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THE ALLIANCE
for Equal Justice

MEMBER

July 26, 2021

Honorable Charles W. Johnson
Supreme Court Rules Committee
c/o Clerk of the Supreme Court
Temple of Justice
PO Box 40929
Olympia, WA 98504

Re: Access to Justice Board Committee to General Rule 40 – Informal Domestic Relations Trial

Dear Justice Johnson,

I write on behalf of the Access to Justice Board in support of proposed General Rule 40 – Informal Domestic Relations Trial.

The Board supports GR 40 in part because the rule helps address the needs of unrepresented parties in domestic relations matters such as dissolutions and parenting plans. We know from the 2015 Civil Legal Needs study that a majority of low-income members of our community in Washington have at least one civil legal need every year and that most of those needs go unaddressed. Family law is among the greatest needs for low-income individuals lacking access to legal representation, and that lack of access is compounded for victims of domestic violence and BIPOC and LGBTQ+ communities.

Until or unless there is a civil *Gideon* right to counsel in the civil legal system, many marginalized members of our community with pressing domestic relations civil legal needs relating to their wellbeing, children, and property, but without access to an attorney, will either not vindicate those rights or will proceed without representation, trying to navigate statutes, case law, statewide court rules, and local court rules, many of which can challenge even the most experienced counsel, let alone unrepresented parties who may already be traumatized by people and institutions.

Though some courts are already conducting informal family law proceedings, many courts are not, and proposed GR 40 would provide guidance to courts statewide, offering an important option for unrepresented parties. The proposed rule would give much-needed guidance to judicial officers trying to navigate their obligation to remain neutral alongside their ability to work with unrepresented parties to ensure equal access to justice. The rule is also consistent with the goals set forth in the Access to Justice Board's 2020-22 Priorities, including the Board's goal of supporting work designed to assist unrepresented parties.

The Access to Justice Board supports proposed General Rule 40 relating to Informal Domestic Relations Trials and hopes for its approval, quick implementation, and effectiveness.

A handwritten signature in black ink, appearing to read 'David S. Keenan', with a long horizontal flourish extending to the right.

David S. Keenan
Chair, Rules Committee
On behalf of the Access to Justice Board

Cc: Terra Nevitt, Executive Director, Washington State Bar Association

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Subject: FW: ATJ Board regarding the proposed GR 40 - Informal Domestic Relations Trial
Date: Monday, July 26, 2021 2:03:12 PM
Attachments: [image001.png](#)
[image004.png](#)
[2021.7.26.ATJ Board Comment Re GR40 Informal Domestic Relations Trial.pdf](#)

From: Bonnie Sterken [mailto:bonnies@wsba.org]
Sent: Monday, July 26, 2021 1:57 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Keenan, David <David.Keenan@kingcounty.gov>; Diana Singleton <dianas@wsba.org>; Adewale, Francis <fadewale@spokanecity.org>; Terra Nevitt <terran@wsba.org>
Subject: ATJ Board regarding the proposed GR 40 - Informal Domestic Relations Trial

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Good afternoon,

Attached, please find a comment from the ATJ Board regarding the proposed GR 40 - Informal Domestic Relations Trial.

Thank you,



Bonnie Middleton Sterken | Equity and Justice Specialist

Washington State Bar Association | bonnies@wsba.org

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Pronouns: She/Her

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