

RULE 14
COURT FILES AND AUDIO TAPES - INSPECTION AND COPYING PROCEDURES

- 1) All documents, including pleadings, filed with the Court and all CD recordings of court proceedings are presumed to be available for public inspection and/or copying during Court business hours upon request, except as otherwise provided herein.
- 2) If any party wishes to seal any document, that party must do so by motion to the Court with proper notice to all parties. If the Court finds sufficient cause to seal the document, the Court will direct the Clerk to seal the document and the document will be placed in a sealed envelope in the Court file.
- 3) No sealed documents will be accepted for filing without a written court order.
- 4) Sealed documents will not be available for public inspection or copying.
- 5) Any person may request that a sealed document be unsealed, but must do so by motion to the Court with proper notice to all parties.
- 6) Social security numbers, mental health evaluations, and medical evaluations pertaining to drug or alcohol dependency shall not be subject to inspection or copying except where the defendant or defendant's attorney so requests, or upon Court order after a showing of good cause.
- 7) Private records: Pursuant to ARLJ 9(b), the following records are deemed to be "private records" and shall not be subject to inspection or copying 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 records:
 - a) Witness statements and police reports;
 - b) Pre-sentence reports and reports related to compliance with conditions of sentence;
 - c) Copies of driving records or criminal history records subject to RCW 10.97;
 - d) Correspondence received by the Court regarding sentencing and compliance with the terms of probation.
- 8) Quasi-public records: Pursuant to ARLJ 9(c) and RCW 10.101.020(3), the following records are deemed to be "quasi-public records" and are not subject to inspection or copying, but are subject to inspection or copying by the defendant or the defendant's attorney:
 - a) Witness statements;
 - b) Pre-sentence reports and reports related to compliance with conditions of sentence;
 - c) Copies of driving records or criminal history records subject to RCW 10.97;
 - d) Correspondence received by the Court regarding sentencing and compliance with the terms of probation, except when the information is provided on condition it remain confidential or when a finding of good cause is made for its confidentiality.
 - e) Any application submitted in support of a determination of indigency.
- 9) Copying and other charges: Pursuant to RCW 3.50.100 and RCW 3.62.060, the following fees shall be collected:
 - a) The charge for copying documents without a seal is fifty cents per page;
 - b) The charge for preparing a certified copy of an instrument on file or of record in the clerk's office is five dollars for the first page or portion of the first page and one dollar for each additional page or portion of an additional page;
 - c) The charge for certifying any document on file or of record in the clerk's office is five dollars. The charge for authenticating or exemplifying an instrument is two dollars for each additional seal affixed;
 - d) The charge for copying a document without a seal or file that is in electronic format is twenty-five cents per page;
 - e) The charge for copying electronic recordings of proceedings on compact discs is ten dollars per disc. The charge for any other records copied to compact disc shall be twenty dollars per disc;
 - f) The charge for clerk's services for ex parte orders, performing historical searches, compiling statistical reports, and conducting exceptional records searches is twenty dollars per hour or per portion of an hour;
 - g) For preparing a record for appeal to superior court, a fee of forty dollars including any costs of tape duplication as governed by the RALJ;
 - h) There shall be no charge for inspecting any document or CD; and

- i) Payment for copies of CDs and documents shall be received before copies are distributed unless the Clerk, Judge, or Commissioner determines that there is good cause to waive this requirement;
- 10) Pursuant to ARLJ 9(e), judicial review of disclosure may be requested by the prosecutor, defendant, defense attorney, court staff, or any other interested parties. If such a request is made, the Court may withhold dissemination of the record until a hearing may reasonably be held. Following the hearing, the Court may make such restrictive orders as are necessary.
- 11) To ensure the integrity of court files and property, unless otherwise authorized in writing by the Judge or Commissioner:
 - a) All copying of court files and CDs shall be conducted by court staff;
 - b) Inspection of court files shall take place in the designated court file viewing area; and
 - c) The Clerk shall have the discretion to determine the appropriate location and equipment to be used in reviewing CDs.

Nothing in this rule shall be construed to supersede existing statutes or subsequent amendments thereto.
