WASHINGTON
COURTS

June 24, 2016

TO: JISC Data Dissemination Committee

FROM: Stephanie Happold, AOC Data Dissemination Administrator

RE: AOC recommendation for LAW Advocates request for JIS LINK Level 20 for the Drive Legal Whatcom program

Representatives from the LAW Advocates are requesting JIS LINK level 20 access for the "Drive Legal Whatcom" legal aid program. The access will be used by the program's attorneys and trained volunteers to obtain program participants' Washington ID or driver's license numbers and case financial history information.

The JIS Committee (JISC) authorized the Data Dissemination Committee (DDC) to act on its behalf in reviewing and acting on requests for JIS access by non-court users.[1] The Judicial Information System Committee Data Dissemination Policy (DD Policy) permits "public purpose agencies" to be granted additional access to JIS records beyond that which is permitted the public.[2] A public purpose agency is a governmental agency as defined in RCW 42.17.020[3] and any non-profit organization "whose principal function is to provide services to the public."[4] The DD Policy sets forth criteria which this Committee may use in deciding the LAW Advocates request:

- The extent to which access will result in efficiencies in the operation of a court or courts.
- The extent to which access will enable the fulfillment of a legislative mandate.
- The extent to which access will result in efficiencies in other parts of the criminal justice system.
- The risks created by permitting such access.[5]

The JIS LINK level 20 that was created for public defenders provides broader access than the public level 1. It includes view-only access to defendant case history, case accounting notes, and case financial history. Level 20 also displays personal identifiers such as dates of birth, IN numbers, and driver's license numbers.

In reviewing the current request, the organization qualifies as a "public purpose agency" as it is a non-profit organization whose principal function is providing services to the public. The AOC does not object to granting access to the program's attorneys such as Ms. Boman. However, the AOC does have concerns about the volunteers having this

[1] JISC Bylaws, Article 7, Secs. 1 and 2.
[2] DD Policy, Sec. IX.B.
[3] Definition of "agency" in RCW 42.17.020 was later recodified in RCW 42.17A.005(2).
[4] DD Policy, Sec. IX.A.
[5] DD Policy, Sec. IX.C.

elevated access because it is unknown how these volunteers are vetted, if at all. Because of the unknown factors around the program's volunteers, the AOC recommends providing the access to the attorneys only. Also, the account should only be available for a limited time as established by the DDC, with the opportunity for the LAW Advocates to return to Committee for an extension if needed.