WSR 21-09-006
DEPARTMENT OF AGRICULTURE
[Filed April 8, 2021, 8:19 a.m.]

LEGAL NOTICE FOR SPARTINA TREATMENT IN WESTERN WASHINGTON

LEGAL NOTICE FOR SPARTINA TREATMENTS: The Washington state department of agriculture (WSDA) is hereby notifying the affected public that the herbicides imazapyr and glyphosate may be used to control invasive *Spartina* grass species between June 1 and November 30, 2021.

Licensed pesticide applicators operating under WSDA's National Pollutant Discharge Elimination System state waste discharge general permit may apply these products in the following locations: Grays Harbor, Hood Canal, Willapa Bay, Puget Sound, the north and west sides of the Olympic Peninsula, and the mouth of the Columbia River.

For more information, including locations of possible application sites or information on *Spartina*, contact WSDA *Spartina* control program, phone 360-902-2070, email pestprogram@agr.wa.gov or website https://agr.wa.gov/departments/insects-pests-and-weeds/weeds/spartina; or write WSDA *Spartina* Program, P.O. Box 42560, Olympia, WA 98504-2560.

The Washington state department of ecology number for reporting concerns about *Spartina* treatments is 360-407-6600.

WSR 21-09-010
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Board of Osteopathic Medicine and Surgery)
[Filed April 8, 2021, 8:52 a.m.]

In accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), the following is the schedule of regular meetings for the department of health (DOH), board of osteopathic medicine and surgery, for the year 2021. The board of osteopathic medicine and surgery meetings are open to the public and access for persons with disabilities may be arranged with advance notice; please contact the staff person below for more information.

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

Date	Time	Locations
January 8, 2021	9:00 a.m.	Webinar only
February 26, 2021	9:00 a.m.	Webinar only
March 29, 2021	9:00 a.m.	Webinar only
May 21, 2021	9:00 a.m.	Webinar only
June 25, 2021	9:00 a.m.	Webinar only
August 27, 2021	9:00 a.m.	Webinar only
October 15, 2021	9:00 a.m.	Kent
December 3, 2021	9:00 a.m.	Kent

If you need further information, please contact Tracie Drake, Program Manager, DOH, Board of Osteopathic Medicine and Surgery, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4766, fax 360-236-2901, email Tracie.Drake@doh.wa.gov, web www.doh.wa.gov.

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

WSR 21-09-016
INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE
[Filed April 9, 2021, 12:56 p.m.]

CANCELLATION OF INTERPRETIVE STATEMENT

The department of revenue has cancelled the following excise tax advisory (ETA):

ETA 3111.2010 B&O Tax Exemption for Property Managers (RCW 82.04.394) ——On-Site Personnel Working at Multiple Properties

ETA 3111.2010 addresses the proper interpretation of the exemption previously found in RCW 82.04.394. The ETA is being cancelled because the exemption was repealed in 2011. A Special Notice: *New Law Expands Property Management B&O Tax Exemption* addresses the deduction in RCW 82.04.4274 that replaced the repealed exemption.

A copy of this document is available via the internet at Recent Rule and Interpretive Statements, Adoptions, and Repeals.

Atif Aziz
Rules Coordinator

WSR 21-09-017
HEALTH CARE AUTHORITY
[Filed April 9, 2021, 12:56 p.m.]

NOTICE

Title or Subject: Medicaid State Plan Amendment (SPA) 21-0015 Small Rural Disproportionate Share Hospital Payment Pool Amount.

Effective Date: April 10, 2021.

Description: The health care authority (HCA) intends to submit medicaid SPA 21-0015 to reflect the current total amount of the small rural disproportionate share hospital (SRDSH) total "payment pool" through which SRDSH payments are made. The total payment pool amount currently described in the state plan reflects the previous total amount.

SPA 21-0015 is expected to have no effect on annual aggregate expenditures/payments as it reflects the current payment pool amount.

HCA is in the process of developing the SPA. HCA would appreciate any input or concerns regarding this SPA. To request a copy of the SPA when it becomes available or submit comments, you may contact the people named below (please note that all comments are subject to public review and disclosure, as are the names of those who comment).

Contact: Mary O'Hare, Hospital Finance, 626 8th Avenue S.E., Olympia, WA 98504, TRS 711, email mary.ohare@hca.wa.gov.

WSR 21-09-020
RULES OF COURT
STATE SUPREME COURT
[April 7, 2021]

IN THE MATTER OF THE SUGGESTED AMENDMENT TO RPC 1.11 cmt. 2—SPECIAL CONFLICTS OF INTEREST FOR FORMER AND CURRENT GOVERNMENT OFFICERS AND EMPLOYEES	))))))	ORDER NO. 25700-A-1337

The Washington State Bar Association's Board of Governors, having recommended the expeditious adoption of the suggested amendment to RPC 1.11 cmt. 2—Special Conflicts of Interest for Former and Current Government Officers and Employees, and the Court having considered the suggested amendment, and having determined that the suggested amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

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

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

DATED at Olympia, Washington this 7th day of April, 2021.

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

SUGGESTED AMENDMENT TO
RULES OF PROFESSIONAL CONDUCT

RPC 1.11 - SPECIAL CONFLICTS OF INTEREST FOR FORMER AND CURRENT GOVERNMENT OFFICERS AND EMPLOYEES

(a) - (e) Unchanged.

Comment

[1] Unchanged.

[2] [**Washington revision**] Paragraphs (a)(1), (a)(2) and (d)(1) restate the obligations of an individual lawyer who has served or is currently serving as an officer or employee of the government toward a former government or private client. Rule 1.10 is not applicable to the conflicts of interest addressed by this Rule. Rather, paragraph (b) sets forth a special imputation rule for former government lawyers that provides for screening and notice. Because of the special problems raised by imputation within a government agency, paragraph (d) does not impute the conflicts of a lawyer currently serving as an officer or employee of the government to other associated government officers or employees, although ordinarily it will be prudent to screen such lawyers. But see *State v. Nickels*, 195 Wn.2d 132, 456 P.3d 975 (2020) (holding that an elected county prosecutor's former client conflict is imputed to all attorneys in the prosecuting attorneys' office).

[3-10] Unchanged.

WSR 21-09-021
RULES OF COURT
STATE SUPREME COURT
[April 7, 2021]

IN THE MATTER OF THE SUGGESTED AMENDMENTS TO IRLJ 6.2(d)—MONETARY PENALTY SCHEDULE FOR INFRACTIONS	))))	ORDER NO. 25700-A-1338

The Washington Department of Fish & Wildlife, having recommended the suggested amendments to IRLJ 6.2(d)—Monetary Penalty Schedule for Infractions, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites on May 1, 2021.

(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 July 1, 2021. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of April, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment to

WASHINGTON STATE COURT RULES:

IRLJ 6.2

Submitted by the Washington Department of Fish and Wildlife

A. Name of Proponent: Captain Jeff Wickersham, WDFW Enforcement
Denise Marti, WDFW Enforcement Legal Liaison
Tom McBride, WDFW Legislative Director

B. Spokesperson: Tom McBride, WDFW Legislative Director

C. Purpose:

Recent legislation, Laws of 2020 Ch. 38, § 3, amends RCW 77.15.160 (effective June 11, 2020), to provide for greater infraction issuance authority for fish and wildlife enforcement in situations currently designated as criminal offenses. These new, and some existing, infractions are not included for penalty amounts under IRLJ 6.2. This draft lists the specific infractions and designates the base penalty for each infraction. This will reduce confusion in the courts and promote proportionate and equal application of the laws and penalties statewide.

D. Proposed Amendments:
[see below]

E. Hearing: A hearing is not recommended due to the technical nature of the amendment. Further the infraction options created allow for a civil penalty to be imposed as opposed to a criminal penalty, reducing both sanction and court costs.

F. Expedited Consideration: Expedited consideration is requested to minimize confusion in the court and legal community.

IRLJ 6.2(d)
MONETARY PENALTY SCHEDULE FOR INFRACTIONS

(a) Effect of Schedule. The penalty for any infraction listed in this rule may not be changed by local court rule. The court may impose on a defendant a lesser penalty in an individual case. Provided that, whenever the base penalty plus statutory assessments results in a total payment that is not an even dollar amount, the base penalty is deemed to be amended to a higher amount which produces the next greatest even dollar total.

(b) Unscheduled Infractions. The penalty for any infraction not listed in this rule shall be $42, not including statutory assessments. A court may, by local court rule, provide for a different penalty.

(c) Infractions Not Covered. This schedule does not apply to penalties for parking, standing, stopping, or pedestrian infractions established by municipal or county statute. Penalties for those infractions are established by statute or local court rule, but shall be consistent with the philosophy of these rules.

(d) Penalty Schedule. The following infractions shall have the penalty listed, not including statutory assessments.

	Base Penalty
(5) Fish and Wildlife Infractions	
Fish for Personal Use—Barbed Hooks (RCW 77.15.160 (1)(a))	~~$48~~ $29
Fail to Immediately Record Fish/Shellfish Catch (RCW 77.15.160 (1)(b))	~~$48~~ $29
Fail to Return Catch Record Card (RCW 77.15.160 (1)(c))	~~$39~~ $29
Recreational Fishing—License not with Person (RCW 77.15.160 (1)(d)(i)) ~~(no fish/shellfish possession)~~	~~$73~~ $48
Recreational Fishing—Rule Violation: ~~(no fish/shellfish possession) (RCW 77.15.160 (1)(d)(ii))~~	~~$73~~
Involves Salmon or Steelhead (RCW 77.15.160 (1)(d)(ii)(A)	$87
Involves Sturgeon (RCW 77.15.160 (1)(d)(ii)(B)	$48
Involves Game Fish (RCW 77.15.160 (1)(d)(ii)(C)	$48
Involves Food Fish (RCW 77.15.160 (1)(d)(ii)(E)	$38
Involves Shellfish (RCW 77.15.160 (1)(d)(ii)(E))	$38
Involves Unclassified Fish or Shellfish (RCW 77.15.160 (i)(d)(ii)(F)	$97

	Base Penalty
Involves Waste of food fish, game fish or shellfish (RCW 77.15.160 (1)(d)(ii)(G)	~~$48~~ $28
Seaweed—License not with Person (<2x daily limit) (RCW 77.15.160 (1)(e)(i))	~~$48~~ $28
Seaweed—Rule violation (<2x daily limit) (RCW 77.15.160 (1)(e)(ii))	~~$48~~ $28
Hunting Wild Animals—Infraction no license on person except Big Game (RCW 77.15.160 (2)(b))	$48
Harm Bird Eggs/Nests (not endangered/ protected wild birds) (RCW 77.15.160 (2)(a))	~~$97~~ $73
Hunting Infractions for Wildlife, Except Big Game:	
Involves unclassified wildlife (RCW 77.15.160 (2)(c)(i))	$48
Involves Small Game (RCW 77.15.160 (2)(c)(ii))	$73
Involves Furbearers (RCW 77.15.160 (2)(c)(iii))	$73
Involves Game Birds (RCW 77.15.160 (2)(c)(iv))	$87
Involves Wild Birds (RCW 77.15.160 (2)(c)(v)	$73
Involves Wild Animals (RCW 77.15.160 (2)(c)(vi)	$48
Involves Waste of Small Game (RCW 77.15.160 (2)(c)(vii)	$97
Taxidermist/Fur Dealer/Wildlife Meat Cutter—Fail to Maintain Records (RCW 77.15.160 (3)(a)(i))	~~$122~~ $73
Taxidermist/Fur Dealer/Wildlife Meat Cutter—Fail to Report Information (RCW 77.15.160 (3)(a)(ii))	~~$73~~ $48
Trapper—Fail to Report Trapping Activity (RCW 77.15.160 (3)(b))	~~$73~~ $48
Limited Fish Seller Infraction (RCW 77.15.160(4)	$73
Invasive Species Infraction—No out of state certificate (RCW 77.15.160 (5)(a)(i))	$43
Invasive Species Infraction—Clean and Drain Requirements (RCW 77.15.160 (5)(a)(ii)	$43
Invasive Species Infraction—Fail to Obey Clean and Drain Order (RCW 77.15.160 (5)(a)(iii)	$87
Invasive Species Infraction—Fail to Possess AIS Prevention Permit (RCW 77.15.160 (5)(a)(iv)	$43
Other Infractions—Unlawfully Conducting or Holding a Fishing Contest or Field Trial (RCW 77.15.160 (6)(a))	$146
Other Infractions—Violate any other Department rule designated as an infraction (RCW 77.15.160 (6)(b))	$73

	Base Penalty
Other Infractions—Unlawfully posting signs (RCW 77.15.160 (6)(c))	$122
Department Permits—Violates any Terms or Conditions (RCW 77.15.160 (6)(d)(i))	$122
Department Permits—Violates any commercial, non-commercial or parking permit issued by the Department (RCW 77.15.160 (6)(d)(ii))	$122
Violate Distance/Feeding Prohibitions for Southern Resident Orca Whales (RCW 77.15.740)	$500
Negligently Feed/Attempt to Feed Large Wild Carnivores (RCW 77.15.790)	$500

Adopted effective September 1, 1992; amended effective June 25, 1993; May 1, 1994; August 15, 1995; June 5, 1996; December 28, 1999; July 22, 2001; April 30, 2007; December 10, 2013; July 1, 2015; July 28, 2020.]

Reviser's note: The typographical errors in 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 21-09-022
RULES OF COURT
STATE SUPREME COURT
[April 7, 2021]

IN THE MATTER OF THE SUGGESTED AMENDMENTS TO CRLJ 17—PARTIES PLAINTIFF AND DEFENDANT; CAPACITY; CRLJ 56—SUMMARY JUDGMENT; CRLJ 60—RELIEF FROM JUDGMENT AND ORDER; ER 413—IMMIGRATION STATUS	))))))))	ORDER NO. 25700-A-1339

The Washington State Bar Association Court Rules and Procedures Committee, having recommended the suggested amendments to CRLJ 17—Parties Plaintiff and Defendant; Capacity; CRLJ 56—Summary Judgment; CRLJ 60—Relief from Judgment and Order; ER 413—Immigration Status, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites on May 1, 2021.

(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 July 1, 2021. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of April, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment

CRLJ 17 - PARTIES PLAINTIFF AND DEFENDANT; CAPACITY

A. Proponent: WSBA Court Rules and Procedures Committee

B. Spokesperson: Jefferson Coulter Chair, WSBA Court Rules and Procedures Committee

C. Purpose: Change all references to "insane" and "incompetent" to "incapacitated." This makes the rule consistent with the language of RCW 4.08.060. It also modernizes the language of the rule.

D. Hearing: The proponent does not believe that a public hearing is necessary.

E. Expedited Consideration: The proponent does not believe there is a need for expedited consideration.

SUGGESTED AMENDMENT

Rule 17. PARTIES PLAINTIFF AND DEFENDANT; CAPACITY

(-) Designation of Parties. The party commencing the action shall be known as the plaintiff, and the opposite party as the defendant.

(a) Real Party in Interest. Every action shall be prosecuted in the name of the real party in interest. An executor, administrator, guardian, bailee, trustee of an express trust, a party with whom or in whose name a contract has been made for the benefit of another, or a party authorized by statute may sue in ~~his~~ their own name without joining with ~~him~~ them the party for whose benefit the action is brought. No action shall be dismissed on the ground that it is not prosecuted in the name of the real party in interest until a reasonable time has been allowed after objection for ratification of commencement of the action by, or joinder or substitution of, the real party in interest; and such ratification, joinder, or substitution shall have the same effect as if the action had been commenced in the name of the real party in interest.

(b) ~~Infants~~ Minors or ~~Incompetent~~ Incapacitated Persons.

(1) When ~~an infant~~ a minor is a party ~~he~~ they shall appear by guardian, or if ~~he has~~ they have no guardian, or in the opinion of the court the guardian is an improper person, the court shall appoint a guardian ad litem. The guardian shall be appointed:

(i) when the ~~infant~~ minor is plaintiff, upon the application of the ~~infant~~ minor, if ~~he~~ they be of the age of 14 years, or if under the age, upon the application of a relative or friend of the ~~infant~~ minor;

(ii) when the ~~infant~~ minor is defendant, upon the application of the ~~infant~~ minor, if ~~he~~ they be of the age of 14 years, and ~~applies~~ apply within the time ~~he is~~ they are to appear; if ~~he~~ they be under the age of 14, or ~~neglects~~ neglect to apply, then upon the application of any other party to the action, or of a relative or friend of the ~~infant~~ minor.

(2) When an ~~insane~~ incapacitated person is a party to an action ~~he~~ they shall appear by guardian, or if ~~he has~~ they have no guardian, or in the opinion of the court the guardian is an improper person, the court shall appoint one to act as guardian ad litem. Said guardian shall be appointed:

(i) when the ~~insane~~ incapacitated person is plaintiff, upon the application of a relative or friend of the ~~insane~~ incapacitated person;

(ii) when the ~~insane~~ incapacitated person is defendant, upon the application of a relative or friend of such incapacitated ~~insane~~ person, such application shall be made within the time ~~he is~~ they are to appear. If no such application be made within the time above limited, application may be made by any party to the action.

GR 9 COVER SHEET

Suggested Amendment

CRLJ 56 – SUMMARY JUDGMENT

A. Proponent: WSBA Court Rules and Procedures Committee

B. Spokesperson: Claire Carden, CRLJ Subcommittee Chair, WSBA Court Rules and Procedures Committee

C. Purpose: To make the rule read consistently change "he" to "the party." This makes the rule consistent with CR 56 and the remainder of CRLJ 56. It also allows easier understanding.

D. Hearing: The proponent does not believe that a public hearing is necessary.

E. Expedited Consideration: The proponent does not believe there is a need for expedited consideration.

SUGGESTED AMENDMENT

Rule 56. SUMMARY JUDGMENT

(a) For Claimant. A party seeking to recover upon a claim, counterclaim, or cross claim, or to obtain a declaratory judgment may, at any time after the expiration of the period within which the defendant is required to appear, or after service of a motion for summary judgment by the adverse party, move with or without supporting affidavits for a summary judgment in his favor upon all or any part thereof.

(b) For Defending Party. A party against whom a claim, counterclaim, or cross claim is asserted or a declaratory judgment is sought may, at any time, move with or without supporting affidavits for a summary judgment in his favor as to all or any part thereof.

(c) Motion and Proceedings. The motion and any supporting affidavits, memoranda of law, or other documentation shall be filed and served not later than 15 days before the hearing. The adverse party may file and serve opposing affidavits, memoranda of law, and other documentation not later than three days before the hearing. The moving party may file and serve any rebuttal documents not later than the day prior to the hearing. Summary judgment motions shall be heard more than 14 days before the date set for trial unless leave of the court is granted to allow otherwise. The judgment sought shall be rendered forthwith if the pleadings, answers to interrogatories, depositions, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. A summary judgment, interlocutory in character, may be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.

(d) Case Not Fully Adjudicated on Motion. If on motion under the rule judgment is not rendered upon the whole case or for all the relief asked and a trial is necessary, the court at the hearing of the motion, by examining the pleadings and the evidence before it and by interrogating counsel, shall if practicable ascertain what material facts exist without substantial controversy and what material facts are actually and in good faith controverted. It shall thereupon make an order specifying the facts that appear without substantial controversy, including the extent to which the amount of damages or other relief is not in controversy, and directing such further proceedings in the action as are just. Upon the trial of the action, the facts so specified shall be deemed established, and the trial shall be conducted accordingly.

(e) Form of Affidavits; Further Testimony; Defense Required. Supporting and opposing affidavits shall be made on personal knowledge, shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein. Sworn or certified copies of all papers or parts thereof referred to in an affidavit shall be attached thereto or served therewith. The court may permit affidavits to be supplemented or opposed by depositions, answers to interrogatories, or further affidavits. When a motion for summary judgment is made and supported as provided in this rule, an adverse party may not rest upon the mere allegations or denials of his pleading, but his response, by affidavits or as otherwise provided in this rule, must set forth specific facts

showing that there is a genuine issue for trial. If he does not so respond, summary judgment, if appropriate, shall be entered against him.

(f) When Affidavits Are Unavailable. Should it appear from the affidavits of a party opposing the motion that ~~he~~ the party cannot, for reasons stated, present by affidavit facts essential to justify his opposition, the court may refuse the application for judgment or may order a continuance to permit affidavits to be obtained or depositions to be taken or discovery to be had or may make such other order as is just.

(g) Affidavits Made in Bad Faith. Should it appear to the satisfaction of the court at any time that any of the affidavits presented pursuant to this rule are presented in bad faith or solely for the purpose of delay, the court shall forthwith order the party employing them to pay to the other party the amount of the reasonable expenses which the filing of the affidavits caused him to incur, including reasonable attorney fees, and any offending party or attorney may be adjudged guilty of contempt.

(h) Rulings by Court. In granting or denying the motion for summary judgment, the court shall designate the documents and other evidence considered in its rulings.

[Adopted effective September 1, 1984; September 1, 2016.]

GR 9 COVER SHEET

Suggested Amendment

CRLJ 60 - RELIEF FROM JUDGMENT OR ORDER

A. Proponent: WSBA Court Rules and Procedures Committee

B. Spokesperson: Claire Carden, CRLJ Subcommittee Chair, WSBA Court Rules and Procedures Committee

C. Purpose: Separate the last two sentences of CRLJ 60 (b)(11) from (b)(11). Those two sentences apply to all of CR 60(b) not just (b)(11). They should be clearly separated.

D. Hearing: The proponent does not believe that a public hearing is necessary.

E. Expedited Consideration: The proponent does not believe there is a need for expedited consideration.

SUGGESTED AMENDMENT

RULE 60. RELIEF FROM JUDGMENT OR ORDER

(a) Clerical Mistakes. Clerical mistakes in judgments, orders, or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party and after such notice, if any, as the court orders. Such mistakes may be so corrected before review is accepted by an appellate court, and thereafter may be corrected pursuant to RALJ 4.1(b).

(b) Mistakes; Inadvertence; Excusable Neglect; Newly Discovered Evidence; Fraud; etc. On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order, or proceeding for the following reasons:

(1) Mistakes, inadvertence, surprise, excusable neglect or irregularity in obtaining a judgment or order;

(2) For erroneous proceedings against a minor or person of unsound mind, when the condition of such defendant does not appear in the record, nor the error in the proceedings;

(3) Newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under rule 59(b);

(4) Fraud (whether heretofore denominated intrinsic or extrinsic), misrepresentation, or other misconduct of an adverse party;

(5) The judgment is void;

(6) The judgment has been satisfied, released, or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application;

(7) If the defendant was served by publication, relief may be granted as prescribed in RCW 4.28.200;

(8) Death of one of the parties before the judgment in the action;

(9) Unavoidable casualty or misfortune preventing the party from prosecuting or defending;

(10) Error in judgment shown by a minor, within 12 months after arriving at full age; or

(11) Any other reason justifying relief from the operation of the judgment. ~~The motion shall be made within a reasonable time and for reasons (1), (2) or (3) not more than 1 year after the judgment, order, or proceeding was entered or taken. If the party entitled to relief is a minor or a person of unsound mind, the motion shall be made within 1 year after the disability ceases. A motion under section (b) does not affect the finality of the judgment or suspend its operation.~~

The motion shall be made within a reasonable time and for reasons (1), (2) or (3) not more than 1 year after the judgment, order, or proceeding was entered or taken. If the party entitled to relief is a minor or a person of unsound mind, the motion shall be made within 1 year after the disability ceases. A motion under section (b) does not affect the finality of the judgment or suspend its operation.

(c) Other Remedies. This rule does not limit the power of a court to entertain an independent action to relieve a party from a judgment, order, or proceeding.

(d) Writs Abolished—Procedure. Writs of coram nobis, coram vobis, audita querela, and bills of review and bills in the nature of a bill of review are abolished. The procedure for obtaining any relief from a judgment shall be by motion as prescribed in these rules or by an independent action.

(e) Procedure on Vacation of Judgment.

(1) Motion. Application shall be made by motion filed in the cause stating the grounds upon which relief is asked, and supported by the affidavit of the applicant or his attorney setting forth a concise statement of the facts or errors upon which the motion is based, and if the moving party be a defendant, the facts constituting a defense to the action or proceeding.

(2) Notice. Upon the filing of the motion and affidavit, the court shall enter an order fixing the time and place of the hearing thereof and directing all parties to the action or proceeding who may be affected thereby to appear and show cause why the relief asked for should not be granted.

(3) Service. The motion, affidavit, and the order to show cause shall be served upon all parties affected in the same manner as in the case of summons in a civil action at such time before the date fixed for the hearing as the order shall provide; but in case such service cannot be made, the order shall be published in the manner and for such time as may be ordered by the court, and in such case a copy of the motion, affidavit, and order shall be mailed to such parties at their last known post office address and a copy thereof served upon

the attorneys of record of such parties in such action or proceeding such time prior to the hearing as the court may direct.

GR 9 Cover Sheet
Proposal to Amend ER 413
Concerning Evidence of Immigration Status
Submitted by the Washington State Bar Association
Committee on Court Rules and Procedures
Chair: Jefferson Coulter

1. Purpose

ER 413 was adopted in September 2018 for the purpose of making evidence of immigration status inadmissible except for limited circumstances described in the rule. The rule was proposed in a joint submission of Columbia Legal Services, Northwest Immigrant Rights Project, Legal Voice, and the Washington Association of Prosecuting Attorneys. The proposed amendment would make collections to the language of the current rule to conform it to the intent of the current rule's original proponents.

The proposed amendment makes two changes; one to subsection (a)(5), and one to subsection (b)(1).

Subsection (a)(5)

Subsection (a) applies to criminal cases. In the original GR 9 coversheet, the rule's proponents wrote (emphasis added to the description of the purpose of subsection (a)(5)):

Subsection (a) provides that immigration status is inadmissible unless (1) status is an essential fact to prove an element of a criminal offense or to defend against the alleged offense or (2) to show bias or prejudice of a witness for impeachment. The subsections of (a) set forth the procedures for using immigration status: (1) a written pretrial motion that includes an offer of proof (2) an affidavit supporting the offer of proof (3) a court hearing outside the presence of the jury if the offer of proof is sufficient (4) admissibility of immigration status to show bias or prejudice if the evidence is reliable and relevant and the probative value of the evidence outweighs the prejudice from immigration status. This procedure is similar to that adopted in RCW 9A.44.020(3).

Subsection (a)(5) clarifies that subsection (a) shall not be construed to prohibit cross-examination regarding immigration status if doing so would violate a criminal defendant's constitutional rights. There is a similar provision in Fed. R. of Evid. 412 (b)(1)(C).

As stated, subsection (a)(5) was thus intended to clarify that ER 413 does not exclude evidence in a criminal case if the exclusion of evidence would result in a constitutional violation. But the current language in subsection (a)(5) does not clearly effectuate this intent. Instead, it provides that ER 413 does not exclude "evidence that would result in a violation of a defendant's constitutional rights, "which can be read as providing that ER 413 does not prohibit evidence when the evidence itself would lead to a constitutional violation, instead of its exclusion. The proposed amendment would revise subsection (a)(5) to confirm to the intent stated by the original rule's proponents.

Subsection (b)(1)

Subsection (b) applies to civil cases. The original GR 9 coversheet describes it as follows (emphasis added to the description of the purpose of subsection (b)(1)):

Subsection (b) provides that in a civil proceeding, immigration status evidence of a party or witness shall not be admissible except

where immigration status is an element of a party's cause of action or where another exception to the general rule applies.

Subsection (b)(1) sets forth two limited circumstances where evidence of immigration status would be handled through a CR 59(h) motion. The proposed rule balances the concerns of prejudice against immigrants highlighted by the Supreme Court with the legitimate need of a defendant, in limited cases, to raise status issues where reinstatement or future lost wages are sought.

As stated, the intent of subsection (b) was to make evidence of immigration status generally inadmissible in civil cases, except for Rule 59(h) motion raising specified circumstances having to do with wage loss or employment claims. But current subsection (b)(1) is not cabined to Rule 59(h) motions. Instead, it applies to any posttrial motion involving the described circumstance. This substantially expands the scope of the "limited" exception. For example, "posttrial motions" include motions under Rule 60, which may be filed a year or more after judgment. In contrast, Rule 59(h) motions must be brought within ten days after entry of judgment. The proposed amendment would restrict the admissibility of immigration status evidence to Rule 59(h) motions. The proposed amendment would clarify the exception applies to motions brought under CRLJ 59(h) as well as CR 59(h).

2. Procedure

Because the proposed amendments are technical fixes to conform ER 413 to its stated purpose, the WSBA Court Rules and Procedures Committee does not believe a further hearing is necessary. However, it will defer to the Supreme Court if a hearing would be useful to clarify the proposal. The Committee does not believe expedited consideration of this proposal is necessary.

SUGGESTED AMENDMENT

SUPERIOR COURT RULES OF EVIDENCE (ER)

RULE 413 – Immigration Status

(a) Criminal Cases; Evidence Generally Inadmissible. In any criminal matter, evidence of a party's or a witness's immigration status shall not be admissible unless immigration status is an essential fact to prove an element of, or a defense to, the criminal offense with which the defendant is charged, or to show bias or prejudice of a witness pursuant to ER 607. The following procedure shall apply prior to any such proposed uses of immigration status evidence to show bias or prejudice of a witness:

(1) A written pretrial motion shall be made that includes an offer of proof of the relevancy of the proposed evidence.

(2) The written motion shall be accompanied by an affidavit or affidavits in which the offer of proof shall be stated.

(3) (If the court finds that the offer of proof is sufficient, the court shall order a hearing outside the presence of the jury.

(4) The court may admit evidence of immigration status to show bias or prejudice if it finds that the evidence is reliable and relevant, and that its probative value outweighs the prejudicial nature of evidence of immigration status.

(5) Nothing in this section shall be construed to exclude evidence <u>if the exclusion of</u> that <u>evidence</u> would <u>violate</u> ~~result in the violation of~~ a defendant's constitutional rights.

(b) Civil Cases; Evidence Generally Inadmissible. Except as provided in subsection (b)(l), evidence of a party's or a witness's immigration status shall not be admissible unless immigration status is an essential fact to prove an element of a party's cause of action.

(1) Posttrial Proceedings. Evidence of immigration status may be submitted to the court through a posttrial motion made under CR 59(h) or CRLJ 59(h):

(A) where a party, who is subject to a final order of removal in immigration proceedings, was awarded damages for future lost earnings; or

(B) where a party was awarded reinstatement to employment.

(2) Procedure to review evidence. Whenever a party seeks to use or introduce immigration status evidence, the court shall conduct an in camera review of such evidence. The motion, related papers, and record of such review may be sealed pursuant to GR 15, and shall remain under seal unless the court orders otherwise. If the court determines that the evidence may be used, the court shall make findings of fact and conclusions of law regarding the permitted use of that evidence.

Reviser's note: The typographical 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.

WSR 21-09-023
RULES OF COURT
STATE SUPREME COURT
[April 7, 2021]

IN THE MATTER OF THE SUGGESTED AMENDMENT TO GR 27—COURTHOUSE FACILITATORS	)))	ORDER NO. 25700-A-1340

The Superior Court Judges' Association, having recommended the suggested amendment to GR 27—Courthouse Facilitators, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as shown below is to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites on May 1, 2021, for a period of 45 days.

(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 June 14, 2021. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of April, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment to the

SUPERIOR COURT GENERAL RULES (GR)

GR 27: COURTHOUSE FACILITATORS

Submitted by the Superior Court Judges' Association

A. Name of Proponent: Superior Court Judges' Association

B. Spokesperson: Judge Judith Ramseyer, President
Superior Court Judges' Association

C. Purpose:

In 1993, the Legislature created the Washington State Courthouse Facilitator Program with the stated purpose to "provide basic services to pro se litigants in family law cases." RCW 26.12.240. In response, the Supreme Court promulgated General Rule 27 ("GR 27") to implement the Courthouse Facilitator Program specified by law.

The Uniform Guardian Act (UGA), RCW Ch. 11.130, repealed existing state guardianship laws and replaced them with the UGA, effective beginning January 1, 2021. The UGA consolidated law concerning guardianships, conservatorships, and protective arrangements for both minors and adults. Pertinent to the Courthouse Facilitator Programs, RCW Ch.

26.10, was repealed as related to nonparental child custody actions. GR 27, however, does not include the UGA.

Revisions are needed to GR 27 on an expedited basis so that Courthouse Facilitator Program services will be available under the UGA. Without these needed amendments Courthouse Facilitator Programs will not be able to assist unrepresented litigants in minor guardianship cases now filed under the new law. Although as the result of compromise RCW Ch. 26.10 is not expected to be repealed until July 1, 2021 so that pending cases have a grace period in which to be resolved, new minor guardianship cases commenced after January 1, 2021, are filed under the UGA. Accordingly, between January and July 2021, Courthouse Facilitators may assist parties under both the older provisions and the newly enacted law. Because GR 27 does not authorize Courthouse Facilitator Program services under the UGA, Facilitators may be prevented from serving parties involved in minor guardianship matters commenced in 2021. The impact can be substantial. In 2019, 1,682 nonparental child custody petitions were filed in Washington Superior Courts, often involving more than one child. This proposed amendment includes needed references to the new UGA law, specifically Chapter 11.130.165 RCW, while retaining for now the reference to the law scheduled for repeal in July.

See recommended changes to GR 27: Section (a) Generally; Section (c)(2) and (3) Definitions; and Section (f) Facilitator Termination

D. Hearing: A hearing is not requested.

E. Expedited Consideration: Expedited consideration is requested as exceptional circumstances exist. Without the proposed amendments, GR 27 creates confusion and may result in the denial of services by Courthouse Facilitators to unrepresented litigants in minor guardianship cases commenced under the UGA.

GR 27

COURTHOUSE FACILITATORS

(a) Generally. RCW 26.12.240 and RCW 11.88.170 provide a county may create a courthouse facilitator program to provide basic services to pro se litigants in family law and guardianship cases. This Rule applies only to courthouse facilitator programs created pursuant to RCW 26.12.240 or RCW 11.88.170/RCW 11.130.165.

(b) The Washington State Supreme Court shall create a Courthouse Facilitator Advisory Committee supported by the Administrative Office of the Courts to establish minimum qualifications and develop and administer a curriculum of initial and ongoing training requirements for Family Law and Guardianship Courthouse Facilitators. The Administrative Office of the Courts shall assist counties in administering Family Law Courthouse Facilitator Programs.

(c) Definitions. For the purpose of this rule the following definitions apply:

(1) A Courthouse Facilitator is an individual who has met or exceeded the minimum qualifications and completed the curriculum developed by the Courthouse Facilitator Advisory Committee and who is providing basic services in family law or guardianship cases in a Superior Court.

(2) Family Law Cases include, but are not limited to, dissolution of marriage, modification of dissolution matters such as child support, parenting plans, nonparental custody, minor guardianship or visitation, and parentage by unmarried persons to establish paternity, child support, child custody, and visitation.

(3) Guardianship cases include cases filed under chapters 11.88, 11.90, 11.92, 11.130 and 73.36.

(4) "Basic Service" includes but is not limited to:

(A) referral to legal and social service resources, including lawyer referral and alternate dispute referral programs and resources on obtaining forms and instructions;

(B) assistance in calculating child support using standardized computer-based program based on financial information provided by the pro se litigant;

(C) processing interpreter requests for facilitator assistance and court hearings;

(D) assistance in selection as well as distribution of forms and standardized instructions that have been approved by the court, clerk's office, or the Administrative Office of the Courts;

(E) assistance in completing forms that have been approved by the court, clerk's office, or the Administrative Office of the Courts;

(F) explanation of legal terms;

(G) information on basic court procedures and logistics including requirements for service, filing, scheduling hearings and complying with local procedures;

(H) review of completed forms to determine whether forms have been completely filled out but not as to substantive content with respect to the parties' legal rights and obligations;

(I) previewing pro se documents prior to hearings for matters such as dissolution of marriage, review hearings, and show cause and temporary relief motions calendars under the direction of the Clerk or Court to determine whether procedural requirements have been complied with;

(J) attendance at hearings to assist the Court with pro se matters;

(K) assistance with preparation of court orders under the direction of the Court;

(L) preparation of pro se instruction packets under the direction of the Administrative Office of the Courts.

(d) Courthouse Facilitators shall, whenever reasonably practical, obtain a written and signed disclaimer of attorney-client relationship, attorney-client confidentiality and representation from each person utilizing the services of the Courthouse Facilitator. The prescribed disclaimer shall be in the format developed by the Administrative Office of the Courts.

(e) No attorney-client relationship or privilege is created, by implication or by inference, between a Courthouse Facilitator providing basic services under this rule and the users of Courthouse Facilitator Program services.

(f) Courthouse Facilitators providing basic services under this rule are not engaged in the unauthorized practice of law. Upon a courthouse facilitator's voluntary or involuntary termination from a courthouse facilitator program, that person is no longer a courthouse facilitator providing services pursuant to RCW 26.12.240 or RCW 11.88.170/11.130.165 or this Rule.

WSR 21-09-024
RULES OF COURT
STATE SUPREME COURT
[April 7, 2021]

IN THE MATTER OF THE SUGGESTED NEW GENERAL RULE (GR 40) INFORMAL DOMESTIC RELATIONS TRIAL	))))	ORDER NO. 25700-A-1341

Mr. Dennis "D.C." Cronin, having recommended the suggested new General Rule (GR 40)Informal Domestic Relations Trial, and the Court having approved the suggested new rule for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested new rule as shown below is to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites on May 1, 2021.

(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 July 30, 2021. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of April, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

SUGGESTED RULE COVER SHEET

GENERAL STATEWIDE INFORMAL DOMESTIC RELATIONS TRIAL (IDRT)

GR9 (e)(2)(A) Name of Proponent: Dennis "D.C." Cronin, WSBA No. 16018, 724 N. Monroe Street, Spokane, WA. 99201.

GR9 (e)(2)(B) Spokesperson: D.C. Cronin, WSBA No. 16018, 724 N. Monroe Street, Spokane, WA 99201.

GR9 (e)(2)(C) Purpose—the reason or necessity for the suggested rule, including whether it creates or resolves any conflicts with statutes, case law, or other court rules

The challenges of 2020 have afforded unprecedented opportunities. Advancing equitable access to justice commitments of statewide agencies, organizations, and individuals seeking to collaborate and coordinate efforts, a statewide Informal Domestic Relations Trial Rule affords families the opportunity for equitable accessible substantive and procedural justice regardless of geographical circumstance.

To equitably access substantive and procedural justice in all Superior Court Domestic Relations systems, the people of Washington State imminently require innovative, timely, cost effective, and efficient transformative options statewide.

A general statewide Informal Domestic Relations Trial Rules promotes a less adversarial process for families and provides consistency in procedural process, thereby reducing associated risks of trauma compounded within the system itself and helps address access barriers for many experiencing the legal system in domestic relations cases; overwhelmingly those most disparately impacted by the justice system as a whole, including people of color, victims of domestic and sexual violence, self-represented and low income persons, as they maneuver through an overburdened legal system.[1]

1 Civil Legal Needs Study_October2015_V21_Final10_14_15.pdf

In 2008, Barbara Babb, author of *Reevaluating Where We Stand: A Comprehensive Survey of America's Family Justice Systems* wrote, "Court reform relative to family law matters has risen steadily over the past decade. States have restructured their justice systems to handle increasingly complex family law cases and burgeoning family law caseloads."[2]

2 Where We Stand: A Comprehensive Survey of America's Family Justice Systems, 46 FAM. CT. REV. 230, 230 (2008), December 16, 2020

And, as Rebecca Aviel noted in 2018 Fordham Law Review article *Family Law and the New Access to Justice*,[3] "… family court … reformers are implementing transformative changes that are consistent with access-to-justice values: these reforms are delivering dispute-resolution mechanisms that are faster, cheaper, and easier to maneuver, particularly for self-represented litigants."

3 Family Law and the New Access to Justice, 86 Fordham L. Rev. 2279 (2018)

The suggested Rule is not in conflict with existing statutes, case law or other court rules and is similar to *Thurston County LSPR 94.03F Informal Family Law Trials* [Updated Rule, January 13, 2020] and *King County Emergency Local Rule Amendment LFLR 23. Informal Family Law Trials effective September 2020.* Uniform, comprehensive Washington State domestic relations reform has intersectional systemic impacts, and an IDRT rule may provide a beneficial resource to Superior Courts and others committed to the equitable access to justice. The suggested rule recognizes the inherent authority and duty of all courts to manage their own affairs, so as to achieve the orderly and expeditious disposition of cases, prevent undue congestion in the court system, conserve scarce judicial resources, and manage caseloads fairly and expeditiously for *all justice involved persons in Washington state*.

As the 2015 report *Escalating Costs of Civil Litigation in Washington* recommended, there is a basis for a two-tier litigation model in the Washington Superior Courts. The Informal Domestic Relations Trial, or IDRT, is complimentary to such a two-tier system recommended by the task force. While not specifically recommended in the *July 2016 WSBA BOG Report*, the BOG Task Force acknowledged family law has a "unique constellation of concerns" and reserved further consideration of recommendations within the ECCL "… to future efforts except to the extent its recommendations also address this area of the law."

Similarly, the *October 2015 Washington State Supreme Court Civil Legal Needs Study Update Committee* chaired by Justice Wiggins identified "Family Related Problems" as a "Substantive Problem Area". The 2017 Legal Services Corporation Report: *The Justice Gap: Measuring the Unmet Civil Legal Needs of Low Income Americans* indicates "Twenty-seven percent of households with parents or guardians of children under the age of 18 have experienced a civil legal problem related to children or custody" between 2016 and 2017. In addition, the report identified civil legal problems related to family affect 17% of all low-

income households … including domestic violence or sexual assault and filing for divorce or legal separation.

The suggested *statewide rule* for an Informal Domestic Relations Trial option is an effort to provide access to justice in family law matters for unrepresented families in *all* Washington State Superior Courts. The IDRT also provides access to those individuals across Washington who can afford the Traditional Domestic Relations Trial, but elect not to do so, seeking a less adversarial resolution to their domestic legal matters.

Despite the investments of talent and resources of many during the past two decades, including the Washington State Supreme Court and the Office of Civil Legal Aid, BJA, and other qualified entities, Washington courts and domestic relations practice continue to lag "behind the times" in transformative reform. Adoption of an Informal Domestic Relations Trial Rule is where Washington State can begin, truly, as the Civil Legal Needs Study opined, "Meeting the Challenge" by "Turning Findings to Action".[4]

4 2015 Civil Legal Needs Study Update

While family law practitioners and the public may experience "silo effects" as local jurisdictions attempt to formulate local rules in response to domestic relations administrative issues, Washington State has a wealth of existing research and resources available for collaboration including, but not limited to, the ATJ, BJA, WSBA, SCJA, AOC, WSACC, ATJB, OCLA, ECCL, Juvenile and Family Court Improvement Program, Unified Family Court Program, Supreme Court MJC and GJC Commissions, our law schools, as well as professional associations such as AFCC. In light of the urgency due to COVID related impacts, implementation of a *statewide* IDRT rule provides an opportunity for comprehensive *statewide* uniform domestic relations reform, providing best practice guidance as multiple local and statewide court recovery and unrepresented litigant groups discuss how to best move forward.

Our surrounding geographical neighbors in Oregon, Idaho and Alaska, implemented IDRT standards as early as 2015. A similar rule is in effect in Utah, and in 2017, a pilot program was launched in the Seventh Judicial District in Iowa resulting in the Iowa Judicial Branch Informal Family Law Trial, implemented statewide by order of the Iowa State Supreme Court on December 1, 2020. Similarly, the 2018-2021 long range plan from the Florida Commission on Access to Civil Justice includes study and research of Informal Domestic Relations Trial.

In **Alaska**, the Rule, as amended through July 25, 2019, governing the Informal Domestic Relations Trial is found at Alaska R. Civ P. 16.2. In **Idaho** the Informal Domestic Relations trial rule is found at Idaho Rule of Family Procedure 713. In **Oregon** the Informal Domestic Relations Trial is found at R 8.120. under Chapter 8: Domestic Relations Proceedings. In **Utah** the rule is found at Utah District Court Rule 4-904. Information concerning the Informal Family Law Trial Pilot Program can be accessed through the District Court Administration for the Seventh Judicial District of Iowa.

Further information from **Alaska** explaining and supporting an Informal Domestic Relations Trial rule can be found at: Alaska Court System Self Help Center: Family Law

Further information from **Oregon**, explaining the differences between Informal and Traditional Domestic Relations Trials can be found at: Oregon Judicial Branch: Informal Family Law Trials

Further Information from **Idaho** can be found at: Idaho Rules of Family Law Procedure Rule 713. Informal Trial.

Further Information from **Iowa** can be found at: Iowa State Supreme Court December 1, 2020 Order and Iowa Judicial Branch Informal Family Law Trial Program

Further Information from **Utah** can be found at: Utah Courts Informal Trial of Support, Custody and Parent-Time.

See also., *Oregon's Informal Domestic Relations Trial: A New Tool To Efficiently And Fairly Manage Family Court Trials*, Family Court Review, Vol 55 No. 1 (January 2017).

GR9 (e)(2)(D) Hearing: Due to the implementation of Thurston County, LSPR 94.03F Informal Family Law Trials [Updated Rule, January 13, 2020] and in King County by Emergency Local Rule Amendment LFLR 23 Informal Family Law Trials effective September 2020 as well as the number of longstanding published Washington State Committee and Task Force reports, data, research, and studies containing recommendations to overcome barriers to equal access to justice, it is not believed a public hearing regarding a general statewide Informal Domestic Relations Trial suggested rule is necessary.

In addition, information from the currently implemented Informal Domestic Relations Trials in Alaska, Idaho, Iowa, Oregon and Utah Courts is readily accessible.

GR9 (e)(2)(E) Expedited Consideration: 2020 has presented unprecedented challenges and unprecedented opportunities, as evidenced by the dedication of countless individuals in local jurisdictions as well as through statewide task forces and workgroups addressing best practices during court recovery. The opportunity to uniformly impact barriers impacting equitable access to justice is now.

The Board for Judicial Administration recommends domestic case standards of "90 percent of all domestic relations cases should be adjudicated within 10 months of the date of filing of the information, 98 percent within 14 months of filing, and 100 percent within 18 months". Yet in 2019, 11,125 families,[5] up from 9,162 families in 2018, had domestic relations cases pending resolution over 18 months in Washington State Superior Courts[6], as opposed to 2,371 families with domestic relations cases pending resolution over 18 months in 2000.[7]

5 Superior Court 2019 Domestic Relations Case Management Statistics
6 Superior Court 2018 Annual Caseload Report
7 Superior Court 2000 Annual Caseload Report

While the case management percentages may appear to have remained fairly consistent on paper, we have yet to see the 2020 impact COVID will have on these statistics. Yet, the number of cases reported do not reflect the financial and psychological impact of backlogged, delayed, and adversarial legal proceedings experienced by children, youth, parents, relatives and employers throughout our state, most often the most vulnerable, marginalized, and impoverished members of our communities. COVID has only made matters more traumatic and as such, expedited consideration of a statewide rule is warranted for families, courts, and communities.

Even before COVID brought attention to the imminent need for civil legal equity throughout our state, one participant in the *October 2015 Washington State Supreme Court Civil Legal Needs Study Update* was quoted in the report as asking '"Will people in my position, or worse off than I, get any sort of meaningful help?"'. The reply, '"The answer to these questions, and so many others, is up to all of us."' Despite the Campaign for Equal Justice funding legal aid for 31,000 families in poverty in 2018, two years pre-COVID, at least 3 out of 4 low

income individuals are not able to access legal assistance when it is needed.[8] Private practice attorneys provide valuable pro bono service. Yet, valuable hours of research and committee time have yielded no discernable implementation of recommendations designed specifically to address access to justice for *all.* There is a critical need for the Court to address the domestic relations judicial process for low income and other marginalized families by implementation of a statewide rule, which regardless of geographical location and local court resources, can promote equity and consistency.

8 https://legalfoundation.org/the-campaign-for-equal-justice/

As noted by *Jane C. Murphy & Jana B. Singer, Moving Family Dispute Resolution from the Court System to the Community, 75 MD.L. REV. ENDNOTES 9 (2016),* "Everyone who works in family law … agrees on two things: family court is not good for families, and litigation is not good for children." Respectfully, it would appear that upon which we are not able to agree continues to cause barriers for implementing best practices for the families of Washington State.

Based upon nearly 20 years of research, studies, committees and task forces, respectfully, I request expeditious review and consideration of a statewide general IDRT system for domestic relations cases; a recommendation within the prevue and authority of the Washington State Supreme Court.

For disparately affected persons seeking timely and less traumatic adjudication of their domestic relations matters, as well as for the fiscal impact on counties and Superior Courts now exacerbated by the unprecedented COVID challenges of 2020 and beyond, expedited consideration is respectfully requested.

Respectfully Submitted this 16th day of December, 2020,

_____

D.C. Cronin, WSBA No. 16018

Reviser's note: The typographical errors in 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.

GR 9 SUGGESTED NEW GENERAL RULE TEXT

INFORMAL DOMESTIC RELATIONS TRIAL (IDRT)

(1) Upon the consent of both parties, Informal Domestic Relations Trials may be held to resolve any or all issues in original actions or modification for dissolution of marriage, separate maintenance, invalidity, child support, parenting plans, residential schedules, and child custody filed under RCW chapters 26.09; 26.19; 26.26A; 26.26B; and 26.27.

(2) The parties may select an Informal Domestic Relations Trial within 14 days of a case subject to this rule being at issue. The parties must file a Trial Process Selection and Waiver for Informal Domestic Relations Trial in substantially the form specified at _____. This form must be accepted by all Superior Courts.

(3) The Informal Domestic Relations Trial will be conducted as follows:

(a) At the beginning of an Informal Domestic Relations Trial the parties will be asked to affirm that they understand the rules and procedures of the Informal Domestic Relations Trial process, they are consenting to this process freely and voluntarily, and they have not been threatened or promised anything for agreeing to the Informal Domestic Relations Trial process.

(b) The Court may ask the parties or their lawyers for a brief summary of the issues to be decided.

(c) The moving party will be allowed to speak to the Court under oath concerning all issues in dispute. The party is not questioned by counsel, but may be questioned by the Court to develop evidence required by any statute or rule, for example, the applicable requirements of the Washington Child Support Guidelines if child support is at issue.

(d) The parties will not be subject to cross examination. However, the Court will ask the non-moving party or their counsel whether there are any other areas the party wishes the Court to inquire about. The Court will inquire into these areas if requested and if relevant to an issue to be decided by the Court.

(e) The process in subsections (3)(c) and (3)(d) is then repeated for the other party.

(f) Expert reports will be received as exhibits. Upon request of either party, the expert will be sworn and subjected to questioning by counsel, the parties, or the Court.

(g) The Court will receive any exhibits offered by the parties. The Court will determine what weight, if any, to give each exhibit. The Court may order the record to be supplemented.

(h) The parties or their counsel will then be offered the opportunity to respond briefly to the statements of the other party.

(i) The parties or their counsel will be offered the opportunity to make a brief legal argument.

(j) At the conclusion of the case, the Court shall render judgment. The Court may take the matter under advisement, but best efforts will be made to issues prompt judgements.

(k) The Court may modify these procedures as justice and fundamental fairness requires.

(4) The Court may refuse to allow the parties to utilize the Informal Domestic Relations Trial procedure at any time and may also direct that a case proceed in the traditional manner of trial even after an Informal Domestic Relations Trial has been commenced but before judgment has been entered.

(5) A party who has previously agreed to proceed with an Informal Domestic Relations Trial may file a motion to opt out of the Informal Domestic Relations Trial provided that this motion is filed not less than ten calendar days before trial. This time period may be modified or waived by the Court upon a showing of good cause. A change in the type of trial to be held may result in a change in the trial date.

Reviser's note: The typographical 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.

WSR 21-09-025
RULES OF COURT
STATE SUPREME COURT
[April 7, 2021]

IN THE MATTER OF THE SUGGESTED AMENDMENTS TO RAP 5.3—CONTENT OF NOTICE—FILING; RAP 10.2—TIME FOR FILING BRIEFS; RAP 10.10—STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW	)))))))	ORDER NO. 25700-A-1342

The Washington State Office of Public Defense, having recommended the suggested amendments to RAP 5.3—Content of Notice—Filing; RAP 10.2—Time for Filing Briefs; RAP 10.10—Statement of Additional Grounds for Review, and the Court having approved the suggested amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendments as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2022.

(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, 2022. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of April, 2021.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 8 COVER SHEET

Suggested Amendments
Rules of Appellate Procedure

RAP 10.2—Time for Filing Briefs
RAP 10.10—Statement of Additional Grounds for Review
RAP 5.3—Content of Notice—Filing

A. Proponent: Washington State Office of Public Defense

B. Spokesperson: Gideon Newmark, Appellate Program Manager

C. Purpose: RAP 10.2(h) requires defense attorneys in criminal appeals to serve their clients with a copy of the appellant's brief and file proof of service in the appellate court. This rule is unnecessary because ethical and contractual rules already require attorneys to provide clients with a copy of critical filings such as briefs. And the rule is an aberration in legal procedure that inserts the appellate courts into the attorney-client relationship and puts the health and safety of clients at risk. While RAP 10.2(h) currently serves a role in the Statement of Additional Grounds (SAG) process by confirm-

ing the date that the client was sent the appellant's brief, minor amendments to RAP 10.10(c) could ensure that the SAG process continues to function smoothly. These amendments would also make unnecessary RAP 5.3(c)'s requirement for counsel in criminal cases to keep the Court of Appeals informed of the client's current address.

Ethical and contractual rules already require attorneys to provide clients with copies of critical filings such as the appellant's brief. RPC 1.4 requires attorneys to consult with clients about the means by which the client's objectives are to be accomplished, and to keep the client reasonably informed about the status of the case. There is no plausible reading of this rule that would excuse counsel from providing the client with copies of critical filings such as the appellant's brief. Moreover, indigent defense contracts with the Office of Public Defense, covering the great majority of criminal appeals, require appointed counsel to provide the client with copies of all briefs. These ethical duties and contractual obligations make it unnecessary for a court rule directing attorneys to formally serve their clients with the appellant's brief.

Not only is RAP 10.2(h)'s service requirement unnecessary, it is a legal aberration insofar as it requires attorneys to serve documents on their own clients. Service is generally reserved for other parties. *See* CR 5 (requiring service of pleadings, motions, discovery, and other documents on other parties). And service of documents other than a complaint is normally accomplished by serving a represented party's attorney, not the client. CR 5 (b)(1). There is no need for attorneys to serve their own clients in civil cases, and there is no obvious distinction between criminal and civil cases that justifies the client-service requirement of RAP 10.2(h). Like civil attorneys, criminal attorneys should be trusted to competently and professionally handle the attorney-client relationship without a court rule micromanaging aspects thereof.

Furthermore, RAP 10.2(h) is potentially dangerous to the health and safety of clients. Some criminal clients are convicted of notorious crimes, for which they could be at risk of physical violence in prison. Or they may be subject to a loss of housing or social support if friends or family learn about their convictions. Hence, some clients do wish not to receive the appellant's brief, or any other documents from counsel detailing their convictions, because those documents could be read by cellmates or household members. Clients should be able to decide which documents they wish to receive from counsel; RAP 10.2(h) takes authority away from clients in a way that has the potential to directly threaten their health and safety.

RAP 10.2(h)'s primary purpose seems to be facilitating the SAG process. Per RAP 10.10(d), the SAG deadline may not run until the client has received the appellant's brief, as well as notice from the appellate court of the SAG procedures. By requiring attorneys to serve their clients and provide the court with proof of service, the court is assured that the client has received the brief and that the SAG deadline may start running. This is the practice in only two of the three Court of Appeals divisions, however.

OPD is informed that, in Division I, the court sends the required SAG notice to counsel, who forwards it to the client along with the appellant's brief. Division I starts the SAG deadline running when notice is mailed to counsel, without requiring proof of service to show when the client received it. Appellate attorneys practicing in Division I report that this process works flawlessly and has done so for years. This process simplifies matters for both attorneys and the

courts; the courts have no need to closely track a client's whereabouts to ensure the client receives the SAG notice, and the attorneys have no need to file proof of service when providing the client with the appellant's brief.

The Office of Public Defense therefore suggests that RAP 10.2(h) be amended to eliminate the requirement to serve the client with a copy of the brief, and that RAP 10.10(c) be amended to provide that the appellate court will send notice of SAG procedures to the attorney, who must promptly forward it to the client. With the need for the appellate courts to send the SAG notice directly to clients eliminated, RAP 5.3(c) should also be amended to drop the requirement that appellate counsel in criminal cases keep the courts apprised of the client's current address.

To avoid any prejudice to the client, the proposed amendment to RAP 10.10 adds five days to the SAG deadline. This should allow sufficient time for the attorney to forward the court's notice of SAG procedures without impinging on the client's time to file the SAG. Given that the case's briefing will not be completed for at least 90 days after the appellant's brief is filed, these additional five days should not impact case resolution time.

D. Hearing: A hearing is not requested

E. Expedited Consideration: Expedited consideration is not requested

F. Supporting Material: Suggested rule amendments

Reviser's note: The typographical 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.

SUGGESTED AMENDMENT

RULES OF APPELLATE PROCEDURE (RAP)

RULE 10.2—TIME FOR FILING BRIEFS

(a) Brief of Appellant or Petitioner. The brief of an appellant or petitioner should be filed with the appellate court within 45 days after the report of proceedings is filed in the appellate court; or, if the record on review does not include a report of proceedings, within 45 days after the party seeking review has filed the designation of clerk's papers and exhibits in the trial court.

(b) Brief of Respondent in Civil Case. The brief of a respondent in a civil case should be filed with the appellate court within 30 days after service of the brief of appellant or petitioner.

(c) Brief of Respondent in Criminal Case. The brief of a respondent in a criminal case should be filed with the appellate court within 60 days after service of the brief of appellant or petitioner.

(d) Reply Brief. A reply brief of an appellant or petitioner should be filed with the appellate court within 30 days after service of the brief of respondent unless the court orders otherwise.

(e) [Reserved; see rule 10.10]

(f) Brief of Amicus Curiae. Unless the court sets a different date, or allows a later date upon a showing of particular justification, a brief of amicus curiae should be filed as follows.

(1) Supreme Court. A brief of amicus curiae should be received by the court and counsel of record for the parties and any other amicus curiae not later than 45 days before oral argument or consideration of the merits.

(2) Court of Appeals. A brief of amicus curiae should be received by the court and counsel of record for the parties and any other ami-

cus curiae not later than 45 days after the filing of the last brief of respondent permitted under rule 10.2(b) or 10.2(c).

(g) Answer to Brief of Amicus Curiae. A brief in answer to the brief of amicus curiae may be filed with the appellate court not later than the date fixed by the appellate court.

(h) Service of Briefs. At the time a party files a brief, the party should serve one copy on every other party and on any amicus curiae, and file proof of service with the appellate court. ~~In a criminal case in which the defendant is the appellant, appellant's counsel should serve the appellant's brief on appellant and file proof of service with the appellate court. Service and proof of service should be made in accordance with rules 18.5 and 18.6.~~

(i) Sanctions for Late Filing and Service. The appellate court will ordinarily impose sanctions under rule 18.9 for failure to timely file and serve a brief.

SUGGESTED AMENDMENT

RULES OF APPELLATE PROCEDURE (RAP)

RULE 10.10—STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW

(a) Statement Permitted. In a criminal case on direct appeal, the defendant may file a pro se statement of additional grounds for review to identify and discuss those matters related to the decision under review that the defendant believes have not been adequately addressed by the brief filed by the defendant's counsel.

(b) Length and Legibility. The statement, which shall be limited to no more than 50 pages, may be submitted in handwriting so long as it is legible and can be reproduced by the clerk.

(c) Citations; Identification of Errors. Reference to the record and citation to authorities are not necessary or required, but the appellate court will not consider a defendant's statement of additional grounds for review if it does not inform the court of the nature and occurrence of alleged errors. Except as required in cases in which counsel files a motion to withdraw as set forth in RAP 18.3 (a)(2), the appellate court is not obligated to search the record in support of claims made in a defendant's statement of additional grounds for review. Only documents that are contained in the record on review should be attached or referred to in the statement.

(d) Time for Filing. The statement of additional grounds for review should be filed within 3<u>5</u>~~0~~ days after ~~service upon the defendant of the brief prepared by defendant's counsel and~~ the mailing of a notice from the clerk of the appellate court advising the defendant of the substance of this rule. <u>If the defendant is represented by counsel, the clerk will mail the notice to the defendant's counsel, who should promptly forward the notice to the defendant with a copy of the opening brief.</u> The clerk will advise all parties if the defendant files a statement of additional grounds for review.

(e) Report of Proceedings. If within 30 days after ~~service of the brief prepared by defendant's counsel~~ <u>the mailing of the notice referenced in subsection (d) above</u>, defendant requests a copy of the verbatim report of proceedings from defendant's counsel, counsel should promptly <u>mail</u> ~~serve~~ a copy of the verbatim report of proceedings ~~on~~ <u>to</u> the defendant and should file in the appellate court ~~proof of such service~~ <u>a certificate of mailing, which need not state the address the report of proceedings was mailed to.</u> The pro se statement of additional grounds for review should then be filed within 3<u>5</u> ~~0~~ days <u>after the certificate of mailing is filed</u> ~~after service of the verbatim report~~

~~of proceedings~~. The cost for producing and mailing the verbatim report of proceedings for an indigent defendant will be reimbursed to counsel from the Office of Public Defense in accordance with Title 15 of these rules.

(f) Additional Briefing. The appellate court may, in the exercise of its discretion, request additional briefing from counsel to address issues raised in the defendant's pro se statement.

SUGGESTED AMENDMENT

RULES OF APPELLATE PROCEDURE (RAP)

RULE 5.3—CONTENT OF NOTICE—FILING

(a) Content of Notice of Appeal. A notice of appeal must (1) be titled a notice of appeal, (2) specify the party or parties seeking the review, (3) designate the decision or part of decision which the party wants reviewed, and (4) name the appellate court to which the review is taken.

The party filing the notice of appeal should attach to the notice of appeal a copy of the signed order or judgment from which the appeal is made, and, in a criminal case in which two or more defendants were joined for trial by order of the trial court, provide the names and superior court cause numbers of all codefendants. In a criminal case where the defendant is not represented by counsel at trial, the trial court clerk shall attach a copy of the judgment and sentence, the order of indigency, if applicable, and any service documents with the notice as provided in rule 5.3(j).

(b) Content of Notice for Discretionary Review. A notice for discretionary review must comply in content and form with the requirements for a notice of appeal, except that it should be titled a notice for discretionary review.

A party seeking discretionary review of a decision of a court of limited jurisdiction should include the name of the district or municipal court and the cause number for which review is sought.

(c) Identification of Parties, Counsel, and Address of Defendant in Criminal Case. The party seeking review should include on the notice of appeal the name and address of the attorney for each of the parties. ~~In a criminal case the attorney for the defendant should also notify the appellate court clerk of the defendant's address, by placing this information on the notice. The attorney for a defendant in a criminal case must also keep the appellate court clerk advised of any changes in defendant's address during review.~~

(d) Multiple Parties Filing Notice. More than one party may join in filing a single notice of appeal or notice for discretionary review.

(e) Notices Directed to More Than One Case. If cases have been consolidated for trial, or have been tried together even though not consolidated for trial, separate notices for each case or a single notice for more than one case may be filed. A single notice for more than one case will be given the same effect as if a separate notice had been filed for each case. If cases have not been consolidated for trial or have not been tried together, separate notices must be filed.

(f) Defects in Form of Notice. The appellate court will disregard defects in the form of a notice of appeal or a notice for discretionary review if the notice clearly reflects an intent by a party to seek review.

(g) Notices Directed to More Than One Court. If a notice of appeal or a notice for discretionary review is filed which is directed

to the Court of Appeals and a notice is filed in the same case which is directed to the Supreme Court, the case will be treated as if all notices were directed to the Supreme Court.

(h) Amendment of Notice Directed to Portion of Decision. In order to do justice, the appellate court may, on its own initiative or on the motion of a party, permit an amendment of a notice to include (i) additional parts of a trial court decision, or (ii) subsequent acts of the trial court that relate to the act designated in the original notice of discretionary review. If the amendment is permitted, the record should be supplemented as provided in rule 9.10. The appellate court may condition the amendment on appropriate terms, including payment of a compensatory award under rule 18.9. An amendment extends the time allowed to seek cross review only of those additional parts of the decision or subsequent acts, and such notice seeking cross review must be filed within the later of (1) 14 days after service of the amended notice filed by the other party, or (2) the time within which notice must be given as provided by rule 5.2 (a), (b), (d), or (e).

(i) Notice by Fewer Than All Parties on a Side—Joinder. If there are multiple parties on a side of a case and fewer than all of the parties on that side of the case timely file a notice of appeal or notice for discretionary review, the appellate court will grant relief only (1) to a party who has timely filed a notice, (2) to a party who has been joined as provided in this section or (3) to a party if demanded by the necessities of the case. The appellate court will permit the joinder on review of a party who did not give notice only if the party's rights or duties are derived through the rights or duties of a party who timely filed a notice or if the party's rights or duties are dependent upon the appellate court determination of the rights or duties of a party who timely filed a notice.

(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 for 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 a defendant 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. The clerk shall transmit the forms and all related orders to the appellate court.

WSR 21-09-026
RULES OF COURT
STATE SUPREME COURT
[April 7, 2021]

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 21-10 issue of the Register.

WSR 21-09-027
NOTICE OF PUBLIC MEETINGS
BOARD FOR VOLUNTEER
FIREFIGHTERS AND RESERVE OFFICERS
[Filed April 12, 2021, 1:00 p.m.]

The state board for volunteer firefighters will meet in the James R. Larson Forum Building, 605 11th Avenue S.E., Suite 106, on April 26, July 26, and October 25, 2021, at 9:00 a.m.

WSR 21-09-034
NOTICE OF PUBLIC MEETINGS
REDISTRICTING COMMISSION

[Filed April 13, 2021, 11:54 a.m.]

Following is the schedule of regular meetings for the Washington state redistricting commission for 2021:

Date	Time	Location
May 17, 2021	7:00-9:00 p.m.	Zoom
June 21, 2021	7:00-9:00 p.m.	Zoom
July 19, 2021	7:00-9:00 p.m.	Zoom
August 15, 2021	7:00-9:00 p.m.	Zoom
September 19, 2021	7:00-9:00 p.m.	Zoom
October 18, 2021	7:00-9:00 p.m.	Zoom
November 15, 2021	7:00-9:00 p.m.	Zoom
December 20, 2021	7:00-9:00 p.m.	Zoom

If you need further information contact Lisa McLean, Executive Director, P.O. Box 40948, Olympia, WA 98504-0948, 360-524-4390, lisa.mclean@redistricting.wa.gov, http://redistricting.wa.gov/.

WSR 21-09-039
NOTICE OF PUBLIC MEETINGS
CLOVER PARK
TECHNICAL COLLEGE
[Filed April 13, 2021, 3:53 p.m.]

Change in Board of Trustees Meeting Schedule

The Clover Park Technical College board of trustees will hold a board retreat on Thursday, June 3, 2021, from 8 a.m. - 12 p.m. Pacific Time (United States and Canada). It will be held virtually.

Join Zoom meeting https://cptc-edu.zoom.us/j/82337462533?pwd=NTZzRW5HdmorODVwM0IzeWhTNWoyUT09, Meeting ID 823 3746 2533, Passcode BOTRetreat. One tap mobile +12532158782,,82337462533# US (Tacoma). Dial by your location +1 253 215 8782 US (Tacoma), Meeting ID 823 3746 2533, Passcode 7965836764.

WSR 21-09-044
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY
[Filed April 14, 2021, 4:34 p.m.]

The Eastern Washington University board of trustees has changed the following regular meeting:

From:

May 20, 2021	1:00 - 5:00 p.m.	EWU Hargreaves Hall 223 Cheney, Washington or virtual per current guidelines
May 21, 2021	8:00 a.m. - 2:00 p.m.	EWU Tawanka Hall 215 Cheney, Washington or virtual per current guidelines

To:

May 20, 2021	**12:00** - 5:00 p.m.	EWU Tawanka [Hargreaves] Hall 223 Cheney, Washington or virtual per current guidelines
May 21, 2021	8:00 a.m. - **3:00 p.m.**	EWU Tawanka Hall 215 Cheney, Washington or virtual per current guidelines

Updated information on meeting location (whether it will be virtual or in person per current state and federal health guidelines) is posted on the university's website https://www.ewu.edu/about/leadership/bot/meeting-agendas-minutes/.

If you need further information contact Chandalin Bennett, 214 Showalter Hall, Cheney, WA 99004, phone 509-359-6362, cmbennett@ewu.edu.

WSR 21-09-045
NOTICE OF PUBLIC MEETINGS
HOP COMMISSION
[Filed April 15, 2021, 10:02 a.m.]

2021 Regular Meeting Schedule Change

The Washington hop commission has changed the date of its July regular meeting, previously scheduled for July 7. The meeting has been rescheduled for July 14, 2021. This information is being filed as required by RCW 42.30.075.

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

WSR 21-09-052
NOTICE OF PUBLIC MEETINGS
RECREATION AND CONSERVATION OFFICE
(Salmon Recovery Funding Board)
[Filed April 15, 2021, 3:22 p.m.]

The salmon recovery funding board is changing the **date** and **location** of the regular quarterly meeting scheduled for June 2-3, 2021:

FROM: June 2 and 3, 2021, from 9:00 a.m. to 5:00 p.m., Room 172, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA.

TO: **June 2, 2021,** from 9:00 a.m. to 5:00 p.m., **online only**, registration link https://zoom.us/webinar/register/WN_wVo8GvngQTmBNKGfDYl6Hg, phone option 669-900-6833, webinar ID 930 2945 3965.

For further information, please contact Wyatt Lundquist, Wyatt.lundquist@rco.wa.gov or check recreation and conservation office's (RCO) web page at Meetings - RCO (wa.gov).

RCO schedules all public meetings at barrier free sites. Persons who need special assistance may contact Leslie Frank at 360-902-0220 or email leslie.frank@rco.wa.gov.

WSR 21-09-056
NOTICE OF PUBLIC MEETINGS
STATE INDEPENDENT
LIVING COUNCIL
[Filed April 16, 2021, 1:05 p.m.]

The Washington state independent living council has made the following modifications to its 2021 quarterly meeting schedule:

(1) Thursday, July 15, 2021: This meeting will be held from 10:00 a.m. - 4:00 p.m. online via Zoom. A time for public comment will be available. All are welcome to attend. Join Zoom meeting https://dshs-telehealth.zoom.us/j/85395493456?pwd=ZGZzSUhuVm4wYzhIUnFSLytKZzdZUT09, Meeting ID 853 9549 3456, Passcode 369897, phone audio 253-215-8782.

(2) Thursday, October 7, 2021: This meeting will be held from 10:00 a.m. - 4:00 p.m. online via Zoom. A time for public comment will be available. All are welcome to attend. Join Zoom meeting https://dshs-telehealth.zoom.us/j/85817443915?pwd=eDZEOUdJLzZqemtpaXdFZFRvY05nZz09, Meeting ID 858 1744 3915, Passcode 671712, phone audio 253-215-8782.