

WSR 22-23-156
PREPROPOSAL STATEMENT OF INQUIRY
COMMISSION ON
JUDICIAL CONDUCT

[Filed November 22, 2022, 2:58 p.m.]

Subject of Possible Rule Making: Commission on judicial conduct public records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Article IV, section 31(10) of the State Constitution.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Case law has established that the Public Records Act, chapter 42.56 RCW, with some exceptions not applicable here, does not apply to judicial branch records. Therefore, chapter 292-10 WAC regarding commission on judicial conduct public records is not legally applicable. The commission on judicial conduct was created under the State Constitution as an independent agency of the judicial branch. The commission will establish its own rule to facilitate access to commission records.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies regulate this subject.

Process for Developing New Rule: The commission will propose new rules and repeal old rules, and will provide public notice of this rule making through its filings in the Washington State Register and through posting information on the commission's website at www.cjc.state.wa.us. During the public comment period, the commission will seek comment: (1) As shall be described in the anticipated rule-making proposal form (CR-102); (2) from persons who have requested notice of rule making; and (3) from persons who attend the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tanya Calahan, Rules Coordinator, P.O. Box 1817, Olympia, WA 98507, phone 360-753-4585, fax 360-586-2918, email RulesComments@cjic.state.wa.us, website www.cjc.state.wa.us.

November 22, 2022
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Executive Director