



King County

District Court
Office of the Presiding Judge
W1034 King County Courthouse
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Seattle, Washington 98104
Telephone: (206) 477-1720
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The Honorable Susan Mahoney
Chief Presiding Judge

Othniel Palomino
Chief Administrative Officer

September 30, 2020

The Honorable Debra Stephens, Chief Justice
Washington State Supreme Court
c/o Clerk of the Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

<sent via email to: supreme@courts.wa.gov>

Re: Comments on proposed amendments to JISCR 13, *Local Court Systems*

Dear Justice Stephens:

I am writing to express King County District Court's opposition to the proposed amendments to JISCR 13, *Local Court Systems / Electronic Court Record Systems*.

While we strongly believe it is crucial to "facilitate statewide data sharing in support of judicial decision making and public safety," as stated in the proposed preamble to the amended rule, the procedural details set forth in proposed amendments are problematic.

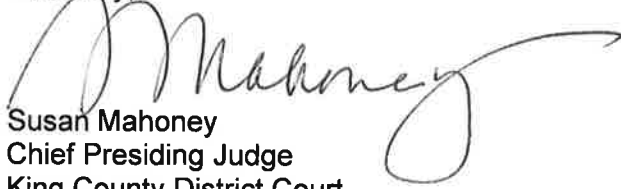
The most troublesome aspect of the proposed amendments is section (h), which would grant the Judicial Information System Committee (JISC) the ability to impose sanctions for "any unresolved disputes arising from this rule." We see three key problems with that section:

1. We do not believe the JISC has statutory or constitutional authority to sanction any party – a point that the Kitsap County District Court argued very well in their September 17, 2020, comment letter opposing the proposed amendments
2. The types of "sanctions" JISC might impose are not specified, which creates the very real risk of arbitrary application of the rule
3. Allowing imposition of sanctions for "any unresolved disputes" is overly broad and opens the door to JISC possibly punishing a court or its officers over trivial matters

In closing, I would like to emphasize that King County District Court continues to support the role of the JISC in working with courts throughout the state to ensure effective data sharing. We

went through a JISC review process several years ago, when initiating development of our new eCourt case management system (CMS) and are on track to launch that system at the end of October. Thus, our opposition to the proposed amendments to JISCR 13 is not due to any impact we anticipate the amendments will have on us in the near term, but are because of an inappropriate expansion of JISC's role in relation to Washington courts.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mahoney", with a large, stylized initial "M" and a long, sweeping horizontal stroke extending to the right.

Susan Mahoney
Chief Presiding Judge
King County District Court

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Cc: [Tracy, Mary](#)
Subject: FW: Comments on proposed amendments to JISCR 13, Local Court Systems
Date: Wednesday, September 30, 2020 12:54:49 PM
Attachments: [KCDC Letter to Chief Justice Stephens RE Comments.pdf](#)

From: Ramirez, Stephanie [mailto:Stephanie.Ramirez@kingcounty.gov]
Sent: Wednesday, September 30, 2020 12:51 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Mahoney, Susan <Susan.Mahoney@kingcounty.gov>
Subject: Comments on proposed amendments to JISCR 13, Local Court Systems

Good afternoon Chief Justice Stephens,

Please find the attached letter from King County District Court Presiding Judge Mahoney.

Thank you,

Stephanie Ramirez
Confidential Assistant to the Presiding Judge, CAO & DCAO
Office of the Presiding Judge
516 3rd Avenue, W-1034
Seattle, Washington 98104
206.477.1694