**CrRLJ 2.1**

**COMPLAINT--CITATION AND NOTICE**

**(a)–(b)** [Unchanged.]

**(c) Citizen Complaints.** Any person wishing to institute a criminal action alleging a misdemeanor or gross misdemeanor shall appear before a judge empowered to commit persons charged with offenses against the State, other than a judge pro tem. The judge may require the appearance to be made on the record; and under oath. The judge may consider any allegations on the basis of an affidavit sworn to before the judge. The court may also grant an opportunity at said hearing for evidence to be given by the county prosecuting attorney or deputy, the potential defendant or attorney of record, law enforcement, or other potential witnesses. The court may also require the presence of other potential witnesses.

In addition to probable cause, the court may consider:

(1)-(6) [Unchanged.]

(7) Prosecution standards under ~~RCW 9.94A.440~~ RCW 9.94A.411.

If the judge is satisfied that probable cause exists, and factors (1) through (7) justify filing charges, and that the complaining witness is aware of the gravity of initiating a criminal complaint, of the necessity of a court appearance or appearances for himself or herself themself and witness­es, of the possible liability for false arrest and of the conse­quences of perjury, the judge may authorize the citizen to sign and file a complaint in the form prescribed in CrRLJ 2.1(a) The affidavit may be in substantially the following form:

[Form Unchanged.]

**(d)**  [no change]