

Those convicted of a drug crime in Snohomish County urged to seek Blake relief

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SNOHOMISH COUNTY, Wash., May 26, 2023—[State v. Blake](#) is a 2021 Washington State Supreme Court decision that held that the drug possession law was unconstitutional. If you were convicted of soliciting possession of a controlled substance, possession of marijuana, or certain other drug related misdemeanor or gross misdemeanor offenses in Snohomish County District Court you may be eligible to have your conviction vacated and a refund of any legal financial obligations (LFOs) paid on these cases. If you are not sure whether your conviction qualifies for relief pursuant to State v Blake, please contact the Snohomish County Public Defender Association at www.snocopda.org/blake/.

If you were convicted of a felony simple possession or unlawful possession of a firearm based exclusively on conviction of a simple possession in Snohomish County Superior Court, you can access information about their process at www.snohomishcountywa.gov/6065/State-v-Blake-Refunds.

Do I need to do anything to vacate my drug possession conviction?

The Snohomish County Prosecuting Attorney's Office is submitting motions and orders to vacate where there are only convictions for simple possession beginning with the most recent cases. Due to the high volume of cases, this will likely take several months to complete. If your case involves an additional conviction that is not eligible for Blake relief, please contact the Snohomish County Public Defender Association at the Blake portal linked above.

To see if an order has already been entered on your case(s), go to www.dw.courts.wa.gov. If you have trouble locating your case, or if an Order to Vacate has been entered in your Snohomish County District Court case and you have not received a refund, please contact the Snohomish County District Court Clerk's Office at 425-388-3331.

If an Order to Vacate has not been entered in your case, you can find additional resources regarding vacating these convictions through the Snohomish County Public Defender's Association by visiting www.snocopda.org/blake/.

What happens after my conviction is vacated?

Once an Order to Vacate is received by the Snohomish County District Court and signed by the Judge, the Snohomish County District Court will update the case/court record and send a copy of the order to Washington State Patrol if applicable to update

your criminal history record. In addition, if proper language and a current mailing address is included in the order, the Snohomish County Court will determine if a refund is owed and submit the refund for processing.

Who is eligible for Blake relief refund?

If you made payments towards legal financial obligations (LFOs) owed in Snohomish County District Court cases vacated as a result of the State v. Blake decision, you may be eligible for a refund. Refunds of LFOs previously paid are ordered when all conviction(s) on a case are vacated pursuant to State v. Blake or where payments were credited toward a VUCSA fine or other LFO associated exclusively with the vacated charge.

How do I request a Blake refund?

Verify an Order to Vacate the conviction has been entered in your case(s) by reviewing your case at www.dw.courts.wa.gov.

If an Order to Vacate has been filed in your case, the Snohomish County District Court will process refunds as long as the order contains proper language directing the Snohomish County District Court to process the refund and there is a current mailing address to send the refund.

The Snohomish County District Court will also write off any unpaid LFO balances that arise solely from the conviction(s) vacated by the court order, including any interest or collection costs.

While the Snohomish County District Court makes every effort to process the refund and mail payment in a timely manner, it can take up to 60 days.