Rule 9
Confidential Records and Information

(a) Public Records. Unless the trial judge rules otherwise in a particular case, the following are considered public records and may be viewed and copied by the public:

(1) Court pleadings;

(2) Dockets, both civil and criminal, regardless of the current status of the proceeding;

(3) Indexes to civil and criminal cases;

(4) Tape recordings of court proceedings;

(5) Search warrants, affidavits, and inventories, after execution and return of the warrant.

(b) Private Records. The following are considered exempt from disclosure unless they have been admitted into evidence, incorporated into a court pleading, or are the subject of a stipulation on the record which places them into public record:

(1) Witness statements and police reports;

(2) Pre-sentence reports and reports related to compliance with conditions of sentence;

(3) Copies of driving records or criminal history records subject to RCW 10.97;

(4) Correspondence received by the court regarding sentencing and compliance with the terms of probation.

(c) Quasi-Public Documents. The following are not subject to public review, but are subject to review by the defendant and his/her attorney:

(1) Witness statements;

(2) Pre-sentence reports and reports related to compliance with conditions of sentence;

(3) Copies of driving records or criminal history records subject to RCW 10.97;

(4) Correspondence received by the court regarding sentencing and compliance with the terms of probation, except when the information is provided on the condition it remain confidential or when a finding of good cause is made for its confidentiality.

(d) Court Assistance.

(1) Court facilities are available to the public to assist in disclosure, subject to local court rule.

(2) For security purposes, the court may require identification from the reviewing party.

(e) Judicial Review. To assure that only public records are reviewed by the public, judicial review of disclosure may be requested by the prosecuting authority, defendant, court clerks, or other interested parties. The court may withhold dissemination until a hearing may reasonably be held. Following the hearing, the court may make such restrictive orders as are necessary.

(f) Statutes Not Superseded. Nothing in this rule shall be construed to supersede existing statutes or subsequent amendments thereto.