



## WASHINGTON COURTS

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February 22, 2010

Honorable Charles W. Johnson  
Washington State Supreme Court  
Temple of Justice  
PO Box 40929  
Olympia, WA 98504-0929

Dear Justice Johnson:

RE: General Rule 35

Thank you for providing the Access to Justice Board's proposed General Rule 35 for the District and Municipal Court Judges' Association (DMCJA) review. The DMCJA reviewed the proposed rule and supports its adoption with a minor modification of language.

We recommend the addition of the language "Courts and" at the beginning of the proposed new sentence, so the proposed rule would read: Courts and court clerks shall neither charge nor collect any fee or charge, except as authorized by statute or by the Supreme Court. The addition of the words "Courts and" is motivated by the concern that clerks could otherwise be put in a position of getting conflicting direction and the reality is that it is really the court rather than a court officer who is being guided by the rule.

While acknowledging that the rule may not have a substantial applied impact, because the courts should already know that there is no authority to charge fees unless authorized by a statute or the Supreme Court, we support the appropriate guidance the proposed rule provides.

Thank you very much for asking for the DMCJA's review and consideration.

Sincerely,

Glenn Phillips  
President-Judge

cc: Judge Janet Garrow, Chair, DMCJA Rules Committee  
Ms. Ashley DeMoss, Administrative Office of the Courts ✓  
Ms. Michele Shields, Administrative Office of the Courts

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