

WSR 22-15-065
RULES OF COURT
STATE SUPREME COURT
[July 15, 2022]

IN THE MATTER OF THE PROPOSED ) ORDER
AMENDMENT TO GR 22—ACCESS ) NO. 25700-A-1456
TO FAMILY LAW AND )
GUARDIANSHIP COURT RECORDS )

The District and Municipal Court Judges' Association, having recommended the adoption of the proposed amendment to GR 22—Access to Family Law and Guardianship Court Records, and the Court having considered the proposed amendment, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

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

(b) That the proposed amendment will be published in the Washington Reports and will become effective September 1, 2022.

DATED at Olympia, Washington this 15th day of July, 2022.

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

GR 22

ACCESS TO FAMILY LAW, AND GUARDIANSHIP, AND THERAPEUTIC COURT RECORDS

(a) Purpose and Scope of this Rule. This rule governs access to family law, and guardianship, and therapeutic court records, whether the records are maintained in paper or electronic form. The policy of the courts is to facilitate public access to court records, provided that such access will not present an unreasonable invasion of personal privacy, will not permit access to records or information defined by law or court rule as confidential, sealed, exempted from disclosure, or otherwise restricted from public access, and will not be unduly burdensome to the ongoing business of the courts.

(b) Definition and Construction of Terms.

(1) - (8) [Unchanged.]

(9) "Therapeutic court cases" means any case in which a party is receiving treatment pursuant to a therapeutic court program under chapter 2.30 RCW, other than proceedings under chapter 13.34 RCW.

(c) Access to Family Law, or Guardianship, and Therapeutic Court Records.

(1) [Unchanged.]

(2) Restricted Access. The Confidential Information Form, Sealed Financial Source Documents, Domestic Violence Information Form, Notice of Intent to Relocate required by RCW 26.09.440, Sealed Personal Health Care Record, Retirement Plan Order, Confidential Reports as defined in (e) (2) (B), copies of any unredacted Judicial Information System (JIS) database information considered by the court for parenting plan approval as set forth in (f) of this rule, and any Personal In-

formation Sheet necessary for JIS purposes, and evaluations and reports pursuant to chapter 10.77 RCW, therapeutic court risk/needs assessments, treatment evaluation and treatment compliance forms used in therapeutic court cases or otherwise ordered by a court, shall only be accessible as provided in sections (h) and (i) herein.

(3) [Unchanged.]

(d) **Restricted Personal Identifiers Not Required—Except.** Parties to a family law case or the respondent, individual subject to guardianship, conservatorship or other protective arrangement, or other party in a guardianship case or defendants in a therapeutic court or those ordered to do treatment by a therapeutic court shall not be required to provide restricted personal identifiers in any document filed with the court or required to be provided upon filing a family law or guardianship case, except:

(1)-(3) [Unchanged.]

**(e) Filing of Reports in Family Law, and Guardianship, and Therapeutic Court cases Cover Sheet.**

(1) This section applies to documents that are intended as reports to the court in Family law, and Guardianship, and therapeutic court cases including, but not limited to, the following:

(A) [Unchanged.]

(B) Domestic Violence Assessment Reports created by Family Court Services or a qualified expert appointed by the court, or created for a therapeutic court purpose or otherwise ordered by a court;

(C) Risk Assessment Reports created by Family Court Services or a qualified expert, or created for a therapeutic court purpose or otherwise ordered by a court;

(D) Treatment evaluation and compliance reports required by a therapeutic court or otherwise ordered by a court;

(E) Mental health competency evaluations;

~~(F)~~ CPS Summary Reports created by Family Court Services or supplied directly by Children's Protective Services;

~~(G)~~ Sexual abuse evaluations; and

~~(H)~~ Reports of a guardian ad litem or Court Appointed Special Advocate or visitor or court visitor.

(2)-(3) [Unchanged.]

**(f)-(g)** [Unchanged.]

**(h) Access by Courts, Agencies, and Parties to Restricted Documents.**

(1) Unless otherwise provided by statute or court order, the following persons shall have access to all records in family law, or guardianship, or therapeutic court cases:

(A)-(B) [Unchanged.]

(2) Except as otherwise provided by statute or court order, the following persons shall have access to all documents filed in a family law, or guardianship, or therapeutic court case, except the Personal Information Sheet, Vital Statistics Form, Confidential Information Form, Domestic Violence Information Form, Law Enforcement Information Form, and Foreign Protection Order Form.

(A)-(C) [Unchanged.]

**(i)** [Unchanged.]