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December 31, 2012

Honorable Barbara A. Madsen  
Washington State Supreme Court  
Temple of Justice  
P.O. Box 40929  
Olympia, WA 98504-0929

Honorable Charles W. Johnson  
Washington State Supreme Court  
Temple of Justice  
P.O. Box 40929  
Olympia, WA 98504-0929

RE: Comments on Proposed GR 31.1

Dear Chief Justice Madsen and Justice Johnson:

As President of the Superior Court Judges' Association (SCJA), I am writing to summarize comments by the SCJA on proposed General Rule 31.1. Please accept this letter to support the comments already made by our trial court partners, the District and Municipal Court Judges' Association (DMCJA) and the King County Superior Court. In addition, the SCJA would like to highlight general concerns that have been discussed by the SCJA Board of Trustees.

While the SCJA supports the fundamental right of the public to have access to government, courts' administrative records included, the potential expense for accommodating the requests will come from other areas of core court operation. The superior courts want to meet the demands of the rule, and it is impossible to predict the cost of implementation today. However, after time, if an estimate is supportable, we ask that the Supreme Court will take the lead on requesting state funding to ensure timely response without creating shortfall elsewhere.

The SCJA Board also wants to highlight the DMCJA's request to eliminate the "Bad Faith Decisions" section (f) of the proposed rule, for the reasons stated in their letter (section A./pages 2-3). The SCJA fully supports the reasoning to remove the potential penalty that can already be addressed through existing channels.

STATE OF WASHINGTON

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Chief Justice Barbara Madsen  
December 31, 2012  
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The SCJA appreciates the efforts of the Supreme Court, the original taskforce, and the many editors that have worked to bring this draft into its current form. We particularly want to recognize the process for allowing various comment periods as the draft changed.

Sincerely,

A handwritten signature in black ink that reads "Craig Matheson". The signature is written in a cursive, flowing style.

Craig Matheson  
President Judge, SCJA

Enclosures: DMCJA Letter (November 30, 2012)  
King County Superior Court Letter (December 13, 2012)

cc: Judge Sara Derr, President, DMCJA Board  
Judge Richard McDermott, Presiding Judge, King County Superior Court  
Ms. Nan Sullins, AOC  
SCJA Board of Trustees