WASHINGTON
COURTS

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TO: Judicial Information System Committee (JISC) Members

FROM: Dory Nicpon, AOC Associate Director, Judicial and Legislative Relations

RE: Legislative Update

The 2020 legislative session was a fast-paced 60 days. In addition to continuing debate on bills introduced but not passed in 2019, legislators considered 1,462 new bills. The legislature adjourned *sine die* on March 12, 2020, which means the default effective date of bills passed in 2020 is June 11, 2020.

Even before session ended, staff of the Administrative Office of the Courts (AOC) began preparations for legislative implementation. This year, it proved exceedingly important to monitor the governor's action on bills that passed the legislature before beginning implementation of bills. In the days and weeks immediately following session, the public health and related economic considerations facing the state influenced the governor's decisions with respect to several bills. Of the 380 bills that the legislature passed this session, the governor vetoed 24 in their entirety and 14 partially. The veto message accompanying 23 of the 24 complete vetoes stated:

> *Circumstances have changed dramatically since the 2020 supplemental operating budget was approved by the Legislature last month. The COVID-19 pandemic is having catastrophic effects on the health and welfare of Washingtonians. It will also have a major impact on the economic health of our state. I have conferred with leaders in the House of Representatives and Senate, and we agree that we must prepare for the effects of the lost revenue that will result from this pandemic.*
>
> *For these reasons I have vetoed [the bill] in its entirety.*

The governor has also indicated that COVID-19 and economic considerations may necessitate a special session of the legislature before January 2021.

<u>2020 Regular Legislative Session</u>

New bills of interest to the judiciary this session included:

2567 (Courts/arrests): This bill (Chapter 37, Laws of 2020) restricts civil arrest of an individual going to, or returning from, a court facility. Except in specific circumstances, it prohibits judges,

court staff, prosecutors, and prosecutors' staff from: 1) inquiring into, or collecting, immigration or citizenship information; and 2) providing non-publicly available personal information to federal Immigration and Customs Enforcement (ICE), or notifying ICE of an individual's presence at court facilities. The bill requires the government entity responsible for security at a court facility to collect information regarding state and federal law enforcement officers and actions at courthouses, and report the information to the AOC to publish it.

2793 (Vacating convictions/formerly the Clean Slate Act): ***The governor vetoed this act. The veto message included the statement quoted above.*** The version of the bill that passed the legislature would have required the AOC to develop a court-driven process for the vacation of certain criminal convictions and pilot the process in a single county from July 1, 2021 through June 30, 2022. The AOC would have been required to submit implementation plans and other reports to the governor and legislature.

6287 (Guardianship, etc.): This bill (Chapter 312, Laws of 2020) makes adjustments to the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (UGA), which was enacted in 2019 and was scheduled to take effect on January 1, 2021. Among the changes to the UGA are staggered implementation dates for major revisions to guardianship laws. The modified effective dates largely mean that sections related to minors go into effect on January 1, 2021, while sections related to adults go into effect on January 1, 2022.

5450 (Adding superior court judges): This bill (Chapter 53, Laws of 2020) was introduced at the request of the BJA to add two superior court judge positions: one in Clark County and one in the tri-county judicial district for Ferry, Pend Oreille, and Stevens Counties.

Ongoing Activities

The Board for Judicial Administration (BJA) Legislative Committee has solicited proposals from within the judicial community for any BJA-request legislation for the 2021 session. Instructions are available at the first link on this page. Proposals and supporting documentation should be submitted by June 15, 2020.