

Filed
Washington State Supreme Court

JUN - 4 2015
Ronald R. Carpenter
Clerk

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE PROPOSED)
AMENDMENTS TO GR 31.1 — ACCESS TO)
ADMINISTRATIVE RECORDS)
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ORDER
NO. 25700-A-1106

The Board of Judicial Administration, having recommended the expeditious adoption of the Proposed Amendments to GR 31.1 — Access to Administrative Records, and the Court having considered the amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

- (a) That the new rule as attached hereto is adopted.
- (b) That the new rule will be published in the Washington Reports and will become effective on January 1, 2016.

715/10

ORDER

IN THE MATTER OF THE PROPOSED AMENDMENTS TO GR 31.1 — ACCESS TO ADMINISTRATIVE RECORDS

DATED at Olympia, Washington this 4th day of June, 2015.

[Signature]
[Signature]
Fairhurst, J.
[Signature]

Madsen, C. J.
[Signature]
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NEW RULE

GENERAL RULES (GR)

Rule 31.1 – Access to Administrative Records

GENERAL PRINCIPLES

(a) Policy and Purpose. Consistent with the principles of open administration of justice as provided in article I, section 10 of the Washington State Constitution, it is the policy of the judiciary to facilitate access to administrative records. A presumption of access applies to the judiciary's administrative records. Access to administrative records, however, is not absolute and shall be consistent with exemptions for personal privacy, restrictions in statutes, restrictions in court rules, and as required for the integrity of judicial decision-making. Access shall not unduly burden the business of the judiciary.

(b) Overview of Public Access to Judicial Records. There are three categories of judicial records.

(1) Case records are records that relate to in-court proceedings, including case files, dockets, calendars, and the like. Public access to these records is governed by GR 31, which refers to these records as "court records," and not by this GR 31.1. Under GR 31, these records are presumptively open to public access, subject to stated exceptions.

(2) Administrative records are records that relate to the management, supervision, or administration of a court or judicial agency. A more specific definition of "administrative records" is in section (i) of this rule. Under section (j) of this rule, administrative records are presumptively open to public access, subject to exceptions found in sections (j) and (l) of this rule.

(3) Chambers records are records that are controlled and maintained by a judge's chambers. A more specific definition of this term is in section (m) of this rule. Under section (m), chambers records are not open to public access.

PROCEDURES FOR ADMINISTRATIVE RECORDS

1 **(c) Procedures for Records Requests.**
2

3 (1) COURTS AND JUDICIAL AGENCIES TO ADOPT PROCEDURES. Each court
4 and judicial agency must adopt a policy implementing this rule and setting forth
5 its procedures for accepting and responding to administrative records requests.
6 The policy must include the designation of a public records officer and ~~must~~
7 shall require that requests from the identified individual or, if an entity, an
8 identified entity representative, be submitted in writing to the designated public
9 records officer. Best practices for handling administrative records requests
10 shall be developed under the authority of the Board for Judicial Administration.

11 *COMMENT: When adopting policies and procedures, courts and judicial agencies will*
12 *need to carefully consider many issues, including the extent to which judicial*
13 *employees may use personally owned computers and other media devices to conduct*
14 *official business and the extent to which the court or agency will rely on the individual*
15 *employee to search his or her personally owned media devices for documents in*
16 *response to a records request. For judicial officers and their chambers staff,*
17 *documents on personal media devices may still qualify as chambers records, see*
18 *section (m) of this rule.*

19 (2) PUBLICATION OF PROCEDURES FOR REQUESTING ADMINISTRATIVE
20 RECORDS. Each court and judicial agency must prominently publish the
21 procedures for requesting access to its administrative records. If the court or
22 judicial agency has a website, the procedures must be included there. The
23 publication shall include the public records officer's work mailing address,
24 telephone number, fax number, and e-mail address.

25 (3) INITIAL RESPONSE. Each court and judicial agency must initially respond to a
26 written request for access to an administrative record within five working days
27 of its receipt, but for courts that convene infrequently no more than 30 calendar
28 days, from the date of its receipt. The response shall acknowledge receipt of
29 the request and include a good-faith estimate of the time needed to respond to
30 the request. The estimate may be later revised, if necessary. For purposes of
31 this rule, "working days" mean days that the court or judicial agency, including a
32 part-time municipal court, is open.

33 (4) COMMUNICATION WITH REQUESTER. Each court and judicial agency must
34 communicate with the requester as necessary to clarify the records being
35 requested. The court or judicial agency may also communicate with the
36 requester in an effort to determine if the requester's need would be better
37 served with a response other than the one actually requested.

38 (5) SUBSTANTIVE RESPONSE. Each court and judicial agency must respond to
39 the substance of the records request within the timeframe specified in the

1 court's or judicial agency's initial response to the request. If the court or judicial
2 agency is unable to fully comply in this timeframe, then the court or judicial
3 agency should comply to the extent practicable and provide a new good faith
4 estimate for responding to the remainder of the request. If the court or judicial
5 agency does not fully satisfy the records request in the manner requested, the
6 court or judicial agency must justify in writing any deviation from the terms of
7 the request.

8 **(6) EXTRAORDINARY REQUESTS LIMITED BY RESOURCE CONSTRAINTS.**

9 If a particular request is of a magnitude that the court or judicial agency cannot
10 fully comply within a reasonable time due to constraints on the court's or judicial
11 agency's time, resources, and personnel, the court or judicial agency shall
12 communicate this information to the requester. The court or judicial agency
13 must attempt to reach agreement with the requester as to narrowing the
14 request to a more manageable scope and as to a timeframe for the court's or
15 judicial agency's response, which may include a schedule of installment
16 responses. If the court or judicial agency and requester are unable to reach
17 agreement, then the court or judicial agency shall respond to the extent
18 practicable and inform the requester that the court or judicial agency has
19 completed its response.

20 **(7) RECORDS REQUESTS THAT INVOLVE HARASSMENT, INTIMIDATION,**

21 **THREATS TO SECURITY, OR CRIMINAL ACTIVITY.** A court or judicial
22 agency may deny a records request if it determines that: the request was made
23 to harass or intimidate the court or judicial agency or its employees; fulfilling the
24 request would likely threaten the security of the court or judicial agency;
25 fulfilling the request would likely threaten the safety or security of judicial
26 officers, staff, family members of judicial officers or staff, or any other person;
27 or fulfilling the request may assist criminal activity.

28 **(d) Review of Records Decision.**

29 **(1) NOTICE OF REVIEW PROCEDURES.** The public records officer's response to
30 a public records request shall include a written summary of the procedures under
31 which the requesting party may seek further review.

32 **(2) DEADLINE FOR SEEKING INTERNAL REVIEW.** A record requester's petition
33 under section (d)(3) seeking internal review of a public records officer's decision
34 must be submitted within 90 days of the public records officer's decision.

35 **(3) INTERNAL REVIEW WITHIN COURT OR AGENCY.** Each court and judicial
36 agency shall provide a method for review by the judicial agency's director,

1 presiding judge, or judge designated by the presiding judge. For a judicial
2 agency, the presiding judge shall be the presiding judge of the court that
3 oversees the agency. The court or judicial agency may also establish
4 intermediate levels of review. The court or judicial agency shall make publicly
5 available the applicable forms. The review proceeding is informal and summary.
6 The review proceeding shall be held within five working days, but for courts that
7 convene infrequently no more than 30 calendar days, from the date the court or
8 agency receives the request for review. If that is not reasonably possible, then
9 within five working days the review shall be scheduled for the earliest practical
10 date.

11 (4) **EXTERNAL REVIEW.** Upon the exhaustion of remedies under section (d)(3), a
12 record requester aggrieved by a court or agency decision may obtain further
13 review by choosing between the two alternatives set forth in subsections (i) and
14 (ii) of this section (d)(4).

15 (i) **REVIEW VIA CIVIL ACTION IN COURT.** The requesting person may use
16 a judicial writ of mandamus, prohibition, or certiorari to file a civil action in
17 superior court challenging the records decision.

18 *COMMENT: Subsection (i) does not create any new judicial remedies, but merely*
19 *recognizes existing procedures for initiating a civil action in court.*

20 (ii) **INFORMAL REVIEW BY VISITING JUDGE OR OTHER OUTSIDE**
21 **DECISION MAKER.** The requesting person may seek informal review by
22 a person outside the court or judicial agency. If the requesting person
23 seeks review of a decision made by a court or made by a judicial agency
24 that is directly reportable to a court, the outside review shall be by a
25 visiting judicial officer. If the requesting person seeks review of a
26 decision made by a judicial agency that is not directly reportable to a
27 court, the outside review shall be by a person agreed upon by the
28 requesting person and the judicial agency. In the event the requesting
29 person and the judicial agency cannot agree upon a person, the presiding
30 superior court judge in the county in which the judicial agency is located
31 shall either conduct the review or appoint a person to conduct the review.
32 The review proceeding shall be informal and summary. The decision
33 resulting from the informal review proceeding may be further reviewed in
34 superior court pursuant to a writ of mandamus, prohibition, or certiorari.
35 Decisions made by a judge under this subsection (ii) are part of the
36 judicial function.

1 (iii) DEADLINE FOR SEEKING EXTERNAL REVIEW. A request for external
2 review must be submitted within 30 days of the issuance of the court or
3 judicial agency's final decision under section (d)(3).
4

5 **(e) Monetary Awards Not Allowed.** Attorney fees, costs, civil penalties, or fines may
6 not be awarded under this rule.
7

8 **(f) Persons Who Are Subjects of Records.**

9 (1) Unless otherwise required or prohibited by law, a court or judicial agency has the
10 option of notifying a person named in a record or to whom a record specifically
11 pertains, that access to the record has been requested.

12 (2) A person who is named in a record, or to whom a record specifically pertains,
13 may present information opposing the disclosure to the applicable decision
14 maker under sections (c) and (d).

15 (3) If a court or judicial agency decides to allow access to a requested record, a
16 person who is named in that record, or to whom the record specifically pertains,
17 has a right to initiate review under subsections (d)(3)-(4) or to participate as a
18 party to any review initiated by a requester under subsections (d)(3)-(4). If
19 either the record subject or the record requester objects to informal review under
20 subsection (d)(4)(ii), such alternative shall not be available. The deadlines that
21 apply to a requester apply as well to a person who is a subject of a record.
22

23 **(g) Court and Judicial Agency Rules.** Each court may from time to time make and
24 amend local rules governing access to administrative records not inconsistent with
25 this rule. Each judicial agency may from time to time make and amend agency rules
26 governing access to its administrative records not inconsistent with this rule.
27

28 **(h) Charging of Fees.**

29 (1) A fee may not be charged to view administrative records, except the requester
30 may be charged for research required to locate, obtain, or prepare the records
31 at the rate set forth in section (h)(4).

32 (2) A fee may be charged for the photocopying or scanning of administrative
33 records. If another court rule or statute specifies the amount of the fee for a
34 particular type of record, that rule or statute shall control. Otherwise, the
35 amount of the fee may not exceed the amount that is authorized in the Public
36 Records Act, Chapter ~~chapter~~ 42.56 RCW.

1 (3) The court or judicial agency may require a deposit in an amount not to exceed
2 the estimated cost of providing copies for a request. If a court or judicial
3 agency makes a request available on a partial or installment basis, the court or
4 judicial agency may charge for each part of the request as it is provided. If an
5 installment of a records request is not claimed or reviewed within 30 days, the
6 court or judicial agency is not obligated to fulfill the balance of the request.

7 (4) A fee not to exceed \$30 per hour may be charged for research and
8 preparation services required to fulfill a request taking longer than one hour.
9 The fee shall be assessed from the second hour onward.

10 *COMMENT: The authority to charge for research services is discretionary,*
11 *allowing courts to balance the competing interests between recovering the*
12 *costs of their response and ensuring the open administration of justice. The*
13 *fee should not exceed the actual costs of response.*

14 (5) A court or judicial agency may require prepayment of fees.
15

16 **APPLICATION OF RULE FOR ADMINISTRATIVE RECORDS**

17 This rule applies to all administrative records, regardless of the physical form of the
18 record, the method of recording the record, or the method of storage of the record.

19 **(i) Definitions.**

20
21 (1) "Access" means the ability to view or obtain a copy of an administrative record.
22

23 (2) "Administrative record" means a public record created by or maintained by a
24 court or judicial agency and related to the management, supervision, or
25 administration of the court or judicial agency.

26 *COMMENT: The term "administrative record" does not include any of the*
27 *following: (1) "court records" as defined in GR 31; (2) chambers records as*
28 *set forth later in this rule; or (3) an attorney's client files that would otherwise*
29 *be covered by the attorney-client privilege or the attorney work product*
30 *privilege.*
31

32 (3) "Court record" is defined in GR 31.

33 (4) "Judge" means a judicial officer as defined in the Code of Judicial Conduct
34 (CJC) Application of the Code of Judicial Conduct Section (A).
35

36 (5) "Public" includes an individual, partnership, joint venture, public or private
37 corporation, association, federal, state, or local governmental entity or agency,

1 however constituted, or any other organization or group of persons, however
2 organized.

3
4 (6) "Public record" includes any writing, except chambers records and court
5 records, containing information relating to the conduct of government or the
6 performance of any governmental or proprietary function prepared, owned,
7 used, or retained by any court or judicial agency regardless of physical form or
8 characteristics. "Public record" also includes metadata for electronic
9 administrative records.

10 *COMMENT: See O'Neill v. City of Shoreline, 170 Wn.2d 138, 240 P.3d 1149*
11 *(2010) (defining "metadata").*

12
13 (7) "Writing" means handwriting, typewriting, printing, photostating, photographing,
14 and every other means of recording any form of communication or
15 representation including, but not limited to, letters, words, pictures, sounds, or
16 symbols, or combination thereof, and all papers, maps, magnetic or paper
17 tapes, photographic films and prints, motion picture, film and video recordings,
18 magnetic or punched cards, discs, drums, diskettes, sound recordings, and
19 other documents including existing data compilations from which information
20 may be obtained or translated.

21 *COMMENT: E-mails and telephone records are included in this broad*
22 *definition of "writing."*

23
24 **(j) Administrative Records—General Right of Access.** Court and judicial agency
25 administrative records are open to public access unless access is exempted or
26 prohibited under this rule, other court rules, federal statutes, state statutes, court
27 orders, or case law. To the extent that records access would be exempt or
28 prohibited if the Public Records Act applied to the judiciary's administrative records,
29 access is also exempt or prohibited under this rule. To the extent that an ambiguity
30 exists as to whether records access would be exempt or prohibited under this rule or
31 other enumerated sources, responders and reviewing authorities shall be guided by
32 the Public Records Act, ~~Chapter~~ chapter 42.56 RCW, in making interpretations
33 under this rule. In addition, to the extent required to prevent a significant risk to
34 individual privacy or safety interests, a court or judicial agency shall delete
35 identifying details in a manner consistent with this rule when it makes available or
36 publishes any public record; however, in each instance, the justification for the
37 deletion shall be provided fully in writing.

38

1 **(k) Entities Subject to Rule.**

2 (1) This rule applies to the Supreme Court, the Court of Appeals, the superior
3 courts, the district and municipal courts, and the following judicial branch
4 agencies:

5 (i) All judicial organizations that are overseen by a court, including entities
6 that are designated as agencies, departments, committees, boards,
7 commissions, task forces, and similar groups;

8 (ii) The Superior Court Judges' Association, the District and Municipal Court
9 Judges' Association, and similar associations of judicial officers and
10 employees; and

11 (iii) The Washington State Office of Civil Legal Aid and the Washington State
12 Office of Public Defense; and

13 (iv) All subgroups of the entities listed in this section (k)(1).

14 *COMMENT: The elected court clerks and their staff are not included in this*
15 *rule because (1) they are covered by the Public Records Act and (2) they do*
16 *not generally maintain the judiciary's administrative records that are covered*
17 *by this rule.*

18
19 ~~(2) This rule applies to the Washington State Office of Civil Legal Aid and the~~
20 ~~Washington State Office of Public Defense.~~

21 ~~(3)~~ (2) This rule does not apply to the Washington State Bar Association. Public
22 access to the Bar Association's records is governed by [a proposed General
23 Rule 12.4, pending before the Supreme Court].

24 ~~(4)~~ (3) A judicial officer is not a court or judicial agency.

25 *COMMENT: This provision protects judges and court commissioners from*
26 *having to respond personally to public records requests. Records requests*
27 *would instead go to the court's public records officer.*

28
29 ~~(5)~~ (4) An attorney or entity appointed by a court or judicial agency to provide legal
30 representation to a litigant in a judicial or administrative proceeding does not
31 become a judicial agency by virtue of that appointment.

32
33 ~~(6)~~ (5) A person or entity entrusted by a judicial officer, court, or judicial agency with
34 the storage and maintenance of its public records, whether part of a judicial
35 agency or a third party, is not a judicial agency. Such person or agency may
36 not respond to a request for access to administrative records, absent express
37 written authority from the court or judicial agency or separate authority in court
38 rule to grant access to the documents.

1
2 *COMMENT: Judicial e-mails and other documents sometimes reside on IT*
3 *servers, some are in off-site physical storage facilities. This provision*
4 *prohibits an entity that operates the IT server from disclosing judicial records.*
5 *The entity is merely a bailee, holding the records on behalf of a court or*
6 *judicial agency, rather than an owner of the records having independent*
7 *authority to release them. Similarly, if a court or judicial agency puts its*
8 *paper records in storage with another entity, the other entity cannot disclose*
9 *the records. In either instance, it is the court or judicial agency that needs to*
10 *make the decision as to releasing the records. The records request needs to*
11 *be addressed by the court's or judicial agency's public records officer, not by*
12 *the person or entity having control over the IT server or the storage area. On*
13 *the other hand, if a court or judicial agency archives its records with the state*
14 *archivist, relinquishing by contract its own authority as to disposition of the*
15 *records, the archivist would have separate authority to disclose the records.*

16
17 *Because of this rule's broad definition of "public record", this paragraph (6)*
18 *would apply to electronic records, such as e-mails (and their metadata) and*
19 *telephone records, among a wide range of other records.*
20

21 **(f) Exemptions.** In addition to exemptions referred to in section (j), the following
22 categories of administrative records are exempt from public access:

23 (1) Requests for judicial ethics opinions;

24 (2) Minutes of meetings held exclusively among judges, along with any staff;

25 *COMMENT: Meeting minutes do not always contain information that needs*
26 *to be withheld from public access. Courts have discretion whether to*
27 *release meeting minutes, because an exemption from this rule merely*
28 *means that a document is not required to be disclosed. Disclosure would*
29 *be appropriate if the document does not contain information of a*
30 *confidential, sensitive, or protected nature. Courts and judicial agencies*
31 *are encouraged to carefully consider whether some, or all, of their*
32 *meeting minutes should be open to public access. Adopting a local rule on*
33 *this issue would assist the public in knowing which types of minutes are*
34 *accessible and which are not.*

35 (3) Preliminary drafts, notes, recommendations, and intra-agency memorandums
36 in which opinions are expressed or policies formulated or recommended are
37 exempt under this rule, except that a specific record is not exempt when
38 publicly cited by a court or agency in connection with any court or agency
39 action. This exemption applies to a record only while a final decision is pending
40 on the issue that is being addressed in that record; once the final decision has
41 been made, the record is no longer covered by this exemption. For purposes of

1 documents related to budget negotiations with a budgetary authority, the "final
2 decision" is the decision by the budgetary authority to adopt the budget for that
3 year or biennium.

- 4 (4) Evaluations and recommendations concerning candidates seeking appointment
5 or employment within a court or judicial agency;

6 *COMMENT: Paragraph (4) is intended to encompass documents such as those*
7 *of the Supreme Court's Capital Counsel Committee, which evaluates attorneys*
8 *for potential inclusion on a list of attorneys who are specially qualified to*
9 *represent clients in capital cases.*

- 10 (5) Personal identifying information, including individuals' home contact
11 information, Social Security numbers, date of birth, driver's license numbers,
12 and identification/security photographs;

- 13
14 (6) Documents related to an attorney's request for a trial or appellate court
15 defense expert, investigator, or other services, any report or findings submitted
16 to the attorney or court or judicial agency by the expert, investigator, or other
17 service provider, and the invoicing of the expert, investigator or other service
18 provider during the pendency of the case in any court. Payment records are
19 not exempt, provided that they do not include medical records, attorney work
20 product, information protected by attorney-client privilege, information sealed by
21 a court, or otherwise exempt information;

- 22 (7) Documents, records, files, investigative notes and reports, including the
23 complaint and the identity of the complainant, associated with a court's or
24 judicial agency's internal investigation of a complaint against the court or
25 judicial agency or its contractors during the course of the investigation. The
26 outcome of the court's or judicial agency's investigation is not exempt;

- 27 (8) [Reserved];

- 28 (9) Family court mediation files; and

- 29 (10) Juvenile court probation social files.

- 30 (11) Those portions of records containing specific and unique vulnerability
31 assessments or specific and unique emergency and escape response plans,
32 the disclosure of which would have a substantial likelihood of threatening the
33 security of a judicial facility or any individual's safety.

- 34 (12) The following records of the Certified Professional Guardian Board:

- 1 (i) Investigative records compiled by the Board as a result of an investigation
2 conducted by the Board as part of the application process, while a
3 disciplinary investigation is in process under the Board's rules and
4 regulations, or as a result of any other investigation conducted by the
5 Board while an investigation is in process. Investigative records related to
6 a grievance become open to public inspection once the investigation is
7 completed.
- 8 (ii) Deliberative records compiled by the Board or a panel or committee of the
9 Board as part of a disciplinary process.
- 10 (iii) A grievance shall be open to public access, along with any response to
11 the grievance submitted by the professional guardian or agency, once the
12 investigation into the grievance has been completed or once a decision
13 has been made that no investigation will be conducted. The name of the
14 professional guardian or agency shall not be redacted from the grievance.

15 16 **CHAMBERS RECORDS**

- 17
18 **(m) Chambers Records.** Chambers records are not administrative records and are
19 not subject to disclosure.

20 *COMMENT: Access to chambers records could necessitate a judicial officer*
21 *having to review all records to protect against disclosing case sensitive*
22 *information or other information that would intrude on the independence of*
23 *judicial decision-making. This would effectively make the judicial officer a de*
24 *facto public records officer and could greatly interfere with judicial functions.*

- 25 (1) "Chambers record" means any writing that is created by or maintained by any
26 judicial officer or chambers staff, and is maintained under chambers control,
27 whether directly related to an official judicial proceeding, the management of
28 the court, or other chambers activities. "Chambers staff" means a judicial
29 officer's law clerk, a judicial officer's administrative staff, and any other staff,
30 when providing support directly to the judicial officer at chambers.

31 *COMMENT: Some judicial employees, particularly in small jurisdictions, split*
32 *their time between performing chambers duties and performing other court*
33 *duties. An employee may be "chambers staff" as to certain functions, but not*
34 *as to others. Whether certain records are subject to disclosure may depend on*
35 *whether the employee was acting in a chambers staff function or an*
36 *administrative staff function with respect to that record.*

37 *Records may remain under chambers control even though they are stored*
38 *elsewhere. For example, records relating to chambers activities that are*

1 stored on a judge's personally owned or workplace-assigned computer, laptop
2 computer, cell phone, and similar electronic devices would still be chambers
3 records. As a further example, records that are stored for a judicial chambers
4 on external servers would still be under chambers control to the same extent
5 as if the records were stored directly within the chambers. However, records
6 that are otherwise subject to disclosure should not be allowed to be moved
7 into chambers control as a means of avoiding disclosure.

- 8 (2) Court records and administrative records do not become chambers records
9 merely because they are in the possession or custody of a judicial officer or
10 chambers staff.

11 *COMMENT: Chambers records do not change in character by virtue of being*
12 *accessible to another chambers. For example, a data base that is shared by*
13 *multiple judges and their chambers staff is a "chambers record" for purposes*
14 *of this rule, as long as the data base is only being used by judges and their*
15 *chambers staff.*

16
17 **IMPLEMENTATION AND EFFECTIVE DATE**
18

- 19 **(n) Best Practices.** Best practice guidelines adopted by the Supreme Court may be
20 relied upon in acting upon public requests for documents.

21 **(o) Effective Date of Rule.**

- 22 (1) This rule will go into effect on a future date to be determined by the Supreme
23 Court based on a recommendation from the Board for Judicial Administration.
24 The rule will apply to records that are created on or after that date.

25 *COMMENT: A delayed effective date is being used to allow time for*
26 *development of best practices, training, and implementation. The effective*
27 *date will be added to the rule once it has been determined.*

- 28 (2) Public access to records that are created before that date are to be analyzed
29 according to other court rules, applicable statutes, and the common law
30 balancing test. The Public Records Act, Chapter 42.56 RCW, does not apply
31 to judicial records, but it may be used for non-binding guidance.