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WASHINGTON STATE COALITION



AGAINST DOMESTIC VIOLENCE

June 27, 2008

Clerk of the Supreme Court
PO Box 40929
Olympia, WA 98504-0929

Re: Proposed GR 22, Amendments re: Access to Court Records

Dear Hon. Supreme Court Justices:

Thank you for the opportunity to provide comments on the proposed amendments to GR 22, relating to access to family law records, implementing RCW 26.09.182. I am writing on behalf of the Washington State Coalition Against Domestic Violence (WSCADV) to provide comments on the proposed amendments to the rule on access to family law records and its potential impact on domestic violence and stalking survivors. WSCADV is a private non-profit membership organization comprised of sixty-five domestic violence shelter and advocacy organizations committed to ending domestic violence, and other concerned individuals and organizations across Washington State. As you are likely aware, we continue to be extremely concerned that existing GR 22 and GR 31 fail to address the crucial safety and privacy protections of domestic violence victims using the court system, in particular relating to distribution of family and protection order related records remotely, e.g., over the internet.

With respect to the proposed rule change, WSCADV is in support of the proposed changes that clarify that information obtained from court database checks under RCW 26.09.182 is not subject to public access, and as such, are not open to disclosure over the internet. Doing otherwise, especially with respect to information relating to protection order records, would likely be directly in conflict with the Violence Against Women Act provisions at 18 U.S.C. §2265(d)(3).

The provisions at RCW 26.09.182 were intended to provide the courts with increased information when issuing parenting plans, so that litigants are not left with parenting plans that conflict with other existing orders-creating more confusion, and with respect to domestic violence victims, inconsistent orders that may place them at increased risk of harm. The provisions were also intended to provide courts with increased information, in particular in cases where parties are pro-se, in order to issue parenting plans that account for the safety and well-being of the children. We are supportive of

these provisions in that they do not expand public access to information that the parties and children may likely deem private and potentially very embarrassing.

I hope this information has been useful and will be carefully considered by the Supreme Court. If you have any further questions you can contact me. Thank you for your consideration of our comments.

Sincerely,
WASHINGTON STATE COALITION
AGAINST DOMESTIC VIOLENCE

A handwritten signature in black ink, appearing to read 'Grace Huang', with a large, stylized flourish at the end.

GRACE HUANG
Public Policy Program Coordinator