



Superior Court Judges' Association

Judith H. Ramseyer

President

King County Superior Court
1211 E Alder St
Seattle, WA 98122-5553
206-477-1605

David G. Estudillo

President Elect

Grant County Superior Court
35 C St NW, Fl 2
Ephrata, WA 98823-1685
509-754-2011 Ext. 4144

Kitty-Ann van Doorninck

Immediate Past President

Pierce County Superior Court
930 Tacoma Ave S, Rm 334
Tacoma, WA 98402-2108
425-388-3075

Jackie Shea-Brown

Secretary

Benton/Franklin Co Superior Courts
7122 W Okanogan Pl, Bldg A
Kennewick, WA 99336-2359
509-736-3071

Bryan E. Chushcoff

Treasurer

Pierce County Superior Court
930 Tacoma Ave S, Rm 334
Tacoma, WA 98402-2108
253-798-7574

Board of Trustees

Veronica Alicea-Galván

King County Superior Court
401 4th Ave N, Rm 2D
Kent, WA 98032-3720
206-477-1453

Rachelle Anderson

Spokane County Superior Court
1116 W Broadway Ave
Spokane, WA 99260-0350
509-477-5702

Karen Donohue

King County Superior Court
516 3rd Ave, Rm C-203
Seattle, WA 98104-2361
206-477-3720

Edmund Murphy

Pierce County Superior Court
930 Tacoma Ave S, Rm 334
Tacoma, WA 98402-2108
253-798-3655

Joely A. O'Rourke

Lewis County Superior Court
345 W Main St, Fl 4
Chehalis, WA 98532-0336
360-740-1333

Laura M. Riquelme

Skagit County Superior Court
205 W Kincaid St, Rm 202
Mount Vernon, WA 98273-4225
360-416-1200

Samuel P. Swanberg

Benton/Franklin Co Superior Courts
7122 W Okanogan Pl, Bldg A
Kennewick, WA 99336-2359
509-736-3071

September 23, 2020

Honorable Charles W. Johnson, Chair
Supreme Court Rules Committee
c/o Clerk of the Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

Re: GR 7- Local Rules - Filing and Effective Date - Oppose

Dear Justice Johnson:

The Superior Court Judges' Association Board of Trustees respectfully requests that the Supreme Court Rules committee decline to adopt the proposed amendment to GR 7.

The stated purpose of the proposed amendment to GR 7 is to "help avoid situations where an involved local court stakeholder is caught off guard by a new or changed local rule."

The amendment changes the title of GR 7 from "Local Rules – Filing and Effective Date" to "Local Court Rulemaking." It adds a section that a court may not adopt or amend a local rule without first distributing the proposal to stakeholders and allowing for a 30-day comment period. It also directs the court to post the proposed changes on a website, along with any comments. It gives the court the authority to adopt, amend, or reject a proposal "or take other action as the court deems appropriate."

The courts' ability to make local rules comes from RCW 2.28.150, which gives courts the authority to adopt rules to carry out the statutory objective when the statute is silent as to the procedure. This authority has been adopted into GR 7, CR 83, and JuCR 1.4(d), which require local rules to be consistent with rules adopted by the Supreme Court, requires them to be sent to AOC, and sets deadlines and effective dates.

The SCJA is opposed to the proposed amendment for the following reasons:

- While getting stakeholder input is best practice, the amendment fundamentally shifts GR 7 from a procedural rule regarding

filing and effective dates to a more involved rule-making procedure. It would limit/burden/delay a court's ability to make changes deemed necessary for the administration of justice.

- The amendment is unclear about what would occur if, based on stakeholder feedback, the court revised the proposed local rule. Would another comment period be required?
- The proposed rule hampers a court's ability to work quickly. For example, some courts had to quickly amend local rules to accommodate procedural changes due to COVID.
- The proposed purpose of the amendment is to ensure stakeholders are not caught off guard. Given that GR 7 already requires a 60-day notice period (local rules are due to AOC by 6/30 for an effective date of 9/1), that purpose is accomplished by the existing rule.

Thank you for your consideration of our comments. Please feel free to contact me at judith.ramseyer@kingcounty.gov or Judge Mary Sue Wilson at wilsonm@co.thurston.wa.us if you would like to discuss our comments.

Sincerely,



Judge Judith H. Ramseyer, President
Superior Court Judges' Association

cc: SCJA Board of Trustees
Judge Mary Sue Wilson
Ms. Crissy Anderson

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Cc: [Tracy, Mary](#)
Subject: FW: Rules Comments from SCJA
Date: Wednesday, September 23, 2020 4:34:26 PM
Attachments: [GR 7 Local Rules Filling and Effective Date Oppose 09232020.pdf](#)
[CrR 3.1 Standards for Indigent Defense Support 09232020.pdf](#)
[CrR 3.4 - Presence of the Defendant to SC 09232020.pdf](#)

From: Ireland, Shelley
Sent: Wednesday, September 23, 2020 4:31 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: 'Ramseyer, Judith' <Judith.Ramseyer@kingcounty.gov>; 'Laura M. Riquelme - Judge' <lriquelme@co.skagit.wa.us>; 'Mary.sue.wilson@co.thurston.wa.us' <Mary.sue.wilson@co.thurston.wa.us>
Subject: Rules Comments from SCJA

Good afternoon,

On behalf of the Superior Court Judges' Association (SCJA) President, Judge Judith Ramseyer, please see the attached letters with rule comments from the SCJA.

Thank you,
Shelley

Shelley Ireland, Court Program Specialist
Administrative Office of the Courts, Office of Legislative and Judicial Relations
PO Box 41170 , Olympia WA 98504-1170
360-704-1924 or Shelley.Ireland@courts.wa.gov

Get the most current information on the Courts' response to COVID-19 [here](#).