



Scope and Purpose

The *Sexual Violence Bench Guide for Judicial Officers* is designed to serve as a resource for new and experienced judicial officers. While this bench guide is as current as possible at the date of revision, laws, rules, references and case law change rapidly. Users are encouraged to verify.

Chapter Overview

Chapter 1 Understanding Sexual Violence (Rev. 2021)
Provides a broad overview of the dynamics of sexual violence for the purpose of promoting a consistent and unbiased response to alleged victims of sexual violence in Washington’s courts.

Appendix A Community Sexual Assault Programs (Rev. 2022)

Appendix B Neurobiology of Trauma Bibliography (2018)

Chapter 2 Sexual Offenses (Rev. 2023)
Provides a list and chart of offenses identified as sexual offenses. The chart includes the crime, the RCW, a definition, and the statute of limitations.

Chapter 3 Defenses to Sexual Offenses (Rev. 2023)
Covers the application of defenses to sexual offenses in Washington State including rules when instructing juries, certain defenses, impermissible defenses, and applicable statutes of limitations.

Chapter 4 Pre-Trial Release and Discovery (Rev. 2018)
Presents information on the statutory provisions, case law, docket management practices, and pre-trial release procedures and discovery issues.

Chapter 5 Preliminary Hearings and Trials (Rev. 2018)
Provides a general overview of the conduct of preliminary hearings and trials of defendants charged with a sex offense, and provides guidance for affording appropriate protections to both the victims and defendants.

- Chapter 6 Evidence (Rev. 2018)**
Addresses evidentiary issues that arise during criminal cases involving allegations of sexual offenses.
- Chapter 7 Post-Conviction and Sentencing (Rev. 2018)**
Focuses on special considerations that should be taken into account when sentencing persons convicted of sex offenses.
- Chapter 8 The Juvenile Justice System and Sex Offenses (2018)**
Presents an overview of the juvenile justice process and youth who sexually offend.
- Chapter 9 Civil Protection Orders (Rev. 2023)**
Provides courts assistance in crafting effective orders and in developing effective and efficient procedures for handling cases of sexual violence in order to uphold the rights of all parties involved.
- Appendix A Civil Orders Chart**
- Appendix B Sexual Assault Protection order (SAPO) Hearing Bench Card**
- Appendix C Procedural Justice Bench Card (King County Sexual Assault Resource Center)**
- Appendix D Concurrent Civil Protection Order Hearings & Criminal Proceedings Bench Card: Addressing Continuance Requests (1320 stakeholder group)**
- Appendix E Civil Protection Order Script (1320 stakeholder group)**
- Appendix F Pro Se Litigant Bench Card (Judge Jeffrey Jahns)**
- Appendix G Legal Resources for Civil Protection Orders (1320 stakeholder group)**
- Appendix H Civil Protection Order Filings and Exhibits: How to present your evidence (1320 stakeholder group)**
- Appendix I Washington Address Confidentiality Program Bench Card (Secretary of State)**
- Chapter 10 Sexual Violence and the LGBTQ Community (Rev. 2023)**
Explores how judicial officers may contribute to a more inclusive and respectful legal process through discussion of research, common myths, and best practices.

Appendix A LGBTQ Sexual Assault Community Resources (2013)

Appendix B References (2013)

- Chapter 11** **Cultural Competency (2018)**
Discusses the importance of cultural competency in the courtroom, specifically in cases involving sexual violence.
- Chapter 12** **Sexual Violence and Immigration Law (Rev. 2023)**
Identifies the intersection of immigration laws with state court proceedings related to sexual violence, as well as the implications of decisions made in those cases on immigration status.
- Chapter 13** **Title IX and State Court Proceedings (2018)**
Provides an overview of Title IX and other related federal statutes as well as discussion of the different proceedings stemming from an alleged sexual assault within the jurisdiction of Title IX, and how these processes may intersect with Washington state court proceedings and Washington law.
- Chapter 14** **Sexual Violence and Landlord-Tenant Law (2018)**
Identifies landlord-tenant law issues that judicial officers may be confronted with in sexual assault-related court proceedings.
- Addendum** **“Judges Tell: What I Wish I Had Known Before I Presided in an Adult Victim Sexual Assault Case” (2015)**
- Addendum** **“The Language of Sexual Violence” (2018)**