

WSR 26-02-019
RULES OF COURT
STATE SUPREME COURT
[December 4, 2025]

IN THE MATTER OF THE) ORDER
SUGGESTED NEW GENERAL RULE) NO. 25700-A-1674
44-COURT ANTI-HARASSMENT)
POLICY)

Judge Ian Birk, having recommended the suggested new General Rule 44—Court Anti-Harassment Policy, 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 in January 2026.

(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, 2026. 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 4th day of December, 2025.

For the Court

Stephens, C.J.

CHIEF JUSTICE

GR 9 Cover Sheet

Name of Proponent: Ian S. Birk

Spokesperson: Ian S. Birk

Purpose: Requiring the adoption of anti-harassment policies in Washington courts. The rule does not create or resolve any conflicts with statute, case law, or other court rules.

Hearing: A public hearing would be appropriate.

Expedited Consideration: Expedited consideration is not necessary.

Rule ____ . COURT ANTI-HARASSMENT POLICY

(a) Scope. For purposes of this rule, "court" shall include the Supreme Court, the Court of Appeals, every superior court, every district court, and every municipal court.

(b) Anti-Harassment Policy. Every court shall adopt an anti-harassment policy which shall comply with the requirements of this rule.

(c) Requirements. An anti-harassment policy adopted under this rule shall include, at a minimum:

(1) A statement that the court will provide fair and equal treatment to all personnel involved in the business of the court regardless

of any status protected under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e-2000e-17, the Washington Law Against Discrimination, ch. 49.60 RCW, or RPC 8.4(g).

(2) The anti-harassment policy shall cover the conduct of all personnel, including all judges or justices.

(3) The anti-harassment policy shall provide a means for any person (including a judge or justice) to report workplace harassment based on the conduct of any other person (including a judge or justice), including a means to report independent of the person whose conduct forms the basis of the report.

(4) The anti-harassment policy shall provide for an objective investigation of all reports of workplace harassment, and shall include provisions for investigation independent of the person whose conduct forms the basis of the report.

Comment

Provided the anti-harassment policy provides for independent reporting and investigation of the conduct of judges or justices at a court in compliance with this rule, as the case may be, the August 2020 Model Anti-Harassment Policy promulgated by the Washington State Supreme Court Gender and Justice Commission is deemed adequate to otherwise satisfy the requirements of this rule. This rule does not affect the ability of any matter to be brought before the Commission on Judicial Conduct.