

# WASHINGTON ADDRESS CONFIDENTIALITY PROGRAM BENCH CARD

## What is the Washington Address Confidentiality Program (ACP)?

The ACP is a statewide program that provides individuals and their household members with a legal designated address for interacting with all state and local government agencies, including the courts. The designated address may be used as the participant's home, school, or work address.

The ACP also provides confidential mail forwarding services and protects voting and marriage records. The program is administered by the Secretary of State's Office.

The program became law in 1991 to assist survivors of domestic violence. It has since been expanded to include:

- Survivors of sexual assault (1998), stalking (2001), and trafficking (2008),
- criminal justice participants, including judges (2011), and
- election officials (2022).

Most applicants obtain an ACP designated address with the assistance of a victim advocate.

## What is the intent of ACP?

The program is intended to be used to prevent abuser and potential abusers from locating a participant through public records.

The purpose of the law is to enable:

- state and local agencies, including the courts, to respond to requests for public records without disclosing the location of the participant;
- interagency cooperation with the secretary of state in providing address confidentiality to participants enrolled in the program; and
- state and local agencies to accept a program participant's use of the address designated by the Secretary of State as their address.

The designated address, and not their actual (confidential) address, will appear in public records.

(RCW [40.24.010](#))

## Why should government agencies and courts accept the ACP address?

In most cases, state and local agencies shall accept the designated address when creating a new public record upon request of the ACP participant. The court shall act in accordance with the requirements of the ACP in the course of all proceedings under family court.

(RCWs [26.12.270](#) and [40.24.050](#))

## How do I know when I am interacting with a participant enrolled in the ACP?

It is the ACP participant's responsibility to request use of the designated address.

Agencies may ask the participant for their ACP authorization card as verification they are in the program (see sample below). Agencies and courts may copy the card for their records.

When a participant files a petition in court using the ACP designated address, or updates their address to the ACP address, the county associated with the designated ACP address will be Thurston County.

The ACP designated address is PO Box 257, Olympia WA 98507. A complete designated address includes a Participant Mailbox Number (PMB).

State of Washington  
Address Confidentiality Program

Pursuant to Chapter 40.24 RCW, the following person is authorized to use the ACP substitute address for all legal purposes:

Firstname Lastname Birthdate: XX/XX/XXXX  
PO Box 257 PMB ##### Card Expiration: XX/XX/XXXX  
Olympia, WA 98507-0257

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Signature of participant or parent/guardian

(RCW [40.24.050](#) and WAC [434-840-017](#))

## **When can a court order be issued for program participant information?**

A court order for ACP participant information may only be issued upon a probable cause finding by a judicial officer that:

- release of the program participant's information is legally necessary in the course of a criminal investigation or prosecution; or
- to prevent immediate risk to a minor and meet the statutory requirements of the Washington child welfare system. Any court order so issued will prohibit the release of information to any other agency or person not a party in the order.

(RCW [26.12.270](#) RCW [40.24.075](#))

## **How is service of process, including personal service, handled regarding an ACP participant?**

When a person is certified into the ACP, they designate the Secretary of State's Office as their agent for receipt of

- first-class mail,
- certified and registered mail, and
- service of process (in person or by mail).

The ACP accepts these items on behalf of a participant. When received it is the same as the participant receiving service directly. Being enrolled in the ACP does not shield a participant from consequences for failing to comply with any legal document served.

(RCW [40.24.030\(1\)\(a\)\(iii\)](#) and WAC [434-840-080](#))

## **What if someone presents an ACP authorization card or says they are an ACP participant?**

1. If they have not provided their authorization card, ask to see their ACP authorization card.
2. If they do not have their card with them or you are interacting by phone, ask for their substitute address, including their PMB#.
3. Call the ACP office at 800-822-1065 and confirm participation with the person's first and last name and their PMB#.
4. Once confirmed, proceed with updating the file to the substitute address, follow all ACP laws and your ACP policy and procedures.

## **When might the Court encounter a participant's request to use their ACP designated address?**

The court may encounter an ACP participant at any time but are most likely to receive a participant's request in family law cases.

### ***Example 1: Issues related to children, ACP participants and parenting time***

Children of ACP participants may be enrolled in the ACP and use the designated address as their home address.

When considering a location for exchanges between parents, you can maintain confidentiality for the ACP participants by:

- Selecting a public place for the exchange instead of a participant's house.
- Asking the ACP participant where they would like to perform the exchanges.
- Instead of asking if a location is close to a participant, ask whether it is a certain amount of time away (Ex: Is the location under one hour away from you?).

### ***Example 2: Questions regarding the school that children attend or requests for school information***

Questions regarding the school that children are enrolled in should be handled as confidentially as possible. To satisfy a request for school information, consider:

- Asking what school district, rather than specific school, the child/children will be attending this year.
- Whether an in-camera disclosure satisfies the needs of the parties in the case.

### ***Example 3: Disclosure of a participant's actual address***

If an address is requested by a party, consider creative solutions for satisfying the request without disclosing the actual address by:

- Having a participant provide pictures inside of house to guarantee safe conditions.
- Having a participant write their address on paper for judge to review (if it does not need to be disclosed publicly) rather than verbal disclosure in front of another party.
- Considering an in-camera disclosure.

## ACP Laws and Reference Information

<a href="#">Chapter 40.24 RCW</a>	Address Confidentiality Program Act
<a href="#">Chapter 434-840 WAC</a>	Address Confidentiality Program Administrative Rules
RCW <a href="#">26.09.460</a>	Dissolution Proceedings - Limitation of notices
RCW <a href="#">26.12.270</a>	Family Court - Address confidentiality program
RCW <a href="#">40.24.010</a>	Findings—Purpose—Intent
RCW <a href="#">40.24.030</a>	Address confidentiality program—Application—Certification
RCW <a href="#">40.24.050</a>	Agency use of designated address
RCW <a href="#">40.24.075</a>	Court order for address confidentiality program participant information
RCW <a href="#">9A.46.020</a>	Definition - Penalties
RCW <a href="#">9A.90.120</a>	Cyber harassment
WAC <a href="#">434-840-017</a>	Substitute address
WAC <a href="#">434-840-080</a>	Service of process
31 Gonz. L. Rev.523	Gonzaga Law Review 1995-1996