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| WASHINGTON COURTS | **JISC DATA DISSEMINATION COMMITTEE**<br>**Friday, February 24, 2023, 9:00 a.m. – 10:00 a.m.**<br>**Zoom Teleconference**<br>**URL: provided via invite** |

**MEETING MINUTES**

**Members Present:**
Judge John Hart, Chair
Judge Scott Ahlf
Judge Kathryn Loring
Judge Robert Olson
Judge David Mann
Ms. Paulette Revoir
Ms. Barbara Miner
Mr. David Reynolds

**AOC Staff Present:**
Kevin Cottingham, Data Dissemination Administrator
Alice Fiman, Court Records Access Coordinator
Emmelyn Hart, Contracts Manager
Michael Keeling, ISD Operations Manager
Jan Nutting, Public Records Officer
Maureen Roberts, MSD Administrative Secretary

**Guests Present:**
Rowland Thompson, Allied Newspapers
Jennifer Ortega, liaison from ATJ Board
Heidi Percy, Snohomish County Clerk

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### 0) Call to Order

Judge Hart called the meeting to order at 9:03 a.m. and welcomed all participants. Judge Hart introduced new member, Judge Mann.

### 1) Approval of Minutes

It was moved and seconded to approve the June 24, 2022, minutes with a minor correction to a misspelling of Judge Ahlf's name.

### 2) Proposed Addition to GR 15

DDA Cottingham presented this item, stating that the suggested comments came from a discussion with Mr. Reynolds regarding GR 15 and its applicability to certain case types, especially where additional protections come from statute. They had agreed upon using comments as clarification to the rule, as juvenile records are a contentious issue and their intent was to make no material changes—only to aid in compliance at a local level and bring awareness to statutes already offering protections.

Additionally, DDA Cottingham also pointed out that Section (c)(4) included the language "unless protected by statute". For consistency, it was suggested to apply this to (d) as well, though he pointed out that his understanding is that this is generally read into the rule already.

DDA Cottingham noted that Mr. Reynolds's original suggestion was to cite to the specific subsection, but pointed out that bills frequently renumber subsections, and that his preference would be to cite to the chapter to avoid needing to frequently update the comment.

Judge Loring stated that comments are not ideal, and that she might prefer to clarify by changing the rule language. DDA Cottingham pointed out that when statutory language is changed, there is a presumption that that the intent was to change the effect of the statute, and that court rules are treated similarly. Judge Loring concurred, but pointed out that it is a rebuttable presumption.

Mr. Reynolds moved to make the discussed changes. Judge Olson seconded. The motion carried unanimously.

### 3) Other business

DDA Cottingham brought to the attention of the committee a call he had received from a member of the public. The individual was charged with a crime, but prosecutors requested dismissal of the case within a day of filing. Because the charge was DV-related, Courts of Limited Jurisdiction retention schedules will only allow the case to be removed from the system after 15 years past case completion. DDA Cottingham pointed out that court records differ from criminal background records in that Chapter 10.97 RCW places restrictions on non-conviction data, but court rules have no such equivalent. He stated his intent to form a workgroup, due to the present issue and the effect on cases impacted by the *Blake* decision.

Tentative work group members:

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| Barb Miner | Heidi Green | Judge Mann |
| Paulette Revoir | Judge Hart | Rowland Thompson |
| Judge Loring | Katherine George | Judge Ramseyer |

Judge Hart inquired about other business. Hearing none, he expressed sincere appreciation for the work of the Committee and adjourned the meeting at 9:50 a.m.

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