to further that objective.

Comment

Deference to the judgments and rulings of courts depends upon public confidence in the integrity and independence of judges. The integrity and independence of judges depends in turn upon their acting without fear or favor. Although judges should be independent, they must comply with the law, including the provisions of this Code. Public confidence in the impartiality of the judiciary is maintained by the adherence of each judge to this responsibility. Conversely, violation of this Code diminishes public confidence in the judiciary and thereby does injury to the system of government under law.

CANON 2

Judges should avoid impropriety and the appearance of impropriety in all their activities.

(A) Judges should respect and comply with the law and should act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

(B) Judges should not allow family, social, or other relationships to influence their judicial conduct or judgment. Judges should not lend the prestige of judicial office to

advance the private interests of the judge or others; nor should judges convey or permit others to convey the impression that they are in a special position to influence them. Judges should not testify voluntarily as character witnesses.

Comment

Maintaining the prestige of judicial office is essential to a system of government in which the judiciary functions independently of the executive and legislative branches. Respect for the judicial office facilitates the orderly conduct of legitimate judicial functions. Judges should distinguish between proper and improper use of the prestige of office in all of their activities.

The testimony of judges as character witnesses injects the prestige of their office into the proceeding in which they testify and may be misunderstood to be an official testimonial. This canon however, does not afford judges a privilege against testifying in response to a subpoena.

(C) Judges should not hold membership in any organization practicing discrimination prohibited by law.

CANON 3

Judges shall perform the duties of their office impartially and diligently.

The judicial duties of judges should take precedence over all other activities. Their judicial duties include all the duties of office prescribed by law. In the performance of these duties, the following standards apply:

(A) Adjudicative Responsibilities.

(1) Judges should be faithful to the law and maintain professional competence in it, and comply with the continuing judicial education requirements of GR 26. Judges should be unswayed by partisan interests, public clamor or fear of criticism.

(2) Judges should maintain order and decorum in proceedings before them.

(3) Judges should be patient, dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom judges deal in their official capacity, and should require similar conduct of lawyers, and of the staff, court officials and others subject to their direction and control.

Comment

The duty to hear all proceedings fairly and with patience is not inconsistent with the duty to dispose promptly of the business of the court. Courts can be efficient and businesslike while being patient and deliberate.

(4) Judges should accord to every person who is legally interested in a proceeding, or that person's lawyer, full right to be heard according to law, and, except as authorized by law, neither initiate nor consider ex parte or other communications concerning a pending or impending proceeding. Judges, however, may obtain the advice of a disinterested expert on the law applicable to a proceeding before them, by amicus curiae only, if they afford the parties reasonable opportunity to respond.

Comment

The proscription against communications concerning a proceeding includes communications from lawyers, law teachers, and other persons who are not participants in the proceeding, except to the limited extent permitted. It does not preclude judges from consulting with other judges, or with court personnel whose function is to aid judges in carrying out their adjudicative responsibilities.

An appropriate and often desirable procedure for a court to obtain the advice of a disinterested expert on legal issues is to invite the expert to file a brief amicus curiae.

(5) Judges shall perform judicial duties without bias or prejudice.

Comment

A judge must perform judicial duties impartially and fairly. A judge who manifests bias on any basis in a proceeding impairs the fairness of the proceeding and brings the judiciary into disrepute.

(6) Judges should dispose promptly of the business of the court.

Comment

Prompt disposition of the court's business requires judges to devote adequate time to their duties, to be punctual in attending court and expeditious in determining matters under submission, and to insist that court officials, litigants and their lawyers cooperate with them to that end.

(7) Judges shall not, while a proceeding is pending or impending in any court, make any public comment that might reasonably be expected to affect its outcome or impair its fairness or make any nonpublic comment that might substantially interfere with a fair trial or hearing. The judge shall require similar abstention on the part of court personnel subject to the judge's direction and control. This section does not prohibit judges from making public statements in the course of their official duties or from explaining for public information the procedures of the court. This section does not apply to proceedings in which the judge is a litigant in a personal capacity.

(8) Judges shall not commend or criticize jurors for their verdict other than in a court order or opinion in a proceeding, but may express appreciation to jurors for their service to the judicial system and the community.

Comment

Commending or criticizing jurors for their verdict may imply a judicial expectation in future cases and may impair a juror's ability to be fair and impartial in a subsequent case.

(B) Administrative Responsibilities.

(1) Judges should diligently discharge their administrative responsibilities, maintain professional competence in judicial administration and facilitate the performance of the administrative responsibilities of other judges and court officials.

(2) Judges should require their staff and court officials subject to their direction and control to observe the standards of fidelity and diligence that apply to them.

(3) Judges should not make unnecessary appointments. They should exercise their power of appointment only on the basis of merit, avoiding nepotism and favoritism. They should not approve compensation of appointees beyond the fair value of services rendered.

Comment

Appointees of the judge include officials such as referees, commissioners, special masters, receivers, guardians and personnel such as clerks, secretaries and bailiffs. Consent by the parties to an appointment or an award of compensation does not relieve the judge of the obligation prescribed by this subsection.

(C) Disciplinary Responsibilities.

(1) Judges having actual knowledge that another judge has committed a violation of this Code should take appropriate action. Judges having actual knowledge that another judge has committed a violation of this Code that raises a substantial question as to the other judge's fitness for office should take or initiate appropriate corrective action, which may include informing the appropriate authority.

(2) Judges having actual knowledge that a lawyer has committed a violation of the Rules of Professional Conduct should take appropriate action. Judges having actual knowledge that a lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to the lawyer's fitness as a lawyer should take or initiate appropriate corrective action, which may include informing the appropriate authority.

(D) Disqualification.

(1) Judges should disqualify themselves in a proceeding in which their impartiality might reasonably be questioned, including but not limited to instances in which:

(a) the judge has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

(b) the judge previously served as a lawyer or was a material witness in the matter in controversy, or a lawyer with whom the judge previously practiced law served during such association as a lawyer concerning the matter or such lawyer has been a material witness concerning it;

(c) the judge knows that, individually or as a fiduciary, the judge or the judge's spouse or member of the judge's family residing in the judge's household, has an economic interest in the subject matter in controversy or in a party to the proceeding, or is an officer, director or trustee of a party or has any other interest that could be substantially affected by the outcome of the proceeding, unless there is a remittal of disqualification;

(d) the judge or the judge's spouse or member of the judge's family residing in the judge's household, or the spouse of such a person:

(i) is a party to the proceeding, or an officer, director, or trustee of a party;

(ii) is acting as a lawyer in the proceeding;

(iii) is to the judge's knowledge likely to be a material witness in the proceeding.

Comment

The fact that a lawyer in a proceeding is affiliated with a law firm with which a lawyer relative of the judge is affiliated does not of itself disqualify the judge. Under appropriate circumstances, the fact that "their impartiality might reasonably be questioned" under Canon 3 (D)(1), or that the lawyer relative is known by the judge to have an interest in the law firm that could be "substantially affected by the outcome of the proceeding" may require the judge's disqualification.

(2) Judges should inform themselves about their personal and fiduciary economic interests, and make a reasonable effort to inform themselves about the personal economic interests of their spouse and minor children residing in their household.

(E) Remittal of Disqualification. A judge disqualified by the terms of Canon 3 (D)(1)(c) or Canon 3 (D)(1)(d) may, instead of withdrawing from the proceeding, disclose on the record the basis of the disqualification. If, based on such disclosure, the parties and lawyers, independently of the judge's participation, all agree in writing or on the record that the judge's relationship is immaterial or that the judge's economic interest is de minimis, the judge is no longer disqualified, and may participate in the proceeding. When a party is not immediately available, the judge may proceed on the assurance of the lawyer that the party's consent will be subsequently given.

CANON 4

Judges may engage in activities to improve the law, the legal system and the administration of justice.

Judges, subject to the proper performance of their judicial duties, may engage in the following quasi-judicial activities, if in doing so they do not cast doubt on their capacity to decide impartially any issue that may come before them:

(A) They may speak, write, lecture, teach and participate in other activities concerning the law, the legal system and the administration of justice.

(B) They may appear at a public hearing before an executive or legislative body or official on matters concerning the law, the legal system and the administration of justice, and they may otherwise consult with an executive or legislative body or official, but only on matters concerning the administration of justice.

(C) Judges may serve as members, officers or directors of an organization or governmental agency devoted to the improvement of the law, the legal system or the administration of justice. They may assist such an organization in raising funds and may participate in their management and investment, but should not personally solicit contributions from the public. They may attend fund raising activities. They may make recommendations to public and private fund granting agencies on projects and programs concerning the law, the legal system and the administration of justice.

Comment

As judicial officers and persons specially learned in the law, judges are in a unique position to contribute to the improvement of the law, the legal system and the administration of justice, including revision of substantive and procedural law and improvement of criminal and juvenile justice.

To the extent that their time permits, they are encouraged to do so, either independently or through a bar association, judicial conference, or other organization dedicated to the improvement of the law.

Use of an organization's letterhead for fund raising or membership solicitation is permissible provided the letterhead lists only the judge's name and position in the organization, and if comparable designations are listed for other persons.

Judges must not be speakers or guests of honor at an organization's fund raising event, but attendance at such an event is permissible if otherwise consistent with this Code. Judges may pay to attend an organization's fund raising event.

Extrajudicial activities are governed by Canon 5.

CANON 5

Judges shall regulate their extrajudicial activities to minimize the risk of conflict with their judicial duties.

(A) Avocational Activities. Judges may write, lecture, teach and speak on nonlegal subjects, and engage in the arts, sports and other social and recreational activities, if such avocational activities do not detract from the dignity of their office or interfere with the performance of their judicial duties.

Comment

Complete separation of judges from extrajudicial activities is neither possible nor wise; they should not become isolated from the society in which they live.

(B) Civic and Charitable Activities. Judges may participate in civic and charitable activities that do not reflect adversely upon their impartiality or interfere with the performance of their judicial duties. Judges may serve as officers, directors, trustees or nonlegal advisors of an educational, religious, charitable, fraternal or civic organization not conducted for the economic or political advantage of its members, subject to the following limitations:

(1) Judges should not serve if it is likely that the organization will be engaged in proceedings that would ordinarily come before them or will be regularly engaged in adversary proceedings in this state's courts. Comment The changing nature of some organizations and of their relationship to the law makes it necessary for judges to reexamine regularly the activities of each organization with which they are affiliated to determine if it is proper for them to continue their relationship with it. For example, in many jurisdictions charitable hospitals are now more frequently in court than in the past.

(2) Judges should not use the prestige of their office to solicit contributions for any educational, religious, charitable, fraternal or civic organization, but they may be listed as officers, directors or trustees of such an organization. They should not be speakers or the guest of honor at an organization's fund raising events, but they may attend such events.

Comment

Judges may pay to attend an organization's fund raising event. Participation in fund raising activities for organiza-

tions devoted to the law, the legal system, and the administration of justice are governed by Canon 4.

Use of an organization's letterhead lists only the judge's name and position in the organization, and if comparable designations are listed for other persons.

(C) Financial Activities.

(1) Judges should refrain from financial and business dealings that tend to reflect adversely on their impartiality, interfere with the proper performance of their judicial duties or exploit their judicial position.

(2) Judges should not involve themselves in frequent business transactions with lawyers or persons likely to come before the court on which they serve.

(3) Subject to the requirements of Canon 5 (C)(1) and (2), judges may hold and manage investments, including real estate, and engage in other remunerative activity, but should not serve as officers, directors, managers, advisors or employees of any business.

Comment

See Application of the Code of Judicial Conduct, Section (B).

(4) Judges should manage their investments and other financial interests to minimize the number of cases in which they are disqualified. As soon as they can do so without serious financial detriment, they should divest themselves of investments and other financial interests that might require frequent disqualification.

(5) Judges should not accept, and should urge members of their families residing in their households not to accept a gift, bequest, favor or loan from anyone except as follows:

(a) judges may accept a gift incident to a public testimonial to them; books supplied by publishers on a complimentary basis for official use; or an invitation to judges and their spouses to attend a bar related function or activity devoted to the improvement of the law, the legal system or the administration of justice;

(b) judges or members of their families residing in their households may accept ordinary social hospitality; a gift, bequest, favor or loan from a relative; a wedding or engagement gift, a loan from a lending institution in its regular course of business on the same terms generally available to persons who are not judges; or a scholarship or fellowship awarded on the same terms applied to other applicants;

(c) judges or members of their families residing in their households may accept any other gift, bequest, favor or loan only if the donor is not a party or other person whose interests have come or are likely to come before the judge, and the judge reports it in the same manner as compensation is reported in Canon 6(C).

Comment

This canon does not apply to contributions to a judge's campaign for judicial office, a matter governed by Canon 7.

(6) Judges are not required by this Code to disclose their income, debts, or investments, except as provided in this canon and Canons 3 and 6 or as otherwise required by law.

Comment

Canon 3 requires judges to disqualify themselves in any proceeding in which they have a financial interest, however small; Canon 5 requires judges to refrain from engaging in business and from financial activities that might interfere with the impartial performance of their judicial duties; Canon 6 requires judges to report all compensation they receive for activities outside their judicial office. Judges have the rights of ordinary citizens, including the right to privacy of their financial affairs, except to the extent that limitations thereon are required to safeguard the proper performance of their duties. Owning and receiving income from investments do not as such affect the performance of a judge's duties.

(7) Information acquired by judges in their judicial capacity should not be used or disclosed by them in financial dealings or for any other purpose not related to their judicial duties.

(8) Subject to the limitations and requirements of Canon 6, judges may accept compensation and reimbursement of expenses for the solemnization of marriages, performed outside of regular court hours, pursuant to RCW 26.04.050.

(D) Fiduciary Activities. Judges shall not serve as executors, administrators, trustees, guardians or other fiduciaries, except for the estate, trust or person of members of their families, and then only if such service will not interfere with the proper performance of their judicial duties. As family fiduciaries judges are subject to the following restrictions:

(1) Judges shall not serve if it is likely that as a fiduciary they will be engaged in proceedings that would ordinarily come before them, or if the estate, trust or ward becomes involved in adversary proceedings in the court on which they serve or one under its appellate jurisdiction.

(2) While acting as a fiduciary, judges are subject to the same restrictions on financial activities that apply to them in their personal capacities.

Comment

Judges' obligations under this canon and their obligations as a fiduciary may come into conflict. For example, judges should resign as trustees if it would result in detriment to the trust to divest it of holdings whose retention would place the judge in violation of Canon 5 (C)(4).

(E) Arbitration. Judges should not participate as arbitrators or mediators or otherwise perform judicial functions in a private capacity unless expressly authorized by law.

(F) Practice of Law. Judges shall not practice law. Notwithstanding this prohibition, judges may act pro se and may, without compensation, give legal advice to and draft or review documents for members of their families.

(G) Extrajudicial Appointments. Judges should not accept appointment to a governmental committee, commission or other position that is concerned with issues of fact or policy on matters other than the improvement of the law, the legal system or the administration of justice. Judges, however, may represent their country, state or locality on ceremonial occasions or in connection with historical, educational and cultural activities.

Comment

Valuable services have been rendered in the past to the states and the nation by judges appointed by the executive to undertake important extrajudicial assignments. The appropriateness of conferring these assignments on judges must be reassessed, however, in the light of the demands on the judiciary created by today's crowded dockets and the need to protect the courts from involvement in extrajudicial matters that may prove to be controversial. Judges should not be expected or permitted to accept governmental appointments that could interfere with the efficiency, effectiveness and independence of the judiciary.

CANON 6

Judges shall regularly file reports of compensation received for quasi-judicial and extra-judicial activities.

Judges may receive compensation and reimbursement of expenses for the quasi-judicial and extrajudicial activities permitted by this Code, if the source of such payments does not give the appearance of influencing the judges in their judicial duties or otherwise give the appearance of impropriety, subject to the following restrictions:

(A) Compensation. Compensation shall not exceed a reasonable amount nor shall it exceed what a person who is not a judge would receive for the same activity.

(B) Expense Reimbursement. Expense reimbursement should be limited to the actual cost of travel, food and lodging reasonably incurred by the judge and, where appropriate to the occasion, by the judge's spouse. Any payment in excess of such an amount is compensation.

(C) Public Reports. A judge shall make such financial disclosures as required by law.

Comment

The Code does not prohibit judges from accepting honoraria or speaking fees provided that the compensation is reasonable and commensurate with the task performed. Judges should ensure, however, that no conflicts are created by the arrangement. Judges must not appear to trade on their judicial position for personal advantage. Judges should not spend significant time away from court duties to meet speaking or writing commitments for compensation. In addition, the source of the payments must not raise any question of undue influence or the judges' ability or willingness to be impartial.

CANON 7

Judges shall refrain from political activity inappropriate to their judicial office.

(A) Political Conduct in General.

(1) Judges or candidates for election to judicial office shall not:

(a) act as leaders or hold any office in a political organization;

(b) make speeches for a political organization or nonjudicial candidate or publicly endorse a nonjudicial candidate for public office;

(c) solicit funds for or pay an assessment or make a contribution to a political organization or nonjudicial candidate;

(d) attend political functions sponsored by political organizations or purchase tickets for political party dinners or other functions, except as authorized by Canon 7 (A)(2);

(e) identify themselves as members of a political party, except as necessary to vote in an election;

(f) contribute to a political party, a political organization or nonjudicial candidate.

(2) During judicial campaigns, judges or candidates for election to judicial office may attend political gatherings, including functions sponsored by political organizations, and speak to such gatherings on their own behalf or that of another judicial candidate.

(3) Judges may contribute to, but shall not solicit funds for another judicial candidate.

(4) Judges shall resign from office when they become candidates either in a primary or in a general election for a nonjudicial office, except that they may continue to hold office while being a candidate for election to or serving as a delegate in a state constitutional convention, if they are otherwise permitted by law to do so.

Comment

See State ex. rel. Reynolds v. Howell, 70 Wash. 467, 126 Pac. 954 (1912) and State ex. rel. Chandler v. Howell, 104 Wash. 99, 175 Pac. 569 (1918).

(5) Judges should not engage in any other political activity except on behalf of measures to improve the law, the legal system or the administration of justice.

(B) Campaign Conduct.

(1) Candidates, including an incumbent judge, for a judicial office;

(a) should maintain the dignity appropriate to judicial office, and should encourage members of their families to adhere to the same standards of political conduct that apply to them;

(b) should prohibit public officials or employees subject to their direction or control from doing for them what they are prohibited from doing under this canon; and except to the extent authorized under Canon 7 (B)(2) or (B)(3), they should not allow any other person to do for them what they are prohibited from doing under this canon;

(c) should not

(i) make pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office;

(ii) make statements that commit or appear to commit the candidate with respect to cases, controversies or issues that are likely to come before the court; or

(iii) knowingly misrepresent the identity, qualifications, present position or other fact concerning the candidate or an opponent.

Comment

Section 7 (B)(1)(e) prohibits a candidate for judicial office from making statements that appear to commit the candidate regarding cases, controversies or issues likely to come before the court. As a corollary, a candidate should emphasize in any public statement the candidate's duty to uphold the law regardless of his or her personal views. See also Section

~~3(A)(6), the general rule on public comment by judges. Section 7(B)(1)(c) does not prohibit a candidate from making pledges or promises respecting improvements in court administration. Nor does this Section prohibit an incumbent judge from making private statements to other judges or court personnel in the performance of judicial duties. This Section applies to any statement made in the process of securing judicial office.~~

(2) Candidates, including incumbent judges, for a judicial office that is filled by public election between competing candidates shall not personally solicit or accept campaign contributions. They may establish committees of responsible persons to secure and manage campaign funds and to obtain public statements of support. Such committees may solicit campaign contributions and public support from lawyers and others. Candidates' committees may solicit contributions no earlier than 120 days from the date when filing for that office is first permitted and no later than 60 days after the final election in which the candidate participated. Candidates shall not use or permit the use of campaign contributions for the private benefit of themselves or members of their families. Can-

didates shall comply with all laws requiring public disclosure of campaign finances, which may require knowledge of campaign contributions. When an unsolicited contribution is delivered directly to the candidate, receipt and prompt delivery of the contribution to the appropriate campaign official is not prohibited.

Comment

Although campaign contributions of which a judge has knowledge are not prohibited, these contributions may be relevant to recusal.

~~(3) An incumbent judge who is a candidate for office without a competing candidate, may obtain public support and campaign contributions in the manner provided in Canon 7(B)(2).~~

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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 09-24-079

**NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON**

[Filed November 30, 2009, 1:48 p.m.]

OPEN PUBLIC MEETINGS

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Aeronautics and Astronautics	January 4	Guggenheim 211D	3:30 p.m.
Aeronautics and Astronautics	February 8	Guggenheim 211D	3:30 p.m.
Aeronautics and Astronautics	March 1	Guggenheim 211D	3:30 p.m.
Aeronautics and Astronautics	April 5	Guggenheim 211D	3:30 p.m.
Aeronautics and Astronautics	May 3	Guggenheim 211D	3:30 p.m.
Aeronautics and Astronautics	June 7	Guggenheim 211D	3:30 p.m.
Aeronautics and Astronautics	October 4	Guggenheim 211D	3:30 p.m.
Aeronautics and Astronautics	November 1	Guggenheim 211D	3:30 p.m.
Aeronautics and Astronautics	December 6	Guggenheim 211D	3:30 p.m.
American Ethnic Studies	January 6	Padelford B503	3:30 p.m.
American Ethnic Studies	February 3	Padelford B503	3:30 p.m.
American Ethnic Studies	March 3	Padelford B503	3:30 p.m.
American Ethnic Studies	April 7	Padelford B503	3:30 p.m.
American Ethnic Studies	May 5	Padelford B503	3:30 p.m.
American Ethnic Studies	June 2	Padelford B503	3:30 p.m.
American Ethnic Studies	October 6	Padelford B503	3:30 p.m.
American Ethnic Studies	November 3	Padelford B503	3:30 p.m.
American Ethnic Studies	December 8	Padelford B503	3:30 p.m.
Anthropology	January 5	Denny 401	12:30 p.m.
Anthropology	February 2	Denny 401	12:30 p.m.
Anthropology	March 2	Denny 401	12:30 p.m.
Anthropology	April 6	Denny 401	12:30 p.m.
Anthropology	May 4	Denny 401	12:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Anthropology	June 8	Denny 401	12:30 p.m.
Anthropology	July 6	Denny 401	12:30 p.m.
Anthropology	August 3	Denny 401	12:30 p.m.
Anthropology	September 7	Denny 401	12:30 p.m.
Anthropology	October 5	Denny 401	12:30 p.m.
Anthropology	November 2	Denny 401	12:30 p.m.
Anthropology	December 7	Denny 401	12:30 p.m.
Asian Languages and Literature	January 13	Smith 115	3:30 p.m.
Asian Languages and Literature	February 10	Smith 115	3:30 p.m.
Asian Languages and Literature	March 10	Smith 115	3:30 p.m.
Asian Languages and Literature	April 14	Smith 115	3:30 p.m.
Asian Languages and Literature	May 12	Smith 115	3:30 p.m.
Asian Languages and Literature	June 9	Smith 115	3:30 p.m.
Astronomy Faculty	January 12	Physics/Astronomy C-341	4:00 p.m.
Astronomy Faculty	February 9	Physics/Astronomy C-341	4:00 p.m.
Astronomy Faculty	March 9	Physics/Astronomy C-341	4:00 p.m.
Astronomy Faculty	April 13	Physics/Astronomy C-341	4:00 p.m.
Astronomy Faculty	May 11	Physics/Astronomy C-341	4:00 p.m.
Astronomy Faculty	June 8	Physics/Astronomy C-341	4:00 p.m.
Astronomy Faculty	October 12	Physics/Astronomy C-341	4:00 p.m.
Astronomy Faculty	November 9	Physics/Astronomy C-341	4:00 p.m.
Astronomy Faculty	December 14	Physics/Astronomy C-341	4:00 p.m.
ASUW Board of Directors	January 8	HUB 204N	5:00 p.m.
Bioengineering Faculty	December 15	Foege Room N130A	8:00 a.m.
Bioengineering Faculty	January 19	Foege Room N130A	8:00 a.m.
Bioengineering Faculty	February 9	Foege Room N130A	8:00 a.m.
Bioengineering Faculty	March 9	Foege Room N130A	8:00 a.m.
Bioengineering Faculty	April 6	Foege Room N130A	8:00 a.m.
Bioengineering Faculty	May 11	Foege Room N130A	8:00 a.m.
Bioengineering Faculty	June 8	Foege Room N130A	8:00 a.m.
Biology Faculty	January 4	Hitchcock 320	1:30 p.m.
Biology Faculty	January 11	Hitchcock 320	1:30 p.m.
Biology Faculty	January 25	Hitchcock 320	1:30 p.m.
Biology Faculty	February 1	Hitchcock 320	1:30 p.m.
Biology Faculty	February 8	Hitchcock 320	1:30 p.m.
Biology Faculty	February 22	Hitchcock 320	1:30 p.m.
Biology Faculty	March 1	Hitchcock 320	1:30 p.m.
Biology Faculty	March 8	Hitchcock 320	1:30 p.m.
Biology Faculty	March 15	Hitchcock 320	1:30 p.m.
Biology Faculty	March 22	Hitchcock 320	1:30 p.m.
Biology Faculty	April 5	Hitchcock 320	1:30 p.m.
Biology Faculty	April 12	Hitchcock 320	1:30 p.m.
Biology Faculty	April 19	Hitchcock 320	1:30 p.m.
Biology Faculty	April 26	Hitchcock 320	1:30 p.m.
Biology Faculty	May 3	Hitchcock 320	1:30 p.m.
Biology Faculty	May 10	Hitchcock 320	1:30 p.m.
Biology Faculty	May 17	Hitchcock 320	1:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Biology Faculty	May 24	Hitchcock 320	1:30 p.m.
Biology Faculty	June 7	Hitchcock 320	1:30 p.m.
Biology Faculty	October 4	Hitchcock 320	1:30 p.m.
Biology Faculty	October 11	Hitchcock 320	1:30 p.m.
Biology Faculty	October 18	Hitchcock 320	1:30 p.m.
Biology Faculty	October 25	Hitchcock 320	1:30 p.m.
Biology Faculty	October 31	Hitchcock 320	1:30 p.m.
Biology Faculty	November 1	Hitchcock 320	1:30 p.m.
Biology Faculty	November 8	Hitchcock 320	1:30 p.m.
Biology Faculty	November 15	Hitchcock 320	1:30 p.m.
Biology Faculty	November 22	Hitchcock 320	1:30 p.m.
Biology Faculty	November 29	Hitchcock 320	1:30 p.m.
Biology Faculty	December 6	Hitchcock 320	1:30 p.m.
Biology Faculty	December 13	Hitchcock 320	1:30 p.m.
Board of Regents	January 21	UW Tower T22	3:00 p.m.
Board of Regents	February 18	Petersen Room Allen Library	3:00 p.m.
Board of Regents	March 18	UW Tacoma	3:00 p.m.
Board of Regents	April 15	Petersen Room Allen Library	3:00 p.m.
Board of Regents	May 13	UW Tower T22	3:00 p.m.
Board of Regents	June 10	Petersen Room Allen Library	1:00 p.m.
Board of Regents	July 15	UW Tower T-22	3:00 p.m.
Board of Regents	August 19	UW Tower T22	3:00 p.m.
Board of Regents	September 16	Petersen Room Allen Library	3:00 p.m.
Board of Regents	October 21	UW Tower T-22	3:00 p.m.
Board of Regents	November 18	Petersen Room Allen Library	3:00 p.m.
Board of Regents	November 19	WSU Pullman	3:00 p.m.
Board of Regents	December 9	Petersen Room Allen Library	3:00 p.m.
Bothell Academic Council	January 14	UW1 280	1:00 p.m.
Bothell Academic Council	January 28	UW1 280	1:00 p.m.
Bothell Academic Council	February 11	UW1 280	1:00 p.m.
Bothell Academic Council	February 25	UW1 280	1:00 p.m.
Bothell Academic Council	March 11	UW1 280	1:00 p.m.
Bothell Academic Council	March 25	UW1 280	1:00 p.m.
Bothell Academic Council	April 8	UW1 280	1:00 p.m.
Bothell Academic Council	April 22	UW1 280	1:00 p.m.
Bothell Academic Council	May 13	UW1 280	1:00 p.m.
Bothell Academic Council	May 27	UW1 280	1:00 p.m.
Bothell Academic Council	June 10	UW1 280	1:00 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Bothell Academic Council	June 24	UW1 280	1:00 p.m.
Bothell Academic Council	July 8	UW1 280	1:00 p.m.
Bothell Academic Council	July 22	UW1 280	1:00 p.m.
Bothell Academic Council	August 12	UW1 280	1:00 p.m.
Bothell Academic Council	August 26	UW1 280	1:00 p.m.
Bothell Academic Council	September 9	UW1 280	1:00 p.m.
Bothell Academic Council	September 30	UW1 280	1:00 p.m.
Bothell Academic Council	October 14	UW1 280	1:00 p.m.
Bothell Academic Council	October 28	UW1 280	1:00 p.m.
Bothell Academic Council	November 9	UW1 280	1:00 p.m.
Bothell Academic Council	November 23	UW1 280	1:00 p.m.
Bothell Academic Council	December 2	UW1 280	1:00 p.m.
Bothell Academic Council	December 16	UW1 280	1:00 p.m.
Bothell Business Faculty and Staff	January 6	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	February 3	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	March 3	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	April 7	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	May 5	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	June 2	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	July 7	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	August 4	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	September 1	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	October 6	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	November 3	UW1 280	3:30 p.m.
Bothell Business Faculty and Staff	December 1	UW1 280	3:30 p.m.
Bothell Computing and Software Systems	January 12	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	January 26	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	February 9	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	February 23	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	March 9	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	March 23	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	April 6	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	April 20	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	May 4	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	May 18	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	June 1	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	October 5	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	October 19	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	November 12	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	November 16	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	November 30	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	December 7	UW1 370	1:00 p.m.
Bothell Computing and Software Systems	December 14	UW1 370	1:00 p.m.
Bothell Education	January 12	UW2 228	1:30 p.m.
Bothell Education	January 26	UW2 228	1:30 p.m.
Bothell Education	February 9	UW2 228	1:30 p.m.
Bothell Education	February 23	UW2 228	1:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Bothell Education	March 9	UW2 228	1:30 p.m.
Bothell Health and Safety	January 12	UW1 103	10:00 a.m.
Bothell Health and Safety	February 9	UW1 103	10:00 a.m.
Bothell Health and Safety	March 9	UW1 103	10:00 a.m.
Bothell Health and Safety	April 13	UW1 103	10:00 a.m.
Bothell Health and Safety	May 11	UW1 103	10:00 a.m.
Bothell Health and Safety	June 8	UW1 103	10:00 a.m.
Bothell Health and Safety	July 13	UW1 103	10:00 a.m.
Bothell Health and Safety	August 10	UW1 103	10:00 a.m.
Bothell Health and Safety	September 14	UW1 103	10:00 a.m.
Bothell Health and Safety	October 12	UW1 103	10:00 a.m.
Bothell Health and Safety	November 9	UW1 103	10:00 a.m.
Bothell Health and Safety	December 14	UW1 103	10:00 a.m.
Bothell IAS Faculty	January 6	UW1 050	1:30 p.m.
Bothell IAS Faculty	February 3	UW1 050	1:30 p.m.
Bothell IAS Faculty	March 3	UW1 050	1:30 p.m.
Bothell IAS Faculty	April 7	UW1 050	1:30 p.m.
Bothell IAS Faculty	May 5	UW1 050	1:30 p.m.
Bothell IAS Faculty	June 2	UW1 050	1:30 p.m.
Bothell IAS Faculty	October 6	UW1 050	1:30 p.m.
Bothell IAS Faculty	November 3	UW1 050	1:30 p.m.
Bothell IAS Faculty	December 1	UW1 050	1:30 p.m.
Bothell IAS Supplemental	January 19	UW1 280	1:30 p.m.
Bothell IAS Supplemental	February 16	UW1 280	1:30 p.m.
Bothell IAS Supplemental	March 16	UW1 280	1:30 p.m.
Bothell IAS Supplemental	April 20	UW1 280	1:30 p.m.
Bothell IAS Supplemental	May 18	UW1 280	1:30 p.m.
Bothell IAS Supplemental	June 15	UW1 280	1:30 p.m.
Bothell IAS Supplemental	October 19	UW1 280	1:30 p.m.
Bothell IAS Supplemental	November 16	UW1 280	1:30 p.m.
Bothell IAS Supplemental	December 21	UW1 280	1:30 p.m.
Bothell Nursing Advisory	April 28	UW1 280	11:00 a.m.
Bothell Nusing [Nursing] Advisory	October 27	UW1 280	11:00 a.m.
Bothell Nursing Program	January 6	UW1 211b	9:30 a.m.
Bothell Nursing Program	February 3	UW1 211b	9:30 a.m.
Bothell Nursing Program	March 3	UW1 211b	9:30 a.m.
Bothell Nursing Program	April 7	UW1 211b	9:30 a.m.
Bothell Nursing Program	May 5	UW1 211b	9:30 a.m.
Bothell Nursing Program	June 2	UW1 211b	9:30 a.m.
Bothell Nursing Program	September 1	UW1 211b	9:30 a.m.
Bothell Nursing Program	October 6	UW1 211b	9:30 a.m.
Bothell Nursing Program	November 3	UW1 211b	9:30 a.m.
Bothell Nursing Program	December 1	UW1 211b	9:30 a.m.
Bothell Nursing Program Biennium	January 13	UW1 211b	9:30 a.m.
Bothell Nursing Program Biennium	February 10	UW1 211b	9:30 a.m.
Bothell Nursing Program Biennium	March 10	UW1 211b	9:30 a.m.
Bothell Nursing Program Biennium	April 14	UW1 211b	9:30 a.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Bothell Nursing Program Biennium	May 12	UW1 211b	9:30 a.m.
Bothell Nursing Program Biennium	June 8	UW1 211b	9:30 a.m.
Bothell Nursing Program Biennium	September 15	UW1 211b	9:30 a.m.
Bothell Nursing Program Biennium	October 13	UW1 211b	9:30 a.m.
Bothell Nursing Program Biennium	November 10	UW1 211b	9:30 a.m.
Bothell Nursing Program Biennium	December 8	UW1 211b	9:30 a.m.
Bothell Services and Activities Fee Comm	January 29	UW1 103	9:00 a.m.
Bothell Services and Activities Fee Comm	February 19	UW1 103	9:00 a.m.
Bothell Services and Activities Fee Comm	March 5	UW1 103	9:00 a.m.
Bothell Services and Activities Fee Comm	March 12	UW1 103	9:00 a.m.
Bothell Services and Activities Fee Comm	April 2	UW1 103	9:00 a.m.
Bothell Services and Activities Fee Comm	April 9	UW1 103	9:00 a.m.
Bothell Science and Tech Faculty	January 5	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	January 10	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	February 2	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	February 16	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	March 2	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	March 16	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	April 6	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	April 20	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	May 4	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	May 18	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	June 1	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	June 15	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	September 7	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	September 21	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	October 5	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	October 19	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	November 2	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	November 16	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	December 7	UW1 370	2:30 p.m.
Bothell Science and Tech Faculty	December 21	UW1 370	2:30 p.m.
Chemical Engineering Faculty	December 4	Benson 109	2:30 p.m.
Chemical Engineering Faculty	January 11	Benson 109	2:30 p.m.
Chemical Engineering Faculty	January 18	Benson 109	2:30 p.m.
Chemical Engineering Faculty	January 25	Benson 109	2:30 p.m.
Chemical Engineering Faculty	February 1	Benson 109	2:30 p.m.
Chemical Engineering Faculty	February 8	Benson 109	2:30 p.m.
Chemical Engineering Faculty	February 15	Benson 109	2:30 p.m.
Chemical Engineering Faculty	February 22	Benson 109	2:30 p.m.
Chemical Engineering Faculty	March 1	Benson 109	2:30 p.m.
Chemical Engineering Faculty	March 8	Benson 109	2:30 p.m.
Chemical Engineering Faculty	March 15	Benson 109	2:30 p.m.
Chemical Engineering Faculty	March 22	Benson 109	2:30 p.m.
Chemical Engineering Faculty	March 29	Benson 109	2:30 p.m.
Chemical Engineering Faculty	April 5	Benson 109	2:30 p.m.
Chemical Engineering Faculty	April 12	Benson 109	2:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Chemical Engineering Faculty	April 19	Benson 109	2:30 p.m.
Chemical Engineering Faculty	April 26	Benson 109	2:30 p.m.
Chemical Engineering Faculty	May 3	Benson 109	2:30 p.m.
Chemical Engineering Faculty	May 10	Benson 109	2:30 p.m.
Chemical Engineering Faculty	May 17	Benson 109	2:30 p.m.
Chemical Engineering Faculty	May 24	Benson 109	2:30 p.m.
Chemical Engineering Faculty	May 31	Benson 109	2:30 p.m.
Chemical Engineering Faculty	June 7	Benson 109	2:30 p.m.
Chemical Engineering Faculty	September 6	Benson 109	2:30 p.m.
Chemical Engineering Faculty	September 13	Benson 109	2:30 p.m.
Chemical Engineering Faculty	September 20	Benson 109	2:30 p.m.
Chemical Engineering Faculty	September 27	Benson 109	2:30 p.m.
Chemical Engineering Faculty	October 4	Benson 109	2:30 p.m.
Chemical Engineering Faculty	October 11	Benson 109	2:30 p.m.
Chemical Engineering Faculty	October 18	Benson 109	2:30 p.m.
Chemical Engineering Faculty	October 25	Benson 109	2:30 p.m.
Chemical Engineering Faculty	November 1	Benson 109	2:30 p.m.
Chemical Engineering Faculty	November 8	Benson 109	2:30 p.m.
Chemical Engineering Faculty	November 15	Benson 109	2:30 p.m.
Chemical Engineering Faculty	November 22	Benson 109	2:30 p.m.
Chemical Engineering Faculty	November 29	Benson 109	2:30 p.m.
Chemical Engineering Faculty	December 6	Benson 109	2:30 p.m.
Chemical Engineering Faculty	December 13	Benson 109	2:30 p.m.
Chemical Engineering Faculty	December 20	Benson 109	2:30 p.m.
Chemical Engineering Faculty	December 27	Benson 109	2:30 p.m.
Chemical Engineering Faculty	September 23	Roosevelt Commons 120A	9:00 a.m. - 4:00 [p.m.]
Chemistry Faculty	January 7	CHB 102	3:30 p.m.
Chemistry Faculty	January 14	CHB 102	3:30 p.m.
Chemistry Faculty	January 21	CHB 102	3:30 p.m.
Chemistry Faculty	January 28	CHB 102	3:30 p.m.
Chemistry Faculty	February 4	CHB 102	3:30 p.m.
Chemistry Faculty	February 11	CHB 102	3:30 p.m.
Chemistry Faculty	February 18	CHB 102	3:30 p.m.
Chemistry Faculty	February 25	CHB 102	3:30 p.m.
Chemistry Faculty	March 4	CHB 102	3:30 p.m.
Chemistry Faculty	March 11	CHB 102	3:30 p.m.
Chemistry Faculty	March 18	CHB 102	3:30 p.m.
Chemistry Faculty	March 25	CHB 102	3:30 p.m.
Chemistry Faculty	April 1	CHB 102	3:30 p.m.
Chemistry Faculty	April 8	CHB 102	3:30 p.m.
Chemistry Faculty	April 15	CHB 102	3:30 p.m.
Chemistry Faculty	April 22	CHB 102	3:30 p.m.
Chemistry Faculty	April 29	CHB 102	3:30 p.m.
Chemistry Faculty	May 6	CHB 102	3:30 p.m.
Chemistry Faculty	May 13	CHB 102	3:30 p.m.
Chemistry Faculty	May 20	CHB 102	3:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Chemistry Faculty	May 27	CHB 102	3:30 p.m.
Chemistry Faculty	June 3	CHB 102	3:30 p.m.
Chemistry Faculty	June 10	CHB 102	3:30 p.m.
Chemistry Faculty	June 17	CHB 102	3:30 p.m.
Chemistry Faculty	June 24	CHB 102	3:30 p.m.
Chemistry Faculty	July 1	CHB 102	3:30 p.m.
Chemistry Faculty	July 8	CHB 102	3:30 p.m.
Chemistry Faculty	July 15	CHB 102	3:30 p.m.
Chemistry Faculty	July 22	CHB 102	3:30 p.m.
Chemistry Faculty	July 29	CHB 102	3:30 p.m.
Chemistry Faculty	August 5	CHB 102	3:30 p.m.
Chemistry Faculty	August 12	CHB 102	3:30 p.m.
Chemistry Faculty	August 19	CHB 102	3:30 p.m.
Chemistry Faculty	August 26	CHB 102	3:30 p.m.
Chemistry Faculty	September 2	CHB 102	3:30 p.m.
Chemistry Faculty	September 9	CHB 102	3:30 p.m.
Chemistry Faculty	September 16	CHB 102	3:30 p.m.
Chemistry Faculty	September 23	CHB 102	3:30 p.m.
Chemistry Faculty	September 30	CHB 102	3:30 p.m.
Chemistry Faculty	October 7	CHB 102	3:30 p.m.
Chemistry Faculty	October 14	CHB 102	3:30 p.m.
Chemistry Faculty	October 21	CHB 102	3:30 p.m.
Chemistry Faculty	October 28	CHB 102	3:30 p.m.
Chemistry Faculty	November 4	CHB 102	3:30 p.m.
Chemistry Faculty	November 11	CHB 102	3:30 p.m.
Chemistry Faculty	November 18	CHB 102	3:30 p.m.
Chemistry Faculty	November 25	CHB 102	3:30 p.m.
Chemistry Faculty	December 2	CHB 102	3:30 p.m.
Chemistry Faculty	December 9	CHB 102	3:30 p.m.
Chemistry Faculty	December 16	CHB 102	3:30 p.m.
Chemistry Faculty	December 23	CHB 102	3:30 p.m.
Chemistry Faculty	December 30	CHB 102	3:30 p.m.
China Research and Dev Enterprise Annual Meeting of Directors	December 6	Gerberding 142	1:00 p.m.
China Research and Dev Enterprise Annual Meeting of Sole Member	December 6	Gerberding 142	1:00 p.m.
Civil and Environmental Engineering	January 12	More Hall 221	12:30 p.m.
Civil and Environmental Engineering	February 9	More Hall 221	12:30 p.m.
Civil and Environmental Engineering	March 9	More Hall 221	12:30 p.m.
Civil and Environmental Engineering	April 13	More Hall 221	12:30 p.m.
Civil and Environmental Engineering	May 11	More Hall 221	12:30 p.m.
Civil and Environmental Engineering	June 8	More Hall 221	12:30 p.m.
Civil and Environmental Engineering	October 12	More Hall 221	12:30 p.m.
Civil and Environmental Engineering	November 9	More Hall 221	12:30 p.m.
Civil and Environmental Engineering	December 14	More Hall 221	12:30 p.m.
Classics Department Faculty	January 12	Denny Hall 210	12:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Classics Department Faculty	February 5	Denny Hall 210	2:30 a.m. [12:30 p.m.]
Classics Department Faculty	March 2	Denny Hall 210	12:30 p.m.
Classics Department Faculty	April 6	Denny Hall 210	12:30 p.m.
Classics Department Faculty	May 4	Denny Hall 210	12:30 p.m.
Classics Department Faculty	June 1	Denny Hall 210	12:30 p.m.
Classics Department Faculty	October 5	Denny Hall 210	12:30 p.m.
Classics Department Faculty	November 2	Denny Hall 210	12:30 p.m.
Classics Department Faculty	December 7	Denny Hall 210	12:30 p.m.
Communications, Department	January 6	Communication 126	3:30 p.m.
Communications, Department	February 3	Communication 126	3:30 p.m.
Communications, Department	February 3	Communication 126	3:30 p.m.
Communications, Department	April 7	Communication 126	3:30 p.m.
Communications, Department	May 5	Communication 126	3:30 p.m.
Communications, Department	June 2	Communication 126	3:30 p.m.
Comp History of Ideas Faculty	January 8	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	January 15	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	January 22	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	January 29	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	February 5	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	February 12	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	February 19	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	March 5	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	March 12	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	April 2	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	April 9	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	April 16	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	April 23	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	April 30	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	May 7	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	May 14	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	May 21	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	May 28	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	June 4	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	October 8	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	October 15	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	October 22	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	October 29	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	November 5	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	November 12	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	November 19	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	December 3	Padelford C101	3:00 p.m.
Comp History of Ideas Faculty	December 10	Padelford C101	3:00 p.m.
Computer Science and Engineering Faculty	January 7	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	January 14	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	January 21	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	January 28	Paul Allen Center Room 691	1:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Computer Science and Engineering Faculty	February 4	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	February 11	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	February 18	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	February 25	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	March 4	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	March 11	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	March 18	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	March 25	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	April 1	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	April 8	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	April 15	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	April 22	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	April 29	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	May 6	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	May 13	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	May 20	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	May 27	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	June 3	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	June 10	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	September 30	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	October 7	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	October 14	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	October 21	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	October 28	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	November 4	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	November 11	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	November 18	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	November 25	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	December 2	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	December 9	Paul Allen Center Room 691	1:30 p.m.
Computer Science and Engineering Faculty	December 16	Paul Allen Center Room 691	1:30 p.m.
Construction Management, Department of	January 13	Architecture Hall 110	10:30 a.m.
Construction Management, Department of	February 3	Architecture Hall 140	10:30 a.m.
Construction Management, Department of	March 10	Architecture Hall 140	10:30 a.m.
Construction Management, Department of	April 14	Architecture Hall 140	10:30 a.m.
Construction Management, Department of	May 12	Architecture Hall 140	10:30 a.m.
Construction Management, Department of	June 2	Architecture Hall 140	10:30 a.m.
Construction Management, Department of	October 13	Architecture Hall 140	10:30 a.m.
Construction Management, Department of	November 17	Architecture Hall 140	10:30 a.m.
Construction Management, Department of	December 8	Architecture Hall 140	10:30 a.m.
Dance Program Faculty	January 14	Meany 255	1:00 p.m.
Dance Program Faculty	January 28	Meany 255	1:00 p.m.
Dance Program Faculty	February 11	Meany 255	1:00 p.m.
Dance Program Faculty	February 25	Meany 255	1:00 p.m.
Dance Program Faculty	March 11	Meany 255	1:00 p.m.
Dance Program Faculty	April 8	Meany 255	11:30 a.m.
Dance Program Faculty	April 22	Meany 255	11:30 a.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Dance Program Faculty	May 6	Meany 255	11:30 a.m.
Dance Program Faculty	May 13	Meany 255	11:30 a.m.
Dance Program Faculty	June 3	Meany 255	11:30 a.m.
Dance Program Faculty	October 7	Meany 255	11:30 a.m.
Dance Program Faculty	October 21	Meany 255	11:30 a.m.
Dance Program Faculty	November 4	Meany 255	11:30 a.m.
Dance Program Faculty	November 18	Meany 255	11:30 a.m.
Dance Program Faculty	December 9	Meany 255	11:30 a.m.
Drama, School of, Faculty	January 6	Hutchinson Hall 154	1:30 p.m.
Drama, School of, Faculty	February 10	Hutchinson Hall 154	1:30 p.m.
Drama, School of, Faculty	March 17	Hutchinson Hall 154	10:30 a.m.
Drama, School of, Faculty	April 7	Hutchinson Hall 154	1:30 p.m.
Drama, School of, Faculty	May 5	Hutchinson Hall 154	1:30 p.m.
Drama, School of, Faculty	June 16	Hutchinson Hall 154	10:30 a.m.
Drama, School of, Faculty	September 21	Hutchinson Hall 154	12:00 p.m. - 5:00 p.m.
Drama, School of, Faculty	November 3	Hutchinson Hall 303	1:30 p.m.
Drama, School of, Faculty	December 15	Hutchinson Hall 154	10:30 a.m.
Earth and Space Sciences Faculty	January 8	JHN 175	2:30 p.m.
Earth and Space Sciences Faculty	February 5	JHN 175	2:30 p.m.
Earth and Space Sciences Faculty	March 5	JHN 175	2:30 p.m.
Earth and Space Sciences Faculty	April 2	JHN 175	2:30 p.m.
Earth and Space Sciences Faculty	May 7	JHN 175	2:30 p.m.
Earth and Space Sciences Faculty	June 4	JHN 175	2:30 p.m.
Earth and Space Sciences Faculty	October 8	JHN 175	2:30 p.m.
Earth and Space Sciences Faculty	November 5	JHN 175	2:30 p.m.
Earth and Space Sciences Faculty	December 3	JHN 175	2:30 p.m.
Education, College of	January 29	Miller 104	12:30 p.m.
Education, College of	February 26	Miller 104	12:30 p.m.
Education, College of	March 12	Miller 104	12:30 p.m.
Education, College of	April 9	Miller 104	12:30 p.m.
Education, College of	May 21	Miller 104	12:30 p.m.
Education, College of	June 11	Miller 104	12:30 p.m.
Engineering Council on Ed Policy	January 5	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	January 19	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	February 2	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	February 16	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	March 2	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	April 6	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	April 20	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	May 4	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	May 18	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	June 1	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	October 5	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	October 19	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	November 2	Loew 355	3:30 p.m.
Engineering Council on Ed Policy	November 16	Loew 355	3:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Engineering Council on Ed Policy	December 7	Loew 355	3:30 p.m.
College of Environ Curriculum	January 8	ACC 142	8:30 a.m.
College of Environ Curriculum	January 22	ACC 142	8:30 a.m.
College of Environ Curriculum	February 5	ACC 142	8:30 a.m.
College of Environ Curriculum	February 19	ACC 142	8:30 a.m.
College of Environ Curriculum	March 5	ACC 142	8:30 a.m.
College of Environ Curriculum	March 19	ACC 142	8:30 a.m.
College of Environ Curriculum	April 2	ACC 142	8:30 a.m.
College of Environ Curriculum	April 16	ACC 142	8:30 a.m.
College of Environ Curriculum	April 17	ACC 142	8:30 a.m.
College of Environ Curriculum	May 7	ACC 142	8:30 a.m.
College of Environ Curriculum	May 21	ACC 142	8:30 a.m.
College of Environ Curriculum	June 4	ACC 142	8:30 a.m.
College of Environ Curriculum	October 1	ACC 142	8:30 a.m.
College of Environ Curriculum	October 15	ACC 142	8:30 a.m.
College of Environ Curriculum	November 5	ACC 142	8:30 a.m.
College of Environ Curriculum	November 19	ACC 142	8:30 a.m.
College of Environ Curriculum	December 3	ACC 142	8:30 a.m.
College of Environ Curriculum	December 17	ACC 142	8:30 a.m.
College of Environ Executive Comm	January 12	ACC 120	12:00 p.m.
College of Environ Executive Comm	March 9	ACC 120	12:00 p.m.
College of Environ Executive Comm	April 13	ACC 120	12:00 p.m.
College of Environ Executive Comm	May 11	ACC 120	12:00 p.m.
College of Environ Executive Comm	June 8	ACC 120	12:00 p.m.
College of Environ Executive Comm	July 14	ACC 120	12:00 p.m.
College of Environ Executive Comm	September 14	ACC 120	12:00 p.m.
College of Environ Executive Comm	October 12	ACC 120	12:00 p.m.
College of Environ Executive Comm	November 9	ACC 120	12:00 p.m.
College of Environ Executive Comm	December 14	ACC 120	12:00 p.m.
Evans School Faculty	February 10	Parrington 309	11:30 a.m.
Evans School Faculty	April 16	Parrington 309	9:30 a.m.
Evans School Faculty	May 21	Parrington 309	9:30 a.m.
Evans School Research		Parrington DCR	
Foster School of Business Faculty Council	January 5	Mackenzie Hall McCabe Room	3:00 p.m.
Foster School of Business Faculty Council	February 9	Mackenzie Hall McCabe Room	3:00 p.m.
Foster School of Business Faculty Council	March 2	Mackenzie Hall McCabe Room	3:00 p.m.
Foster School of Business Faculty Council	April 6	Mackenzie Hall McCabe Room	3:00 p.m.
Foster School of Business Faculty Council	May 4	Mackenzie Hall McCabe Room	3:00 p.m.
Foster School of Business Faculty Council	June 8	Mackenzie Hall McCabe Room	3:00 p.m.
Geography, Department of	January 12	Smith Hall 409	2:30 p.m.
Geography, Department of	January 26	Smith Hall 409	2:30 p.m.
Geography, Department of	February 9	Smith Hall 409	2:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Geography, Department of	February 23	Smith Hall 409	2:30 p.m.
Geography, Department of	March 9	Smith Hall 409	2:30 p.m.
Geography, Department of	March 23	Smith Hall 409	2:30 p.m.
Geography, Department of	April 6	Smith Hall 409	2:30 p.m.
Geography, Department of	April 20	Smith Hall 409	2:30 p.m.
Geography, Department of	May 4	Smith Hall 409	2:30 p.m.
Geography, Department of	May 18	Smith Hall 409	2:30 p.m.
Geography, Department of	June 1	Smith Hall 409	2:30 p.m.
Geography, Department of	October 12	Smith Hall 409	2:30 p.m.
Geography, Department of	October 26	Smith Hall 409	2:30 p.m.
Geography, Department of	November 9	Smith Hall 409	2:30 p.m.
Geography, Department of	November 23	Smith Hall 409	2:30 p.m.
Geography, Department of	December 7	Smith Hall 409	2:30 p.m.
Germanics, Department of	January 8	Denny Hall 308	1:30 p.m.
Germanics, Department of	February 5	Denny Hall 308	1:30 p.m.
Germanics, Department of	March 5	Denny Hall 308	1:30 p.m.
Germanics, Department of	April 2	Denny Hall 308	1:30 p.m.
Germanics, Department of	May 7	Denny Hall 308	1:30 p.m.
Germanics, Department of	June 4	Denny Hall 308	1:30 p.m.
GPSS Executive	January 6	HUB 300	5:30 p.m.
GPSS Executive	January 27	HUB 300	5:30 p.m.
GPSS Executive	February 10	HUB 300	5:30 p.m.
GPSS Executive	February 24	HUB 300	5:30 p.m.
GPSS Executive	March 31	HUB 300	5:30 p.m.
GPSS Executive	April 14	HUB 300	5:30 p.m.
GPSS Executive	April 21	HUB 300	5:30 p.m.
GPSS Executive	May 5	HUB 300	5:30 p.m.
GPSS Executive	May 19	HUB 300	5:30 p.m.
GPSS	January 13	HUB 310	4:30 p.m.
GPSS	February 3	HUB 310	4:30 p.m.
GPSS	March 3	HUB 310	4:30 p.m.
GPSS	April 7	HUB 310	4:30 p.m.
GPSS	April 28	HUB 310	4:30 p.m.
GPSS	May 12	HUB 310	4:30 p.m.
GPSS	May 26	HUB 310	4:30 p.m.
Graduate School Faculty	January 7	Communications 202	10:30 a.m.
Graduate School Faculty	January 21	Communications 202	10:30 a.m.
Graduate School Faculty	February 4	Communications 202	10:30 a.m.
Graduate School Faculty	February 18	Communications 202	10:30 a.m.
Graduate School Faculty	March 4	Communications 202	10:30 a.m.
Graduate School Faculty	April 1	Communications 202	10:30 a.m.
Graduate School Faculty	April 15	Communications 202	10:30 a.m.
Graduate School Faculty	April 29	Communications 202	10:30 a.m.
Graduate School Faculty	May 13	Communications 202	10:30 a.m.
Graduate School Faculty	May 27	Communications 202	10:30 a.m.
Graduate School Faculty	June 10	Communications 202	10:30 a.m.
Graduate School Council	January 7	UW Club conference room	2:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Graduate School Council	January 21	UW Club conference room	2:30 p.m.
Graduate School Council	February 4	UW Club conference room	2:30 p.m.
Graduate School Council	February 18	UW Club conference room	2:30 p.m.
Graduate School Council	March 4	UW Club conference room	2:30 p.m.
Graduate School Council	March 18	UW Club conference room	2:30 p.m.
Graduate School Council	April 8	UW Club conference room	2:30 p.m.
Graduate School Council	April 22	UW Club conference room	2:30 p.m.
Graduate School Council	May 6	UW Club conference room	2:30 p.m.
Graduate School Council	May 20	UW Club conference room	2:30 p.m.
Graduate School Council	June 3	UW Club conference room	2:30 p.m.
Graduate School Council	October 7	UW Club conference room	2:30 p.m.
Graduate School Council	October 21	UW Club conference room	2:30 p.m.
Graduate School Council	November 4	UW Club conference room	2:30 p.m.
Graduate School Council	November 18	UW Club conference room	2:30 p.m.
History Faculty	January 6	Smith 306	3:30 p.m.
History Faculty	January 13	Smith 306	3:30 p.m.
History Faculty	January 20	Smith 306	3:30 p.m.
History Faculty	January 27	Smith 306	3:30 p.m.
History Faculty	February 3	Smith 306	3:30 p.m.
History Faculty	February 10	Smith 306	3:30 p.m.
History Faculty	February 17	Smith 306	3:30 p.m.
History Faculty	February 24	Smith 306	3:30 p.m.
History Faculty	March 3	Smith 306	3:30 p.m.
History Faculty	March 10	Smith 306	3:30 p.m.
History Faculty	March 17	Smith 306	3:30 p.m.
History Faculty	March 31	Smith 306	3:30 p.m.
History Faculty	April 7	Smith 306	3:30 p.m.
History Faculty	April 14	Smith 306	3:30 p.m.
History Faculty	April 21	Smith 306	3:30 p.m.
History Faculty	April 28	Smith 306	3:30 p.m.
History Faculty	May 5	Smith 306	3:30 p.m.
History Faculty	May 12	Smith 306	3:30 p.m.
History Faculty	May 19	Smith 306	3:30 p.m.
History Faculty	May 26	Smith 306	3:30 p.m.
History Faculty	June 2	Smith 306	3:30 p.m.
History Faculty	June 9	Smith 306	3:30 p.m.
History Faculty	September 29	Smith 306	3:30 p.m.
History Faculty	October 6	Smith 306	3:30 p.m.
History Faculty	October 13	Smith 306	3:30 p.m.
History Faculty	October 20	Smith 306	3:30 p.m.
History Faculty	October 27	Smith 306	3:30 p.m.
History Faculty	November 3	Smith 306	3:30 p.m.
History Faculty	November 10	Smith 306	3:30 p.m.
History Faculty	November 17	Smith 306	3:30 p.m.
History Faculty	November 24	Smith 306	3:30 p.m.
History Faculty	December 1	Smith 306	3:30 p.m.
History Faculty	December 8	Smith 306	3:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
History Faculty	December 15	Smith 306	3:30 p.m.
HMC Board Meeting	January 28	HMC GEH-72	8:00 a.m.
HMC Board Meeting	February 25	HMC GEH-72	8:00 a.m.
HMC Board Meeting	March 25	HMC GEH-72	8:00 a.m.
HMC Board Meeting	April 22	HMC GEH-72	8:00 a.m.
HMC Board Meeting	May 27	HMC GEH-72	8:00 a.m.
HMC Board Meeting	June 24	HMC GEH-72	8:00 a.m.
HMC Board Meeting	July 22	HMC GEH-72	8:00 a.m.
HMC Board Meeting	August 26	HMC GEH-72	8:00 a.m.
HMC Board Meeting	September 23	HMC GEH-72	8:00 a.m.
HMC Board Meeting	October 28	HMC GEH-72	8:00 a.m.
HMC Board Meeting	December 2	HMC GEH-72	8:00 a.m.
HMC Board Outreach Ad Hoc Committee	January 7	HMC GEH-72	
HMC Executive Committee	January 20	HMC GEH-72	9:00 a.m.
HMC Executive Committee	February 17	HMC GEH-72	9:00 a.m.
HMC Executive Committee	March 17	HMC GEH-72	9:00 a.m.
HMC Executive Committee	April 14	HMC GEH-72	9:00 a.m.
HMC Executive Committee	May 19	HMC GEH-72	9:00 a.m.
HMC Executive Committee	June 16	HMC GEH-72	9:00 a.m.
HMC Executive Committee	July 14	HMC GEH-72	9:00 a.m.
HMC Executive Committee	August 18	HMC GEH-72	9:00 a.m.
HMC Executive Committee	September 15	HMC GEH-72	9:00 a.m.
HMC Executive Committee	October 20	HMC GEH-72	9:00 a.m.
HMC Executive Committee	November 24	HMC GEH-72	9:00 a.m.
HMC Facilities Ad Hoc Committee	January 8	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	February 12	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	March 12	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	April 9	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	May 7	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	June 11	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	July 11	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	August 13	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	September 10	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	October 8	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	November 12	HMC GEH-72	11:00 a.m.
HMC Facilities Ad Hoc Committee	December 10	HMC GEH-72	11:00 a.m.
HMC Finance Committee	January 26	HMC GEH-72	8:00 a.m.
HMC Finance Committee	March 23	HMC GEH-72	8:00 a.m.
HMC Finance Committee	April 20	HMC GEH-72	8:00 a.m.
HMC Finance Committee	June 22	HMC GEH-72	8:00 a.m.
HMC Finance Committee	July 20	HMC GEH-72	8:00 a.m.
HMC Finance Committee	September 21	HMC GEH-72	8:00 a.m.
HMC Finance Committee	October 26	HMC GEH-72	8:00 a.m.
HMC Finance/Health Care Strategic Planning	February 25	HMC GEH-72	10:30 a.m.
HMC Finance/Health Care Strategic Planning	May 27	HMC GEH-72	10:30 a.m.
HMC Finance/Health Care Strategic Planning	August 26	HMC GEH-72	10:30 a.m.
HMC Finance/Health Care Strategic Planning	November 30	HMC GEH-72	10:30 a.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
HMC Health Care Strategic Planning	January 14	HMC GEH-72	7:30 a.m.
HMC Health Care Strategic Planning	March 11	HMC GEH-72	7:30 a.m.
HMC Health Care Strategic Planning	April 8	HMC GEH-72	7:30 a.m.
HMC Health Care Strategic Planning	June 10	HMC GEH-72	7:30 a.m.
HMC Health Care Strategic Planning	July 8	HMC GEH-72	7:30 a.m.
HMC Health Care Strategic Planning	September 9	HMC GEH-72	7:30 a.m.
HMC Health Care Strategic Planning	October 14	HMC GEH-72	7:30 a.m.
HMC Health Care Strategic Planning	December 9	HMC GEH-72	7:30 a.m.
Hospital Dentistry Faculty	January 22	B320	7:30 a.m.
Hospital Dentistry Faculty	February 26	B320	7:30 a.m.
Hospital Dentistry Faculty	March 26	B320	7:30 a.m.
Hospital Dentistry Faculty	April 23	B320	7:30 a.m.
Hospital Dentistry Faculty	May 28	B320	7:30 a.m.
Hospital Dentistry Faculty	June 25	B320	7:30 a.m.
Hospital Dentistry Faculty	July 23	B320	7:30 a.m.
Hospital Dentistry Faculty	August 27	B320	7:30 a.m.
Hospital Dentistry Faculty	September 24	B320	7:30 a.m.
Hospital Dentistry Faculty	October 22	B320	7:30 a.m.
Hospital Dentistry Faculty	November 19	B320	7:30 a.m.
Hospital Dentistry Faculty	December 17	B320	7:30 a.m.
Human Ctrd Design	January 13	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	January 27	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	February 10	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	February 24	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	March 10	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	April 7	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	April 21	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	May 5	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	May 19	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	June 2	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	October 6	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	October 20	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	November 3	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	November 17	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	December 1	Sieg Hall 420	10:00 a.m.
Human Ctrd Design	December 8	Sieg Hall 420	10:00 a.m.
IACUC	January 26	SCC 246	2:30 p.m.
IACUC	February 18	SCC 246	2:30 p.m.
IACUC	March 18	SCC 246	2:30 p.m.
IACUC	April 22	SCC 246	2:30 p.m.
IACUC	May 20	SCC 246	2:30 p.m.
IACUC	June 24	SCC 246	2:30 p.m.
IACUC	July 22	SCC 246	2:30 p.m.
IACUC	August 19	SCC 246	2:30 p.m.
IACUC	October 21	SCC 246	2:30 p.m.
IACUC	November 18	SCC 246	2:30 p.m.
IACUC	December 16	SCC 246	2:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Industrial and Sys Engineering Faculty	January 14	MEB G15	12:30 p.m.
Industrial and Sys Engineering Faculty	February 11	MEB G15	12:30 p.m.
Industrial and Sys Engineering Faculty	March 11	MEB G15	12:30 p.m.
Industrial and Sys Engineering Faculty	April 8	MEB G15	12:30 p.m.
Industrial and Sys Engineering Faculty	May 13	MEB G15	12:30 p.m.
Industrial and Sys Engineering Faculty	June 10	MEB G15	12:30 p.m.
Information School	January 25	Mary Gates 420	9:00 a.m.
Information School	February 22	Mary Gates 420	9:00 a.m.
Information School	March 8	Mary Gates 420	9:00 a.m.
Information School	April 19	Mary Gates 420	9:00 a.m.
Information School	May 17	Mary Gates 420	9:00 a.m.
Information School	June 7	Mary Gates 420	9:00 a.m.
Information School	October 25	Mary Gates 420	9:00 a.m.
Information School	November 22	Mary Gates 420	9:00 a.m.
Information School	December 6	Mary Gates 420	9:00 a.m.
Landscape Architecture CBE	January 6	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	January 13	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	January 20	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	January 27	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	February 3	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	February 10	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	February 17	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	February 24	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	March 3	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	March 10	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	March 17	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	March 24	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	March 31	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	April 7	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	April 14	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	April 21	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	April 28	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	May 5	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	May 12	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	May 19	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	May 26	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	June 2	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	June 9	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	June 16	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	June 23	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	July 7	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	July 14	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	July 21	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	July 28	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	August 4	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	August 11	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	August 18	Gould Hall 100	12:00 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Landscape Architecture CBE	August 25	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	September 1	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	September 8	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	September 15	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	September 22	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	September 29	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	October 6	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	October 13	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	October 20	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	October 27	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	November 3	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	November 10	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	November 17	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	November 24	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	December 1	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	December 8	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	December 15	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	December 22	Gould Hall 100	12:00 p.m.
Landscape Architecture CBE	December 29	Gould Hall 100	12:00 p.m.
Law School Faculty	January 21	Wm Gates Hall	4:00 p.m.
Law School Faculty	February 4	Wm Gates Hall	4:00 p.m.
Law School Faculty	March 4	Wm Gates Hall	4:00 p.m.
Law School Faculty	April 1	Wm Gates Hall	4:00 p.m.
Law School Faculty	May 6	Wm Gates Hall	4:00 p.m.
Law School Faculty	June 3	Wm Gates Hall	4:00 p.m.
Marine Affairs, School of, Faculty	January 8	MAR Room 168	12:00 p.m.
Marine Affairs, School of, Faculty	February 5	MAR Room 168	12:00 p.m.
Marine Affairs, School of, Faculty	March 5	MAR Room 168	12:00 p.m.
Marine Affairs, School of, Faculty	April 2	MAR Room 168	12:00 p.m.
Marine Affairs, School of, Faculty	May 7	MAR Room 168	12:00 p.m.
Marine Affairs, School of, Faculty	June 4	MAR Room 168	12:00 p.m.
Marine Affairs, School of, Faculty	October 1	MAR Room 168	12:00 p.m.
Marine Affairs, School of, Faculty	November 5	MAR Room 168	12:00 p.m.
Marine Affairs, School of, Faculty	December 3	MAR Room 168	12:00 p.m.
Materials Science and Engineering	January 15	Wilcox 243	2:30 p.m.
Materials Science and Engineering	February 5	Wilcox 243	2:30 p.m.
Materials Science and Engineering	February 19	Wilcox 243	2:30 p.m.
Materials Science and Engineering	March 5	Wilcox 243	2:30 p.m.
Materials Science and Engineering	March 19	Wilcox 243	2:30 p.m.
Materials Science and Engineering	April 2	Wilcox 243	2:30 p.m.
Materials Science and Engineering	April 16	Wilcox 243	2:30 p.m.
Materials Science and Engineering	May 7	Wilcox 243	2:30 p.m.
Materials Science and Engineering	May 21	Wilcox 243	2:30 p.m.
Materials Science and Engineering	June 4	Wilcox 243	2:30 p.m.
Materials Science and Engineering	October 1	Wilcox 243	2:30 p.m.
Materials Science and Engineering	October 15	Wilcox 243	2:30 p.m.
Materials Science and Engineering	November 5	Wilcox 243	2:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Materials Science and Engineering	November 19	Wilcox 243	2:30 p.m.
Materials Science and Engineering	December 3	Wilcox 243	2:30 p.m.
Materials Science and Engineering	December 17	Wilcox 243	2:30 p.m.
Mathematics Faculty	January 12	Padelford C-36	3:30 p.m.
Mathematics Faculty	February 2	Padelford C-36	3:30 p.m.
Mathematics Faculty	March 2	Padelford C-36	3:30 p.m.
Mathematics Faculty	April 6	Padelford C-36	3:30 p.m.
Mathematics Faculty	May 4	Padelford C-36	3:30 p.m.
Mathematics Faculty	June 1	Padelford C-36	3:30 p.m.
Mathematics Faculty	September 28	Padelford C-36	11:00 a.m.
Mathematics Faculty	October 5	Padelford C-36	3:30 p.m.
Mathematics Faculty	November 5	Padelford C-36	3:30 p.m.
Mathematics Faculty	December 7	Padelford C-36	3:30 p.m.
Mechanical Engineering, Department	January 7	MEB 103	12:30 p.m.
Mechanical Engineering, Department	February 4	MEB 103	12:30 p.m.
Mechanical Engineering, Department	March 4	MEB 103	12:30 p.m.
Mechanical Engineering, Department	April 1	MEB 103	12:30 p.m.
Mechanical Engineering, Department	May 6	MEB 103	12:30 p.m.
Mechanical Engineering, Department	June 3	MEB 103	12:30 p.m.
Mechanical Engineering, Department	October 7	MEB 103	12:30 p.m.
Mechanical Engineering, Department	November 4	MEB 103	12:30 p.m.
Mechanical Engineering, Department	December 2	MEB 103	12:30 p.m.
Medicinal Chemistry Faculty	January 19	HSB H272G	11:00 a.m.
Medicinal Chemistry Faculty	March 16	HSB H272G	11:00 a.m.
Medicinal Chemistry Faculty	May 18	HSB H272G	11:00 a.m.
Medicinal Chemistry Faculty	July 20	HSB H272G	11:00 a.m.
Medicinal Chemistry Faculty	September 21	HSB H272G	11:00 a.m.
Medicinal Chemistry Faculty	November 16	HSB H272G	11:00 a.m.
Nutritional Sciences Faculty	January 6	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	February 3	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	March 3	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	April 7	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	May 5	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	June 2	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	July 7	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	August 4	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	September 1	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	October 6	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	November 3	Raitt Hall 330-A	9:00 a.m.
Nutritional Sciences Faculty	December 1	Raitt Hall 330-A	9:00 a.m.
Oceanography Faculty	January 6	MSB 123	10:30 a.m.
Oceanography Faculty	February 3	MSB 123	10:30 a.m.
Oceanography Faculty	March 3	MSB 123	10:30 a.m.
Oceanography Faculty	April 7	MSB 123	10:30 a.m.
Oceanography Faculty	May 5	MSB 123	10:30 a.m.
Oceanography Faculty	June 2	MSB 123	10:30 a.m.
Oceanography Faculty	October 6	MSB 123	10:30 a.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Oceanography Faculty	November 3	MSB 123	10:30 a.m.
Oceanography Faculty	December 1	MSB 123	10:30 a.m.
Oral and Maxillofacial Surgery Faculty	January 14	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	February 11	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	March 11	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	April 8	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	May 13	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	June 10	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	July 8	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	August 12	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	September 9	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	October 14	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	November 11	HS B241F	7:00 a.m.
Oral and Maxillofacial Surgery Faculty	December 9	HS B241F	7:00 a.m.
Oral Medicine Clinical Services	January 20	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	February 17	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	March 17	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	April 20	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	May 19	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	June 16	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	July 21	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	August 18	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	September 15	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	October 20	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	November 17	HS B-317(D)	12:30 p.m.
Oral Medicine Clinical Services	December 15	HS B-317(D)	12:30 p.m.
Oral Medicine Faculty	January 6	B317D	12:30 p.m.
Oral Medicine Faculty	February 3	B317D	12:30 p.m.
Oral Medicine Faculty	March 3	B317D	12:30 p.m.
Oral Medicine Faculty	April 6	B317D	12:30 p.m.
Oral Medicine Faculty	May 5	B317D	12:30 p.m.
Oral Medicine Faculty	June 2	B317D	12:30 p.m.
Oral Medicine Faculty	July 7	B317D	12:30 p.m.
Oral Medicine Faculty	August 4	B317D	12:30 p.m.
Oral Medicine Faculty	September 1	B317D	12:30 p.m.
Oral Medicine Faculty	October 6	B317D	12:30 p.m.
Oral Medicine Faculty	November 3	B317D	12:30 p.m.
Oral Medicine Faculty	December 1	B317D	12:30 p.m.
Orthodontics Department	January 15	HSB D561	12:15 p.m.
Orthodontics Department	February 19	HSB D561	12:15 p.m.
Orthodontics Department	March 19	HSB D561	12:15 p.m.
Orthodontics Department	April 16	HSB D561	12:15 p.m.
Orthodontics Department	May 21	HSB D561	12:15 p.m.
Orthodontics Department	June 18	HSB D561	12:15 p.m.
Orthodontics Department	July 16	HSB D561	12:15 p.m.
Orthodontics Department	August 20	HSB D561	12:15 p.m.
Orthodontics Department	September 17	HSB D561	12:15 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Orthodontics Department	October 22	HSB D561	12:15 p.m.
Orthodontics Department	November 19	HSB D561	12:15 p.m.
Orthodontics Department	December 17	HSB D561	12:15 p.m.
Orthodontics and Pediatric Dentistry	January 11	HSB B508	2:30 p.m.
Orthodontics and Pediatric Dentistry	February 8	HSB B508	2:30 p.m.
Orthodontics and Pediatric Dentistry	March 12	HSB B508	2:30 p.m.
Orthodontics and Pediatric Dentistry	May 10	HSB B508	2:30 p.m.
Orthodontics and Pediatric Dentistry	June 7	HSB B508	2:30 p.m.
Orthodontics and Pediatric Dentistry	July 12	HSB B508	2:30 p.m.
Orthodontics and Pediatric Dentistry	August 9	HSB B508	2:30 p.m.
Orthodontics and Pediatric Dentistry	September 13	HSB B508	2:30 p.m.
Orthodontics and Pediatric Dentistry	October 11	HSB B508	2:30 p.m.
Orthodontics and Pediatric Dentistry	November 8	HSB B508	2:30 p.m.
Orthodontics and Pediatric Dentistry	December 13	HSB B508	2:30 p.m.
Pharmaceutics Faculty	January 28	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	February 25	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	March 25	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	April 29	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	May 27	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	June 24	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	July 29	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	August 26	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	September 30	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	October 28	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	November 18	HSB H272G	3:00 p.m.
Pharmaceutics Faculty	December 30	HSB H272G	3:00 p.m.
Pharmacy, Department of	January 18	HS H371	9:00 a.m.
Pharmacy, Department of	February 15	HS H371	9:00 a.m.
Pharmacy, Department of	March 15	HS H371	9:00 a.m.
Pharmacy, Department of	April 19	HS H371	9:00 a.m.
Pharmacy, Department of	May 17	HS H371	9:00 a.m.
Pharmacy, Department of	August 16	HS H371	9:00 a.m.
Pharmacy, Department of	September 20	HS H371	9:00 a.m.
Pharmacy, Department of	October 18	HS H371	9:00 a.m.
Pharmacy, Department of	November 15	HS H371	9:00 a.m.
Pharmacy, Department of	December 20	HS H371	9:00 a.m.
Pharmacy, School of Curriculum	February 18	H371	3:00 p.m.
Pharmacy, School of Curriculum	April 15	H371	3:00 p.m.
Pharmacy, School of Curriculum	June 17	H371	3:00 p.m.
Pharmacy, School of Curriculum	August 19	H371	3:00 p.m.
Pharmacy, School of Curriculum	October 21	H371	3:00 p.m.
Pharmacy, School of Curriculum	December 17	H371	3:00 p.m.
Pharmacy All School Faculty	November 17	H371	1:00 p.m.
Political Science Faculty	January 8	GWN 1A	1:30 p.m.
Political Science Faculty	January 15	GWN 1A	1:30 p.m.
Political Science Faculty	January 22	GWN 1A	1:30 p.m.
Political Science Faculty	January 29	GWN 1A	1:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Political Science Faculty	February 5	GWN 1A	1:30 p.m.
Political Science Faculty	February 12	GWN 1A	1:30 p.m.
Political Science Faculty	February 19	GWN 1A	1:30 p.m.
Political Science Faculty	February 26	GWN 1A	1:30 p.m.
Political Science Faculty	March 5	GWN 1A	1:30 p.m.
Political Science Faculty	March 12	GWN 1A	1:30 p.m.
Political Science Faculty	April 2	GWN 1A	1:30 p.m.
Political Science Faculty	April 9	GWN 1A	1:30 p.m.
Political Science Faculty	April 16	GWN 1A	1:30 p.m.
Political Science Faculty	April 23	GWN 1A	1:30 p.m.
Political Science Faculty	April 30	GWN 1A	1:30 p.m.
Political Science Faculty	May 7	GWN 1A	1:30 p.m.
Political Science Faculty	May 14	GWN 1A	1:30 p.m.
Political Science Faculty	May 21	GWN 1A	1:30 p.m.
Political Science Faculty	May 28	GWN 1A	1:30 p.m.
Political Science Faculty	October 1	GWN 1A	1:30 p.m.
Political Science Faculty	October 8	GWN 1A	1:30 p.m.
Political Science Faculty	October 15	GWN 1A	1:30 p.m.
Political Science Faculty	October 22	GWN 1A	1:30 p.m.
Political Science Faculty	October 29	GWN 1A	1:30 p.m.
Political Science Faculty	November 5	GWN 1A	1:30 p.m.
Political Science Faculty	November 12	GWN 1A	1:30 p.m.
Political Science Faculty	November 19	GWN 1A	1:30 p.m.
Public Health, School of, Exec	January 6	HSB F348	3:30 p.m.
Public Health, School of, Exec	February 3	HSB F348	3:30 p.m.
Public Health, School of, Exec	March 3	HSB F348	3:30 p.m.
Public Health, School of, Exec	April 7	HSB F348	3:30 p.m.
Public Health, School of, Exec	May 5	HSB F348	3:30 p.m.
Public Health, School of, Exec	June 2	HSB F348	3:30 p.m.
Public Health, School of, Exec	July 7	HSB F348	3:30 p.m.
Public Health, School of, Exec	August 4	HSB F348	3:30 p.m.
Public Health, School of, Exec	September 8	HSB F348	3:30 p.m.
Public Health, School of, Exec	October 6	HSB F348	3:30 p.m.
Public Health, School of, Exec	November 3	HSB F348	3:30 p.m.
Public Health, School of, Exec	December 1	HSB F348	3:30 p.m.
Public Health Genetics Academic, Inst	January 29	HSB	10:30 a.m.
Public Health Genetics Academic, Inst	February 12	HSB	10:30 a.m.
Public Health Genetics Academic, Inst	February 26	HSB	10:30 a.m.
Public Health Genetics Academic, Inst	March 12	HSB	10:30 a.m.
Public Health Genetics Academic, Inst	April 10	HSB	10:30 a.m.
Public Health Genetics Academic, Inst	April 24	HSB	10:30 a.m.
Public Health Genetics Academic, Inst	May 8	HSB	10:30 a.m.
Public Health Genetics Academic, Inst	May 22	HSB	10:30 a.m.
Public Health Genetics Academic, Inst	June 5	HSB	10:30 a.m.
Publications, Board of	January 21	The Daily	3:30 p.m.
Publications, Board of	February 18	The Daily	3:30 p.m.
Publications, Board of	March 18	The Daily	3:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Publications, Board of	April 15	The Daily	3:30 p.m.
Publications, Board of	May 13	The Daily	3:30 p.m.
Restorative Dentistry	January 7	HSB D751	12:30 p.m.
Restorative Dentistry	February 9	HSB D751	12:30 p.m.
Restorative Dentistry	March 18	HSB D751	12:30 p.m.
Restorative Dentistry	April 6	HSB D751	12:30 p.m.
Restorative Dentistry	May 6	HSB D751	12:30 p.m.
Restorative Dentistry	June 8	HSB D751	12:30 p.m.
Restorative Dentistry	July 8	HSB D751	12:30 p.m.
Restorative Dentistry	August 10	HSB D751	12:30 p.m.
Restorative Dentistry	October 7	HSB D751	12:30 p.m.
Restorative Dentistry	November 9	HSB D751	12:30 p.m.
Restorative Dentistry	December 9	HSB D751	12:30 p.m.
Scandanavian [Scandinavian] Studies	January 8	Raitt 314	12:30 p.m.
Scandanavian [Scandinavian] Studies	February 5	Raitt 314	12:30 p.m.
Scandanavian [Scandinavian] Studies	March 5	Raitt 314	12:30 p.m.
Scandanavian [Scandinavian] Studies	April 2	Raitt 314	12:30 p.m.
Scandanavian [Scandinavian] Studies	May 7	Raitt 314	12:30 p.m.
Scandanavian [Scandinavian] Studies	June 4	Raitt 314	12:30 p.m.
Scandanavian [Scandinavian] Studies	October 8	Raitt 314	12:30 p.m.
Scandanavian [Scandinavian] Studies	November 5	Raitt 314	12:30 p.m.
Scandanavian [Scandinavian] Studies	December 3	Raitt 314	12:30 p.m.
Social Work, School of	January 5	SSW 305A/B	3:00 p.m.
Social Work, School of	February 2	SSW 305A/B	3:00 p.m.
Social Work, School of	March 2	SSW 305A/B	3:00 p.m.
Social Work, School of	April 13	SSW 305A/B	3:00 p.m.
Social Work, School of	May 4	SSW 305A/B	3:00 p.m.
Social Work, School of	June 1	SSW 305A/B	3:00 p.m.
Social Work, School of	October 5	SSW 305A/B	3:00 p.m.
Social Work, School of	November 2	SSW 305A/B	3:00 p.m.
Social Work, School of	December 7	SSW 305A/B	3:00 p.m.
Sociology Exec Comm	January 27	Savery 409	3:30 p.m.
Sociology Exec Comm	February 24	Savery 409	3:30 p.m.
Sociology Exec Comm	March 31	Savery 409	3:30 p.m.
Sociology Exec Comm	April 28	Savery 409	3:30 p.m.
Sociology Exec Comm	May 26	Savery 409	3:30 p.m.
Sociology Exec Comm	June 16	Savery 409	3:30 p.m.
Sociology Exec Comm	September 29	Savery 409	3:30 p.m.
Sociology Exec Comm	October 27	Savery 409	3:30 p.m.
Sociology Exec Comm	November 24	Savery 409	3:30 p.m.
Sociology Exec Comm	December 17	Savery 409	3:30 p.m.
Sociology, Department of	January 6	Savery 409	3:30 p.m.
Sociology, Department of	February 3	Savery 409	3:30 p.m.
Sociology, Department of	March 3	Savery 409	3:30 p.m.
Sociology, Department of	April 7	Savery 409	3:30 p.m.
Sociology, Department of	May 5	Savery 409	3:30 p.m.
Sociology, Department of	May 12	Savery 409	3:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Sociology, Department of	May 19	Savery 409	3:30 p.m.
Sociology, Department of	June 9	Savery 409	3:30 p.m.
Sociology, Department of	October 6	Savery 409	3:30 p.m.
Sociology, Department of	November 3	Savery 409	3:30 p.m.
Sociology, Department of	December 1	Savery 409	3:30 p.m.
Spanish and Portuguese Studies	January 8	CMU226	3:30 p.m.
Spanish and Portuguese Studies	February 5	CMU226	3:30 p.m.
Spanish and Portuguese Studies	March 5	CMU226	3:30 p.m.
Spanish and Portuguese Studies	April 2	CMU226	3:30 p.m.
Spanish and Portuguese Studies	May 7	CMU226	3:30 p.m.
Spanish and Portuguese Studies	June 4	CMU226	3:30 p.m.
Spanish and Portuguese Studies	October 8	CMU226	3:30 p.m.
Spanish and Portuguese Studies	November 5	CMU226	3:30 p.m.
Spanish and Portuguese Studies	December 3	CMU226	3:30 p.m.
Speech and Hearing Sciences, Executive Comm	January 6	EGL Room 204	9:00 a.m.
Speech and Hearing Sciences, Executive Comm	February 3	EGL Room 204	9:00 a.m.
Speech and Hearing Sciences, Executive Comm	March 3	EGL Room 204	9:00 a.m.
Speech and Hearing Sciences, Executive Comm	April 7	EGL Room 204	9:00 a.m.
Speech and Hearing Sciences, Executive Comm	May 5	EGL Room 204	9:00 a.m.
Speech and Hearing Sciences, Executive Comm	June 2	EGL Room 204	9:00 a.m.
Speech and Hearing Sciences, Executive Comm	September 28	EGL Room 204	9:00 a.m.
Speech and Hearing Sciences, Executive Comm	October 6	EGL Room 204	9:00 a.m.
Speech and Hearing Sciences, Executive Comm	November 3	EGL Room 204	9:00 a.m.
Speech and Hearing Sciences, Executive Comm	December 1	EGL Room 204	9:00 a.m.
Speech and Hearing Sciences, Faculty	January 6	EGL Room 211	3:00 p.m.
Speech and Hearing Sciences, Faculty	February 3	EGL Room 211	3:00 p.m.
Speech and Hearing Sciences, Faculty	March 3	EGL Room 211	3:00 p.m.
Speech and Hearing Sciences, Faculty	April 7	EGL Room 211	3:00 p.m.
Speech and Hearing Sciences, Faculty	May 5	EGL Room 211	3:00 p.m.
Speech and Hearing Sciences, Faculty	June 2	EGL Room 211	3:00 p.m.
Speech and Hearing Sciences, Faculty	September 28	EGL Room 211	3:00 p.m.
Speech and Hearing Sciences, Faculty	October 6	EGL Room 211	3:00 p.m.
Speech and Hearing Sciences, Faculty	November 3	EGL Room 211	3:00 p.m.
Speech and Hearing Sciences, Faculty	December 1	EGL Room 211	3:00 p.m.
Tacoma Advisory Board	March 17	Tacoma Room GWP320	3:30 p.m.
Tacoma Advisory Board	June 2	Tacoma Room GWP320	1:00 p.m.
Tacoma ASUWT	January 7	CP 206C	12:30 p.m.
Tacoma ASUWT	January 21	CP 206C	12:30 p.m.
Tacoma ASUWT	February 4	CP 206C	12:30 p.m.
Tacoma ASUWT	February 18	CP 206C	12:30 p.m.
Tacoma ASUWT	March 4	CP 206C	12:30 p.m.
Tacoma ASUWT	March 18	CP 206C	12:30 p.m.
Tacoma ASUWT	April 1	CP 206C	12:30 p.m.
Tacoma ASUWT	April 15	CP 206C	12:30 p.m.
Tacoma ASUWT	May 6	CP 206C	12:30 p.m.
Tacoma ASUWT	May 20	CP 206C	12:30 p.m.
Tacoma ASUWT	June 3	CP 206C	12:30 p.m.

<u>Meeting Name</u>	<u>Meeting Date</u>	<u>Location</u>	<u>Time</u>
Tacoma Milgard School of Business	January 12	DOU 160	12:30 p.m.
Tacoma Milgard School of Business	February 10	DOU 160	12:30 p.m.
Tacoma Milgard School of Business	March 11	DOU 160	12:30 p.m.
Tacoma Milgard School of Business	April 12	DOU 160	12:30 p.m.
Tacoma Milgard School of Business	May 6	DOU 160	12:30 p.m.
Tacoma Milgard School of Business	June 3	DOU 160	12:30 p.m.
Tacoma Services and Activities Fee	January 8	CP331	9:00 a.m.
Tacoma Services and Activities Fee	February 12	CP331	9:00 a.m.
Tacoma Services and Activities Fee	March 12	CP331	9:00 a.m.
Tacoma Services and Activities Fee	April 9	CP331	9:00 a.m.
Tacoma Services and Activities Fee	April 23	CP331	9:00 a.m.
Tacoma Services and Activities Fee	May 14	CP331	9:00 a.m.
Tacoma Services and Activities Fee	August 13	CP331	9:00 a.m.
Tacoma Services and Activities Fee	September 10	CP331	9:00 a.m.
Tacoma Services and Activities Fee	October 8	CP331	9:00 a.m.
Tacoma Services and Activities Fee	November 12	CP331	9:00 a.m.
Tacoma Services and Activities Fee	December 10	CP331	9:00 a.m.
UWMC Facilities, Finance and Joint Conference	January 7	Plaza Cafe Room B/C	11:30 a.m.
UWMC Facilities, Finance and Joint Conference	February 25	Plaza Cafe Room B/C	11:30 a.m.
UWMC Facilities, Finance and Joint Conference	March 25	Plaza Cafe Room B/C	11:30 a.m.
UWMC Facilities, Finance and Joint Conference	April 22	Plaza Cafe Room B/C	11:30 a.m.
UWMC Facilities, Finance and Joint Conference	May 27	Plaza Cafe Room B/C	11:30 a.m.
UWMC Facilities, Finance and Joint Conference	June 24	Plaza Cafe Room B/C	11:30 a.m.
UW Medicine Board	January 11	South Lake Union 5th Floor	12:00 p.m.
UW Medicine Board	March 1	South Lake Union 5th Floor	12:00 p.m.
UW Medicine Board	June 7	South Lake Union 5th Floor	12:00 p.m.
Use of University Facilities	March 15	Gerberding Room 26	3:30 p.m.
Use of University Facilities	June 8	Gerberding Room 26	3:30 p.m.
Use of University Facilities	September 8	Gerberding Room 26	3:30 p.m.
Women's Studies Faculty	January 6	Padelford Hall B110G	3:30 p.m.
Women's Studies Faculty	February 3	Padelford Hall B110G	3:30 p.m.
Women's Studies Faculty	March 3	Padelford Hall B110G	3:30 p.m.
Women's Studies Faculty	April 7	Padelford Hall B110G	3:30 p.m.
Women's Studies Faculty	May 5	Padelford Hall B110G	3:30 p.m.
Women's Studies Faculty	June 2	Padelford Hall B110G	3:30 p.m.

WSR 10-01-001

**NOTICE OF PUBLIC MEETINGS
PARKS AND RECREATION
COMMISSION**

[Filed December 2, 2009, 12:07 p.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 has adopted the following 2010 regular meeting schedule. The first meeting of commission will be held on January 14

at the Millersylvania State Park, Environmental Learning Center, 12245 Tilley Road South, Olympia, WA 98512, (360) 753-1519.

The date and city location of the March through December meetings in 2010 are as follows:

2010 Schedule of Regular Meetings

March 11	Tacoma
May 6	Montesano
June 24	Walla Walla
August 12	Spokane

September 30 Yakima
December 2 Everett/Snohomish area

The building or facility locations of the meetings have not yet been determined and will be announced at the close of each regular meeting. The meeting locations may be obtained by writing to the Director, Washington State Parks and Recreation Commission, P.O. Box 42650, Olympia, WA 98504-2650, or by calling (360) 902-8505.

Regular meetings run from 8 a.m. to 5 p.m. and include an opportunity for public comment. The commission typically meets in a work session from approximately noon to 4:30 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 commission may also tour area sites or parks the day following the regular meeting. No public comment and no formal action are taken at work sessions and tours. The commission chair may call special meetings at any time; all special meetings are announced in advance.

The public is welcome to attend all state park and recreation 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 ten working days in advance of the scheduled meeting date.

Agendas are posted on the agency web site <http://www.parks.wa.gov/commtg.asp> at least one week in advance of meetings, and commission action posted within a week after the meeting.

WSR 10-01-008

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF LICENSING

(Title and Registration Advisory Committee)

[Filed December 3, 2009, 7:30 a.m.]

Following is a public meeting notice for the next title and registration advisory committee (TRAC) meeting in the next publication of the state register.

DATE: January 28, 2010
TIME: 10:00 a.m. - noon
PLACE: Department of Licensing
Highways-Licensing Building
Conference Room 413
Olympia, Washington

If you have any questions, contact Angela Cherry, title and registration administrative assistant, at (360) 902-3756 or at acherry@dol.wa.gov.

WSR 10-01-009

OFFICE OF THE GOVERNOR

[Filed December 3, 2009, 8:44 a.m.]

Lowering of the Washington State and United States Flags

I hereby direct that Washington State and United States flags at all state agency facilities be lowered to half-staff in memory of Lakewood Police Officer Ronald Owens, a former member of the Washington State Patrol, and his three colleagues, Officer Greg Richards, Officer Tina Griswold, and Sgt. Mark Renninger, who were all killed on Sunday.

Officer Owens served with the Washington State Patrol from 1997-2004.

Please notify your staff and all of your field offices and facilities around the state.

Flags should remain at half-staff until close of business on Tuesday, December 8, or first thing Wednesday morning, December 9.

Other government entities, citizens and businesses are encouraged to join this recognition.

Please call (360) 902-0383 if you have any questions about this flag lowering.

Christine O. Gregoire
Governor

WSR 10-01-010

NOTICE OF PUBLIC MEETINGS

RENTON TECHNICAL COLLEGE

[Filed December 3, 2009, 8:46 a.m.]

Pursuant to RCW 42.30.075, please be advised that the Renton Technical College board of trustees' regular meetings during 2010 will be held as follows:

The second Tuesday of each month except for the months of July and August.

Meetings will be held at 4:00 p.m., at the Roberts Campus Center Board Room, Room 202, Renton Technical College, 3000 Northeast 4th Street, Renton, WA 98056-4195.

January 12, 2010
February 9, 2010
March 9, 2010
April 13, 2010
May 11, 2010
June 8, 2010
July/August - No regular meetings
September 14, 2010
October 12, 2010
November 9, 2010
December 14, 2010

If you need further information, please contact Karen DeBruyn at (425) 235-2426.

WSR 10-01-011
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE
 [Filed December 3, 2009, 9:07 a.m.]

The **regularly scheduled** meeting of the board of trustees of Bellingham Technical College will be held on Thursday, December 17, 2009, from 9:00 - 11:00 a.m., in the College Services Board Room on the Bellingham Technical College campus. Call 752-8334 for information.

WSR 10-01-012
NOTICE OF PUBLIC MEETINGS
FREIGHT MOBILITY
STRATEGIC INVESTMENT BOARD
 [Filed December 3, 2009, 10:22 a.m.]

Following is the schedule of regular meetings for the freight mobility strategic investment board for 2010:

Date	Time	Location
January 22, 2010	9:00 a.m.	Olympia, Washington
March 19, 2010	9:00 a.m.	Puyallup, Washington
May 21, 2010	9:00 a.m.	Spokane, Washington
July 23, 2010	9:00 a.m.	Suquamish, Washington
September 17, 2010	9:00 a.m.	Walla Walla, Washington
November 19, 2010	9:00 a.m.	SeaTac area

If you need further information contact Marsha Gehring, P.O. Box 40965, Olympia, WA, (360) 586-9695, (360) 586-9700, gehrinm@fmsib.wa.gov, www.fmsib.wa.gov.

WSR 10-01-014
OFFICE OF THE GOVERNOR
 [Filed December 4, 2009, 10:53 a.m.]

December 7 Lowering of the Washington State and United States Flags

I hereby direct that Washington State and United States flags at all State agency facilities be lowered to half-staff Monday, December 7, for National Pearl Harbor Remembrance Day.

Please notify all of your field offices and facilities around the state.

Other government entities, citizens and businesses are encouraged to join this recognition.

National Pearl Harbor Remembrance Day was created by Congress in 1994 in honor of those Americans killed or injured as a result of the attack on Pearl Harbor on December 7, 1941.

The December 7 flag lowering is concurrent with my December 1 directive to lower flags until close of business Tuesday, December 8, for the Lakewood police officers.

Please call (360) 902-0383 if you have any questions about this flag lowering.

Christine O. Gregoire
 Governor

WSR 10-01-015
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
 [December 2, 2009]

EXECUTIVE ORDER 09-07

WASHINGTON'S NATURAL RESOURCES REFORM INITIATIVES

WHEREAS, the fiscal crisis currently facing Washington State requires its government to improve how it does business, to innovate, to increase efficiency and effectiveness, to provide excellent service to its citizens and to better meet its fiduciary responsibilities to the people of the state.

WHEREAS, Washington's natural resources are irreplaceable and of immense environmental, economic and cultural value. Washington State is recognized as a national leader in the protection and restoration of our natural resources, with economically and environmentally significant working lands, fish and wildlife populations and a wide variety of outdoor recreational opportunities.

WHEREAS, the state's natural resource agencies were created over the last century to protect the environment and responsibly manage Washington's natural resources. These agencies have evolved to fulfill both their original missions, as well as additional responsibilities assigned to them by legislative mandate. This development over time has resulted in a complex, multi-agency system with over-lapping jurisdictions, duplicative activities and unclear processes.

WHEREAS, the scope and depth of the current economic difficulties represent an opportunity for reform, one that calls for improved agency operations, new thinking as to how agencies work internally and with each other, reform of organizational structures and improved processes for our citizens, with greater responsiveness, transparency and inclusion.

NOW, THEREFORE, I, Christine O. Gregoire, Governor of the state of Washington by virtue of the power vested in me by the Constitution and statutes of the state of Washington, do hereby order and direct as follows:

1. Coordinating More Effective and Efficient Organizations

- (a) In order to better coordinate efforts of state natural resource agencies, the Natural Resources Cabinet (Cabinet) is hereby formally created. The Cabinet shall include: Department of Agriculture, Department of Ecology, Recreation and Conservation Office, Puget Sound Partnership, Utilities and

Transportation Commission, Department of Commerce, Department of Health, and senior staff from the Office of the Governor and the Office of Financial Management. The independent natural resource agencies are requested to participate as members of this Cabinet. The non-cabinet agencies include: Department of Natural Resources, Department of Fish and Wildlife, State Parks and Recreation Commission, and State Conservation Commission. The Cabinet may invite the participation of other agencies and governments to assist the Cabinet, as needed.

- (b) The Cabinet shall work collaboratively with tribal, federal and local governments.
- (c) The Cabinet is responsible for overall coordination of natural resource and environmental protection programs and policies, specifically: preventing and resolving disputes among agencies, avoiding and resolving conflicting processes and policies, and coordinating significant multi-agency projects or issues.

2. Improving Services to Citizens

- (a) Citizen Access - Washington residents deserve innovative, effective customer service from their state agencies. The Cabinet shall develop easy-to-use and transparent processes for the public to locate state agency services without the need for detailed knowledge of the organization of state agencies. This effort will be referred to as "One Front Door" and shall include:
 - i. A consistent and readily available point of entry for citizens seeking information or technical assistance from natural resource agencies.
 - ii. Information and assistance provided in an understandable, responsive, timely, and consistent manner.
 - iii. A commitment by state agencies to get customers and other members of the public to the right place as soon as possible, as simply as possible.
 - iv. Each agency shall, by January 10, 2010, appoint an executive level representative to serve as a member of the One Front Door technical team. The team shall identify ways to improve customer service with special emphasis on multi-agency efforts to ensure that, whichever natural resources agency they contact, members of the public will receive timely, responsive service.
- (b) Permitting - To make environmental permit decisions more timely, predictable and efficient, the Cabinet shall expand the use of Multi-Agency Permitting (MAP) teams. The Cabinet shall also evaluate combining permit regulations of multiple agencies and local governments and issuing consolidated environmental permits through a single entity within a specified geographic area. The goal is to provide citizens with a simpler way to receive coor-

dated, timely, and consistent environmental permits from state agencies.

- (c) Outdoor Recreation - To increase awareness, sustainable use of our natural resources, and the economic benefits of Washington's outdoor recreational opportunities, the Department of Fish and Wildlife and the Parks and Recreation Commission shall work within the Cabinet to enhance tourism and recreational uses of the state's natural resources. The agencies will develop an integrated program for marketing wildlife viewing, hunting, fishing, boating activities, and the use of Parks and Department of Fish and Wildlife lands both nationally and internationally.

3. Consolidating Regional Boundaries

- (a) To improve customer service delivery, reduce long-term agency costs, and better coordinate work among state natural resource agencies, the Cabinet shall, by July 1, 2010, adopt common regional boundaries considering information such as salmon recovery regions, eco-regions, and county boundaries. The goal is to provide citizens easier access to the state's natural resource agencies while improving cross-agency coordination of program delivery.
- (b) Once common boundaries are adopted, the Cabinet shall:
 - i. Identify eco-system based management opportunities to include measurable goals, barriers and priorities.
 - ii. Evaluate and develop implementation plans for consolidating regional offices, including identifying potential costs, savings and performance impacts resulting from regional consolidation.

4. Sharing Resources and Services - Key goals of natural resources reform are to improve customer service, increase efficiencies, and advance the state's commitment to protect and restore natural resources and the environment. To accomplish this, state government will work better and smarter, and our partners and the public will find it easier to work with us and receive the services they need, through these and other resource-sharing actions:

- (a) To make efficient use of limited agency resources and reduce duplication of environmental monitoring efforts, the Cabinet shall streamline, coordinate and consolidate field work and environmental sampling done by state agency personnel. To further increase efficiencies and avoid duplicative activities, the Cabinet shall:
 - i. Collaborate with tribal, federal and local governments to achieve maximum efficiency and coordination of field work and environmental sampling across different levels of government.
 - ii. Develop a shared web-based calendar and/or portal to allow the sharing of data and information amongst state and other natural resource agencies.

- (b) To improve the public's understanding of and access to the state's natural resources grant and loan programs, the Cabinet shall identify and recommend common application processes, standardized forms, streamlined and consistent procedures and protocols, and other improvements designated to simplify the grant and loan process. The goal is to provide citizens and other governments direct and easy access to the broad array of grant and loan programs available for natural resources protection and management.
- (c) To streamline and reduce duplication, the Cabinet shall identify cost-effective opportunities for developing a single point of access for common geographic information system (GIS) data. Each agency, by January 10, 2010, shall appoint a GIS representative to work with others in developing a coordinated multi-agency approach to coordinate with other state agencies, tribal, federal and local governments on cost-effective strategies for managing state natural GIS resource mapping data and services.

5. Accountability and Performance

- (a) The Natural Resources Cabinet shall report annually to the Governor, beginning September 30, 2010, regarding its progress in implementing this Executive Order and providing its recommendations for improvement as called for above.
- (b) In addition, a Natural Resources Policy Area is established in the Governor's Government Management, Accountability and Performance (GMAP) portfolio. The Natural Resources Cabinet shall establish shared performance outcomes consistent with this executive order; and agency members of the Natural Resources Cabinet shall establish, monitor, and report at least quarterly on data-driven performance measures to achieve the outcomes set forth by the Natural Resources Cabinet. The Director of the Governor's Accountability and Performance team will oversee Natural Resources performance reporting and will provide the Governor with regular reports.

Signed and sealed with the official seal of the state of Washington on this 2nd day of December 2009 at Olympia, Washington.

By:

 Christine O. Gregoire
 Governor

BY THE GOVERNOR:

 Sam Reed
 Secretary of State

WSR 10-01-017
NOTICE OF PUBLIC MEETINGS
LOCAL RECORDS COMMITTEE

[Filed December 4, 2009, 2:46 p.m.]

MEETINGS, POWERS AND DUTIES

FOR LOCAL GOVERNMENT AGENCIES: The local records committee may adopt appropriate procedures for records disposition authorization, scheduling, and other matters relating to the retention, preservation, or destruction of public records of local government agencies (WAC 434-630-030).

The local records committee shall review lists of records submitted to it for destruction authorization and may veto the destruction of any or all items contained therein.

The local records committee shall also review recurring disposition schedules recommended to it by agencies of local government and may veto, approve, or amend such schedules (WAC 434-630-040).

The local records committee shall meet in open public session on the last Thursday of each month at 10:00 a.m. to consider all business relevant to the duties of the committee, at the office of the state archivist, Olympia, Washington (WAC 434-630-060).

You may verify meeting cancellations by visiting our web site at <http://www.secstate.wa.gov/archives/> or call records management at (360) 586-4902. The 2010 meeting dates are as follows:

1129 Washington Street S.E.
 Olympia
 10:00 a.m.

- January 28
- March 25
- May 27
- July 29
- September 30
- November 18 (third Thursday)

WSR 10-01-018
NOTICE OF PUBLIC MEETINGS
WHATCOM COMMUNITY COLLEGE

[Filed December 4, 2009, 3:15 p.m.]

The following is the schedule of regular meetings for the Whatcom Community College board of trustees for 2010 as approved at the November 19, 2009, board meeting.

Date	Time	Location
Wednesday, January 13	2 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building
Wednesday, February 17	2 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building

Date	Time	Location
Tuesday, March 24	4 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building
Wednesday, April 14	2 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building
Wednesday, May 12	2 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building
Wednesday, June 9	2 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building
Wednesday, July 14	2 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building
August (no regular meeting)		
Wednesday, September 8	2 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building
Wednesday, October 13	2 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building
Wednesday, November 17	2 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building
Wednesday, December 8	2 p.m.	Whatcom Community College Boardroom 143 Laidlaw Building

WSR 10-01-019
NOTICE OF PUBLIC MEETINGS
HOP COMMISSION
 [Filed December 7, 2009, 9:01 a.m.]

The Washington hop commission has scheduled its 2010 regular meetings, as follows. This information is being filed as required by RCW 42.30.075:

- Tuesday, February 9 Moxee
- Tuesday, April 13 Moxee
- Tuesday, June 15 Prosser
- Tuesday, October 12 Sunnyside

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.

WSR 10-01-020
NOTICE OF PUBLIC MEETINGS
ALFALFA SEED COMMISSION
 [Filed December 7, 2009, 9:02 a.m.]

As required by the Open Public Meetings Act, following is a list of regular meetings of the Washington alfalfa seed commission to be held for the calendar year of 2010:

- January 7, 2010 Noon Commission Meeting Cousins Restaurant Pasco
- March 3, 2010 Noon Commission Meeting Cousins Restaurant Pasco
- October 27, 2010 Noon Commission Meeting Cousins Restaurant Pasco
- December 1, 2010 Noon Commission Meeting Cousins Restaurant Pasco

If you have any questions, please do not hesitate to contact Shane Johnson at (509) 585-5460.

WSR 10-01-021
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION OFFICE
 (Biodiversity Council)
 [Filed December 7, 2009, 9:03 a.m.]

The next public meeting of the Washington biodiversity council will be on **Wednesday, January 20, 2010, from 8:30 a.m. to 4:00 p.m.** at the Natural Resources Building, Room 175, 1111 Washington Street S.E., Olympia, WA 98501.

For further information, please contact Rachel LeBaron Anderson, recreation and conservation office (RCO), (360) 902-3012 or check the web page <http://www.biodiversity.wa.gov>.

The RCO schedules all public meetings at barrier free sites. Persons who need special assistance, such as large type materials, may contact Rachel LeBaron Anderson at the number listed above or by e-mail at rachel.lebaronanderson@rco.wa.gov.

WSR 10-01-022
NOTICE OF PUBLIC MEETINGS
FIRE PROTECTION POLICY BOARD
 [Filed December 7, 2009, 9:03 a.m.]

The January 27, 2010, work session of the fire protection policy board, beginning at 9:00 a.m., has been moved to the General Administration Building, Room 326, 210 11th Avenue S.W., Olympia, WA 98504-2600.

If you have any questions, or require additional information, please contact Ms. Ellen Tombleson at (360) 596-3902.

WSR 10-01-023
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
 (Driver Training Schools Advisory Committee)
 [Filed December 7, 2009, 9:04 a.m.]

The 2010 meetings of the driver training schools advisory committee are scheduled as follows:

Thursday, January 14, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Thursday, February 11, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Thursday, March 11, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Thursday, April 8, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Thursday, May 13, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Thursday, June 10, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Thursday, July 8, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Thursday, August 12, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Thursday, September 9, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Thursday, October 14, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Wednesday, November 10, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501
Thursday, December 9, 2010	9:00 a.m. - 3:00 p.m.	Highways-Licensing Building Room 413 1125 Washington Street S.E. Olympia, WA 98501

If you have any questions regarding these meetings you can reach Kirsten Games at (360) 902-0110 or via e-mail to tse@dol.wa.gov.

The department of licensing has a policy of providing equal access to its services. If you need special accommodation, please call (360) 902-3900 or TTY (360) 664-0116.

WSR 10-01-024
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES
 (Board of Natural Resources)
 [Filed December 7, 2009, 9:04 a.m.]

2010 MEETING DATES

Below is the schedule for the board of natural resources meetings for 2010. The meetings take place in Olympia at the Natural Resources Building in Room 172. Meetings begin at 9:00 a.m., but ending times will be determined as agendas are developed.

If you have any questions, please call the board coordinator at (360) 902-1103 or e-mail at bnr@dnr.wa.gov.

- January 5, 2010
- February 2, 2010
- March 2, 2010
- April 6, 2010
- May, 2010
- June 1, 2010
- July 6, 2010
- August (board retreat TBD)
- September 7, 2010
- October 5, 2010
- November 2, 2010
- December 7, 2010

WSR 10-01-025
RULES OF COURT
STATE SUPREME COURT
 [December 3, 2009]

IN THE MATTER OF THE ADOPTION)	ORDER
OF THE AMENDMENTS TO RAP 6.2-)	NO. 25700-A-936
DISCRETIONARY REVIEW, RAP 9.2-)	
VERBATIM REPORT OF PROCEED-)	
INGS, RAP 15.5-ALLOWANCE OF)	
CLAIM FOR PAYMENT OF EXPENSE)	
FOR INDIGENT PARTY, RAP 5.3-CON-)	
TENT OF NOTICE-FILING, RAP 15.2-)	
DETERMINATION OF INDIGENCY)	
AND RIGHTS OF INDIGENT PARTY,)	
RAP FORM 12A-FINDINGS OF INDI-)	
GENCY, AND RAP FORM 13-MOTION)	
FOR ORDER OF INDIGENCY)	

The Office of Public Defense having recommended the adoption of the proposed amendments to RAP 6.2-Discretionary Review, RAP 9.2-Verbatim Report of Proceedings, RAP 15.5-Allowance of Claim for Payment of Expense for Indigent Party, RAP 5.3-Content of Notice-Filing, RAP 15.2-Determination of Indigency and Rights of Indigent Party, RAP Form 12A-Findings of Indigency, and RAP Form 13-Motion for Order of Indigency, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as attached hereto 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 2010.

(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, 2010. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 3rd day of December, 2010 [2009].

For the Court

Gerry L. Alexander
CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Rule Change
RAP 6.2

PURPOSE: The Office of Public Defense (OPD) proposes to change RAP 6.2 in order to ensure that appellate counsel has adequate time to prepare a motion for discretionary review after appointment by the court of appeals.

An indigent party has a right to counsel for the purpose of seeking discretionary review in certain civil cases. *See In re Grove*, 127 Wn. 2d 221, 897 P.2d 1252 (1995). In those cases, the court of appeals will appoint counsel upon receiving the notice of discretionary review (and accompanying order of indigency) from the trial court.

The trial court has 14 days to send the notice to the court of appeals. However, RAP 6.2 requires a party to file a motion for discretionary review within 15 days after the notice of discretionary review has been filed in the trial court. Therefore, by the time the court of appeals receives the notice of discretionary review and appoints appellate counsel the 15 day period is almost over. This rule has caused confusion for trial counsel who believe that they must file the motion for discretionary review in order to meet the 15 day deadline.

In practice, the court of appeals will reset the 15 day period for filing the motion for discretionary review once it appoints appellate counsel. OPD's proposed change would adopt this practice in the RAP and eliminate the confusion of who is responsible for preparing the motion. The proposed change would only affect those cases in which an indigent party is entitled to counsel for the purpose of seeking discretionary review.

RULES OF APPELLATE PROCEDURE (RAP)
RULE 6.2 - DISCRETIONARY REVIEW

(a) Generally. The appellate court accepts discretionary review of a trial court decision by granting a motion for discretionary review.

(b) Time To Make Motion. The party seeking discretionary review must file in the appellate court a motion for discretionary review within 15 days after filing the notice for discretionary review, or, in cases where the appellate court has appointed counsel for a party entitled to seek discretionary review at public expense pursuant to rule 15.2, within 15 days after appointment. If a party files a notice of appeal from a decision which may not be subject to review as a matter of right, the clerk or a party may note for hearing the question whether the decision is reviewable as a matter of right and, if the decision is reviewable by discretion, the question whether review should be accepted.

(c) Regular Motion Procedure Governs. A motion for discretionary review is governed by the motion procedure established by Title 17.

(d) Notice of Decision on Motion. The clerk of the appellate court will promptly give written notice to the parties and the trial court of the appellate court's decision on the motion for discretionary review.

GR 9 COVER SHEET

Suggested Rule Changes
RAP 9.2

PURPOSE: The Office of Public Defense (OPD) proposes to change RAP 9.2 to clarify that closing argument may be transcribed at public expense without specific authorization by the trial court as with voir dire and opening statements. Current RAP 9.2 (e)(2)(D) instructs court reporters to include opening statements *and* closing argument in the table of contents of the verbatim transcript of proceedings, subject to RAP 9.2(b). However, RAP 9.2(b) only applies to voir dire and opening statements. The proposed change would simply clarify that the inclusion of closing argument in the VRP is not subject to the special requirements of RAP 9.2(b).

RULES OF APPELLATE PROCEDURE (RAP)
RULE 9.2 - VERBATIM REPORT OF PROCEEDINGS

(a) [No changes]

(b) **Content.** A party should arrange for the transcription of all those portions of the verbatim report of proceedings necessary to present the issues raised on review. A verbatim report of proceedings provided at public expense will not include the voir dire examination or opening statement unless so ordered by the trial court. If the party seeking review intends to urge that a verdict or finding of fact is not supported by the evidence, the party should include in the record all evidence relevant to the disputed verdict or finding. If the party seeking review intends to urge that the court erred in giving or failing to give an instruction, the party should include in the record all of the instructions given, the relevant instructions proposed, the party's objections to the instructions given, and the court's ruling on the objections.

(c) - (d) [No changes]

(e) **Title Page and Table of Contents.** The court reporter or other authorized transcriber shall include at the beginning of each volume of the verbatim report of proceedings a title page and a table of contents.

(1) The title page should include the following:

- (A) Case name,
- (B) Trial court and appellate cause numbers,
- (C) Date(s) of hearings,
- (D) Trial court judge(s),
- (E) Names of attorneys at trial,
- (F) Name, business address and telephone number of each court reporter or other authorized transcriber.

(2) The table of contents shall follow the title page and shall indicate, under the headings listed below, the pages where the following appear:

(A) Proceedings. The beginning of each proceeding and the nature of that proceeding;

(B) Testimony. The testimony of each witness, the page where it begins, and the type of examination, i.e., direct, cross, re-direct, re-cross, and the page where the plaintiff rests and the defendant rests;

(C) Exhibits. The admission into evidence of exhibits and depositions;

(D) Argument. The pages where opening statements and closing arguments occur, except as otherwise provided in rule 9.2(b) for verbatim reports of proceedings provided at public expense, and the pages where closing arguments occur;

(E) Instructions. All instructions proposed and given. Any other events should be listed under a suitable heading which would help the reviewing court locate separate parts of the verbatim report of proceedings.

(F) Multiple Days. If a volume includes hearings from more than one day, there shall be a separate table of contents for each day.

GR 9 COVER SHEET

Suggested Rule Change RAP 15.5

PURPOSE: The Office of Public Defense (OPD) proposes to change RAP 15.5 to extend the time to 15 days for determining claimed expenses. The current 10 day period was established in 2001. Since that time, OPD has experienced an increase in invoicing issues that warrant an extension of the time period for allowing a claimed expense. A five-day extension would maintain OPD's policy of ensuring prompt payment on all invoices.

In some cases, OPD's 10 day deadline conflicts with other procedural timelines in the RAP. For example, under RAP 9.5(c), the trial court will hold a transcript filed by a court reporter for 10 days before sending it to the court of appeals. Court reporters frequently invoice for the transcription when they file the transcript in the trial court. However, OPD cannot pay for the invoice until the court of appeals receives the transcript from the trial court. Therefore, if OPD receives the invoice before the transcript is sent to the court of appeals, then it often must hold the invoice for 10 days or longer before it can pay.

RULES OF APPELLATE PROCEDURE (RAP)

RULES 15.5 - ALLOWANCE OF CLAIM FOR PAYMENT OF EXPENSE FOR INDIGENT PARTY

(a) Allowance Generally. The director of the Office of Public Defense determines all claims for expense. The director will allow or disallow all or part of the claimed expense within ~~10~~ 15 days, excluding weekends and legal holidays, after the invoice has been filed in the Office of Public Defense. The director will notify the claimant of the decision. A claimant may object to the decision of the director by letter to the Office of Public Defense Advisory Committee not later than 30 days after the director's decision and the Committee's decision is final.

(b) Disallowance of Claim. If a brief is unnecessarily long, improper in substance, or not in compliance with these rules, all or a portion of counsel's claim may be disallowed. If the court reporter or counsel has been dilatory, all or a portion of the claim of the court reporter or the claim of counsel may be disallowed.

GR 9 COVER SHEET

Suggested Rule Changes RAP 5.3 & 15.2 and FORMS 12A & 13 Determination of Indigency

PURPOSE: The Office of Public Defense (OPD) proposes the following changes to the RAP regarding the procedures for determining indigency for purposes of appeal. As the agency authorized to recommend standards for determining and verifying indigency, OPD has a strong interest in monitoring the procedures used for determining indigency. In addition, RAP 15.2(a) authorizes OPD to prescribe the form in which the motion for order of indigency must be filed and RAP 15(g) authorizes OPD to designate counsel for appointment to indigent parties on appeal.

1. RAP 5.3 OPD proposes a change to RAP 5.3 in order to assist in the efficient appointment of appellate counsel for indigent parties, pursuant to RAP 15.2(g). The Court of Appeals does not appoint appellate counsel on appeal without an order of indigency entered in the trial court, and therefore indigent appeals cannot proceed before such an order has been entered.

Presently, orders of indigency often are not included with the notice of appeal as part of the record on review. In fact, the Court of Appeals Division Two Clerk's Office has reported that 30 percent of cases it receives involving an indigent party do not include an order of indigency. Divisions One and Three have indicated deficiencies as well.

The absence of an order of indigency requires the Court of Appeals to contact trial counsel well after the expiration of trial to request that they go back to court to file a motion for order of indigency. While trial counsel has the duty to file a motion for order of indigency along with a notice of appeal, this duty is not clearly articulated in RAP 5.3. To complicate matters, RAP 5.3(j) states that the trial court clerk will assist criminal defendants in filing a motion for order of indigency.

OPD's proposed change to RAP 5.3(j) would clarify that trial counsel has the express duty to file a motion for order of

indigency in the trial court, and that the trial court clerk need only assist unrepresented parties in filing documents for appeal. OPD intends that this proposal will eliminate unnecessary delay in the appellate process and decrease administrative costs for the Court of Appeals and trial courts in obtaining orders of indigency for appeal. The Division Two clerk's office has expressed support for this amendment and has indicated that the clerks' offices for the other divisions support it as well.

2. **RAP 15.2 and Forms (12A) & 13** OPD proposes a rule change to RAP 15.2 and corresponding forms in order to clarify and simplify the pleading requirements for determining indigency on appeal. RAP 15.2(b) requires the trial court to determine the indigency of a party seeking review at public expense. However, the rule does not specify the information required for appellate level indigency determinations. In fact, at the time of determining indigency for appeal, trial courts frequently already have made a determination of indigency for purposes of funding trial counsel. In its report entitled *Update on Criteria and Standards for Determining and Verifying Indigency* in October 2007, OPD found that almost all defendants who are indigent at trial are likewise found to be indigent on appeal. Because the court screens parties for indigency before trial, OPD recommends that the determination of indigency for appeal should simply require a reevaluation of the initial determination of indigency.

OPD's proposed rule change would direct trial courts to determine indigency for appeals based on a review of the previous determination of indigency made for purposes of trial. OPD also proposes a change to RAP Form 13 to allow a party to assert no change in financial status, since in cases where there has been no change the initial determination of indigency operates as a sufficient showing of indigency for appeal.

Finally, OPD proposes several technical rule changes to RAP 15.2 to clarify the procedure for entering an order of indigency in cases governed under RAP 15.2(c). OPD also proposes to create a new form, RAP Form 12A, for a finding of indigency required in cases in which the Supreme Court must enter an order of indigency.

OPD proposes the following specific changes:

- **RAP 15.2(a)** Move the final sentence to subsection (c). Capitalize Office of Public Defense.
- **RAP 15.2(b)** Add language allowing the trial court to determine indigency by reevaluating any previous order of indigency entered at trial. Correct citations to the RCW. Form 13 reflects these changes.
- **RAP 15.2(h)** Indicate that a party may seek review of a Finding of Indigency entered by the trial court, pursuant to subsection (c). Proposed Form 12A creates a form to be used by the trial court for Findings of Indigency under subsection (c).

**RULES OF APPELLATE PROCEDURE (RAP)
RULE 5.3 CONTENT OF NOTICE - FILING**

(a) - (i) [Unchanged]

(j) Assistance to Defendant in Criminal Case or Party Entitled to Review at Public Expense. Trial counsel for a defendant in a criminal case or party entitled to review at public expense is responsible for filing any appropriate notice

of appeal, notice of discretionary review, and motion for order of indigency under rule 15.2. If such a defendant or party is not represented by counsel at trial, the trial court clerk shall, if requested by the defendant in a criminal case the or party in open court or in writing, supply a notice of appeal form, a notice for discretionary review form, or a form for a motion for order of indigency, and file the forms upon completion by the defendant or party.

**RULES OF APPELLATE PROCEDURE (RAP)
RULE 15.2 - DETERMINATION OF INDIGENCY AND RIGHTS OF INDIGENT PARTY**

(a) Motion for Order of Indigency. A party seeking review in the Court of Appeals or the Supreme Court partially or wholly at public expense must move in the trial court for an order of indigency. The party shall submit a Motion for Order of Indigency, in the form prescribed by the Office of Public Defense, office of public defense to the trial court. ~~In any case of a type not listed in section (b)(1) of this rule, the party must also demonstrate in the motion or the supporting affidavit that the issues the party wants reviewed have probable merit and that the party has a constitutional right to review partially or wholly at public expense.~~

(b) Action by the Trial Court. ~~In written findings and after a hearing, if circumstances warrant, the trial court shall determine the indigency, if any, of the party seeking review at public expense and. The determination shall be made in written findings after a hearing, if circumstances warrant, or by reevaluating any order of indigency previously entered by the trial court. The court:~~

(1) shall grant the motion for an order of indigency if the party seeking public funds is unable by reason of poverty to pay for all or some of the expenses for appellate review of:

(a) criminal prosecutions or juvenile offense proceedings meeting the requirements of RCW 10.73.150,

(b) dependency and termination cases under ~~Ch. 13.34~~ RCW 13.34,

(c) commitment proceedings under RCW 71.05 and 71.09,

(d) civil contempt cases directing incarceration of the contemner,

(e) orders denying petitions for writ of habeas corpus under RCW 7.36, including attorneys' fees upon a showing of extraordinary circumstances, and

(f) any other case in which the party has a constitutional or statutory right to counsel at all stages of the proceeding; or

(2) shall deny the motion for an order of indigency if a party has adequate means to pay all of the expenses of review. The order denying the motion for an order of indigency shall contain findings designating the funds or source of funds available to the party to pay all of the expenses of review.

(c) Other Cases. In cases not governed by subsection (b) of this rule, the trial court shall determine in written findings the indigency, if any, of the party seeking review. The party must demonstrate in the motion or the supporting affidavit that the issues the party wants reviewed have probable merit and that the party has a constitutional or statutory right to review partially or wholly at public expense.

(1) Party Not Indigent. The trial court shall deny the motion if a party has adequate means to pay all of the expenses of review. The order denying the motion for an order of indigency shall contain findings designating the funds or sources of funds available to the party to pay all of the expenses of review.

(2) Party Indigent. If the trial court finds the party seeking review is unable by reason of poverty to pay for all or some of the expenses of appellate review, the trial court shall enter such findings, which shall be forwarded to the Supreme Court for consideration, pursuant to section (d) of this rule. The trial court shall determine in those findings the portion of the record necessary for review and the amount, if any, the party is able to contribute toward the expense of review. The findings shall conclude with an order to the clerk of the trial court to promptly transmit to the Supreme Court, without charge to the moving party, the findings of indigency, the affidavit in support of the motion, and all other papers submitted in support of or in opposition to the motion. The trial court clerk shall promptly transmit to the Supreme Court the papers designated in the findings of indigency.

(d) - (f) [No changes]

(g) **Appointment and Withdrawal of Counsel in Appellate Court.** The appellate court shall determine questions relating to the appointment and withdrawal of counsel for an indigent party on review. The Office of Public Defense shall, in accordance with its indigent appellate representation policies, provide the names of indigent appellate counsel to the appellate courts on a case-by-case ~~bases~~ basis. If trial counsel is not appointed, trial counsel must assist counsel appointed for review in preparing the record.

(h) **Review of Order or Finding of Indigency.** ~~Only a~~ A party in a case of a type listed in section (b)(1) of this rule may seek review of an order denying an order of indigency entered by a trial court. A party may also seek review of written findings under section (c)(1) of this rule that the party is not indigent. Review must be sought by a motion for discretionary review.

(i) [No changes]

**RULES OF APPELLATE PROCEDURE (RAP)
FORM 12A - FINDINGS OF INDIGENCY**

**(Rule 15.2(c))
SUPERIOR COURT OF WASHINGTON
FOR _____ COUNTY**

[Name of plaintiff])
Plaintiff,)
) No. [trial court]
v.)
) FINDINGS OF INDIGENCY AND
) ORDER TO TRANSMIT FINDINGS
) OF INDIGENCY
)
[Name of defendant])
Defendant.)

The court finds that _____, the appellant/petitioner in this action is unable by reason of poverty to pay for all or some of the expenses of appellate review. The court finds, however, that the moving party is able to contribute \$ _____. The following portions of the record are reasonably necessary for review:

(1) Those portions of the verbatim report of proceedings as follows: [Designate parts of report.]

(2) A copy of the clerk's papers as follows: [Designate papers by name and trial court clerk's subnumber.]

(3) Preparation of original documents to be reproduced by the clerk as provided in rule 14.3(b).

(4) Reproduction of briefs and other papers on review that are reproduced by the clerk of the appellate court.

(5) The cost of transmitting cumbersome exhibits: [Designate cumbersome exhibits needed for review. See rule 9.8(b).]

(6) Other items: [Designate items]

Now, therefore, it is ORDERED that the clerk of the superior court shall promptly transmit to the Supreme Court the Motion for Order of Indigency, any affidavit or declaration in support of the motion, and the Findings of Indigency.

[Date]

Signature [Name]
Judge of the Superior Court

Presented by:
[Name of party and attorney
for party presenting order;
Washington State Bar Association
membership number]

**RULES OF APPELLATE PROCEDURE (RAP)
FORM 13 - MOTION FOR ORDER OF INDIGENCY**

**(Rule 15.2(c))
SUPERIOR COURT OF WASHINGTON
FOR _____ COUNTY**

(State of Washington))
[Name of plaintiff])
(Plaintiff,))
(Petitioner)) No. [trial court]
v.) Motion for Order of Indigency -
) (Criminal), (Juvenile Offense),
) (Dependency), (Termination),
[Name of defendant]) (Commitment), (Civil Con-
) tempt),
Defendant.) Habeas Corpus), (Appeal
) involving a Constitutional or
) Statutory Right to Counsel)
) Case
_____, (defendant) (respondent) (petitioner), files a notice of appeal in the above-referenced (criminal), (juvenile offense), (dependency), (termination), (commitment), (civil contempt), (habeas corpus), (appeal involv-

ing a constitutional or statutory right to counsel) case, and moves the court for an Order of Indigency authorizing the expenditure of public funds to prosecute this appeal (wholly at public expense) (partially at public expense).

The following declaration is made in support of this motion.

DATED: _____

(Defendant) (Respondent) (Petitioner)

- WSBA #

Attorney for (Defendant) (Respondent)
(Petitioner)

CERTIFICATE

I, _____, certify as follows:

1. I am the (defendant) (respondent) (petitioner) and I wish to appeal the judgment that was entered in the above-entitled cause.

2. [Check one box]

a. I have previously been found to be indigent by order of this court on _____. There has been no change in my financial status since that time and I continue to lack sufficient funds to seek review in this case;

or

b. I have not previously been found indigent by this court or there has been a change in my financial status since the court found me to be indigent and I am including a certificate providing information as to my current financial situation.

[Attach Appendix A]

2. That I own:

() a. No real property

() b. Real property valued at \$ _____.

3. That I own:

() a. No personal property other than my personal effects

() b. Personal property (automobile, money, inmate account, motors, tools, etc.) valued at \$ _____.

4. That I have the following income:

() a. No income from any source.

() b. Income from employment, disability payments, SSI, insurance, annuities, stocks, bonds, interests, etc., in the amount of \$ _____ on an average monthly basis. I received \$ _____ after taxes over the past year.

5. That I have:

() a. Undischarged debts in the amount of \$ _____.

() b. No debts.

6. That I am without other means to prosecute said appeal and desire that public funds be expended for that purpose.

7. That I can contribute the following amount toward the expense of review:
\$ _____.

8. The following is a brief statement of the nature of the case and the issues sought to be reviewed:.

9. I ask the court to provide order the following to be provided the following at public expense, the following: all

filing fees, attorney fees, preparation, reproduction, and distribution of briefs, preparation of verbatim report of proceedings, and preparation of necessary clerk's papers.

~~10. 4. I authorize the court to obtain verification information regarding my financial status from banks, employers, or other individuals or institutions, if appropriate.~~

~~11. 5. I certify that I will immediately report to the Court any change in my financial status which materially affects the Court's finding of indigency.~~

12. 6. I certify that review is being sought seek review in good faith. The following is a brief statement of the nature of the case and the issues sought to be reviewed

7. [For cases governed by rule 15.2(c) only] I have a constitutional or statutory right to review at public expense and the issues I want reviewed have probable merit: [Identify statutory or constitutional right and briefly describe the merit of the appeal sought].

I, _____, certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Date and Place Signature of (Defendant) (Respondent) (Petitioner)

APPENDIX A [To Form 13]: Initial Declaration of Indigency [To be completed if party has not previously been found indigent or certifies a material change in financial status since original finding of indigency (Box 2(b) in Form 13)]

I, _____ certify as follows:

1. I have not previously been found indigent by this court.

2. That I own:

() a. No real property

() b. Real property valued at \$ _____.

3. That I own:

() a. No personal property other than my personal effects
() b. Personal property (automobile, money, inmate account, motors, tools, etc.) valued at \$ _____.

4. That I have the following income:

() a. No income from any source.

() b. Income from employment, disability payments, social security, welfare, insurance, annuities, stocks, bonds, interests, etc., in the amount of \$ _____ on an average monthly basis. I received \$ _____ after taxes over the past year.

5. That I have:

() a. Undischarged debts in the amount of \$ _____.

() b. No debts.

6. That I am without other means to prosecute said appeal and desire that public funds be expended for that purpose.

7. That I can contribute the following amount toward the expense of review:

\$ _____.

I, _____, certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

For the Court

Gerry L. Alexander

CHIEF JUSTICE

Date and Place Signature of (Defendant) (Respondent) (Petitioner)

Reviser's note: The spelling error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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.

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 10-01 issue of the Register.

WSR 10-01-027

RULES OF COURT

STATE SUPREME COURT

[December 3, 2009]

WSR 10-01-026
RULES OF COURT
STATE SUPREME COURT

[December 3, 2009]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO RAP 5.2-) NO. 25700-A-937
TIME ALLOWED TO FILE NOTICE,)
RAP 12.5-MANDATE, NEW ER 502-)
ATTORNEY-CLIENT PRIVILEGE, AND)
WORK PRODUCT; LIMITATIONS ON)
WAIVER, ER 1101-APPLICABILITY OF)
RULES AND NEW SET OF FAMILY)
LAW CIVIL RULES (FLCR))

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO RAP 9.6-) NO. 25700-A-938
DESIGNATION OF CLERK'S PAPERS)
AND EXHIBITS, RAP 9.7-PREPARING)
CLERK'S PAPERS AND EXHIBITS FOR)
APPELLATE COURT, RAP 11.3(a)-DATE)
OF ARGUMENT, RAP 13.4-DISCRE-)
TIONARY REVIEW OF DECISION TER-)
MINATING REVIEW AND RAP 18.1-)
ATTORNEYS FEES AND EXPENSES)

The Washington State Bar Association having recommended the adoption of the proposed amendments to RAP 5.2-Time Allowed to File Notice, RAP 12.5-Mandate, New ER 502-Attorney-Client Privilege, and Work Product; Limitations on Waiver, ER 1101-Applicability of Rules and New Set of Family Law Civil Rules (FLCR), and the Court having approved the proposed amendments for publication;

The Washington Appellate Lawyers Association having recommended the adoption of the proposed amendments to RAP 9.6-Designation of Clerk's Papers and Exhibits, RAP 9.7-Preparing Clerk's Papers and Exhibits for Appellate Court, RAP 11.3(a)-Date of Argument, RAP 13.4-Discretionary Review of Decision Terminating Review and RAP 18.1-Attorneys Fees and Expenses, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

Now, therefore, it is hereby

ORDERED:

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as attached hereto 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 2010.

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as attached hereto 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 2010.

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

(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, 2010. Comment may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

(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, 2010. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 3rd day of December, 2009.

DATED at Olympia, Washington this 3rd day of December, 2009.

For the Court

Gerry L. Alexander

CHIEF JUSTICE

RAP 9.6
GR 9 Cover Sheet

Purpose: Compiling a set of clerk's papers is frequently an expensive and cumbersome task for appellate counsel. The purpose of this amendment is to simplify this task by requiring the trial court clerk to make available a complete set of clerk's papers to the parties or their counsel, subject to payment of the clerk's reasonable reproduction expenses. With advances in computer technology, electronic filing, and document scanning, many trial court clerks have the ability to compile and reproduce the clerk's papers in electronic format, and, in fact, transmit the clerk's papers to the appellate court electronically. This amendment will allow the parties or counsel to obtain a computer generated set of clerk's papers in electronic format where the trial court clerk prepares the clerk's papers electronically, subject to payment of the clerk's reproduction expenses, at a rate not to exceed that charged by the clerk for photocopying the clerk's.

PROPOSED AMENDMENT

RAP 9.6
DESIGNATION OF CLERK'S PAPERS AND EXHIBITS

[(a) & (b) unchanged]

(c) 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.

RAP 9.7
GR 9 Cover Sheet

Purpose: WALA has proposed amendments to RAP 9.7 to allow electronic reproduction and transmission of the clerk's papers. With electronic filing and scanning, many superior court clerks reproduce the clerk's papers in electronic format, and appellate court clerks store and disseminate clerk's papers electronically. This amendment allows the superior court clerk to transmit clerk's papers electronically, as an alternative to sending hard copies to the appellate court.

The clerks have proposed changing the time within which the clerk's papers must be delivered to the appellate court to 14 days, from the current wording, which requires transmission "upon receipt."

RAP 9.7

Rule 9.7. Preparing clerk's papers and exhibits for appellate court

(a) *Clerk's papers.* The clerk of the trial court shall make copies at cost, not to exceed 50 cents a page, of those portions of the clerk's papers designated by the parties and prepare them for transmission to the appellate court. The clerk shall assemble the copies and number each page of the clerk's papers in chronological order of filing. ~~The clerk shall and bind the assembled clerk's papers in volumes of no more than 200 pages, or, alternatively, assemble and transmit the numbered clerk's papers to the appellate court in electronic format.~~ The clerk shall prepare a cover sheet for the papers with the title "Clerk's Papers" and prepare an alphabetical index to the papers. The clerk shall promptly send a copy of the index to each party. The reproduction costs must be paid to the trial court clerk within 14 days of receipt of the index. Failure to do so may result in sanctions under rule 18.9. ~~Upon receipt of~~ Within 14 days of receiving payment, the clerk shall forward the clerk's papers to the appellate court.

(b) *Exhibits.* The clerk of the trial court shall assemble those exhibits designated by the parties and prepare them for transmission to the appellate court. Exhibits which are papers should be assembled in the order the exhibits are numbered with a cover sheet which lists the exhibits and is titled "Exhibits."

(c) *Certified record of administrative adjudicative orders.* When an administrative agency has certified the record of an administrative order for review by the superior court, the clerk of the superior court shall transmit to the appellate court the original record certified by the administrative agency.

RAP 11.3
DATE OF ARGUMENT

(a) **Notice.** The clerk will advise all parties and others who have filed briefs of the time and place of oral argument and the members of the court who will consider the case on the merits.

(b) Unchanged.

RAP 13.4
GR 9 Cover Sheet

Purpose: Subsection (g)'s current provision, allowing the clerk to serve the parties with a petition, parallels former RAP 10.5, which provided that the clerk, and not the parties, should serve appellate briefs. The current version of RAP 13.4(g) is an anachronism as it places an unnecessary burden on the appellate court and leads to confusion and delay regarding the date of service. Petitions, answers to petitions, and replies, when authorized by RAP 13.4(d), should be served by the party filing the document.

RAP 13.4
DISCRETIONARY REVIEW OF DECISION TERMINATING REVIEW

(a) **How to Seek Review.** A party seeking discretionary review by the Supreme Court of a Court of Appeals decision

terminating review must file a petition for review or an answer to the petition that raises new issues. A petition for review should be filed in the Court of Appeals. If no motion to publish or motion to reconsider all or part of the Court of Appeals decision is timely made, a petition for review must be filed within 30 days after the decision is filed. If such a motion is made, the petition for review must be filed within 30 days after an order is filed denying a timely motion for reconsideration or determining a timely motion to publish. If the petition for review is filed prior to the Court of Appeals determination on the motion to reconsider or on a motion to publish, the petition will not be forwarded to the Supreme Court until the Court of Appeals files an order on all such motions. The first party to file a petition for review must, at the time the petition is filed, pay the statutory filing fee to the clerk of the Court of Appeals in which the petition is filed.

(b) Considerations Governing Acceptance of Review. A petition for review will be accepted by the Supreme Court only:

- (1) If the decision of the Court of Appeals is in conflict with a decision of the Supreme Court; or
- (2) If the decision of the Court of Appeals is in conflict with another decision of the Court of Appeals; or
- (3) If a significant question of law under the Constitution of the State of Washington or of the United States is involved; or
- (4) If the petition involves an issue of substantial public interest that should be determined by the Supreme Court.

(c) Content and Style of Petition. The petition for review should contain under appropriate headings and in the order here indicated:

- (1) Cover. A title page, which is the cover.
- (2) Tables. A table of contents, with page references, and a table of cases (alphabetically arranged), statutes and other authorities cited, with reference to the pages of the brief where cited.
- (3) Identity of Petitioner. A statement of the name and designation of the person filing the petition.
- (4) Citation to Court of Appeals Decision. A reference to the Court of Appeals decision which petitioner wants reviewed, the date of filing the decision, and the date of any order granting or denying a motion for reconsideration.
- (5) Issues Presented for Review. A concise statement of the issues presented for review.
- (6) Statement of the Case. A statement of the facts and procedures relevant to the issues presented for review, with appropriate references to the record.
- (7) Argument. A direct and concise statement of the reason why review should be accepted under one or more of the tests established in section (b), with argument.
- (8) Conclusion. A short conclusion stating the precise relief sought.
- (9) Appendix. An appendix containing a copy of the Court of Appeals decision, any order granting or denying a motion for reconsideration of the decision, and copies of statutes and constitutional provisions relevant to the issues presented for review.

(d) Answer and Reply. A party may file an answer to a petition for review. If the party wants to seek review of any issue that is not raised in the petition for review, including

any issues that were raised but not decided in the Court of Appeals, the party must raise those new issues in an answer. Any answer should be filed within 30 days after the service on the party of the petition. A party may file a reply to an answer only if the answering party seeks review of issues not raised in the petition for review. A reply to an answer should be limited to addressing only the new issues raised in the answer. A reply to an answer should be filed within 15 days after the service on the party of the answer. An answer or reply should be filed in the Supreme Court. The Supreme Court may call for an answer or a reply to an answer.

(e) Form of Petition, Answer, and Reply. The petition, answer, and reply should comply with the requirements as to form for a brief as provided in rules 10.3 and 10.4, except as otherwise provided in this rule.

(f) Length. The petition for review, answer, or reply should not exceed 20 pages double spaced, excluding appendices.

(g) Service and Reproduction of Petition, Answer, and Reply. The party filing the petition for review, the answer, and any reply, should serve a copy on every other party and any amicus curiae and file proof of service in accordance with rules 18.5 and 18.6. The clerk will arrange for the reproduction of copies of a petition for review, an answer, or a reply, and bill the appropriate party for the copies as provided in rule 10.5. ~~The clerk will serve the petition, answer, or reply if the party has not done so.~~

~~The clerk will serve the petition, answer, or reply if the party has not done so.~~

(h) Amicus Curiae Memoranda. The Supreme Court may grant permission to file an amicus curiae memorandum in support of or opposition to a pending petition for review. Absent a showing of particular justification, an amicus curiae memorandum should be received by the court and counsel of record for the parties and other amicus curiae not later than 60 days from the date the petition for review is filed. Rules 10.4 and 10.6 should govern generally disposition of a motion to file an amicus curiae memorandum. An amicus curiae memorandum or answer thereto should not exceed 10 pages.

(i) No Oral Argument. The Supreme Court will decide the petition without oral argument.

RAP 18.1 GR 9 Cover Sheet

Purpose: Although an appellate fee or cost award is not enforceable until the mandate is returned from the appellate courts, an award of fees and costs on appeal is a sum certain on which prejudgment interest should accrue.

RAP 18.1

Rule 18.1, Attorney Fees And Expenses [(a)-(g) unchanged]

(h) Transmitting Judgment on Award. The clerk will include the award of attorney fees and expenses in the mandate, or the certificate of finality, or in a supplemental judgment. The award of fees and expenses, including interest from the date of the award by the appellate court, may be enforced in the trial court.

[(i) & (j) unchanged]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 10-01-028
RULES OF COURT
STATE SUPREME COURT
[December 3, 2009]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO RAP 2.2) NO. 25700-A-939
(B)(5) AND (6)-DECISIONS OF THE)
SUPERIOR COURT WHICH MAY BE)
APPEALED)

The Washington Association of Prosecuting Attorneys having recommended the adoption of the proposed amendments to RAP 2.2(B)(5) and (6)-Decisions of the Superior Court Which May Be Appealed, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as attached hereto are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's web sites in January, 2010.

(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, 2010. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 3rd day of December, 2009.

For the Court

Gerry L. Alexander

CHIEF JUSTICE

RAP 2.2

Decisions of the Superior Court That May Be Appealed

Purpose: This amendment would allow the state to appeal sentences that are unauthorized or omit a required provision.

(a) Unchanged.

(b) (1)-(5) Unchanged.

(5) Disposition in Juvenile Offense Proceeding. A disposition in a juvenile offense proceeding that (A) is below the standard range of disposition for the offense, (B) or that the state or local government believes involves a miscalculation of the standard range, (C) includes provisions that are unauthorized by law, or (D) omits a provision that is required by law.

(6) Sentence in Criminal Case. A sentence in a criminal case that (A) is outside the standard range for the offense, (B) or that the state or local government believes involves a miscalculation of the standard range, (C) includes provisions that are unauthorized by law, or (D) omits a provision that is required by law.

(c) and (d) Unchanged.

WSR 10-01-029
RULES OF COURT
STATE SUPREME COURT
[December 3, 2009]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO CrRLJ 4.1-) NO. 25700-A-940
ARRAIGNMENT, IRLJ 2.1(b)-NOTICE)
OF INFRACTION-CONTENT AND IRLJ)
3.1(d)-CONTESTED HEARINGS-PRE-)
LIMINARY PROCEEDINGS)

The District and Municipal Judges Association having recommended the adoption of the proposed amendments to CrRLJ 4.1-Arraignment, IRLJ 2.1(b)-Notice of Infraction-Content and IRLJ 3.1(d)-Contested Hearings-Preliminary Proceedings, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as attached hereto are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's web sites in January 2010.

(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, 2010. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 3rd day of December, 2009.

For the Court

Gerry L. Alexander

CHIEF JUSTICE

Suggested Changes to CrRLJ 4.1 Arraignment

GR 9 Cover Sheet

Purpose: The suggested changes to CrRLJ 4.1 require that a defendant be informed of his or her right to counsel prior to being arraigned in a court of limited jurisdiction. If the defendant is indigent, the court will be required to assign counsel, unless waived by the defendant.

CrRLJ 4.1 governs procedures for arraignments in courts of limited jurisdiction. In these courts, arraignment is usually the first appearance for persons charged with a misdemeanor offense. (It is usually only in-custody misdemeanor defendants who are seen at a CrRLJ 3.2.1 preliminary appearance.)

At arraignment, defendants are apprised of their rights in a criminal case and of the charges against them for the first time.

At the arraignment hearing the judge may also make a finding of probable cause and set bail and other conditions of release. The conditions of release that may be imposed include electronic home detention, GPS monitoring, alcohol and drug use restrictions and no-contact orders. Violation by the defendant of any one of these conditions of release may result in the defendant's pretrial incarceration. Finally, the defendant will be required to enter a plea of guilty or not guilty.

The court rules provide that a lawyer must be provided at every critical stage of a criminal case. *See* CrRLJ 3.1 (b)(2). Arraignment is a critical stage in the proceedings and the opportunity to consult with counsel should be required. However, the current version of CrRLJ 4.1 is ambiguous regarding the requirement for counsel. The DMCJA's suggested amendments to this rule clarify that the court must inform the defendant of his or her right to have access to counsel before being arraigned, and that the court must appoint counsel for an indigent defendant before arraignment, unless the defendant waives his or her right to counsel.

The current version of CrRLJ 4.1 states that a defendant may not be forced to enter a plea to the complaint until he or she has had a reasonable time to examine it and to consult with a lawyer, "if requested". *See* CrRLJ 4.1 (a)(2). The rule also requires the judge to "advise" a defendant on the record of the "right to be represented by a lawyer at arraignment and to have an appointed lawyer for arraignment if the defendant cannot afford one". *See* CrRLJ 4.1 (a)(3). By contrast, the superior court arraignment rule, CrR 4.1(c), requires that the judge inform any defendant who appears without counsel at arraignment of his or her right to have counsel before being arraigned. In the superior court, a judge is also obligated to assign counsel to a defendant if a defendant is not represented and is unable to obtain counsel. CrR 4.1(c).

The lack of clarity in CrRLJ 4.1 plays a role in the absence of uniformity in arraignment practices in courts of limited jurisdiction in Washington state. While some local jurisdictions provide counsel for unrepresented defendants at arraignment, many do not. The failure to provide counsel at arraignment erodes the crucial right to counsel firmly established in the Sixth and Fourteenth Amendments to the U.S. Constitution and in the Washington State Constitution, where the right to counsel is co-extensive with its federal counterpart. *See Powell v. Alabama*, 287 U.S. 45 (1932); *Kirby v. Illinois*, 406 U.S. 682 (1972); *Coleman v. Alabama*, 399 U.S. 1 (1970); *State v. Long*, 104 Wn. 2d 285 (1985). At arraignment calendars without defense counsel, prosecutors are able to negotiate directly with unrepresented and often unsophisticated defendants at their first appearance; and judges often take guilty pleas from hurried and confused defendants before the defendants can review the matter with a lawyer. Moreover, in many courts, neither a defense lawyer nor a

prosecutor is present at the arraignment hearing. The judge then is forced to play the roles traditionally assigned to advocates in our criminal justice system. A 2006 decision of the Commission on Judicial Conduct, *In re Ottinger*, identified many defective practices relating to the judge's handling of preliminary matters at arraignment. However, the decision lauds Judge Ottinger's decision to require a public defender at arraignment calendars to help remedy the concerns of the Judicial Conduct Commission:

Following June 2005, Respondent began requiring both prosecutors and public defenders to attend all arraignments and bail hearings in her courtroom. While Respondent ultimately waived the requirement for prosecutors to appear, she did continue to require the presence of public defenders at this critical stage of the proceeding This procedure ensured that defendants would have attorneys present to advise them at their first appearance and arraignments. This procedure was a very positive change, protected defendants' rights, and may serve as a model for other courts.

In re Ottinger, CJC No. 4475-F-119, page 6, lines 20-28 through page 7, line 1 (2006). (Commission recommendation approved by Washington Supreme Court in *In re Ottinger*, Supreme Court Order No. 200, 389-3 (July 20, 2006).

The suggested changes to CrRLJ 4.1 eliminate any ambiguity about the right to counsel at arraignment. The revised amendment to CrRLJ 4.1(c) mirrors the language found in the superior court rule, CrR 4.1(c), except that CrRLJ 4.1 adds the words, "**due to indigence**" to clarify that only indigent defendants are entitled to have counsel assigned by the court. The proposed amendment to CrRLJ 4.1(c) reads: "If the defendant appears without counsel, the court shall inform the defendant of his or her right to have counsel before being arraigned. The court shall inquire if the defendant has counsel. If the defendant is not represented and is unable to obtain counsel, **due to indigence**, counsel shall be assigned by the court, unless otherwise provided." (Emphasis added.) Superior courts acting under CrR 4.1 appear to have had little difficulty in complying with the requirement that indigent defendants have the opportunity to have the advice of counsel at arraignment.

Under the amended version of CrRLJ 4.1, jurisdictions will have flexibility in determining how to provide counsel for indigent defendants at arraignment. Options include the presence of an "attorney of the day" for all indigent persons on the calendar or video or telephone consultation at the time of arraignment. Many jurisdictions have pre-screening processes in place, and once a defendant has been determined to meet the criteria for indigence, the defendant is assigned to appear at a calendar time at which a public defender is already assigned.

Although the guilty plea form required by CrRLJ 4.2(g) sets out a written advisement of rights and information as to the consequences of a plea of guilty (in five single-spaced pages), it may be unrealistic to believe that unrepresented defendants at arraignment calendars have the same understanding of their rights as a represented defendant. People entering the justice system are often ignorant of legal concepts, unsophisticated, low on the literacy continuum, frightened and intimidated by authority. There are no voluntary

programs that provide attorneys for indigent persons at arraignment. Defendants charged with crimes in the courts of limited jurisdiction should have the same basic due process rights as those charged with crimes in the superior court.

Several other suggested amendments to CrRLJ 4.1 will make the rule consistent with the superior court rule except for some instances where CrRLJ 4.1 identifies the charging document using the language of the court of limited jurisdiction rules (i.e., complaint or citation and notice) and not the language of superior court rules (information or indictment). CrRLJ 4.1 (a)(1) changes the time for arraignment from 15 days to 14 days. The Court Rules Committee could not find any reason the superior court rule specified 14 days and the court of limited jurisdiction rule 15 days. The sections on waiver of counsel (suggested CrRLJ 4.1(d)), reading the defendant's name and the charge (suggested CrRLJ 4.1 (e) and (f)) also now conform to the superior court rule.

The suggested rule amendments also eliminate the waiver of jury trial at arraignment in CrRLJ 4.1 (c)(1). A waiver at this stage is not found in the superior court arraignment rule and waiver of the constitutional right to jury at a preliminary appearance, without the benefit of time to thoroughly consult with counsel, is ill-advised. Although the current rule allows a defendant to withdraw the waiver within 10 days, this does not allow sufficient time to consult with counsel.

The changes proposed to CrRLJ 4.1 will clarify the right to counsel at the critical stage of arraignment. The changes will ensure greater uniformity of practice in the courts, which leads to greater confidence within the Bar and the public. Judges will have the force of the court rule behind budget requests to provide counsel for indigent defendants at arraignment.

CRIMINAL RULES FOR COURTS OF LIMITED JURISDICTION (CrRLJ)

RULE 4.1 ARRAIGNMENT

~~(a) Procedures.~~ After the complaint or the citation and notice has been filed, the defendant shall be arraigned thereon in open court.

~~(1) Time.~~

~~(1) Defendant Detained in Jail.~~ (i) The defendant shall be arraigned not later than ~~15~~ 14 days after the date the complaint or citation and notice is filed in court, if the defendant is ~~(A)~~ (i) detained in a county or city jail in the county where the charges are pending, or ~~(B)~~ (ii) subject to conditions of release imposed in connection with the same charges.

~~(ii) (2) Defendant Not Detained in Jail.~~ The defendant shall be arraigned not later than ~~15~~ 14 days after that appearance which next follows the filing of the complaint or citation and notice, if the defendant is not detained in such jail or subject to such conditions of release. Any delay in bringing the defendant before the court shall not affect the allowable time for arraignment, regardless of the reason for the delay. For purposes of this rule, "appearance" has the meaning defined in CrRLJ 3.3 (a)(3)(iii).

~~(2) Reading and Plea.~~ Arraignment shall consist of reading the complaint or the citation and notice to the defendant or stating to him or her the substance of the charge and calling on the defendant to plead thereto. The defendant shall be

given a copy of the complaint or the citation and notice before being called upon to plead, unless a copy has previously been supplied. The defendant shall not be required to plead to the complaint or the citation and notice until he or she shall have had a reasonable time to examine it and to consult with a lawyer, if requested.

~~(3) Advisement.~~ At arraignment, unless the defendant appears with a lawyer, the court shall advise the defendant on the record:

(i) of the right to trial by jury if applicable; and

(ii) of the right to be represented by a lawyer at arraignment and to have an appointed lawyer for arraignment if the defendant cannot afford one.

(b) Objection to Arraignment Date—Loss of Right to Object. A party who objects to the date of arraignment on the ground that it is not within the time limits prescribed by this rule must state the objection to the court at the time of the arraignment. If the court rules that the objection is correct, it shall establish and announce the proper date of arraignment. That date shall constitute the arraignment date for purposes of CrRLJ 3.3. A party who fails to object as required shall lose the right to object, and the arraignment date shall be conclusively established as the date upon which the defendant was actually arraigned.

(c) Waiver of Counsel.

~~(1) Jury trial.~~ A waiver of jury trial at arraignment must be in writing and signed by the defendant. If the defendant waives a jury trial at arraignment, he or she must be advised of the right to withdraw the waiver and request a jury trial within 10 days of arraignment. If the defendant appears without counsel, the court shall inform the defendant of his or her right to have counsel before being arraigned. The court shall inquire if the defendant has counsel. If the defendant is not represented and is unable to obtain counsel, due to indigence, counsel shall be assigned to the defendant by the court, unless otherwise provided.

~~(2) Lawyer.~~ If the defendant chooses to proceed without a lawyer, the court shall determine on the record that the waiver is made voluntarily, competently and with knowledge of the consequences. The defendant must be advised that waiver of a lawyer at arraignment does not preclude the defendant from asserting the right to a lawyer later in the proceedings.

~~(d) Name.~~ At arraignment, the court shall ask the defendant his or her true name. If the defendant's name has been incorrectly stated in the complaint or citation and notice, the court shall order the complaint or citation and notice to be corrected accordingly. **Waiver of Counsel.** If the defendant chooses to proceed without counsel, the court shall determine on the record that the waiver is made voluntarily, competently and with knowledge of the consequences. If the court finds the waiver valid, an appropriate finding shall be entered in the record. Unless the waiver is valid, the court shall not proceed with the arraignment until counsel is provided. Waiver of counsel at arraignment shall not preclude the defendant from claiming the right to counsel in subsequent proceedings in the cause, and the defendant shall be so informed.

(e) Appearance by Defendant's Lawyer. Except as otherwise provided by statute or by local court rule, a lawyer

~~may enter an appearance or a plea of not guilty on behalf of a client for any offense. Such appearance or plea may be entered only after a complaint or citation and notice has been filed. **Name.** Defendant shall be asked his or her true name. If the defendant alleges that their true name is one other than that by which he or she is charged, it must be entered in the record, and subsequent proceedings shall be had against him or her by that name or other names relevant to the proceedings.~~

~~(1) The appearance or the plea of not guilty shall be made only in writing or in open court, and eliminates the need for a further arraignment.~~

~~(2) An appearance that waives arraignment but fails to state a plea shall be deemed to constitute entry of a plea of not guilty.~~

~~(3) An appearance under this rule constitutes a waiver of any defect in the complaint or the citation and notice except for failure to charge a crime which may be raised at any time and except for any other defect that is specifically stated in writing or on the record at the time the appearance is entered.~~

~~(4) A written appearance shall commence the running of the time periods established in rule 3.3 from the date of its receipt by the court, unless the time periods have previously been commenced by an appearance in open court.~~

~~(5) Telephonic requests or notices by either the defendant or the defendant's lawyer shall not constitute an arraignment or an appearance or entry of a plea, and shall not commence the running of the time periods under rule 3.3.~~

~~(6) The appearance by a lawyer authorized by this rule shall be construed as an "arraignment" under the other provisions of these rules.~~

~~**(f) Reading.** The complaint or citation and notice or the substance of the charge, shall be read to the defendant, unless the reading is waived, and a copy shall be given to the defendant.~~

~~**(g) Appearance by Defendant's Lawyer.** Except as otherwise provided by statute or by local court rule, a lawyer may enter an appearance or a plea of not guilty on behalf of a client for any offense. Such appearance or plea may be entered only after a complaint or citation and notice has been filed.~~

~~(1) The appearance or the plea of not guilty shall be made only in writing or in open court, and eliminates the need for a further arraignment.~~

~~(2) An appearance that waives arraignment but fails to state a plea shall be deemed to constitute entry of a plea of not guilty.~~

~~(3) An appearance under this rule constitutes a waiver of any defect in the complaint or the citation and notice except for failure to charge a crime which may be raised at any time and except for any other defect that is specifically stated in writing or on the record at the time the appearance is entered.~~

~~(4) A written appearance shall commence the running of the time periods established in rule 3.3 from the date of its receipt by the court, unless the time periods have previously been commenced by an appearance in open court.~~

~~(5) Telephonic requests or notices by either the defendant or the defendant's lawyer shall not constitute an arraignment or an appearance or entry of a plea, and shall not commence the running of the time periods under rule 3.3.~~

(6) The appearance by a lawyer authorized by this rule shall be construed as an "arraignment" under the other provisions of these rules.

GR 9 Cover Sheet

Proposed Amendment to Infraction Rules for Courts of Limited Jurisdiction (IRLJ)

Revised IRLJ 2.1(b) and IRLJ 3.1(d)

Purpose: The suggested changes to IRLJ 2.1(b) and 3.1(d) will resolve an issue regarding the required contents of the uniform notice of infraction.

At present, IRLJ 2.1(b) states that:

(b) Contents. The notice of infraction *shall* contain the following information on the copy given to the defendant, except the information required by subsections (2) is not required on a notice of infraction alleging the commission of a parking, standing, or stopping infraction:

(1) ...

...

...

(9) Any additional information determined necessary by the Administrator for the Courts.

(Emphasis added.)

The notice of infraction approved by the Administrator for the Courts now includes three separate spaces for the telephone numbers of the defendant—work, home and cell numbers. An issue has arisen in cases where the officer has failed to inscribe all three telephone numbers on the notice of infraction. Defendants are requesting that the courts dismiss their citations on the grounds that the word "shall" in IRLJ 2.1(b) makes mandatory the inclusion of all three telephone numbers.

However, the infraction court rules are clear that an infraction should be dismissed only if there is prejudice to substantial rights of the defendant. At present, IRLJ 3.1(d) states as follows:

"No notice of infraction shall be deemed insufficient for failure to contain a definite statement of the essential facts constituting the specific infraction which the defendant is alleged to have committed, nor by reason of defects or imperfections which do not tend to prejudice substantial rights of the defendant."

Failure to include all three of the defendant's telephone numbers will not usually prejudice the "substantial rights of the defendant", because the defendant is already familiar with his or her telephone numbers and because that information will have no bearing on whether or not the defendant committed the charged infraction. However, it can be argued that the officer's failure to include the numbers is more of an "omission" than a "defect" or "imperfection". Therefore, the DMCJA suggests that the rule be amended to include the word "omission".

Adding the phrase "subject to IRLJ 3.1(d)" to the beginning of IRLJ 2.1(b) will clarify that courts and parties should look to IRLJ 3.1(d) for the standard to apply to decide motions based on the sufficiency of the information in the notice of infraction. Adding the word "omission" to IRLJ

3.1(d) will clarify that the omission of information that does not prejudice substantial rights of the defendant is not grounds for dismissal of the infraction.

Finally, there appears to be a clerical error in IRLJ 2.1(b), which refers to "subsections" (2). It is suggested that this be changed to "subsection" (2).

IRLJ 2.1 NOTICE OF INFRACTION

(a) **Infraction Form Prescribed or approved by the Administrative Office of the Courts.** Infraction cases shall be filed on a form entitled "Notice of Infraction" prescribed by the Administrative Office of the Courts; except that the form used to file cases alleging the commission of a parking, standing or stopping infraction shall be approved by the Administrative Office of the Courts. Notice of Infraction forms prescribed or approved by the Administrative Office of the Courts are presumed valid and shall not be deemed insufficient by reason of defects or imperfections which do not prejudice substantial rights of the defendant.

(b) **Contents.** Subject to IRLJ 3.1(d), ~~The~~ the notice of infraction shall contain the following information on the copy given to the defendant, except the information required by subsections (2) is not required on a notice of infraction alleging the commission of a parking, standing, or stopping infraction:

- (1) The name, address, and phone number of the court where the notice of infraction is to be filed;
- (2) The name, address, date of birth, sex, physical characteristics, and, for a notice of traffic infraction, the operator's license number of the defendant;
- (3) For a notice of traffic infraction, the vehicle make, year, model, style, license number, and state in which licensed;
- (4) The infraction which the defendant is alleged to have committed and the accompanying statutory citation or ordinance number, the date, time, and place the infraction occurred, the date the notice of infraction was issued, and the name and, if applicable, the number of the citing officer;
- (5) A statement that the defendant must respond to the notice of infraction within 15 days of issuance;
- (6) A space for entry of the monetary penalty which respondent may pay in lieu of appearing in court;
- (7) A statement that a mailed response must be mailed not later than midnight on the day the response is due;
- (8) The statements required by RCW 46.63.060 or other applicable statute; and
- (9) Any additional information determined necessary by the Administrator for the Courts.

IRLJ 3.1 CONTESTED HEARINGS—PRELIMINARY PROCEEDINGS

- (a) **Subpoena.** [No change.]
- (b) **Discovery.** [No change.]
- (c) **Amendment of Notice.** [No change.]
- (d) **Sufficiency.** No notice of infraction shall be deemed insufficient for failure to contain a definite statement of the essential facts constituting the specific infraction which the defendant is alleged to have committed, nor by reason of defects, ~~or~~ imperfections, or omissions which do not tend to prejudice substantial rights of the defendant.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 10-01-030
RULES OF COURT
STATE SUPREME COURT

[December 3, 2009]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO GR 23-RULE) NO. 25700-A-941
FOR CERTIFYING PROFESSIONAL)
GUARDIANS)

The Certified Professional Guardian Board having recommended the adoption of the proposed amendment to GR 23-Rule for Certifying Professional Guardians, and the Court having approved the proposed amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as attached hereto 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 2010.

(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, 2010. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 3rd day of December, 2009.

For the Court

Gerry L. Alexander

CHIEF JUSTICE

GENERAL RULES (GR)
RULE 23. RULE FOR CERTIFYING PROFESSIONAL GUARDIANS

(A) **Purpose:** The purposes of the suggested amendments are to: (1) clarify the experience requirement for certification of a professional guardian; and (2) reduce the amount of experience required for applicants with graduate level degrees from two years to one year.

Introduction

General Rule (GR) 23 establishes the standards and criteria for the certification of professional guardians as defined by RCW 11.88.008. GR 23(a). A guardian is a person appointed by the superior court to make decisions on behalf of an incapacitated person. A guardian may be a family member, friend, or volunteer, or may be a "professional guardian" who earns his or her living from the fees charged for providing services in a guardianship. See RCW 11.88.-008.

The Certified Professional Guardian Board (Board) is responsible for reviewing applications for certification of professional guardians and recommending to the Supreme Court certification of those applicants who qualify. GR 23 (c)(2)(ii) & (v). Applicants are required to have an associate's degree and at least four years of "experience working in a discipline pertinent to the provision of guardianship services," or a bachelor's degree (or higher) and at least two years of experience. GR 23 (d)(iv).

Over the past year, the Board has taken note that the applicants for certification are now presenting a greater breadth of experience, and in many instances a higher level of formal education. The Board believes this change in the pool of candidates resulted from the advent of the University of Washington Guardianship Certificate Program. In 2007, the Board partnered with the University of Washington in building a certificate program that became the mandatory education for certification of professional guardians in 2008. The 90-hour certificate program provides comprehensive instruction in the fiduciary responsibilities and skills needed to practice effectively as a professional guardian. The first graduating class was composed of 29 students with backgrounds in geriatric case management, accounting, nursing home administration, law, mental health, social work, and financial management.

In reviewing the experience submitted by recent applicants, the Board found that although certain individuals demonstrated experience evidencing the desired fiduciary skills, it was not clear whether that experience would fall within the description of qualifying experience in GR 23 (d)(1)(iv) & (v). Review of the experience requirement in light of the UW program was the main topic of discussion at the Board's two-day planning meeting in June¹ and resulted in the following suggested amendments to GR 23 clarifying the type of experience that qualifies for certification.²

I. Experience Evidencing Skills That Are Transferable to the Provision of Guardianship Services Should Qualify for Certification.

The importance of the experience requirement is that it provides the hands-on experience required to develop and demonstrate fiduciary skills. Evidence of fiduciary skills does not necessarily require having served in a fiduciary capacity, but should demonstrate that the applicant has experience exercising judgment related to estate and personal care management to ensure an individual is prepared to take on the responsibilities of acting on behalf of an incapacitated person.

The main difficulty with the current GR 23 experience requirement is that it requires experience making decisions or using independent judgment on behalf of others, which can be interpreted as actually requiring an applicant to have experience as a guardian. GR 23 (d)(1)(v).

GR 23 (d)(1)(iv) & (v) currently provide:

(1) Individual Certification. The following requirements apply to applicants and do not apply to currently certified professional guardians, except as stated in subsection (d)(1)(vii). An individual applicant shall:

...

(iv) Possess an associate's degree from an accredited institution and at least four full years' experience working in

a discipline pertinent to the provision of guardianship services, or a baccalaureate degree from an accredited institution and at least two full years' experience working in a discipline pertinent to the provision of guardianship services;

(v) The experience required by this rule must include decision-making or the use of independent judgment on behalf of others in the area of legal, financial, social services or healthcare or other disciplines pertinent to the provision of guardianship services;

The experience requirement should more accurately express the fiduciary skills that demonstrate competence to perform effectively as a professional guardian. Requiring experience in decision-making "on behalf of others" could limit qualifying experience to fiduciaries, such as attorneys-in-fact, and might exclude relevant experience where fiduciary skills might be developed, such as work as an investment advisor or care planner. To remove this limitation, the Board suggests amending GR 23 (d)(1)(v) by defining the requirement as "experience in which the applicant has developed skills that are transferable to the provision of guardianship services," and replacing the phrase "on behalf of others" with "for the benefit of others, not limited to incapacitated persons":

(v) The experience required by this rule is experience in which the applicant has developed skills that are transferable to the provision of guardianship services and must include decision-making or the use of independent judgment ~~on behalf~~ for the benefit of others, not limited to incapacitated persons, in the area of legal, financial, social services or healthcare or other disciplines pertinent to the provision of guardianship services;

These clarifications remove the implication that one needs experience as a fiduciary where decision-making was exercised on behalf of another, and recognizes the value of the breadth of skills an applicant may possess that demonstrates the necessary skill to assume the fiduciary responsibility of a professional guardian.

II. The Experience Requirement for Applicants With Graduate Level Degrees Should Be Reduced From Two Years to One Year.

In addition to reviewing the type of experience qualifying for certification, the Board also considered the amount of experience required for those applicants with a graduate level degree. Recognizing the improvement in the mandatory education in the fundamentals of guardianship provided by the UW Guardianship Certificate Program, and the knowledge and skills inherent in attaining a graduate level degree, the Board determined that one year of experience is sufficient for applicants with a graduate level degree and suggests the following amendment to GR 23 (d)(1)(iv):

(iv) Possess an associate's degree from an accredited institution and at least four full years' experience working in a discipline pertinent to the provision of guardianship services, or a baccalaureate degree from an accredited institution and at least two full years' experience working in a discipline pertinent to the provision of guardianship services, or a Masters, J.D., Ph.D., or equivalent advanced degree from an accredited institution and at least one year experience working in a discipline pertinent to the provision of guardianship services;

IV. Recommendation

The Board carefully considered each amendment before making these suggestions. In addition to the extended discussion at the Board's two-day planning meeting in June, the Board sought and considered comments on proposed regulations interpreting the certification experience requirement at its August and September meetings. The suggested amendments to GR 23 recognize the value of the breadth of skills an applicant may possess and allow the Board to continue to fulfill its duty to ensure the competency of certified professional guardians and protect incapacitated persons.

¹The minutes from the June 19-20, 2009, Board meeting are at Attachment A, and are available at: http://www.courts.wa.gov/committee/?fa=committee.display&item_id=1103&committee_id=118

²In addition to the suggested amendments to GR 23, the Board has since adopted regulations interpreting the experience requirement. See Attachment B, CPGB Regulations 102.3 - 102.7; also available at: http://www.courts.wa.gov/committee/?fa=committee.child&child_id=27&committee_id=117#P13_432.

GR 23

Rule for Certifying Professional Guardians

(a) Purpose and Scope. This rule establishes the standards and criteria for the certification of professional guardians as defined by RCW 11.88.008 and prescribes the conditions of and limitations upon their activities. This rule does not duplicate the statutory process by which the courts supervise guardians nor is it a mechanism to appeal a court decision regarding the appointment or conduct of a guardian.

(b) Jurisdiction. All professional guardians who practice in the state of Washington are subject to these rules and regulations. Jurisdiction shall continue whether or not the professional guardian retains certification under this rule, and regardless of the professional guardian's residence.

(c) Certified Professional Guardian Board.

(1) Establishment.

(i) Membership. The Supreme Court shall appoint a Certified Professional Guardian Board ("Board") of 12 or more members. The Board shall include representatives from the following areas of expertise: professional guardians; attorneys; advocates for incapacitated persons; courts; state agencies; and those employed in medical, social, health, financial, or other fields pertinent to guardianships. No more than one-third of the Board membership shall be practicing professional guardians.

(ii) Terms. The term for a member of the Board shall be three years. No member may serve more than three consecutive full three-year terms, not to exceed nine consecutive years, including any unfilled term. Terms shall be established such that one-third shall end each year. All terms of office begin October 1 and end September 30 or when a successor has been appointed, whichever occurs later.

(iii) Leadership. The Supreme Court shall designate the Chair of the Board. The Board shall designate the Vice-Chair, who shall serve in the absence of or at the request of the Chair.

(iv) Vacancies. Any vacancy occurring in the terms of office of Board members shall be filled for the unexpired term.

(2) Duties and Powers.

(i) Applications. The Board shall process applications for professional guardian certification under this rule. The Board may delay or deny certification if an applicant fails to provide required basic or supplemental information.

(ii) Standards of Practice. The Board shall adopt and implement policies or regulations setting forth minimum standards of practice which professional guardians shall meet.

(iii) Training Program. The Board shall adopt and implement regulations establishing a professional guardian training program.

(iv) Examination. The Board may adopt and implement regulations governing the preparation and administration of certification examinations.

(v) Recommendation of Certification.

The Board may recommend certification to the Supreme Court. The Supreme Court shall review the Board's recommendation and enter an appropriate order.

(vi) Denial of Certification. The Board may deny certification. If the Board denies certification, it shall notify an applicant in writing of the basis for denial of certification and inform the applicant of the appeal process.

(vii) Continuing Education. The Board may adopt and implement regulations for continuing education.

(viii) Grievances and Disciplinary Sanctions. The Board shall adopt and implement procedures to review any allegation that a professional guardian has violated an applicable statute, fiduciary duty, standard of practice, rule, regulation, or other requirement governing the conduct of professional guardians. The Board may take disciplinary action and impose disciplinary sanctions based on findings that establish a of violation of an applicable statute, duty, standard of practice, rule, regulation or other requirement governing the conduct of professional guardians. Sanctions may include decertification or lesser remedies or actions designed to ensure compliance with duties, standards, and requirements for professional guardians.

(ix) Investigation. The Board may investigate to determine whether an applicant for certification meets the certification requirements established in this rule. The Board may also investigate to determine whether a professional guardian has violated any statute, duty, standard of practice, rule, regulation, or other requirement governing the conduct of professional guardians.

(x) Authority to Conduct Hearings. The Board may adopt regulations pertaining to the orderly conduct of hearings.

a) Subpoenas. The Chair of the Board, Hearing Officer, or a party's attorney shall have the power to issue subpoenas.

b) Orders. The Chair or Hearing Officer may make such pre-hearing or other orders as are necessary for the orderly conduct of any hearing.

c) Enforcement. The Board may refer a Subpoena or order to the Supreme Court for enforcement.

(xi) Disclosure of Records. The Board may adopt regulations pertaining to the disclosure of records in the Board's possession.

(xii) Meetings. The Board shall hold meetings as determined to be necessary by the chair. Meetings of the Board will be open to the public except for executive session,

review panel, or disciplinary meetings prior to filing of a disciplinary complaint.

(xiii) Fees. The Board shall establish and collect fees in such amounts as are necessary to support the duties and responsibilities of the Board.

(3) Board Expenses. Board members shall not be compensated for their services. Consistent with the Office of Financial Management rules, Board members shall be reimbursed for actual and necessary expenses incurred in the performance of their duties. All expenses shall be paid pursuant to a budget submitted to and approved by the Supreme Court. Funds accumulated from examination fees, annual fees, and other revenues shall be used to defray Board expenses.

(4) Agency. Hearing officers are agents of the Board and are accorded rights of such agency.

(5) Immunity from Liability. The Board, its members, or agents, including duly appointed hearing officers, shall enjoy quasi-judicial immunity if the Supreme Court would have immunity in performing the same functions.

(6) Conflict of Interest. A Board member should disqualify himself or herself from making any decisions in a proceeding in which his or her impartiality might reasonably be questioned, including but not limited to, when the Board member has a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding.

(7) Leave of Absence. The Board may adopt regulations specifying that a Board member who is the subject of a disciplinary investigation by the Board must take a leave of absence from the Board. A Board member may not continue to serve as a member of the Board if the Board or Supreme Court has imposed a final disciplinary sanction on the Board member.

(8) Administration. The Administrative Office of the Courts (AOC) shall provide administrative support to the Board and may contract with agencies or organizations to carry out the Board's administrative functions.

(d) Certification Requirements. Applicants, Certified Professional Guardians, and Certified Agencies shall comply with the provisions of Chapter 11.88 and 11.92 RCW. In addition, individuals and agencies must meet the following requirements.

(1) Individual Certification. The following requirements apply to applicants and do not apply to currently certified professional guardians, except as stated in subsection (d)(1)(vii). An individual applicant shall:

- (i) Be at least 18 years of age;
- (ii) Be of sound mind;
- (iii) Have no felony or misdemeanor convictions involving moral turpitude;
- (iv) Possess an associate's degree from an accredited institution and at least four full years' experience working in a discipline pertinent to the provision of guardianship services, or a baccalaureate degree from an accredited institution and at least two full years' experience working in a discipline pertinent to the provision of guardianship services, or a Masters, J.D., Ph.D., or equivalent advanced degree from an accredited institution and at least one year experience working in a discipline pertinent to the provision of guardianship services;

(v) The experience required by this rule is experience in which the applicant has developed skills that are transferable to the provision of guardianship services and must include decision-making or the use of independent judgment ~~on behalf for the benefit~~ of others, not limited to incapacitated persons, in the area of legal, financial, social services or healthcare or other disciplines pertinent to the provision of guardianship services;

(vi) Have completed the mandatory certification training.

(vii) Applicants enrolled in the mandatory certification training on September 12, 2008, and who satisfactorily complete that training, shall meet the certification requirements existing on that date, or the date the applicant submitted a complete application for certification, whichever date is earlier, and not the requirements set forth in this rule.

(2) Agency Certification. Agencies must meet the following additional requirements:

(i) All officers and directors of the corporation must meet the qualifications of Chapter 11.88.020 RCW for guardians;

(ii) Each agency shall have at least two (2) individuals in the agency certified as professional guardians, whose residence or principal place of business is in Washington State and who are so designated in minutes or a resolution from the Board of Directors; and

(iii) Each agency shall file and maintain in every guardianship court file a current designation of each certified professional guardian with final decision-making authority for the incapacitated person or their estate.

(3) Training Program and Examination. Applicants must satisfy the Board's training program and examination requirements.

(4) Insurance Coverage. In addition to the bonding requirements of Chapter 11.88 RCW, applicants must be insured or bonded at all times in such amount as may be determined by the Board and shall notify the Board immediately of cancellation of required coverage.

(5) Financial Responsibility. Applicants must provide proof of ability to respond to damages resulting from acts or omissions in the performance of services as a guardian. Proof of financial responsibility shall be in such form and in such amount as the Board may prescribe by regulation.

(6) Application Under Oath. Applicants must execute and file with the Board an approved application under oath.

(7) Application Fees. Applicants must pay fees as the Board may require by regulation.

(8) Disclosure. An applicant for certified professional guardian or certified agency shall disclose upon application:

(i) The existence of a judgment against the applicant arising from the applicant's performance of services as a fiduciary;

(ii) A court finding that the applicant has violated its duties as a fiduciary, or committed a felony or any crime involving moral turpitude;

(iii) Any adjudication of the types specified in RCW 43.43.830, and RCW 43.43.842;

(iv) Pending or final licensing or disciplinary board actions or findings of violations;

(v) The existence of a judgment against the applicant within the preceding eight years in any civil action;

(vi) Whether the applicant has filed for bankruptcy within the last seven years. Disclosure of a bankruptcy filing within the past seven years may require the applicant or guardian to provide a personal credit report from a recognized credit reporting bureau satisfactory to the Board;

(vii) The existence of a judgment against the applicant or any corporation, partnership or limited liability corporation for which the applicant was a managing partner, controlling member or majority shareholder within the preceding eight years in any civil action.

(9) Denial of Certification. The Board may deny certification of an individual or agency based on any of the following criteria:

(i) Failure to satisfy certification requirements provided in section (d) of this rule;

(ii) The existence of a judgment against the applicant arising from the applicant's performance of services as a fiduciary;

(iii) A court finding that the applicant has violated its fiduciary duties or committed a felony or any crime involving moral turpitude;

(iv) Any adjudication of the types specified in RCW 43.43.830, and RCW 43.43.842;

(v) Pending or final licensing or disciplinary board actions or findings of violations;

(vi) A Board determination based on specific findings that the applicant lacks the requisite moral character or is otherwise unqualified to practice as a professional guardian;

(vii) A Board determination based on specific findings that the applicant's financial responsibility background is unsatisfactory.

(10) Designation/Title. An individual certified under this rule may use the initials "CPG" following the individual's name to indicate status as "Certified Professional Guardian." An agency certified under this rule may indicate that it is a "Certified Professional Guardian Agency" by using the initials "CPGA" after its name. An individual or agency may not use the term "certified professional guardian" or "certified professional guardian agency" as part of a business name.

(e) Guardian Disclosure Requirements.

(1) A Certified Professional Guardian or Certified Agency shall disclose to the Board in writing within 30 days of occurrence:

(i) The existence of a judgment against the professional guardian arising from the professional guardian's performance of services as a fiduciary;

(ii) A court finding that the professional guardian violated its fiduciary duties, or committed a felony or any crime involving moral turpitude;

(iii) Any adjudication of the types specified in RCW 43.43.830, and RCW 43.43.842;

(iv) Pending licensing or disciplinary actions related to fiduciary responsibilities or final licensing or disciplinary actions resulting in findings of violations;

(v) Residential or business moves or changes in employment; and

(vi) Names of Certified Professional Guardians they employ or who leave their employ.

(2) Not later than June 30 of each year, each professional guardian and guardian agency shall complete and submit an annual disclosure statement providing information required by the Board.

(f) Regulations. The Board shall adopt regulations to implement this rule.

(g) Personal Identification Number. The Board shall establish an identification numbering system for professional guardians. The Personal Identification Number shall be included with the professional guardian's signature on documents filed with the court.

(h) Ethics Advisory Opinions.

(1) The Board may issue written ethics advisory opinions to inform and advise Certified Professional Guardians and Certified Agencies of their ethical obligations.

(2) Any Certified Professional Guardian or Certified Agency may request in writing an ethical advisory opinion from the Board. Compliance with an opinion issued by the Board shall be considered as evidence of good faith in any subsequent disciplinary proceeding involving a Certified Professional Guardian or Certified Agency.

(3) The Board shall publish opinions issued pursuant to this rule in electronic or paper format. The identity of the person requesting an opinion is confidential and not public information.

(i) Existing Law Unchanged. This rule shall not expand, narrow, or otherwise affect existing law, including but not limited to, Title 11 RCW.

[Adopted effective January 25, 2000; amended effective April 30, 2002; amended effective April 1, 2003; September 1, 2004, amended effective January 13, 2009.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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 10-01-031
RULES OF COURT
STATE SUPREME COURT**

[December 3, 2009]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO RAP) NO. 25700-A-942
FORMS 3, 4 AND 9)

The Court of Appeals having recommended the adoption of the proposed amendments to RAP Forms 3, 4 and 9, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the proposed amendments as attached hereto 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 2010.

(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, 2010. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Camilla.Faulk@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 3rd day of December, 2009.

For the Court

Gerry L. Alexander

CHIEF JUSTICE

RAP FORMS 3, 4 AND 9

The changes to RAP 3, 4 and 9 are housekeeping in nature.

FORM 3. Motion for Discretionary Review

(Rule 6.2 (review of trial court decision); Rule 13.5 (review of Court of Appeals interlocutory decision); Rule 17.3(b) (content of motion))

No. (appellate court)

(SUPREME COURT or COURT OF APPEALS, DIVISION ____)
OF THE STATE OF WASHINGTON

(Title of trial court proceeding with parties designated as in rule 3.4, for example:

JOHN DOE, Respondent,
v.
MARY DOE, Petitioner,
and
HENRY JONES, Defendant.)

MOTION FOR DISCRETIONARY REVIEW

(Name of petitioner's attorney)
Attorney for (Petitioner)

(Address, telephone number,
and Washington State Bar
Association membership number
of petitioner's attorney)

A. IDENTITY OF PETITIONER

(Name) asks this court to accept review of the decision or parts of the decision designated in Part B of this motion.

B. DECISION

(Identify the decision or parts of decision which the party wants reviewed by the type of decision, the court entering or filing the decision, the date entered or filed, and the date and a description of any order granting or denying motions made after the decision such as a motion for reconsideration. The substance of the decision may also be described: for example, "The decision restrained defendant from using any of her assets for any purpose other than living expenses. Defendant is thus restrained from using her assets to pay fees and costs to defend against plaintiff's suit for a claimed conversion of funds from a joint bank account.") A copy of the decision (and the trial court memorandum opinion) is in the Appendix at pages A-____ through ____.

C. ISSUES PRESENTED FOR REVIEW

(Define the issues which the court is asked to decide if review is granted. See ~~Part~~ Part II-A of Form 6 for suggestions for framing issues presented for review.)

D. STATEMENT OF THE CASE

(Write a statement of the procedure below and the facts. The statement should be brief and contain only material relevant to the motion. If the motion is directed to a Court of Appeals decision, the statement should contain appropriate references to the record on review. See Part III ~~Part B~~ of Form 6. If the motion is directed to a trial court decision, reference should be made to portions of the trial court record. Portions of the trial court record may be placed in the Appendix. Certified copies are not necessary. If portions of the trial court record are placed in the Appendix, the portions should be identified here with reference to the pages in the Appendix where the portions of the record appear.)

E. ARGUMENT WHY REVIEW SHOULD BE ACCEPTED

(The argument should be short and concise and supported by authority. The argument should be directed to the considerations for accepting review set out in rule 2.3(b) for review of a trial court decision and rule 13.5(b) for review of a decision of the Court of Appeals.)

F. CONCLUSION

(State the relief sought if review is granted. For example: "This court should accept review for the reasons indicated in Part E and modify the restraining order to permit defendant to use her assets to pay fees and costs incurred in defending plaintiff's suit for conversion.")

(Date)

Respectfully submitted,

Signature

(Name of petitioner's attorney)

APPENDIX

(See rule 17.3 (b)(8) for materials to include within the Appendix.)

FORM 4. Statement of Grounds for Direct Review
(Rule 4.2(b))

No. (Supreme Court)

SUPREME COURT OF THE STATE OF WASHINGTON

(Title of trial court proceeding with parties designated as in rule 3.4)) STATEMENT OF)
) GROUNDS FOR)
) DIRECT REVIEW BY)
) THE SUPREME)
) COURT)

F. CONCLUSION
 (State the relief sought if review is granted. See Part F of Form 3.)
 (Date)

(Name of party) seeks direct review of the (describe the decision or part of the decision that the party wants reviewed) entered by the (name of court) on (date of entry.) The issues presented in the review are: (State issues presented for review. See Part ~~A~~ II of Form 6 for suggestions for framing issues presented for review.)

The reasons for granting direct review are: (Briefly indicate and argue grounds for direct review. See rule 4.2.)
 (Date)

Respectfully submitted,

Signature

(Name, address, telephone number, and Washington State Bar Association membership number of attorney)

[Amended effective September 1, 2006.]

FORM 9. Petition for Review

(Rule 13.4(d))

(See Form 5 for form of cover which is the title page.)

TABLE OF CONTENTS

(See Form 6, except modify names of parts of brief to correspond to names of parts of Petition for Review.)

TABLE OF AUTHORITIES

(See Form 6.)

A. IDENTITY OF PETITIONER

(Name) asks this court to accept review of the Court of Appeals decision terminating review designated in Part B of this petition.

B. COURT OF APPEALS DECISION

(Identify the decision or parts of the decision of the Court of Appeals which the party wants reviewed, the date filed, and the date of any order granting or denying a motion for reconsideration.) A copy of the decision is in the Appendix at pages A- ___ through ___. A copy of the order denying petitioners motion for reconsideration is in the Appendix at pages A- ___ through ___.

C. ISSUES PRESENTED FOR REVIEW

(Define the issues which the Supreme Court is asked to decide if review is granted. See the second portion of Part ~~II~~ A of Form 6 for suggestions for framing issues presented for review.)

D. STATEMENT OF THE CASE

(See Part ~~III~~ B of Form 6.)

E. ARGUMENT WHY REVIEW SHOULD BE ACCEPTED

(The argument should be short and concise and directed to the considerations for accepting review set out in rule 13.4(b). For argument generally, see Part ~~V~~ D of Form 6. The argument may be preceded by a summary.)

Respectfully submitted,

Signature

(Name of attorney)

Attorney for (Petitioner or Respondent)
 Washington State Bar Association
 membership number

APPENDIX

(See rule 13.4 (c)(9) for materials to include within Appendix.)

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 10-01-032

NOTICE OF PUBLIC MEETINGS

PUBLIC WORKS BOARD

[Filed December 7, 2009, 9:16 a.m.]

NOTICE OF PUBLIC MEETINGS 2010

The public works board will be holding regularly scheduled meetings on the following dates at 8:30 a.m.:

- January 12 WPUA Building
212 Union Avenue S.E.
Second Floor
Olympia, WA 98501
- February 2 Radisson Hotel
18118 International Boulevard
SeaTac, WA 98118
- March 2 Radisson Hotel
18118 International Boulevard
SeaTac, WA 98118
- April 6 Radisson Hotel
18118 International Boulevard
SeaTac, WA 98118
- May 5-7 Retreat at a location to be determined
- June 1 Radisson Hotel
18118 International Boulevard
SeaTac, WA 98118
- August 3 Radisson Hotel
18118 International Boulevard
SeaTac, WA 98118
- August 17 Radisson Hotel
18118 International Boulevard
SeaTac, WA 98118
- September 7 Radisson Hotel
18118 International Boulevard
SeaTac, WA 98118

October 5 Radisson Hotel
18118 International Boulevard
SeaTac, WA 98118

November 2 Radisson Hotel
18118 International Boulevard
SeaTac, WA 98118

December 7 Radisson Hotel
18118 International Boulevard
SeaTac, WA 98118

Please contact the public works board at (360) 725-3150 for any further information.

WSR 10-01-033
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed December 7, 2009, 9:21 a.m.]

Notice of Repeal of Interpretive and Policy Statements
Under the Franchise Investment Protection Act

December 7, 2009

In light of the recent adoption of amendments to the franchise registration rules set forth in chapter 460-80 WAC that address the subject matter of several policy and interpretive statements, the department of financial institutions hereby repeals the following policy and interpretive statements under the Franchise Investment Protection Act, chapter 19.100 RCW:

- Franchise Act Interpretive Statement No. 05 - Trade Shows and Advertising.
- Franchise Act Interpretive Statement No. 06 - Franchise Advertising on the Internet.
- Franchise Act Policy Statement No. 1 - Franchisor/Franchisee Relationship Disclosure Requirements.
- Franchise Act Policy Statement No. 2 - Requests for Interpretive and No-Action Letters.
- Franchise Act Policy Statement No. 3 - Surety Bonds in Lieu of an Impound.
- Franchise Act Policy Statement No. 5 - Filing Date Determination.
- Franchise Act Policy Statement No. 7 - Franchise Offerings on the Internet.

Please contact Faith Anderson at (360) 725-7825 or faith.anderson@dfi.wa.gov with any questions.

Scott Jarvis
Director

WSR 10-01-038
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR

[December 3, 2009]

EXECUTIVE ORDER 09-08

ELIMINATION OF CERTAIN BOARDS AND COMMISSIONS

WHEREAS, certain boards and commissions have been rendered ineffective due to either the enactment of superseding law, through an internal expiration provision or are no longer needed for the efficient administration of state government; and

WHEREAS, the existence of unneeded boards and commissions can lead to a lack of accountability and create confusion and unnecessary regulatory burden on executive agencies and the public;

WHEREAS, most of the advisory functions of boards and commissions can be performed without the administrative cost of maintaining formal organizations, and executive agencies are being strongly encouraged to enhance public input using modern communication technology and identify new, less costly, and more effective opportunities to ensure citizen participation and government openness; and

WHEREAS, the Office of the Governor, in consultation with executive branch agencies, has determined that the below-mentioned boards and commissions are no longer necessary and can be rescinded immediately;

NOW THEREFORE, I, Christine O. Gregoire, Governor of the state of Washington in order to achieve effective and efficient government performance, by virtue of the power vested in me, do hereby order and direct that the following boards and commissions be abolished:

- Aviation Advisory Committee
- Cedar Creek Corrections Center Community Advisory Committee
- Clallam Bay Corrections Center Community Advisory Committee
- Connell Citizens Advisory Committee
- Corrections Center for Women Community Advisory Committee
- Family Planning and Reproductive Health State-wide Advisory Committee
- Marysville Community Citizens Violation Board
- McNeil Island Correction Center Community Advisory Committee
- Olympic Corrections Center Community Advisory Committee
- Peninsula Work Release Community Advisory Board
- Penitentiary Community Advisory Committee
- Public Health Improvement Plan Steering Committee
- Religious Advisory Board
- Special Commitment Center Advisory Board
- Stafford Creek Liaison Committee
- State Capacity for Disabilities Prevention Projects Consultants

- State Genetics Advisory Committee
- (1) All documents and papers, equipment, or other tangible property in the possession of the terminated entity shall be delivered to the custody of the entity assuming the responsibilities of the terminated entity, or if such responsibilities have been eliminated, documents and papers shall be delivered to the state archivist and equipment or other tangible property to the Department of General Administration.
 - (2) All funds held by, or other moneys due to, the terminated entity shall revert to the fund from which they were appropriated, or if that fund is abolished to the general fund; and
 - (3) All contractual rights and duties of an entity shall be assigned or delegated to the entity assuming the responsibilities of the terminated entity, or if there is none to such entity as the governor shall direct.

This Executive Order shall take effect immediately.

Signed and sealed with the official seal of the state of Washington, on this 3rd day of December 2009, at Olympia, Washington.

By: _____
 Christine O. Gregoire
 Governor

BY THE GOVERNOR:
 Sam Reed

 Secretary of State

WSR 10-01-039
DIRECTIVE
OFFICE OF THE GOVERNOR
 [Filed December 8, 2009, 9:18 a.m.]

In these extraordinarily difficult budget times, it is more important than ever that government finds ways to perform services more efficiently and effectively. This includes more than just those services we provide directly to the public. We also have to be diligent in how we provide internal services within and between state agencies.

In February, I directed five cabinet agencies to begin developing and implementing a shared services model for how we operate. The expectation was that the shared services approach would capture economies of scale and create a more efficient government. I also noted that as we move forward, there will be additional functions identified where the model could produce enhanced customer service and efficiencies.

While our initial efforts focused on large issues that will impact all state agencies, there are also smaller initiatives that can provide significant benefits to state government. No efficiency is too small to be pursued.

By this directive, I am requiring that all small agencies as identified by the director of the Office of Financial Management use Small Agency Client Services (SACS) to provide

their accounting, payroll and budgeting services. The director of the Office of Financial Management shall also define the transition process and specific agency requirements.

Centralizing these services allows small agencies to focus their scarce resources on their core missions, strategic plans, and customer needs. It provides standardization and consistency of processes and reporting across all small agencies. Internal controls will be strengthened by moving fiscal functions into a larger organization where segregation of duties and back-up plans can be better utilized.

This initiative is only one of many opportunities we as a state can pursue to provide better, more efficient government. I appreciate your continued efforts to review our back-office functions and to identify shared service efficiencies - wherever they may be found.

Christine O. Gregoire
Governor

WSR 10-01-040
NOTICE OF PUBLIC MEETINGS
WENATCHEE VALLEY COLLEGE
 [Filed December 8, 2009, 9:18 a.m.]

BOARD OF TRUSTEE MEETING SCHEDULE
2010

Unless otherwise notified, work sessions will begin at 9 a.m. and board of trustee meetings at 3 p.m. This schedule is subject to change.

- January 20, 2010
- February 17, 2010
- March 17, 2010
- April 20, 2010 (board retreat)
- April 21, 2010 (at Omak campus)
- May 19, 2010
- June 16, 2010
- July 20-21, 2010 (board retreat)
- August 18, 2010
- September 15, 2010
- October 20, 2010 (at Omak campus)
- November 17, 2010
- December - no meeting

Call Janet Franz at (509) 682-6400 if you have any questions.

WSR 10-01-043
ATTORNEY GENERAL'S OFFICE

[Filed December 8, 2009, 3:03 p.m.]

NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL

The Washington attorney general issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the attorney general's office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the attorney general's office of your interest by January 13, 2010. This is not the due date by which comments must be received. However, if you do not notify the attorney general's office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the attorney general's office of your intention to comment by calling (360) 586-0728, or by writing to the Office of the Attorney General, Solicitor General Division, Attention Jeffrey T. Even, Deputy Solicitor General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you may be provided with a copy of the opinion request in which you are interested; information about the attorney general's opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

If you are interested in receiving notice of new formal opinion requests via e-mail, you may visit the attorney general's web site at www.atg.wa.gov/AGOOpinions/default.aspx for more information on how to join our opinions list-serv.

The attorney general's office seeks public input on the following opinion request(s):

Opinion Docket No. 09-12-01
Request by Jeff Hall, State Court Administrator

1. When an existing, authorized superior court judge position becomes vacant, does the county have authority to eliminate the position?

WSR 10-01-044
NOTICE OF PUBLIC MEETINGS
BOARD OF TAX APPEALS

[Filed December 9, 2009, 8:57 a.m.]

Following is the schedule of the regular meetings of the board of tax appeals (board) for 2010:

- January 8
- February 12
- March 12
- April 9

- May 14
- June 11
- July 9
- August 13
- September 10
- October 8
- November 12
- December 10

The board shall meet at least once every month in accordance with WAC 456-09-140. Meetings are held at the main office located at 910 5th Avenue S.E., Olympia, and begin at 9:30 a.m.

Some meetings may be cancelled. Notice of any change from the schedule will be published on the board web site <http://bta.state.wa.us/> and in the state register for distribution at least twenty days prior to the rescheduled meeting date.

Meetings are open to the public and conducted at a barrier-free site. All meetings are recorded. Contact staff at (360) 753-5446 or bta@bta.state.wa.us with questions or if special assistance is needed to attend a meeting.

WSR 10-01-045
RULES COORDINATOR
DEPARTMENT OF COMMERCE

[Filed December 9, 2009, 8:57 a.m.]

Pursuant to RCW 34.05.312, this letter is to notify you that the rules coordinator for the department of commerce is Cheryl Smith, Senior Policy Advisor, 128 10th Avenue S.W., P.O. Box 42525, Olympia, WA 98504-2525. Cheryl's phone number is (360) 725-2808. Her fax number is (360) 586-8440, and her e-mail address is cheryl.smith@commerce.wa.gov. Cheryl replaces Marie Sullivan, who has served as the agency rules coordinator, but has recently transitioned to a different position within the agency.

J. M. Ferrell
 for Rogers Weed
 Director

WSR 10-01-046
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION

(State Capitol Committee)

[Filed December 9, 2009, 8:58 a.m.]

2010 Meeting Dates

The quarterly state capitol committee (SCC) meetings for the 2010 calendar year are scheduled for:

- Thursday, March 18
- Thursday, June 17
- Thursday, October 28

Thursday, December 16

The SCC meetings are held at the General Administration Building, 210 11th Avenue S.W., Olympia, WA. The meetings are held in room 326, beginning at 10:00 a.m.

If you have any questions, please contact Diane Cowan at (360) 902-0929.

WSR 10-01-048
RULES OF COURT
STATE SUPREME COURT

[December 7, 2009]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO CrR 4.2(g)-) NO. 25700-A-943
STATEMENT OF DEFENDANT ON)
PLEA OF GUILTY TO NON-SEX)
OFFENSE, CrR 4.2(g)-STATEMENT OF)
DEFENDANT ON PLEA OF GUILTY TO)
SEX OFFENSE, CrRLJ 4.2(g)-STATE-)
MENT OF DEFENDANT ON PLEA OF)
GUILTY, CrRLJ 4.2(i)-PETITION FOR)
DEFERRED PROSECUTION AND CrRLJ)
4.2(i)-PETITION FOR DEFERRED PROS-)
ECUTION OF CRIMINAL MISTREAT-)
MENT CHARGE)

The Pattern Forms Committee having recommended the adoption of the proposed amendments to CrR 4.2(g)-Statement of Defendant on Plea of Guilty to Non-sex Offense, CrR 4.2(g)-Statement of Defendant on Plea of Guilty to Sex Offense, CrRLJ 4.2(g)-Statement of Defendant on Plea of Guilty, CrRLJ 4.2(i)-Petition for Deferred Prosecution and CrRLJ 4.2(i)-Petition for Deferred Prosecution of Criminal Mistreatment Charge, and the Court having determined that the proposed amendments will aid in the prompt and orderly administration of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

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

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

DATED at Olympia, Washington this 7th day of December, 2009.

Alexander, C. J.

C. Johnson, J.

Owens, J.

Madsen, J.

Fairhurst, J.

Sanders, J.

J.M. Johnson, J.

Chambers, J.

Stephens, J.

Superior Court of Washing-
ton for

State of Washington ,
Plaintiff

vs.

Defendant

No.
Statement of Defen-
dant on Plea of
Guilty to Non-Sex
Offense (Felony)
(STTDFG)

1. My true name is: _____.

2. My age is: _____.

3. The last level of education I completed was _____.

4. I Have Been Informed and Fully Understand That:

(a) I have the right to representation by a lawyer and if I cannot afford to pay for a lawyer, one will be provided at no expense to me.

(b) I am charged with: _____.

The elements are: _____

5. I Understand I Have the Following Important Rights, and I Give Them Up by Pleading Guilty:

(a) The right to a speedy and public trial by an impartial jury in the county where the crime was allegedly committed;

(b) The right to remain silent before and during trial, and the right to refuse to testify against myself;

(c) The right at trial to hear and question the witnesses who testify against me;

(d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;

(e) The right to be presumed innocent unless the State proves the charge beyond a reasonable doubt or I enter a plea of guilty;

(f) The right to appeal a finding of guilt after a trial.

6. In Considering the Consequences of my Guilty Plea, I Understand That:

(a) Each crime with which I am charged carries a maximum sentence, a fine, and a Standard Sentence Range as follows:

Table with 6 columns: COUNT NO., OFFENDER SCORE, STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements), PLUS Enhancements*, COMMUNITY CUSTODY, MAXIMUM TERM AND FINE. Row 1: 1, [blank], [blank], [blank], [blank], [blank].

COUNT NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	COMMUNITY CUSTODY	MAXIMUM TERM AND FINE
2					
3					

*Each sentencing enhancement will run consecutively to all other parts of my entire sentence, including other enhancements and other counts. The enhancement codes are: (F) Firearm, (D) Other deadly weapon, (V) VUCSA in protected zone,

(VH) Veh. Hom, see RCW 46.61.520, (JP) Juvenile present, (CSG) Criminal street gang involving minor,

(AE) Endangerment while attempting to elude.

(b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.

(c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.

(d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.

(e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.

(f) For crimes committed prior to July 1, 2000: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the total period of confinement is more than 12 months, and if this crime is a drug offense, assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community custody. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community custody. The actual period of community custody may be longer than my earned early release period. During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

[] For offenses committed after July 1, 2000 but prior to July 26, 2009, the court may impose a community custody range as follows: for serious violent offenses, 24 to 36 months; for crimes against persons, 9 to 12 months; for offenses under 69.50 and 69.52, 9 to 12 months.

For crimes committed on or after July 1, 2000: In addition to sentencing me to confinement, under certain circumstances the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months, but only if the crime I have been convicted of falls into one of the offense types listed in the following chart. For the offense of failure to register as a sex offender, regardless of the length of confinement, the judge will sentence me to 36 months of community custody. If the total period of confinement ordered is more than 12 months, and if the crime I have been convicted of falls into one of the offense types listed in the following chart, the court will sentence me to community custody for the term established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.728 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody term will be based on the offense type that dictates the longest term of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY TERM
Serious Violent Offenses	36 months
Violent Offenses	18 months
Crimes Against Persons as defined by RCW 9.94A.411(2)	12 months
Offenses under Chapter 69.50 or 69.52 RCW (not sentenced under RCW 9.94A.660)	12 months
Offenses involving the unlawful possession of a firearm where the offender is a criminal street gang member or associate	12 months

Certain sentencing alternatives may also include community custody.

During the period of community custody I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, including additional conditions of community custody that may be imposed by the Department of Corrections. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74.04.005 (6)(h), and may result in

the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

(g) The prosecuting attorney will make the following recommendation to the judge: _____.

[] The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.

(h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless it finds substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences:

(i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.

(ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.

(iii) The judge may also impose an exceptional sentence above the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consistent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

(iv) The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

If the court imposes a standard range sentence, then no one may appeal the sentence. If the court imposes an exceptional sentence after a hearing, either the State or I can appeal the sentence.

(i) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

(j) I may not possess, own, or have under my control any firearm unless my right to do so is restored by a superior court in Washington State, and by a federal court if required. I must immediately surrender any concealed pistol license. RCW 9.41.040.

(k) I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08.520.

(l) Government assistance may be suspended during any period of confinement.

(m) I will be required to have a biological sample collected for purposes of DNA identification analysis. I will be required to pay a \$100.00 DNA collection fee.

Notification Relating to Specific Crimes. *If any of the following paragraphs DO NOT APPLY, counsel and the defendant shall strike them out. The defendant and the judge shall initial all paragraphs that DO APPLY.*

____ (n) This offense is a most serious offense or "strike" as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.

____ (o) The judge may sentence me as a first-time offender instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days' confinement and up to two years community custody plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training.

____ (p) If this crime involves kidnapping involving a minor, including unlawful imprisonment involving a minor who is not my child, I will be required to register where I reside, study or work. The specific registration requirements are set forth in the "Offender Registration" Attachment.

____ (q) If this is a crime of domestic violence, I may be ordered to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.

____ (r) If this crime involves prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.

____ (s) The judge may sentence me under the drug offender sentencing alternative (DOSA) if I qualify under RCW 9.94A.660. If I qualify and the judge is considering a residential chemical dependency treatment-based alternative, the judge may order that I be examined by DOC before deciding to impose a DOSA sentence. If the judge decides to impose a DOSA sentence, it could be either a prison-based alternative or a residential chemical dependency treatment-based alternative.

If the judge imposes the **prison-based alternative**, the sentence will consist of a period of total confinement in a state facility for one-half of the midpoint of the standard range, or 12 months, whichever is greater. During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose a term of community custody of one-half of the midpoint of the standard range.

If the judge imposes the **residential chemical dependency treatment-based alternative**, the sentence will consist of a term of community custody equal to one-half of the midpoint of the standard sentence range or two years, whichever is greater, and I will have to enter and remain in a certified residential chemical dependency treatment program for a period of **three to six months**, as set by the court.

As part of this sentencing alternative, the court is required to schedule a progress hearing during the period of residential chemical dependency treatment and a treatment termination hearing scheduled three months before the expi-

ration of the term of community custody. At either hearing, based upon reports by my treatment provider and the department of corrections on my compliance with treatment and monitoring requirements and recommendations regarding termination from treatment, the judge may modify the conditions of my community custody or order me to serve a term of total confinement equal to one-half of the midpoint of the standard sentence range, followed by a term of community custody under RCW 9.94A.701.

During the term of community custody for either sentencing alternative, the judge could prohibit me from using alcohol or controlled substances, require me to submit to urinalysis or other testing to monitor that status, require me to devote time to a specific employment or training, stay out of certain areas, pay \$30.00 per month to offset the cost of monitoring and require other conditions, such as affirmative conditions, and the conditions described in paragraph 6(e). The judge, on his or her own initiative, may order me to appear in court at any time during the period of community custody to evaluate my progress in treatment or to determine if I have violated the conditions of the sentence. If the court finds that I have violated the conditions of the sentence or that I have failed to make satisfactory progress in treatment, the court may modify the terms of my community custody or order me to serve a term of total confinement within the standard range.

____ (t) If I am subject to community custody and the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.

____ (u) If this crime involves the manufacture, delivery, or possession with the intent to deliver methamphetamine, including its salts, isomers, and salts of isomers, or amphetamine, including its salts, isomers, and salts of isomers, a mandatory methamphetamine clean-up fine of \$3,000 will be assessed. RCW 69.50.401 (2)(b).

____ (v) If this crime involves a violation of the state drug laws, my eligibility for state and federal food stamps, welfare, and education benefits may be affected. 20 U.S.C. § 1091(r) and 21 U.S.C. § 862a.

____ (w) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the judge finds I used a motor vehicle in the commission of this felony.

____ (x) If this crime involves the offense of vehicular homicide while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999, an additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.5055(14).

____ (y) If I am pleading guilty to felony driving under the influence of intoxicating liquor or any drugs, or felony actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug, in addition to the provisions of chapter 9.94A RCW, I will be required to undergo alcohol or chemical dependency treatment services during incarceration. I will be required to pay the costs of treatment unless the court finds that I am indigent. My driving privileges will be suspended, revoked or denied. Following the

period of suspension, revocation or denial, I must comply with ignition interlock device requirements.

____ (z) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. This law does not apply to crimes committed on or after July 24, 2005, by a juvenile who was tried as an adult after decline of juvenile court jurisdiction. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6[n].

____ (aa) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.

____ (bb) The offense(s) I am pleading guilty to include(s) a Violation of the Uniform Controlled Substances Act in a protected zone enhancement or manufacture of methamphetamine when a juvenile was present in or upon the premises of manufacture enhancement. I understand these enhancements are mandatory and that they must run consecutively to all other sentencing provisions.

____ (cc) The offense(s) I am pleading guilty to include(s) a deadly weapon, firearm, or sexual motivation enhancement. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.

____ (dd) If I am pleading guilty to (1) unlawful possession of a firearm(s) in the first or second degree and (2) felony theft of a firearm or possession of a stolen firearm, I am required to serve the sentences for these crimes consecutively to one another. If I am pleading guilty to unlawful possession of more than one firearm, I must serve each of the sentences for unlawful possession consecutively to each other.

____ (ee) If I am pleading guilty to the crime of unlawful practices in obtaining assistance as defined in RCW 74.08.-331, no assistance payment shall be made for at least six months if this is my first conviction and for at least 12 months if this is my second or subsequent conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290.

____ (ff) The judge may authorize work ethic camp. To qualify for work ethic authorization my term of total confinement must be more than twelve months and less than thirty-six months, I cannot currently be either pending prosecution or serving a sentence for violation of the uniform controlled substance act and I cannot have a current or prior conviction for a sex or violent offense.

7. I plead guilty to:

count _____
count _____
count _____
in the _____ Information. I have received a
copy of that Information.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime.

This is my statement: _____

[] Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment, if applicable. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Defendant
I have read and discussed this statement with the defendant. I believe that the defendant is competent and fully understands the statement.

Prosecuting Attorney
Print Name WSBA No. _____

Print Name WSBA No. _____

The defendant signed the foregoing statement in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is included below.

Interpreter's Declaration: I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language. I have interpreted this document for the defendant from English into that language. I certify under penalty of perjury

under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter _____
Print Name
I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.
Dated: _____

Judge

Superior Court of Washington for
State of Washington,
Plaintiff

vs.

Defendant

No.
Statement of Defendant on Plea of Guilty to Sex Offense (Felony) (STTDFG)

1. My true name is: _____.
2. My age is: _____.
3. The last level of education I completed was _____.
4. **I Have Been Informed and Fully Understand That:**
 - (a) I have the right to representation by a lawyer and if I cannot afford to pay for a lawyer, one will be provided at no expense to me.
 - (b) I am charged with: _____.
 - The elements are: _____.

5. **I Understand I Have the Following Important Rights, and I Give Them Up by Pleading Guilty:**
- (a) The right to a speedy and public trial by an impartial jury in the county where the crime was allegedly committed;
 - (b) The right to remain silent before and during trial, and the right to refuse to testify against myself;
 - (c) The right at trial to hear and question the witnesses who testify against me;
 - (d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;
 - (e) The right to be presumed innocent unless the State proves the charge beyond a reasonable doubt or I enter a plea of guilty;
 - (f) The right to appeal a finding of guilt after a trial.

6. **In Considering the Consequences of my Guilty Plea, I Understand That:**
(a) Each crime with which I am charged carries a maximum sentence, a fine, and a **Standard Sentence Range** as follows:

COUNT NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	COMMUNITY CUSTODY	MAXIMUM TERM AND FINE
1					
2					
3					

*Each sentencing enhancement will run consecutively to all other parts of my entire sentence, including other enhancements and other counts. The enhancement codes are: (F) Firearm, (D) Other deadly weapon, (SM) Sexual Motivation, RCW 9.94A.533(8), (SCF) Sexual conduct with a child for a fee, RCW 9.94A.533(9), (CSG) Criminal street gang involving minor, (AE) Endangerment while attempting to elude.

(b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.

(c) The prosecuting attorney's statement of my criminal history is attached to this agreement. Unless I have attached a different statement, I agree that the prosecuting attorney's statement is correct and complete. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.

(d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.

(e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.

(f) For sex offenses committed prior to July 1, 2000: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is more than one year, the judge will order me to serve three years of community custody or up to the period of earned early release, whichever is longer. During the period of community custody, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

For sex offenses committed on or after July 1, 2000 but prior to September 1, 2001: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is over one year, the judge will sentence me to community custody for 36 months or up to the period of earned release, whichever is longer. During the period of commu-

nity custody to which I am sentenced, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me.

For sex offenses committed on or after September 1, 2001: (i) Sentencing under RCW 9.94A.507: If this offense is any of the offenses listed in subsections (aa) or (bb), below, the judge will impose a maximum term of confinement consisting of the statutory maximum sentence of the offense and a minimum term of confinement either within the standard range for the offense or outside the standard range if an exceptional sentence is appropriate. The minimum term of confinement that is imposed may be increased by the Indeterminate Sentence Review Board if the Board determines by a preponderance of the evidence that it is more likely than not that I will commit sex offenses if released from custody. In addition to the period of confinement, I will be sentenced to community custody for any period of time I am released from total confinement before the expiration of the maximum sentence. During the period of community custody I will be under the supervision of the Department of Corrections and I will have restrictions and requirements placed upon me, which may include electronic monitoring, and I may be required to participate in rehabilitative programs.

(aa) If the current offense is any of these offenses or attempt to commit any of these offenses:

Rape in the first degree	Rape in the second degree
Rape of a child in the first degree committed when I was at least 18 years old	Rape of a child in the second degree committed when I was at least 18 years old
Child molestation in the first degree committed when I was at least 18 years old	Indecent liberties by forcible compulsion
Any of the following offenses with a finding of sexual motivation:	
Murder in the first degree	Murder in the second degree
Homicide by abuse	Kidnapping in the first degree
Kidnapping in the second degree	Assault in the first degree
Assault in the second degree	Assault of a child in the first degree
Assault of a child in the second degree	Burglary in the first degree

(bb) If the current offense is any sex offense and I have a prior conviction for any of these offenses or attempt to commit any of these offenses:

Rape in the first degree	Rape in the second degree
Rape of a child in the first degree	Rape of a child in the second degree
Child molestation in the first degree	Indecent liberties by forcible compulsion
Any of the following offenses with a finding of sexual motivation:	
Murder in the first degree	Murder in the second degree
Homicide by abuse	Kidnapping in the first degree
Kidnapping in the second degree	Assault in the first degree
Assault in the second degree	Assault of a child in the first degree
Assault of a child in the second degree	Burglary in the first degree

(ii) If this offense is a sex offense that is not listed in paragraph 6 (f)(i), then in addition to sentencing me to a term of confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the period of confinement is over one year, or if my crime is failure to register as a sex offender, the judge will sentence me to community custody for 36 months or up to the period of earned release, whichever is longer. During the period of community custody to which I am sentenced, I will be under the supervision of the Department of Corrections, and I will have restrictions and requirements placed upon me, which may include electronic monitoring.

For sex offenses committed on or after March 20, 2006: For the following offenses and special allegations, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater:

1) If the offense is rape of a child in the first degree, rape of a child in the second degree or child molestation in the first degree and the offense includes a special allegation that the offense was predatory.

2) If the offense is rape in the first degree, rape in the second degree, indecent liberties by forcible compulsion, or kidnapping in the first degree with sexual motivation and the offense includes special allegation that the victim of the offense was under 15 years of age at the time of the offense.

3) If the offense is rape in the first degree, rape in the second degree with forcible compulsion, indecent liberties with forcible compulsion, or kidnapping in the first degree with sexual motivation and this offense includes a special allegation that the victim of the offense was, at the time of the offense, developmentally disabled, mentally disordered, or a frail elder or vulnerable adult.

Community Custody Violation: If I violate the conditions of my community custody, the Department of Corrections may sanction me up to 60 days confinement per violation and/or revoke my earned early release, or the Department of Corrections may impose additional conditions or other stipulated penalties. The court also has the authority to impose sanctions for any violation.

(g) The prosecuting attorney will make the following recommendation to the judge: _____.

[] The prosecutor will recommend as stated in the plea agreement, which is incorporated by reference.

(h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless it finds substantial and compelling reasons not to do so. I understand the following regarding exceptional sentences:

(i) The judge may impose an exceptional sentence below the standard range if the judge finds mitigating circumstances supporting an exceptional sentence.

(ii) The judge may impose an exceptional sentence above the standard range if I am being sentenced for more than one crime and I have an offender score of more than nine.

(iii) The judge may also impose an exceptional sentence above the standard range if the State and I stipulate that justice is best served by imposition of an exceptional sentence and the judge agrees that an exceptional sentence is consis-

tent with and in furtherance of the interests of justice and the purposes of the Sentencing Reform Act.

(iv) The judge may also impose an exceptional sentence above the standard range if the State has given notice that it will seek an exceptional sentence, the notice states aggravating circumstances upon which the requested sentence will be based, and facts supporting an exceptional sentence are proven beyond a reasonable doubt to a unanimous jury, to a judge if I waive a jury, or by stipulated facts.

If the court imposes a standard range sentence, then no one may appeal the sentence. If the court imposes an exceptional sentence after a hearing, either the State or I can appeal the sentence.

(i) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

(j) I may not possess, own, or have under my control any firearm unless my right to do so is restored by a superior court in Washington State, and by a federal court if required. I must immediately surrender any concealed pistol license. RCW 9.41.040.

(k) I will be ineligible to vote until that right is restored in a manner provided by law. If I am registered to vote, my voter registration will be cancelled. Wash. Const. art. VI, § 3, RCW 29A.04.079, 29A.08.520.

(l) Government assistance may be suspended during any period of confinement.

(m) I will be required to register where I reside, study or work. The specific registration requirements are described in the "Offender Registration" Attachment.

(n) I will be required to have a biological sample collected for purposes of DNA identification analysis. I will be required to pay a \$100.00 DNA collection fee.

(o) I will be required to undergo testing for the human immunodeficiency (HIV/AIDS) virus.

Notification Relating to Specific Crimes: If any of the following paragraphs DO NOT APPLY, counsel and the defendant shall strike them out. The defendant and the judge shall initial all paragraphs that DO APPLY.

____ (p) This offense is a most serious offense or "strike" as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the offense for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole. In addition, if this offense is (i) rape in the first degree, rape of a child in the first degree, rape in the second degree, rape of a child in the second degree, indecent liberties by forcible compulsion, or child molestation in the first degree, or (ii) murder in the first degree, murder in the second degree, homicide by abuse, kidnapping in the first degree, kidnapping in the second degree, assault in the first degree, assault in the second degree, assault of a child in the first degree, assault of a child in the second degree, or burglary in the first degree, with a finding of sexual motivation, or (iii) any attempt to commit any of the offenses listed in this sentence and I have at least one prior conviction for one of these listed offenses in this state, in federal court, or elsewhere, the offense for which I am charged

carries a mandatory sentence of life imprisonment without the possibility of parole.

____ (q) **Special sex offender sentencing alternative:** In addition to other eligibility requirements under RCW 9.94A.670, to be eligible for the special sex offender sentencing alternative, I understand that I must voluntarily and affirmatively admit that I committed all of the elements of the crime(s) to which I am pleading guilty. I make my voluntary and affirmative admission in my statement in paragraph 11.

For offenses committed before September 1, 2001: The judge may suspend execution of the standard range term of confinement under the special sex offender sentencing alternative (SSOSA) if I qualify under former RCW 9.94A.120(8) (for offenses committed before July 1, 2001) or RCW 9.94A.670 (for offenses committed on or after July 1, 2001). If the judge suspends execution of the standard range term of confinement, I will be placed on community custody for the length of the suspended sentence or three years, whichever is greater; I will be ordered to serve up to 180 days of total confinement; I will be ordered to participate in sex offender treatment; I will have restrictions and requirements placed upon me; and I will be subject to all of the conditions described in paragraph 6(e). Additionally, the judge could require me to devote time to a specific occupation and to pursue a prescribed course of study or occupational training. If a violation of the sentence occurs during community custody, the judge may revoke the suspended sentence.

For offenses committed on or after September 1, 2001: The judge may suspend execution of the standard range term of confinement or the minimum term of confinement under the special sex offender sentencing alternative (SSOSA) if I qualify under RCW 9.94A.670. If the judge suspends execution of the standard range term of confinement for a sex offense that is not listed in paragraph 6 (f)(i), I will be placed on community custody for the length of the suspended sentence or three years, whichever is greater. If the judge suspends execution of minimum term of confinement for a sex offense listed in paragraph 6 (f)(i), I will be placed on community custody for the length of the statutory maximum sentence of the offense. In addition to the term of community custody, I will be ordered to serve up to 180 days of total confinement if I committed the crime prior to July 1, 2005, or up to 12 months with no early release if I committed the crime on or after July 1, 2005; I will be ordered to participate in sex offender treatment; I will have restrictions and requirements placed upon me, which may include electronic monitoring; and I will be subject to all of the conditions described in paragraph 6(e). Additionally, the judge could require me to devote time to a specific occupation and to pursue a prescribed course of study or occupational training. If a violation of the sentence occurs during community custody, the judge may revoke the suspended sentence.

____ (r) If this is a crime of domestic violence, the court may order me to pay a domestic violence assessment of up to \$100.00. If I, or the victim of the offense, have a minor child, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.

____ (s) If I am subject to community custody and the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in reha-

ilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.

____ (t) I understand that RCW 46.20.285(4) requires that my driver's license be revoked if the judge finds I used a motor vehicle in the commission of this felony.

____ (u) The crime of _____ has a mandatory minimum sentence of at least _____ years of total confinement. This law does not apply to crimes committed on or after July 24, 2005, by a juvenile who was tried as an adult after decline of juvenile court jurisdiction. The law does not allow any reduction of this sentence. This mandatory minimum sentence is not the same as the mandatory sentence of life imprisonment without the possibility of parole described in paragraph 6[p].

____ (v) I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts _____ and _____ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.

____ (w) The offense(s) I am pleading guilty to include a deadly weapon, firearm or sexual motivation enhancement. Deadly weapon, firearm, or sexual motivation enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon, firearm, or sexual motivation enhancements.

____ (x) For crimes committed on or after July 22, 2007: If I am pleading guilty to rape of a child in the first, second, or third degree or child molestation in the first, second or third degree, and I engaged, agreed or offered to engage the victim in sexual intercourse or sexual contact for a fee, or if I attempted, solicited another, or conspired to engage, agree or offer to engage the victim in sexual intercourse or sexual contact for a fee, then a one-year enhancement shall be added to the standard sentence range. If I am pleading guilty to more than one offense, the one-year enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to the enhancement.

7. I plead guilty to:

count _____
count _____
count _____
count _____
in the _____ Information. I have received a copy of that Information.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. The judge has asked me to state what I did in my own words that makes me guilty of this crime. This is my statement:

_____.

[] Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and the "Offender Registration" Attachment. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Defendant
I have read and discussed this statement with the defendant. I believe that the defendant is competent and fully understands the statement.

Prosecuting Attorney

Defendant's Lawyer
Print Name WSBA No. Print Name WSBA No.

The defendant signed the foregoing statement in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
 (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
 (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is attached.

Interpreter's Declaration: I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language. I have interpreted this document for the defendant from English into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

Interpreter Print Name
I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: _____

Judge

Court of Washington for _____
Plaintiff,
vs.
Defendant.
No.
Statement of Defendant on Plea of Guilty

- 1. My true name is: _____
2. My age is: _____
3. I went through the _____ grade.
4. I Have Been Informed and Fully Understand That:
(a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me.
(b) I am charged with:

Table with 3 columns: Count, Crime, RCW or Ordinance (with subsection). Rows 1-4.

[] In count(s) _____, the defendant committed the offense against another family or household member as defined in RCW 10.99.020.

The elements are:
[] as set out in the charging document.
[] as follows: _____.

5. I Understand I Have the Following Important Rights, and I Give Them All Up by Pleading Guilty:

- (a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;
(b) The right to remain silent before and during trial, and the right to refuse to testify against myself;
(c) The right at trial to hear and question the witnesses who testify against me;
(d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;
(e) I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;
(f) The right to appeal a finding of guilt after a trial.

6. In Considering the Consequences of my Guilty Plea, I Understand That:

- (a) The crime with which I am charged carries a maximum sentence of _____ days in jail and a \$_____ fine.
(b) The prosecuting authority will make the following recommendation to the judge: _____
(c) The judge does not have to follow anyone's recommendation as to sentence. The judge can give me any sentence up to the maximum authorized by law no matter what the prosecuting authority or anyone else recommends.
(d) The judge may place me on probation for up to five years if I am sentenced under RCW 46.61.5055 or up to two years for all other offenses and impose conditions of probation. If the court orders me to appear at a hearing regarding my compliance with probation and I fail to attend the hearing, the term of probation will be tolled until I appear before the court on the record.

(e) The judge may require me to pay costs, fees and assessments authorized by law. The judge may also order me to make restitution to any victims who lost money or property as a result of crimes I committed. The maximum amount of restitution is double the amount of the loss of all victims or double the amount of my gain.

(f) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

Notification Relating to Specific Crimes: If any of the Following Paragraphs Apply, the Box Should Be Checked and the Paragraph Initialed by the Defendant.

(g) The crime of _____ has a mandatory minimum sentence of _____ days in jail and \$_____ fine plus costs and assessments. The law does not allow any reduction of this sentence.

(h) If this crime involves a sexual offense, prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (AIDS) virus.

(i) This plea of guilty will result in suspension or revocation of my driving license or privilege by the Department of Licensing for a period of _____. This period may not include suspension or revocation based on other matters.

(j) I may not possess, own, or have under my control any firearm unless my right to do so is restored by a superior court in Washington State, and by a federal court if required. I must immediately surrender any concealed pistol license. RCW 9.41.040.

(k) If this crime involves a violation of Title 77, the Department of Fish and Wildlife may, and in some cases shall, suspend or revoke my privileges.

(l) If this crime involves a drug offense, my eligibility for state and federal education benefits will be affected. 20 U.S.C. § 1091(r).

(m) This plea of guilty is considered a conviction under RCW 46.25.010 and I will be disqualified from driving a commercial motor vehicle. RCW 46.25.090. I am required to notify the Department of Licensing and my employer of this guilty plea within 30 days after the judge signs this document. RCW 46.25.030.

(n) If this case involves driving while under the influence of alcohol and/or being in actual physical control of a vehicle while under the influence of alcohol and/or drugs, I have been informed and understand that I will be subject to:

the penalties described in the "DUI" Attachment.

OR

these penalties: The mandatory minimum sentence of _____ days in jail, _____ days of electronic home monitoring and \$_____ monetary penalty. The court shall require me to apply for an ignition interlock driver's license and to drive only with a functioning ignition interlock device or, if the court waives those requirements, to submit to alcohol monitoring, for ____ year(s). I may also be required to drive only motor vehicles equipped with an ignition interlock device as imposed by the Department of Licensing and/or the court. My driving privilege will be suspended or revoked by

the Department of Licensing for the period of time stated in paragraph 6(i). In lieu of the minimum jail term, the judge may order me to serve _____ days in electronic home monitoring. If I do not have a dwelling, telephone service, or any other necessity to operate electronic home monitoring, if I live out of state, or if the judge determines I would violate the terms of electronic home monitoring, the judge may waive electronic home monitoring and impose an alternative sentence which may include additional jail time, work crew or work camp.

(o) If this crime involves sexual misconduct with a minor in the second degree, communication with a minor for immoral purposes, or attempt, solicitation or conspiracy to commit a sex offense, or a kidnapping offense involving a minor, as defined in RCW 9A.44.130, I will be required to register with the county sheriff as described in the "Offender Registration" Attachment.

(p) Pursuant to RCW 43.43.754, if this crime is an offense which requires sex or kidnapping offender registration, or is one of the following offenses, assault in the fourth degree with sexual motivation, communication with a minor for immoral purposes, custodial sexual misconduct in the second degree, failure to register, harassment, patronizing a prostitute, sexual misconduct with a minor in the second degree, stalking, or violation of a sexual assault protection order granted under chapter 7.90 RCW, I will be required to have a biological sample collected for purposes of DNA identification analysis.

(q) **Travel Restrictions:** I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if I am placed on probation for one year or more and this crime involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; (iv) a sexual offense that requires the offender to register as a sex offender in the sending state. I understand that I will be required to pay an application fee with my travel or transfer request.

7. I plead guilty to the crime(s) of _____ as charged in the complaint(s) or citation(s) and notice. I have received a copy of that complaint or citation and notice.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

11. **Statement of Facts:** The judge has asked me to state in my own words what I did that makes me guilty of the crime(s). This is my statement (state the specific facts that support each element of the crime(s)):

_____.

Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable

cause supplied by the prosecution to establish a factual basis for the plea.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

Date: _____

_____	Defendant
_____	I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.
_____	_____
Prosecuting Authority	Defendant's Lawyer
_____	_____
Type or Print Name	Type or Print Name
_____	_____
WSBA No.	WSBA No.

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that check appropriate box:

- (a) The defendant had previously read; or
- (b) The defendant's lawyer had previously read to him or her; or
- (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full.

Interpreter Declaration: I am a certified interpreter or have been found otherwise qualified by the court to interpret in the _____ language, which the defendant understands, and I have translated this document for the defendant from English into that language. The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

_____	Print Name
Interpreter	_____
I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.	
Dated: _____	Judge

Court of Washington
for

Plaintiff,
vs.

Defendant.

No: _____

Petition for Deferred Prosecution (DPPF)

Charges: _____

Violation Date: _____

I am the defendant in this case and I petition the court for deferred prosecution under RCW Chapter 10.05. I make the following statement in support of my petition:

- 1. The wrongful conduct charged is the result of or caused by **Alcoholism** **Drug Addiction** **Mental Problems**, for which I need treatment.
- 2. Unless I receive treatment for my problem, the probability is great that I will offend again.
- 3. I agree to pay the cost of diagnosis and treatment, if I am financially able to do so, subject to RCW 10.05.130.
- 4. I understand that the court will not accept a petition for deferred prosecution from a person who sincerely believes that he or she is innocent of the crime(s) charged or does not suffer from alcoholism, drug addiction, or mental problems.
- 5. If this charge is a violation of Title 46 or similar municipal ordinance, I have not previously been placed on a deferred prosecution for a Title 46 or similar municipal ordinance violation.

- 6. I have filed a case history and assessment with this petition as required by RCW 10.05.020.
- 7. I have the following rights: (a) to have a lawyer represent me at all hearings; (b) to have a lawyer appointed at public expense if I cannot afford one; (c) to have a speedy, public jury trial; (d) to appeal any conviction; (e) to remain silent and not testify; (f) to question witnesses who testify against me; (g) to call witnesses to testify for me, at no cost; (h) to be presumed innocent unless the charge(s) against me is (are) proved beyond a reasonable doubt; and (i) to present evidence and a defense. By deferring prosecution on these charges, I give up my right to: (a) a speedy trial; (b) a jury; (c) testimony on my own behalf; an opportunity to (d) call and (e) question witnesses; and (f) present evidence or a defense.

8. I agree that the facts as reported in the attached police reports are admissible evidence and are sufficient to support a conviction. I acknowledge that the above items will be used to support a finding of guilty if the deferred prosecution is revoked.

9. If my deferred prosecution is revoked and I am found guilty, I may be sentenced up to the maximum penalty allowed by law.

10. If I proceed to trial and I am found guilty, I may be allowed to seek suspension of some or all fines and incarceration if I seek treatment. I understand that I may seek treatment from a public or private agency at any time, whether or not I have been found guilty or placed on deferred prosecution.

11. For some crimes, a deferred prosecution will enhance mandatory penalties for subsequent offenses committed within a seven-year period. I understand that a deferred prosecution will be a prior offense under RCW 46.61.5055 (driving under the influence, physical control of a vehicle under the influence, negligent driving if originally charged as driving under the influence or physical control of a vehicle under the influence, vehicular homicide, or vehicular assault).

12. If the court defers prosecution on any crime that would be a violation of state law or local ordinance relating to motor vehicle traffic control, I will be disqualified from driving a commercial motor vehicle for the period specified in RCW 46.25.090 and, if I drive a commercial motor vehicle

holding a license issued by Washington State, I will be required to notify the Department of Licensing and my employer of this deferred prosecution within 30 days of the judge granting this petition. RCW 46.25.030. If the court grants this Petition, I may not operate a motor vehicle on the public highways without a valid operator's license and proof of liability insurance pursuant to RCW 46.29.490. If my wrongful conduct is the result of or caused by alcohol dependency, I shall also be required to apply for an ignition interlock driver's license and to install an ignition interlock device under RCW 46.20.720(2) and RCW 46.20.385. The required periods of use of the interlock shall be not less than the periods provided for in RCW 46.20.720 (3)(a), (b) and (c). I may also be required to pay restitution to victims, pay court costs, and pay probation costs authorized by law. To help ensure continued sobriety and reduce the likelihood of reoffense, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for alcoholism or drugs, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. Alcoholism programs shall require a minimum of two self-help recovery groups per week for the duration of the treatment program. The court may terminate the deferred prosecution program if I violate this paragraph.

13. If the court grants this petition, during the period of deferred prosecution I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if my wrongful conduct involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; (iv) a sexual offense that requires me to register as a sex offender in Washington state. I understand that I will be required to pay an application fee with my travel or transfer request.

14. If I fail or neglect to comply with any part of my treatment plan or with any ignition interlock driver's license or ignition interlock device requirements, then the court shall either order me to comply with the term or condition or be removed from deferred prosecution (RCW 10.05.090). After the hearing, the court will either order that I continue with treatment or be removed from deferred prosecution and enter judgment. If I am convicted of a similar offense during the deferred prosecution, the court will revoke the deferred prosecution and enter judgment.

15. The court will dismiss the charge(s) against me in this case three years from the end of the two-year treatment program and following proof to the court that I have complied with the conditions imposed by the court following successful completion of the two-year treatment program, but no less than five years from the date the deferred prosecution is granted, if the court grants this petition and if I fully comply with all the terms of the court order placing me on deferred prosecution.

I certify under penalty of perjury under the laws of the state of Washington that I have read the foregoing and agree

with all of its provisions and that all statements made are true and correct.

Dated at _____, Washington this ___ day of _____, ____.

Petitioner-Defendant

Defense Attorney/WSBA No.

Court of Washington
for _____

Plaintiff,

vs.

Defendant.

No: _____

**Petition for Deferred
Prosecution of Criminal
Mistreatment Charge
(DPPF)**

Violation Date: _____

I am the defendant in this case and I petition the court for deferred prosecution of a criminal mistreatment charge under RCW Chapter 10.05. Following are my statements in support of this petition:

1. I am the natural or adoptive parent of the alleged victim.
2. The wrongful conduct charged is the result of parenting problems for which I am in need of services.
3. I am in need of child welfare services under chapter 74.13 RCW to improve my parenting skills in order to better provide my child(ren) with the basic necessities of life.
4. I want to correct my conduct to reduce the likelihood of harm to my child(ren).
5. I have cooperated with the Department of Social and Health Services to develop a plan to receive appropriate child welfare services.
6. I agree to pay the cost of the services if I am financially able to do so.
7. I understand that the court will not accept a petition for deferred prosecution from me if I sincerely believe that I am innocent of the crime(s) or if I sincerely believe that I do not need child welfare services.
8. I have not previously been placed on a deferred prosecution for a Chapter 9A.42 RCW or similar municipal ordinance violation.

9. The Department of Social and Health Services' case history and child welfare service plan have been filed with this petition as required by RCW 10.05.020.

10. I have the following rights: (a) to have a lawyer represent me at all hearings; (b) to have a lawyer appointed at public expense if I cannot afford one; (c) to have a speedy, public jury trial; (d) to appeal any conviction; (e) to remain silent and not testify; (f) to question witnesses who testify against me; (g) to call witnesses to testify for me, at no cost; (h) to be presumed innocent unless the charge(s) against me is (are) proved beyond a reasonable doubt; and (i) to present evidence and a defense. By deferring prosecution on these charges, I understand I give up my right to: (a) a speedy trial; (b) a jury; (c) testify on my own behalf; (d) call and (e) question witnesses; and (f) present evidence or a defense.

11. I agree that the facts as reported in the attached police reports are admissible in evidence and are sufficient to support conviction for the charged crime(s). I acknowledge that the above items will be used to support a finding of guilty if the deferred prosecution is revoked.

12. If my deferred prosecution is revoked and I am found guilty, I may be sentenced up to the maximum penalty allowed by law.

13. If I proceed to trial and I am found guilty, I may be allowed to seek suspension of some or all fines and incarceration if I seek treatment. I understand that I may seek treatment from a public or private agency at any time, whether or not I have been found guilty or placed on deferred prosecution.

14. If the court defers prosecution on any crime that would be a violation of a state law or local ordinance relating to motor vehicle traffic control, I will be disqualified from driving a commercial motor vehicle for the period specified in RCW 46.25.090, and if I drive a commercial motor vehicle holding a license issued by Washington State, I will be required to notify the Department of Licensing and my employer of this deferred prosecution within 30 days of the judge granting this petition. RCW 46.25.030. If the court grants this petition, I may not operate a motor vehicle on the public highways without a valid operator's license and proof of liability insurance pursuant to RCW 46.29.490. If my parenting problems and resulting wrongful conduct are based on alcohol dependency, I shall also be required to apply for an ignition interlock driver's license and to install an ignition interlock device under RCW 46.20.720(2) and RCW 46.20.-385. The required periods of use of the interlock shall be not less than the periods provided for in RCW 46.20.720 (3)(a), (b), and (c). I may also be required to pay restitution to victims, pay court costs, and pay probation costs authorized by law. To help ensure continued sobriety and reduce the likelihood of reoffense, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for alcoholism or drugs, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. Alcoholism programs shall require a minimum of two self-help recovery groups per week for the duration of the treatment program. The court may terminate the deferred prosecution program if I violate this paragraph.

15. If the court grants this petition, during the period of deferred prosecution I will be required to contact my probation officer, the probation director or designee, or the court if there is no probation department, to request permission to travel or transfer to another state if my wrongful conduct involves: (i) an offense in which a person has incurred direct or threatened physical or psychological harm; (ii) an offense that involves the use or possession of a firearm; (iii) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol; (iv) a sexual offense that requires me to register as a sex offender in Washington state. I understand that I will be required to pay an application fee with my travel or transfer request.

16. If I fail or neglect to comply with any part of my service plan, or with any ignition interlock driver's license or

ignition interlock device requirements, the court shall either order me to comply with the term or condition or be removed from deferred prosecution (RCW 10.05.090). The termination of my parental rights with regard to the alleged victim due to abuse or neglect that occurred during the pendency of the deferred prosecution shall be per se evidence that I did not successfully complete the service plan. After the hearing, the court will either order that I continue with treatment or be removed from deferred prosecution and enter judgment. If I am convicted of a similar offense during the deferred prosecution, the court will revoke the deferred prosecution and enter judgment.

17. If the court grants my petition, the court will dismiss the charge(s) against me in this case when the court receives proof that I have successfully completed the child welfare service plan, or the service plan has been terminated because the alleged victim has reached his or her majority and there are no other minor children in the home.

I certify under penalty of perjury under the laws of the state of Washington that I have read the foregoing and agree with all of its provisions and that all statements made are true and correct.

Dated at _____, Washington this ___ day of _____, ____.

Petitioner-Defendant

Defense Attorney/WSBA No.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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 10-01-049
RULES OF COURT
STATE SUPREME COURT
[December 7, 2009]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO ELC 2.7-) NO. 25700-A-944
CONFLICTS REVIEW OFFICER, CR 26-)
GENERAL PROVISIONS GOVERNING)
DISCOVERY AND CR 45-SUBPOENA)

The Washington State Bar Association having recommended the adoption of the proposed amendments to ELC 2.7-Conflicts Review Officer, CR 26-General Provisions Governing Discovery and CR 45-Subpoena, and the Court having determined that the proposed amendments will aid in the prompt and orderly administration of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

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

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

DATED at Olympia, Washington this 7th day of December, 2009.

	<u>Alexander, C. J.</u>
<u>C. Johnson, J.</u>	<u>Owens, J.</u>
<u>Madsen, J.</u>	<u>Fairhurst, J.</u>
<u>Sanders, J.</u>	<u>J.M. Johnson, J.</u>
<u>Chambers, J.</u>	<u>Stephens, J.</u>

**SUGGESTED AMENDMENT
RULE FOR ENFORCEMENT OF LAWYER CONDUCT (ELC)
Rule 2.7 - Conflicts Review Officer**

(a) Function. ~~The Conflicts Review Officers reviews~~ grievances filed against disciplinary counsel, hearing officers and other lawyers employed by the Association, hearing officers, conflicts review officers and conflicts review officers pro tempore, and members of the Disciplinary Board, the Board of Governors, and the Supreme Court. Conflicts Review Officers also review grievances filed against persons who have been assigned cases as adjunct investigative counsel or special disciplinary counsel, or appointed in disability matters pursuant to ELC 8.2 (c)(2), at the time the grievance is filed.

(1) Limitation of Authority. A Conflicts Review Officer's duties are limited to performing the initial review of grievances covered by this Rule. After obtaining the respondent lawyer's response to the grievance, the A Conflicts Review Officer may obtain the respondent lawyer's response to the grievance, if he/she feels it necessary to do so, in his/her sole discretion. A Conflicts Review Officer may dismiss the grievance, defer the investigation, or assign the grievance to special disciplinary counsel for further investigation.

(2) Independence. The Conflicts Review Officers acts independently of disciplinary counsel and the Association.

(b) Appointment and Qualifications.

(1) The Supreme Court, on the recommendation of the Board of Governors, appoints an active member shall appoint three active members of the Association to a three-year renewable term as Conflicts Review Officers. Each Conflicts Review Officer is appointed for a three-year term on a staggered basis, and may be recommended for reappointment at the discretion of the Board of Governors. Applications shall be solicited from those eligible to serve, and submitted to the Board of Governors, in such manner as the Association deems most appropriate under the policies and procedures then in effect for recruitment and appointment of volunteers in the discipline system.

(2) When no Conflicts Review Officer is available to handle a matter due to conflict of interest or other good cause, the Supreme Court, on the recommendation of the Board of Governors, shall appoint a Conflicts Review Officer pro tempore for the matter.

(3) To be eligible for appointment as Conflicts Review Officer or Conflicts Review Officer pro tempore, a lawyer must have prior experience either as a Disciplinary Board member, or as disciplinary counsel, or special disciplinary counsel. The Conflicts Review Officers and Conflicts Review Officers pro tempore may have no other active role in the discipline system during the term of appointment. When the Conflicts Review Officer is not available to handle a matter due to conflict of interest or other good cause, on the recommendation of the Board of Governors, the Supreme Court will appoint a Conflicts Review Officer pro tempore for the matter.

(4) The Association shall assign matters to the Conflicts Review Officers in such a manner as to balance their case-loads insofar as it is practicable to do so.

(c) Access to Disciplinary Information. ~~The Conflicts Review Officers and Conflicts Review Officers pro tempore have has~~ access to any otherwise confidential disciplinary information necessary to perform the duties required by these rules. Conflicts Review Officers and Conflicts Review Officers pro tempore shall return original files to the Association promptly upon completion of the duties required by these rules and shall not retain copies.

(d) Compensation and Expenses. ~~The Association reimburses a Conflicts Review Officers and Conflicts Review Officers pro tempore for all necessary and reasonable expenses, and compensates a Conflicts Review Officer may~~ provide compensation at a level established by the Board of Governors.

**SUGGESTED AMENDMENT
CIVIL RULES (CR)**

RULE 26. General Provisions Regarding Discovery

a) [Unchanged.]

(b) Discovery Scope and Limits. ~~Unless otherwise limited by order of the court in accordance with these rules, the scope of discovery is as follows:~~

(1) – (5) [Unchanged.]

(6) Claims of Privilege or Protection as Trial-Preparation Materials for Information Produced. If information produced in discovery is subject to a claim of privilege or of protection as trial-preparation material, the party making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; and must take reasonable steps to retrieve the information if the party disclosed it before being notified. Either party may promptly present the information in camera to the court for a determination of the claim. The producing party must preserve the information until the claim is resolved.

(67) Discovery From Treating Health Care Providers. The party seeking discovery from a treating health care provider shall pay a reasonable fee for the reasonable time spent in responding to the discovery. If no agreement for the amount of the fee is reached in advance, absent an order to the contrary under section (c), the discovery shall occur and the health care provider or any party may later seek an order setting the amount of the fee to be paid by the party who

sought the discovery. This subsection shall not apply to the provision of records under RCW 70.02 or any similar statute, nor to discovery authorized under any rules for criminal matters.

(78) *Treaties or Conventions.* If the methods of discovery provided by applicable treaty or convention are inadequate or inequitable and additional discovery is not prohibited by the treaty or convention, a party may employ the discovery methods described in these rules to supplement the discovery method provided by such treaty or convention.

(c) - (j) [Unchanged.]

SUGGESTED AMENDMENT
CIVIL RULES (CR)
RULE 45. SUBPOENA

(a) [Unchanged.]

(b) Service.

(1) A subpoena may be served by any suitable person over 18 years of age by giving the person named therein a copy thereof, or by leaving a copy at the such person's dwelling house or usual place of such person's abode with some person of suitable age and discretion then residing therein. When service is made by any person other than an officer authorized to serve process, proof of service shall be made by affidavit.

(2) [Unchanged.]

(c) [Unchanged.]

(d) Duties in Responding to Subpoena.

(1) [Unchanged.]

(2) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information in camera to the court for a determination of the claim. The person responding to the subpoena must preserve the information until the claim is resolved.

(e) - (g) [Unchanged.]

(h) Form. A subpoena should be substantially in the form below.

Issued by the
SUPERIOR COURT FOR THE STATE OF
WASHINGTON
COUNTY
SUBPOENA IN A CIVIL CASE

v. CAUSE NUMBER:

TO:

YOU ARE COMMANDED to appear in the Superior Court of the State of Washington at the place, date, and time specified below to testify in the above case.

Table with 2 columns: PLACE OF TESTIMONY, COURTROOM; DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. CR 30 (b)(6).

Table with 2 columns: PLACE OF DEPOSITION, DATE AND TIME; METHOD OF RECORDING

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or tangible things at the place, date, and time specified below (list documents or objects):

Table with 2 columns: PLACE, DATE AND TIME

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

Table with 2 columns: PREMISES, DATE AND TIME

Table with 2 columns: ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT), DATE

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

PROOF OF SERVICE

Table with 2 columns: DATE, PLACE; MANNER OF SERVICE, TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the State of Washington that the foregoing information contained in the Proof of Service is true and correct.

Executed on DATE/PLACE SIGNATURE OF SERVER

ADDRESS OF SERVER

CR 45, Sections (c) & (d):
(c) [Unchanged.]
(d) (1) [Unchanged.]

(2) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information in camera to the court for a determination of the claim. The person responding to the subpoena must preserve the information until the claim is resolved.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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 10-01-052

**NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION**

[Filed December 9, 2009, 2:15 p.m.]

**NOTICE OF PUBLIC MEETINGS
FOR 2010**

Following is a schedule of meetings of the Washington state human rights commission for 2010.

With the exception of conference calls, the usual format for the meetings is a public forum on Thursday evenings from 7:00 p.m. to 9:00 p.m. (for meetings that have Thursdays noted) and a regular business meeting beginning at 9:00 a.m. on Friday. All meetings are held in accessible locations. The physical addresses of the meetings will be determined closer to the meeting dates. Please contact Tanya Calahan for the exact time and address (if not listed) or visit the commission's web site at www.hum.wa.gov and click on The Commission tab.

Conference calls start at 10 a.m. originating out of Olympia. Individuals can participate in commission meetings held by conference call by coming to the Commission's Headquarters Office, 711 South Capitol Way, Suite 402, Olympia, WA.

If you have questions or need an accommodation because of a disability, please contact Tanya Calahan at (360) 753-4876 or tcalahan@hum.wa.gov.

DATES	LOCATION
Friday, January 29	Olympia
Friday, February 26	Seattle
Friday, March 26	Olympia

Friday, April 30	Olympia
May 20-21 (Thursday and Friday)	Tri Cities
Friday, June 25	Olympia
Friday, July 30	Olympia (conference call)
Friday, August 27	Olympia
September 23-24 (Thursday and Friday)	Mt. Vernon
Friday, October 29	Olympia
November 18-19 (Thursday and Friday) Strategic Planning Meeting	Olympia
Friday, December 17	Olympia (conference call)

WSR 10-01-056

OFFICE OF THE GOVERNOR

[Filed December 10, 2009, 9:22 a.m.]

**NOTICE OF APPEAL
RCW 34.05.330(3)**

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On November 9, 2009, the Governor's Office received an appeal from Mr. William Higday relating to the Washington Fish and Wildlife Commission's denial of a petition to repeal or amend WAC 232-12-017. Governor Gregoire denied his appeal on December 7, 2009

DATE: December 7, 2009

Martin C. Loesch
Director of External Affairs
and Senior Counsel

December 7, 2009

William Higday
6827 Whitmore Drive NW
Gig Harbor, WA 98335-6259

Re: Administrative Rule Appeal - WAC 232-12-017

Dear Mr. Higday:

Thank you for your email dated October 16, 2009, and written appeal to the Governor received November 9, 2009, concerning the above-referenced rule. This appeal was received by the Governor's Office 40 days after the statutory due date of September 30, 2009. Your initial email to this office was received 16 days late. Technically, under the Administrative Procedure Act, it is untimely and cannot be considered by the Governor.

Since your petition is untimely, the Governor lacks jurisdiction to either grant or deny it. Notwithstanding this, the Gov-

ernor appreciates your expression of concerns about WAC 232-12-017.

Very truly yours,
 Martin C. Loesch
 Director of External Affairs
 and Senior Counsel

WSR 10-01-057
PUBLIC RECORDS OFFICER
BOARD OF TAX APPEALS
 [Filed December 10, 2009, 9:23 a.m.]

Following is the contact information for the public records officer of the board of tax appeals. Pursuant to section 3, chapter 483, Laws of 2005, the information to be printed in the Washington state register is as follows: Victoria Walker, 910 5th Avenue S.E., P.O. Box 40915, Olympia, WA 98504-0915, e-mail vwalker@bta.state.wa.us, phone (360) 753-5446, fax (360) 586-9020.

Stephen V. Saynisch
 Executive Director

WSR 10-01-058
NOTICE OF PUBLIC MEETINGS
SEED POTATO COMMISSION
 [Filed December 10, 2009, 9:23 a.m.]

2010
COMMISSION MEETING SCHEDULE

The Washington seed potato commission meetings have been scheduled as follows:

Thursday, February 4	12:00 p.m.	Homestead Farms Board Room Lynden
Thursday, April 1	12:00 p.m.	Homestead Farms Board Room Lynden
Thursday, June 3	12:00 p.m.	Homestead Farms Board Room Lynden
Thursday, August 5	12:00 p.m.	Homestead Farms Board Room Lynden
Thursday, October 7	12:00 p.m.	Homestead Farms Board Room Lynden
Thursday, December 2	12:00 p.m.	Homestead Farms Board Room Lynden

WSR 10-01-064
NOTICE OF PUBLIC MEETINGS
LEGISLATIVE ETHICS BOARD
 [Filed December 11, 2009, 9:04 a.m.]

The legislative ethics board has established the following meeting schedule for 2010.

All meetings are scheduled for Olympia, at noon, in Senate Hearing Room 3, John A. Cherberg Building.

- January 20
- February 18
- March 10
- April 15
- June 17
- August 19
- September 30
- December 2

The September and December meetings are tentative and subject to change depending upon when the legislature schedules its committee assembly days.

WSR 10-01-065
JOINT ADMINISTRATIVE
RULES REVIEW COMMITTEE
 [Filed December 11, 2009, 10:34 a.m.]

Notice of Objection Regarding 2009 Changes to
 the State Energy Code, Chapter 51-11 WAC

The Joint Administrative Rules Review Committee (Committee) finds that, in adopting the 2009 proposed changes to the State Energy Code, Chapter 51-11 WAC, on November 20, 2009, the State Building Code Council (Council) failed to comply with all requirements of the law and failed to adequately respond to the Committee's request for additional economic impact and cost-benefit analyses prior to adoption.

On October 1, 2009, the Committee found that the Small Business Economic Impact Statement (SBEIS) for the proposed changes filed with the Code Reviser failed to comply with all requirements of law. The Committee requested that the Council conduct a cost-benefit analysis pursuant to RCW 34.05.328 and amend the SBEIS to provide additional economic impact information, including an estimate of the number of jobs that would be created or lost as a result of compliance with all the proposed rules, as required by RCW 19.85-040 (2)(d).

The Council provided the Committee with information and data on November 18, 2009. On December 2, 2009, the Committee found that the Council failed to adequately respond to the Committee's request for additional data. Specifically, the Committee found that the Council failed to amend the SBEIS to (a) estimate the number of jobs that would be created or lost as a result of compliance with the proposed changes; and (b) support the SBEIS with a detailed and rigorous costs analysis of the cumulative impact of all the

changes. In addition, the Committee found that the Council failed to provide the Committee with a cost-benefit analysis of the proposed changes and pursuant to the requirements of RCW 34.05.328.

The Committee strongly supports a process that makes thoughtful and informed progress towards changes that result in improved energy efficiency in our buildings, wherever practicable. While the Council worked diligently, it is the opinion of the Committee that the Council did not fully develop and consider the economic impacts and costs versus benefits of these significant changes to our Energy Code. Furthermore, it is the opinion of the Committee that the Council and the Legislature need this information to fully evaluate the value, impacts, and consequences of the proposed codes, with due diligence to their respective fiduciary responsibilities, in order to create the best informed public policy.

As a result, the Committee recommends that the Governor suspend the adoption and implementation of the changes to the Energy Code, Chapter 51-11 WAC, adopted by the Council on November 20, 2009, until such time as a more adequate analysis has been completed and considered by the appropriate bodies.

For all of the above stated reasons, the Committee objects to the changes to the State Energy Code, Chapter 51-11 WAC, that were adopted by the Council on November 20, 2009, and hereby directs the Code Reviser, pursuant to RCW 34.05.640(4), to publish this Notice of Objection in the Washington State Register and along with any publication in the Washington Administrative Code of changes to Chapter 51-11 WAC that were adopted by the Council in 2009 and filed with the Code Reviser.

Thank you for your assistance.

Sincerely,
Bob Hasegawa
Chair
Joel Kretz
Vice-Chair

WSR 10-01-066
INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE
[Filed December 11, 2009, 10:29 a.m.]

INTERPRETIVE STATEMENT ISSUED

ETA 3158.2009
Eligibility for the B&O Tax Exemption for Wholesale Sales Between New Car Dealers When Making a Purchase Under an Asset Purchase Agreement

This excise tax advisory explains how the B&O tax exemption provided by RCW 82.04.422(2) for wholesale sales of new motor vehicles between new car dealers applies when the sale is made under the terms of an "asset purchase agreement" (APA).

A copy of this document is available via the internet at <http://dor.wa.gov/content/FindALawOrRule/ETA/default.aspx>.

Alan R. Lynn
Rules Coordinator

WSR 10-01-070
NOTICE OF PUBLIC MEETINGS
PUBLIC DISCLOSURE COMMISSION

[Filed December 14, 2009, 8:29 a.m.]

The following is a list of the meetings currently scheduled for the public disclosure commission for the year 2010:

- Thursday, January 28
- Friday, January 29
- Friday, February 26
- Thursday, March 25
- Thursday, April 22
- Thursday, May 27
- Thursday, June 24
- Thursday, July 22
- Thursday, August 26
- Thursday, September 23
- Thursday, October 28
- Thursday, December 2

WSR 10-01-071
NOTICE OF PUBLIC MEETINGS
ARTS COMMISSION
[Filed December 14, 2009, 10:44 a.m.]

2009 SCHEDULE OF QUARTERLY MEETINGS - ADDITIONAL MEETING

Please note the addition of a special meeting of the Washington State Arts Commission to be held:

Thursday, December 17, 2009	Location: By toll-free conference call	For Commissioners: dial 1 (888) 550-5602 and enter 9311 6303 For the Public: dial 1 (888) 550-5602 or +1 212-812-2800 and enter 8781 2689
Convenes: 11 a.m. - Adjourns: 11:30 a.m.		

Notice was sent to all members of the governing body and all people who have made written request for notice of meetings on December 8, 2009, more than twenty-four hours in advance of the meeting according to WAC 30-08-03(2) [30-08-030(2)]. In addition, notice of the meeting was posted on our web site at www.arts.wa.gov on December 8, 2009.

WSR 10-01-077
NOTICE OF PUBLIC MEETINGS
SECRETARY OF STATE
 (State Records Committee)
 [Filed December 15, 2009, 9:26 a.m.]

2010 Schedule

The state records committee meets on the first Wednesday of every month at 1:30 at the Washington state archives.

January 6, 2010
 February 3, 2010
 March 3, 2010
 April 7, 2010
 May 5, 2010
 June 2, 2010
 July 7, 2010
 August 4, 2010
 September 1, 2010
 October 6, 2010
 November 3, 2010
 December 1, 2010

WSR 10-01-078
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
CLEAN AIR AGENCY
 [Filed December 15, 2009, 9:26 a.m.]

Following is the list of board of directors meeting dates for publication in the Washington state register for the year 2010. If you have any questions, please call Carol Pogers at (206) 689-4080.

DATE
 January 28, 2010
 February 25, 2010
 March 25, 2010
 April 22, 2010
 May 27, 2010
 June 24, 2010
 July 22, 2010
 No meeting
 September 23, 2010
 October 28, 2010
 November 18, 2010
 December 16, 2010

WSR 10-01-079
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE
REHABILITATION COUNCIL
 [Filed December 15, 2009, 12:07 p.m.]

NOTICE OF PUBLIC MEETING

Friday, January 15, 2010
 9:00 a.m. to 4:00 p.m.

Ramada Inn
4520 Martin Way East
Olympia, WA 98516

All portions of this meeting are open to the public. This meeting will be accessible for those who use American Sign Language. The Intercity Transit bus routes that stop nearest the meeting location are 62A and 62B. The nearest stop is on Martin and College.

The Washington state rehabilitation council is a group of fifteen volunteers who the governor has asked to make sure that DVR is providing good services that help people get and keep jobs they like. Our members meet each quarter. This quarter we are meeting in Olympia.

Meeting discussions will include:

- Annual Council elections;
- A short update about the state of affairs within DVR, including the status of the search for a new DVR Director;
- Update on the State budget and the impact of proposed cuts;
- A short Q&A about the implementation of Project HIRE in Thurston County.

For more information, or to request reasonable accommodation or a spoken language interpreter, contact JoAnne at 1-866-252-2939 or e-mail langjk@dshs.wa.gov.

WSR 10-01-080
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE
REHABILITATION COUNCIL
 [Filed December 15, 2009, 12:12 p.m.]

The Members of the Washington State Rehabilitation Council want to learn from you!
We invite you to join us:

Thursday, January 14, 2010
2:00 p.m. - 4:00 p.m.

Ramada Inn
4820 Martin Way East
Olympia, WA 98516

This forum will be accessible to those using American Sign Language. Light refreshments will be provided.

You are receiving this invitation because you may be working with a counselor from the division of vocational

rehabilitation (DVR) to find a job, or you may be a provider of services who partners with DVR in assisting people to go to work.

The Washington state rehabilitation council is a group of volunteers who the governor has asked to make sure that DVR is providing good services that help people get and keep jobs they like.

We want to hear whether you think the services DVR provides are effective or not. Do you have ideas about how the system might work better? We are coming to Thurston County to listen and learn. You don't have to attend if you don't want to. Your access to DVR services won't be affected by your attendance.

We welcome whatever you want to say. Here are some sample questions that help our members understand your experience in the DVR service system:

- If you call DVR does someone call you back within twenty-four hours?
- What do you think every customer needs to know about working with DVR?
- DVR is here to help its customers go to work. Do you think the services you are receiving will help you get and keep a job you like?
- What have you liked about working with DVR and what have you not liked?

If you want to participate but can't attend in person we still want to hear from you. There are two ways to participate without actually coming to the meeting. You can e-mail comments to langjk@dshs.wa.gov or you can participate in the meeting by phone. To participate in the meeting by phone dial: 1-866-699-3239, after dialing in provide this Attendee access code: 20285550.

For more information, or to request reasonable accommodation or a spoken language interpreter, contact JoAnne at 1-866-252-2939 or e-mail langjk@dshs.wa.gov.

DO YOU RIDE THE BUS?: The fixed Intercity bus routes with the nearest stop to our meeting location are 62A or 62B. The nearest stop is on Martin and College.

WSR 10-01-081
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE
REHABILITATION COUNCIL

[Filed December 15, 2009, 12:15 p.m.]

NOTICE OF PUBLIC MEETING

Friday, January 14, 2010
 8:30 a.m. to 4:00 p.m.

Ramada Inn
4520 Martin Way East
Olympia, Washington 98516

All portions of this meeting are open to the public. This meeting will be accessible for those who use American Sign Language. The Intercity Transit bus routes that stop nearest the meeting location are 62A and 62B. The nearest stop is on Martin and College.

The Washington state rehabilitation council is a group of fifteen volunteers who the governor has asked to make sure that DVR is providing good services that help people get and keep jobs they like. Our members meet each quarter. This quarter we are meeting in Olympia.

Meeting discussions will include:

- Meetings of council subcommittees to review and revise work plan objectives.

For more information, or to request reasonable accommodation or a spoken language interpreter, contact JoAnne at 1-866-252-2939 or e-mail langjk@dshs.wa.gov.

WSR 10-01-085
NOTICE OF PUBLIC MEETINGS
BOARD OF
PILOTAGE COMMISSIONERS

[Filed December 16, 2009, 8:23 a.m.]

2010 MEETING SCHEDULE

The Washington state board of pilotage commissioners meets on the second Thursday of each month unless otherwise rescheduled or canceled. Meetings are held at 9:30 a.m., at 2901 Third Avenue, Seattle, WA. Following is the schedule of 2010 board meetings:

- January 14
- February 11
- March 11
- April 8
- May 13
- June 10
- July 8
- August 12
- September 9
- October 14
- November 18
- December 9

In accordance with RCW 42.30.075, this schedule of regular meeting dates for the board of pilotage commissioners is filed with the office of the code reviser for publication in the Washington state register.

WSR 10-01-086
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
JUDICIAL CONDUCT

[Filed December 16, 2009, 9:11 a.m.]

The commission on judicial conduct will hold their year 2010 business meetings at 11:00 a.m. on the following dates at the Holiday Inn Express Hotel & Suites, 19621 International Boulevard, SeaTac, WA 98188.

February 26, 2010 Holiday Inn Express Hotel & Suites
19621 International Boulevard
SeaTac, WA 98188

May 7, 2010 Holiday Inn Express Hotel & Suites

July 9, 2010 Holiday Inn Express Hotel & Suites

September 24, 2010 Holiday Inn Express Hotel & Suites

December 3, 2010 Holiday Inn Express Hotel & Suites

WSR 10-01-094
RULES COORDINATOR
PARKS AND RECREATION
COMMISSION

[Filed December 16, 2009, 11:53 a.m.]

Pursuant to RCW 34.05.312, the contact information rules coordinator for the Washington state parks and recreation commission is Jim French, 1111 Israel Road S.W., P.O. Box 42650, Olympia, WA 98504-2650, phone (360) 982-8686, fax (360) 586-6580, Jim.french@parks.wa.gov.

Judy Johnson
Deputy Director

WSR 10-01-092
NOTICE OF PUBLIC MEETINGS
LOTTERY COMMISSION

[Filed December 16, 2009, 11:53 a.m.]

Meeting Dates and Locations 2010		
Work Session Meetings will start at 8:30 a.m. Formal meetings will follow the work session after a short break		
February 4, 2010	Lottery Headquarters Drawing Studio	Olympia, Washington
April 29, 2010	Lottery Headquarters Drawing Studio	Olympia, Washington
June 3, 2010	Lottery Headquarters Drawing Studio	Olympia, Washington
August 26, 2010	Lottery Headquarters Drawing Studio	Olympia, Washington
October 28, 2010	Lottery Headquarters Drawing Studio	Olympia, Washington

WSR 10-01-093
NOTICE OF PUBLIC MEETINGS
GRAYS HARBOR COLLEGE

[Filed December 16, 2009, 11:53 a.m.]

The Grays Harbor College board of trustees will meet in the boardroom on the main campus in the Jewell C. Manspeaker Instructional Building, unless otherwise noted, on the following dates at 1:00 p.m.

Tuesday, January 19, 2010
Tuesday, February 16, 2010
Tuesday, March 16, 2010
Tuesday, April 20, 2010
Tuesday, May 18, 2010
Tuesday, June 15, 2010
Tuesday, September 21, 2010
Tuesday, October 19, 2010
Tuesday, November 16, 2010

WSR 10-01-095
NOTICE OF PUBLIC MEETINGS
PARKS AND RECREATION
COMMISSION

[Filed December 16, 2009, 11:53 a.m.]

2010 Schedule of Regular Meetings

The Washington state parks and recreation commission's snowmobile advisory committee has adopted the following schedule of regular meetings for 2010:

Dates	Locations
February 5 and 6	Cle Elum Ranger District Okanogan and Wenatchee National Forests 803 West 2nd Street Cle Elum, WA 98922 (509) 852-1100
July 30 and 31	Washington State Parks and Recreation Commission Eastern Region 270 Ninth Street N.E., Suite 200 East Wenatchee, WA 98802 (509) 665-4319

The state parks and recreation commission's winter recreation (sno-park) advisory committee has adopted the following schedule of regular meetings for 2010:

Dates	Locations
January 29 and 30	Escape to the Mountains - Nisqually Lodge 31609 S.R. 706 Ashford, WA 98304 1-888-674-3554 (360) 569-8804
July 16 and 17	Washington State Parks and Recreation Commission Eastern Region 270 Ninth Street N.E., Suite 200 East Wenatchee, WA 98802 (509) 665-4319

All snowmobile advisory committee and winter recreation advisory committee meetings will begin at 8 a.m. The meeting locations of the snowmobile and the winter recreation advisory committees may be obtained by writing to Pam McConkey, Washington State Parks and Recreation Commission, P.O. Box 42650, Olympia, WA 98504-2650, e-mail pam.mcconkey@parks.wa.gov, or by calling (360) 902-8595.

The public is welcome to attend all state park and recreation commission advisory committee 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 ten working days in advance of the scheduled meeting date.

WSR 10-01-096

**NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE**

[Filed December 16, 2009, 1:38 p.m.]

Please be advised of the following addition to the 2010 regular meeting schedule of the Edmonds Community College board of trustees.

**The following special study session has been added:
Thursday, January 28, 4:30 p.m., Edmonds Community College, 20000 68th Avenue West, Snohomish Hall 304, Lynnwood, WA.**

If you have any questions, please feel free to contact Patty Michajla at (425) 640-1516.

WSR 10-01-100

**NOTICE OF PUBLIC MEETINGS
ATTORNEY GENERAL'S OFFICE**

(Public Records Exemptions Accountability Committee)

[Filed December 17, 2009, 11:16 a.m.]

Following is the schedule of the regular meetings of the public records exemptions accountability committee ("Sunshine" committee) for 2010:

- March 23, 2010 John A. Cherberg Building
9 a.m. - 1 p.m. Conference Room ABC
 Olympia, Washington
- May 18, 2010 John A. Cherberg Building
9 a.m. - 1 p.m. Hearing Room 1
 Olympia, Washington
- August 17, 2010 John A. Cherberg Building
9 a.m. - 1 p.m. Conference Room ABC
 Olympia, Washington
- October 19, 2010 John A. Cherberg Building
9 a.m. - 1 p.m. Hearing Room 1
 Olympia, Washington

Meetings will commence at 9:00 a.m. and run until 1 p.m. Some meetings may be rescheduled or relocated. The building and room number of each meeting, together with meeting agenda and other information, may be accessed five to seven days prior to each meeting at <http://www.atg.wa.gov/opengovernment/sunshine.aspx>. To join a listserv and receive notices, please access this web site.

If you have any questions about the meeting schedule, please contact Ruthann Bryant at (360) 586-3265 or e-mail at RuthannB@atg.wa.gov.

WSR 10-01-101

**AGENDA
ENERGY FACILITY SITE
EVALUATION COUNCIL**

[Filed December 17, 2009, 11:16 a.m.]

**SEMI-ANNUAL RULE MAKING AGENDA
JANUARY - JUNE 2010**

Following is the energy facility site evaluation council's semi-annual rules development agenda for publication in the Washington state register, pursuant to RCW 34.05.314. There may be additional rule-making activity not on the agenda as conditions warrant.

Please contact Allen J. Fiksdal if you have questions, allen.fiksdal@commerce.wa.gov or (360) 956-2152.

WAC Citation	Subject Matter/ Purpose of Rule	Current Activity/ Approximate Filing Date
Title 463	Greenhouse gas emission reporting rule for owners or operators of facilities permitted by EFSEC. Required by E2SHB 2815.	CR-101 filed August 13, 2008. Coordinating with ecology on rule development. CR-102 possible in January 2010, with adoption in March 2010.

Allen J. Fiksdal
Rules Coordinator

WSR 10-01-104

**NOTICE OF PUBLIC MEETINGS
STATE INDEPENDENT
LIVING COUNCIL**

[Filed December 17, 2009, 11:53 a.m.]

**Public Announcement
SILC Quarterly Meeting**

Thursday, January 21, 2010
8:30 a.m. to 3 p.m.
Olympia Center
222 Columbia Street N.W.

Room 101/102
Olympia, WA

To promote accessibility, a live stream of the CART/captions will be available to participants in remote locations via a web site. Please access this web site on your computer: <http://www.streamtext.net/text.aspx?event=SILC>. The event will be available shortly before the beginning of the meeting.

You may also call 877-216-1555, Passcode: 815648# (pound sign) to participate in the meeting.

ASL interpreters and real-time captioning will be provided. For foreign speaking interpreters, please contact Barbara Hathaway, (360) 725-3695 (voice), 866-890-4539 (VP - (Video Phone)), (360) 725-3693 (TTY/TDD), or by e-mail hathab@dshs.wa.gov or honanrw@dshs.wa.gov, (360) 725-3695 (v) for additional accommodation requests or information.

WSR 10-01-111
NOTICE OF PUBLIC MEETINGS
MUNICIPAL RESEARCH COUNCIL

[Filed December 17, 2009, 1:54 p.m.]

The municipal research council work session schedule for 2010 is on January 28, 2010, in Olympia at the Olympia Red Lion Inn, and on June 22-25, 2010, in Vancouver, in conjunction with the Association of Washington Cities (AWC) annual conference at the Hilton Vancouver Conference Center.

WSR 10-01-113
RULES COORDINATOR
UNIVERSITY OF WASHINGTON

[Filed December 17, 2009, 2:20 p.m.]

Pursuant to RCW 34.05.312, the rules coordinator for the University of Washington, Rebecca Goodwin Deardorff, has moved. Her new address is University of Washington, Rules Coordination Office, Box 351210, Seattle, WA 98195-1210, her new fax number is (206) 685-3825 and her new e-mail address is rules@uw.edu. All other contact information remains the same.

Rebecca Goodwin Deardorff
Director of Rules Coordination

WSR 10-01-116
INTERPRETIVE AND POLICY STATEMENT
DEPARTMENT OF HEALTH

[Filed December 17, 2009, 2:48 p.m.]

NOTICE OF ADOPTION OF A POLICY STATEMENT OR INTERPRETIVE STATEMENT

Title of Policy/Interpretive Statement: Practice of Medicine and Body Art - other severing or penetrating of human tissue.

Issuing Entity: Medical quality assurance division.
Subject Matter: Practice of medicine and body art - other severing or penetrating of human tissue.

Effective Date: December 4, 2009.

Contact Person: Julie Kitten, Program Manager, Medical Quality Assurance Division, Department of Health, P.O. Box 47866, Olympia, WA 98504-7866, (360) 236-2757.

WSR 10-01-117
NOTICE OF PUBLIC MEETINGS
STATE BOARD OF HEALTH

[Filed December 17, 2009, 3:21 p.m.]

2010 Proposed Board/Council Meeting Schedule

	Meeting Date	County	Location
Board	January 13, 2010	Thurston	DOH Point Plaza East Building 310 Israel Road S.E. Tumwater, WA 98501
Council	February 4, 2010	Thurston	Teleconference DOH Point Plaza East Building 310 Israel Road S.E. Tumwater, WA 98501
Board	March 10, 2010	Thurston	Great Wolf Lodge 20500 Old Highway 99 S.W. Grand Mound, WA 985311 [98531]
Board	April 14, 2010		Tentative - meet if needed
Council	May 13, 2010	King	To be determined
Board	June 9, 2010	Snohomish	Everett - to be determined
Board	July 14, 2010		Tentative - meet if needed
Board	August 11, 2010	To be determined	To be determined by 2010-11 budget
Council	September 9, 2010		To be determined
Board	October 13, 2010	To be determined	To be determined by 2010-11 budget
Board	November 10, 2010	To be determined	To be determined by 2010-11 budget
Council	December 9, 2010	King	To be determined

Locations subject to change as needed. See our web site at www.sboh.wa.gov for the most current information.

WSR 10-01-119
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF INFORMATION SERVICES

[Filed December 18, 2009, 8:57 a.m.]

The following 2010 meeting notices are to be published in the Washington state register.

Information services board, all meetings are held from 1:00 - 5:00 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA. The board will meet informally for lunch prior to the meeting.

- January 14
- March 11
- May 13
- July 8
- September 9
- November 18

K-20 network board, all meetings are held from 1:30 - 3:30 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- March 9
- June 8
- September 14
- December 14

State interoperability executive committee, all meetings are held from 1:30 - 3:30 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- February 18
- April 15
- June 17
- August 19
- October 21
- December 16

Washington state geographic information council, all meetings are held from 10:00 a.m. - 12:00 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- February 18
- April 15
- June 17
- August 19
- October 21
- December 16

Geographic information technology committee, all meetings are held from 10:00 a.m. - 12:00 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- March 25
- June 18

- September 23
- December 17

Washington integrated justice information board, all meetings are held from 10:00 a.m. - 12:00 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

- January 19
- April 20
- July 20
- October 19

Enterprise architecture program committee, meetings are held every other week starting January 6 from 10:30 a.m. - 12:30 p.m., in the department of information services boardroom located on the 2nd floor of the James R. Larson Forum Building, 605 East 11th Street, Olympia, WA.

For further information please contact Laurel McMillan at (360) 902-3566.

WSR 10-01-120
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION
OFFICE

(Salmon Recovery Funding Board)
 [Filed December 18, 2009, 8:57 a.m.]

At a regular meeting on October 16, 2009, the salmon recovery funding board adopted the following meeting schedule:

Dates	Location
February 18-19, 2010	Olympia Natural Resources Building Room 175
May 20-21, 2010	Bellingham Location to be determined
October 7-8, 2010	Yakima Location to be determined
December 9-10, 2010	Olympia Natural Resources Building Room 172

WSR 10-01-121
NOTICE OF PUBLIC MEETINGS
CLARK COLLEGE

[Filed December 18, 2009, 8:58 a.m.]

Pursuant to RCW 42.30.075, this letter notifies you of the board of trustees meeting schedule for Clark College for the year of 2010.

The board of trustees of Clark College will hold its general meetings on the fourth Tuesday of the month at 5:00 p.m.

except in the months of January, February, and July 2010. All meetings are held at Clark College in the Ellis Dunn Community Room GH1 213 in Gaiser Hall.

- January 19
- February 16
- March 23
(Tenure Vote)
- April 27
- May 25
- June 22
- July - No regular meeting.
We will hold special meetings
on July 20 and 27
- August 24
- September 28
- October 26
- November 23
- December 28

WSR 10-01-123
NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD
 [Filed December 18, 2009, 10:38 a.m.]

Notice of 2010 Regular Meetings

Per RCW 42.30.075, the forest practices board will hold meetings on:

February 10 9 a.m. Regular Meeting	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia
May 11 9 a.m. Regular Meeting - rescheduled from May 12	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia
August 10 9 a.m. Regular Meeting - rescheduled from August 11	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia
November 9 9 a.m. Regular Meeting - rescheduled from November 10	Natural Resources Building 1111 Washington Street S.E. Room 172 Olympia

WSR 10-01-127
NOTICE OF PUBLIC MEETINGS
DAIRY PRODUCTS COMMISSION

[Filed December 18, 2009, 3:39 p.m.]

2010 Regular Meeting Schedule

DATE	LOCATION	TIME
February 2-3	Dairy Center 4201 198th Street S.W. Suite 101 Lynnwood, WA 98036	10:30 a.m. - February 2 8:30 a.m. - February 3
April 27-28	Sunnyside, Washington Location to be determined	TBD
June 24-25	Embassy Suites 20610 44th Avenue West Lynnwood, WA 98036	10:30 a.m. - June 24 8:30 a.m. - June 25
August 3-4	WA Dairy Center	10:30 a.m. - August 3 8:30 a.m. - August 4
September 28-29	WA Dairy Center	10:30 a.m. - Septem- ber 28 8:30 a.m. - Septem- ber 29
November 9	Location to be determined	TBD
December 8	WA Dairy Center	9:30 a.m.

NOTE: The above meetings are subject to change. Please confirm all meetings with Celeste Piette at (425) 672-0687 to verify date, time, and location. In addition, some meeting location and times are still to be determined.

WSR 10-01-143
PUBLIC RECORDS OFFICER
LIQUOR CONTROL BOARD
 [Filed December 21, 2009, 1:47 p.m.]

Pursuant to RCW 42.56.580, the public records officer for the Washington state liquor control board, effective December 25, 2009, is Clarissa Lundeen, 3000 Pacific Avenue S.E., Olympia, WA 98504-3080, phone (360) 664-1718, fax (360) 664-9689, e-mail clu@liq.wa.gov.

Pat Kohler
Administrative Director

WSR 10-01-145
NOTICE OF PUBLIC MEETINGS
BUILDING CODE COUNCIL
 [Filed December 21, 2009, 3:31 p.m.]

2010 Meeting Schedule

In accordance with RCW 42.30.075, the following is a proposed schedule of regular meetings of the Washington state building code council for calendar year 2010.

If you have questions or need additional information, please contact council staff at (360) 725-2966 or via e-mail at sbcc@cted.wa.gov.

January 8, 2010 Senate Hearing Room 3
JA Cherberg Building
Olympia

March 12, 2010 SeaTac Area
Location to be determined

May 14, 2010 SeaTac area
Location to be determined

June 11, 2010 SeaTac area
Location to be determined

September 10, 2010 Spokane area
Location to be determined

October 15, 2010 SeaTac area
Location to be determined

November 19, 2010 SeaTac area
Location to be determined

Tuesday
November 16, 2010

Seattle, Washington
Regular commission meeting
3:30 p.m. to 6:30 p.m.
Northwest African American Museum
2300 South Massachusetts Street
Seattle, WA 98144

All meetings are scheduled to begin at 10:00 a.m.

WSR 10-01-151
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
AFRICAN AMERICAN AFFAIRS

[Filed December 22, 2009, 8:55 a.m.]

Commission Meeting Schedule
Calendar Year 2010

Friday
February 12, 2010 **Olympia, Washington**
Regular commission meeting
Jointly hosted by the Black Education Strategy Roundtable
4:00 p.m. to 6:30 p.m.
Columbia Room, first floor of the legislative building (dome)
416 Sid Snyder Avenue S.W.
Olympia, WA 98504

Thursday
March 11, 2010 **Renton, Washington**
Regular commission meeting
3:30 p.m. to 6:30 p.m.
City University of Seattle
555 South Renton Village Place
Suite 3, Tower 3
Renton, WA 98057

Tuesday
May 25, 2010 **Tacoma, Washington**
Regular commission meeting
3:30 p.m. to 6:30 p.m.
Tacoma City Association of Colored Women's Clubs
2316 Yakima Avenue
Tacoma, WA 98405

Wednesday
September 29, 2010 **Spokane, Washington**
Regular commission meeting
3:30 p.m. to 6:30 p.m.
Community-Minded Enterprises
25 West Main Street
Suite 310
Spokane, WA 99205

WSR 10-01-152
NOTICE OF PUBLIC MEETINGS
CORRECTIONAL INDUSTRIES

[Filed December 22, 2009, 8:55 a.m.]

Meeting Dates for 2010

March 19 Tumwater
CI Headquarters

June 18 Tumwater
CI Headquarters

September 10 Tumwater
CI Headquarters

December 10 Tumwater
CI Headquarters

Contact: Danielle Wiles, (360) 725-9105.

WSR 10-01-153
NOTICE OF PUBLIC MEETINGS
GREEN RIVER
COMMUNITY COLLEGE

[Filed December 22, 2009, 8:55 a.m.]

Board of Trustees
Regular meeting Schedule - 2010

The board of trustees of Community College District No. 10 has set its regular meeting schedule for calendar year 2010. The board meets on the third Thursday of each month, commencing at 4:00 p.m., in the Board Room, Administration Building, Green River Community College, 12401 S.E. 320th Street, Auburn, WA 98092.

January 21
February 18
March 18
April 15
May 20
June 17
July 15
August 19
September 16
October 21
November 18
December 16

WSR 10-01-154
NOTICE OF PUBLIC MEETINGS
CENTER FOR CHILDHOOD
DEAFNESS AND HEARING LOSS
 [Filed December 22, 2009, 8:55 a.m.]

The Washington State Center for Childhood Deafness and Hearing Loss (formerly Washington School for the Deaf) board of trustees will be holding a brief board meeting on January 11, 2010, 5:30 - 8:30 p.m., at Doubletree Guest Suites Seattle Airport/Southcenter, Monterey 1 Meeting Room, 16500 Southcenter Parkway, Seattle, WA 98188-3388.

This date was originally reserved for a board budget committee meeting but has changed to a brief board meeting.

WSR 10-01-155
AGENDA
DEPARTMENT OF CORRECTIONS
 [Filed December 22, 2009, 9:58 a.m.]

Following is the department of corrections' semi-annual rule development agenda for publication in the Washington state register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

RULE DEVELOPMENT CALENDAR
 January - June 30, 2010

WAC Chapter or Section	Purpose
137-12A, 137-52, 137-54, and 137-60	To extend spousal rights and privileges to registered domestic partners.
137-59	Facility siting.
137-65	Costs of supervision.

John Nispel
 Rules Coordinator

WSR 10-01-157
AGENDA
WASHINGTON STATE PATROL
 [Filed December 22, 2009, 11:11 a.m.]

Semi-Annual Rule-Making Agenda
January through June 2010

The following is the Washington state patrol's (WSP) semi-annual rule-making agenda for publication in the Washington state register pursuant to RCW 34.05.314.

There may be additional rule-making activity not on the agenda as conditions warrant.

If you have any questions about this rule-making agenda, please contact Melissa Van Gorkom, Rules Coordinator, P.O. Box 42600, Olympia, WA 98504-2600, phone (360) 596-4017, fax (360) 596-4015, e-mail WSPrules@wsp.wa.gov.

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
WAC 204-36-040	The changes may include, but are not limited to, the addition of language to restrict signs/shields that may imply the operator is a law enforcement officer.	WSR 09-17-038 filed August 10, 2009	WSR 09-22-077 filed November 3, 2009	WSR 10-01-110 filed December 17, 2009
New rule WAC 446-65-040	Compliance review hearing process. This rule may include agency rules in light of the passage of HB 1843 in 2009 which becomes effective July 26, 2009.	WSR 09-17-039 filed August 10, 2009	WSR 09-22-079 filed November 3, 2009	WSR 10-01-129 filed December 21, 2009

WAC Citation	Subject Matter	Current Activity		
		Preproposal (CR-101)	Proposed (CR-102) or Expedited (CR-105)	Permanent (CR-103)
Chapter 446-20 WAC	The changes may include, but are not limited to, updating the fee language.	WSR 09-17-040 filed August 10, 2009	WSR 09-22-080 filed November 3, 2009	WSR 10-01-109 filed December 17, 2009
Chapter 446-16 WAC	The changes may include, but are not limited to, updates to the hours for the criminal history records, and audit reporting compliance requirements.	WSR 09-17-040 filed August 10, 2009	WSR 09-22-080 filed November 3, 2009	WSR 10-01-109 filed December 17, 2009
Chapter 448-16 WAC	Administration of the breath test program. The agency anticipates a need to update this language if proposed legislation passes in the 2010 session.	CR-101 in 2010	CR-102 in 2010	CR-103 in 2010
Chapter 204-50 WAC	Ignition interlock breath alcohol devices. The agency anticipates a need to update this language if proposed legislation passes in the 2010 session.	CR-101 in 2010	CR-102 in 2010	CR-103 in 2010

Melissa Van Gorkom
Rules Coordinator

WSR 10-01-173
DEPARTMENT OF ECOLOGY

[Filed December 22, 2009, 12:44 p.m.]

PUBLIC NOTICE

Public Workshops and Hearings to Accept Comments on the Proposed Modification of the General Permit for Aquatic Weed Control in Irrigation Systems

The department of ecology is proposing to modify the general permit for irrigation systems. The permit covers entities that use pesticides to control aquatic weeds in irrigation systems. The department of ecology is proposing to modify the permit in March 2010. The permit is called the "Irrigation System Aquatic Weed Control National Pollutant Discharge Elimination System (NPDES) and State Waste Discharge General Permit."

The modified draft permit and fact sheet are available for review and public comment from January 6, 2010, to Febru-

ary 19, 2010. The department of ecology will host an informational workshop and public hearing on its proposal. The public is encouraged to give written comments during the public comment period or oral comments at the public hearing.

Purpose of the Permit: The permit covers the discharge of pesticides used in irrigation systems in Washington state to control plant and algae growth. Under the Washington State Water Pollution Control Act, a permit is required to discharge pollutants that alter the biological or chemical characteristics of a water body. The proposed permit addresses these legal requirements and regulates the discharge of pollutants to protect water quality. The modification to the permit would allow the use of the pesticide endothall. Endothall is an alternative to acrolein, the pesticide that irrigation districts historically used but is being phased out.

The department of ecology issues a general permit in place of a series of individual permits for similar permitted activities. Individual activities that receive coverage under

the general permit must comply with the terms and conditions of the permit.

Requesting Copies of the Permit: You can request copies of the proposed permit and fact sheet by contacting Andrew Kolosseus at the department of ecology at the address below. The proposed permit modification and fact sheet are also available on-line at http://www.ecy.wa.gov/programs/wq/pesticides/irrigation/irrigation_index.html.

Entities Covered by Permit: The modified permit would continue to cover entities that are covered by the current permit. The following entities are covered under the current permit:

1. Cascade Irrigation District
2. Columbia Irrigation District
3. East Columbia Basin Irrigation District
4. Ellensburg Water Company
5. Kennewick Irrigation District
6. Kittitas Reclamation District
7. Naches-Selah Irrigation District
8. Quincy-Columbia Basin Irrigation District
9. Roza Irrigation District
10. Selah-Moxee Irrigation District
11. South Columbia Basin Irrigation District
12. Sunnyside Valley Irrigation District
13. Union Gap Irrigation District
14. Wenatchee Reclamation District
15. Westside Irrigating Company
16. Yakima-Tieton Irrigation District

New or currently nonpermitted entities may obtain coverage under the permit by submitting a complete permit application to the department of ecology.

Submitting Written and Oral Comments: The department of ecology will accept written and oral comments on the modified draft permit and fact sheet. Comments should be limited to the proposed modification to add endotoxin to the permit. Please submit written comments to Andrew Kolosseus, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7543, fax (360) 407-6426, e-mail akol461@ecy.wa.gov.

The department of ecology must **receive** written, e-mailed, and faxed comments **no later than 5 p.m. on Friday, February 19, 2010**. The public can make oral comments by testifying at the public hearings.

Public Workshop/Hearing: The workshop begins at 6:00 p.m. The hearing will begin when the workshop ends. The purpose of the workshop is to explain the general permit, describe the proposed modification, and answer questions. The purpose of the hearing is to provide an opportunity for people to give formal comments on the proposed modification of the permit. The public workshop and hearing on the draft permit will be held at Yakima, Washington, on February 9, 2010, at 6:00 p.m., at the Department of Ecology, Central Regional Office, 15 West Yakima Avenue, Suite 200, Yakima, WA 98902-3452.

Issuing the Final Permit: The department of ecology will decide if it will issue the modified permit after it considers all public comments. This would occur soon after the end of the public comment period. The permit would be effective thirty days later. The department of ecology will send a

response to everyone who commented on the proposed modification.

WSR 10-01-175

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH**

(Pesticide Incident Reporting and Tracking Review Panel)

[Filed December 22, 2009, 12:59 p.m.]

2010 PIRT Meeting Schedule

Date	Site	Address
January 21	DOH Tumwater	Town Center One Room 163 9:30 a.m. - 12:30 p.m.
February 18	L&I Tukwila	12806 Gateway Drive Training Room 9:30 a.m. - 12:30 p.m.
March 18	DOH Tumwater	Town Center One Room 163 9:30 a.m. - 12:30 p.m.
April 15	Yakima	To be determined
May 20	DOH Tumwater	Town Center One Room 163 9:30 a.m. - 12:30 p.m.
June 17	DOH Tumwater	Town Center One Room 163 9:30 a.m. - 12:30 p.m.
July 15	L&I Tukwila	12806 Gateway Drive Training Room 9:30 a.m. - 12:30 p.m.
August 19	DOH Tumwater	Town Center One Room 163 9:30 a.m. - 12:30 p.m.
September 16	DOH Tumwater	Town Center One Room 163 9:30 a.m. - 12:30 p.m.
October 21	L&I Tukwila	12806 Gateway Drive Training Room 9:30 a.m. - 12:30 p.m.
November 18	DOH Tumwater	Town Center One Room 163 9:30 a.m. - 12:30 p.m.
December 16	DOH Tumwater	Town Center One Room 163 9:30 a.m. - 12:30 p.m.

WSR 10-01-180

**NOTICE OF PUBLIC MEETINGS
HOUSING FINANCE COMMISSION**

[Filed December 22, 2009, 2:31 p.m.]

The Washington state housing finance commission will publish its regular meeting dates in a future Washington state register as required by RCW 42.30.075 for meetings remaining in 2010 following the completion of a rule-making process establishing its meetings as regular meetings. Regular meeting dates will also be posted on its web site at www.wshfc.org.

If you have any questions, please do not hesitate to contact Paul Edwards, deputy director at the commission at (206) 287-4462.

April 22, 2010	University of Washington Seattle, Washington
July 29, 2010	Department of Licensing Olympia, Washington
October 14, 2010	Washington State University Pullman, Washington

WSR 10-01-181
AGENDA
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed December 22, 2009, 2:33 p.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 10-03 issue of the Register.

All meetings begin at 9:30 a.m.
If you need additional information, contact Erica Hansen at (360) 664-6597 or e-mail landscape@dol.wa.gov.

WSR 10-01-182
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING

(Board for Architects)
[Filed December 22, 2009, 2:39 p.m.]

The Washington state board for architects 2010 meeting dates, times and locations are as follows:

Date	Location
January 15, 2010 9:00 a.m.	Tacoma Community College Tacoma, Washington
March 19, 2010 9:00 a.m.	University of Washington Seattle, Washington
April 16, 2010 10:00 a.m.	Department of Licensing Olympia, Washington
June 11, 2010 9:00 a.m.	Vancouver, Washington
July 16, 2010 10:00 a.m.	Department of Licensing Olympia, Washington
September 17, 2010 9:00 a.m.	Washington State University Pullman, Washington
November 19, 2010 10:00 a.m.	Department of Licensing Olympia, Washington

If you need additional information, contact Erica Hansen at (360) 664-6597 or e-mail architects@dol.wa.gov.

WSR 10-01-183
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
(Board of Registration for Landscape Architects)

[Filed December 22, 2009, 2:41 p.m.]

The board of registration for landscape architects 2010 meeting dates, times and locations are as follows:

Date	Location
February 4, 2010	Department of Licensing Olympia, Washington

WSR 10-01-184
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING

(Geologist Licensing Board)
[Filed December 22, 2009, 2:41 p.m.]

The geologist licensing board 2010 meeting dates, times and locations are as follows:

Date	Location
March 9, 2010	University of Washington Seattle, Washington
June 2, 2010	Olympia, Washington
September 28, 2010	Olympia, Washington
December 7, 2010	Olympia, Washington

All meetings begin at 9:00 a.m.
If you need additional information, contact Erica Hansen at (360) 664-6597 or e-mail geologist@dol.wa.gov.

WSR 10-01-185
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING

(Funeral and Cemetery Board)
[Filed December 22, 2009, 2:42 p.m.]

The Washington state funeral and cemetery board 2010 meeting dates, times and locations are as follows:

Date	Location
January 19, 2010	Department of Licensing Olympia, Washington
April 6, 2010	Department of Licensing Olympia, Washington
August 10, 2010	Department of Licensing Olympia, Washington
November 9, 2010	Department of Licensing Olympia, Washington

All meetings begin at 9:00 a.m.
If you need additional information, contact Jeanne Todd at (360) 664-1555 or e-mail funerals@dol.wa.gov.

**WSR 10-01-197
AGENDA
UTILITIES AND TRANSPORTATION
COMMISSION**

[Filed December 23, 2009, 8:26 a.m.]

The Washington utilities and transportation commission submits its semi-annual report rule development agenda for publication in the Washington state register pursuant to RCW 34.05.314.

Please direct any questions to Kippi Walker at (360) 664-1139 or kwalker@utc.wa.gov.

**Semi-Annual Rules Development Agency
(January 1 - June 30, 2010)**

This report is the utilities and transportation commission's semi-annual report rule development agenda for publication in the Washington state register pursuant to RCW 34.05.314.

Additional rule-making activity not on the agenda may be undertaken to meet conditions not now anticipated.

Dates that are in "bold" print, indicate that filing has occurred. All other dates are projected. The commission maintains a schedule of rule-making activity that is updated several times per month. See <www.utc.wa.gov>.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 OR CR-105	CR-103 HEARING	
WAC 480-70-016(3)	Solid waste—Definitions rule making	Penny Ingram (360) 664-1242	5/7/08	To be determined	To be determined	Consider the circumstances under which a hauler of construction and demolition waste is not required to have a solid waste certificate.
WAC 480-100	PURPA standards rule making	Steve Johnson (360) 664-1346	3/18/09	12/23/09	2/25/10	Consider the PURPA standards in the federal legislation, "The Energy Independence and Security Act of 2007."
"999" sections in various chapters of Title 480 WAC	Adoption by reference expedited rule making	Alan Lundeen (360) 664-1118	10/7/09 (CR-105 turned into a CR-101)	1/20/10	3/11/10	Annual update of the citations to material that's incorporated by reference.
WAC 480-100-405 480-100-415 480-100-425 480-100-435	HB 2129 - Greenhouse gas emissions standard rule making	Dick Byers (360) 664-1209		(CR-105) 3/10	N/A	Amend greenhouse gas emissions standard rules to reflect passage of HB 2129.
WAC 480-04	Public access to information and records	Ann Rendahl (360) 664-1144	2/10	To be determined	To be determined	Review of rules in chapter 480-04 WAC relating to public access to information and records.

David W. Danner
Executive Director and Secretary

**WSR 10-01-201
AGENDA
RECREATION AND CONSERVATION
OFFICE**

(Recreation and Conservation Funding Board)
(Salmon Recovery Funding Board)

[Filed December 23, 2009, 10:52 a.m.]

To comply with RCW 34.05.314, the recreation and conservation office (RCO), on behalf of the recreation and conservation funding board and salmon recovery funding board, has prepared the following agenda for rules under development. As required, filing will be made with the code reviser for publication in the state register by January 31 and July 31 each year. Within three

days of publication, the RCO will provide copies to each person so requesting, the director of the office of financial management, the rules review committee, and other state agencies that may reasonably be expected to have an interest in this subject.

Contact: Megan Duffy, rules coordinator, (360) 725-3936, Megan.Duffy@rco.wa.gov.

Rules Development Agenda January – June 2010	
Subject of possible rule making	Reasons why rules on this subject may be needed and what might be accomplished
Title 286 WAC	Change the agency’s name from interagency committee for outdoor recreation’s to the recreation and conservation funding board and recreation and conservation office as required in HB 1813 (2007).
Title 286 WAC	Update code references such as the state’s public disclosure law, recently changed from chapter 42.17 RCW to chapter 42.56 RCW.
Title 286 WAC	Update section titles to an easier to understand format. Many titles have already been improved to this new format.
WAC 286-06-045	Move to a more logical location and clarify the text.

December 23, 2009
Megan Duffy
Rules Coordinator

WSR 10-01-202
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
FISH AND WILDLIFE
(Fish and Wildlife Commission)
[Filed December 23, 2009, 11:14 a.m.]

2010 MEETING CALENDAR

At its November 20, 2009, meeting via conference call, the fish and wildlife commission selected the following meeting dates and locations for 2010:

Date	Start Time (approx.)*	Location
January 7, 8, 9	1 p.m. January 7; 8:30 a.m. January 8 and 9	Olympia
January 15	8:30 a.m.	Conference call
February 4, 5, 6	1 p.m. February 4; 8:30 a.m. February 5 and 6	Olympia
February 12, 19, and 26	8:30 a.m.	Conference calls
March 12-13	8:30 a.m.	Olympia
March 5, 19, and 26	8:30 a.m.	Conference calls
April 9-10	8:30 a.m.	Spokane
April 2, 16, and 23	8:30 a.m.	Conference calls
May 7, 21	8:30 a.m.	Conference calls
June 4-5	8:30 a.m.	Leavenworth
June 18	8:30 a.m.	Conference call
July 2, 16	8:30 a.m.	Conference calls
August 6-7	8:30 a.m.	Olympia
August 20	8:30 a.m.	Conference call
September 3, 17	8:30 a.m.	Conference calls
October 1-2	8:30 a.m.	Bellingham
October 15	8:30 a.m.	Conference call
November 5, 19	8:30 a.m.	Conference calls
December 2, 3, 4	8:30 a.m.	Olympia

Date	Start Time (approx.)*	Location
December 17	8:30 a.m.	Conference call

*Agendas and updates are posted on the commission's web site prior to each meeting. Visit our web site at www.wdfw.wa.gov/commission. All meetings are accessible, recorded and open to the public. Special accommodations for people with disabilities are available on request.

To receive meeting notices electronically and for additional information, contact Susan Yeager, Commission Executive Assistant, e-mail Susan.Yeager@dfw.wa.gov, 600 Capitol Way North, Olympia, WA 98501, phone (360) 902-2267, fax (360) 902-2448, TTY 1-800-833-6388.