

**Superior Court Judges' Association
Family & Juvenile Law Committee**

December 20, 2021

Honorable Charles W. Johnson, Co-Chair
Honorable Mary I. Yu, Co-Chair
Washington State Supreme Court Local Rules Committee
Sent Electronically To: supreme@courts.wa.gov

RE: Proposed General Rule 39 re: virtual trials

Dear Justice Johnson and Justice Yu:

The Superior Court Judges' Association Family and Juvenile Law Committee ("FJLC") writes to support implementation of this rule, which would allow judges the discretion to conduct virtual trials in appropriate circumstances beyond the pandemic. We have polled our members, and the majority responding support this rule.

During the pandemic, many of our jurisdictions have been able to "stay on top of" civil, family law, and other bench trials by operating virtually. Attorneys and *pro se* litigants report to us the benefits of being able to save on travel time and costs (including, in our larger cities, parking costs) typically associated with court appearances which last longer than an hour or so. Child care can be arranged for shorter periods of time, for parents (including attorneys) who must appear in court but who do not have to leave home to do so. Litigants who allege abuse and harassment by another party report feeling – and being – safer when appearing from a remote location, rather than having to be in person and in close-quarters with that other party. The Washington State legislature's recent mandate that the judicial branch make virtual hearings available to *all* litigants in most types of protection order proceedings supports this anecdotal reporting regarding the additional safety of remote proceedings in certain types of cases.

We trust that all judicial officers will, in implementing this rule, also advocate for and engage in whatever pretrial procedures are necessary to ensure that all participants are fully oriented to the virtual platform in use by the court. Judicial officers or court staff should confirm in advance that all participating parties, including witnesses, have sufficient Internet and hardware access to ensure meaningful participation.

Thank you and if we can be of any assistance in the future, please do contact us at your convenience. Commissioner Laird can be reached, as the primary contact person on this issue, at 206-477-1442, or via email at jennie.laird@kingcounty.gov.

Sincerely,

/s
Commissioner Jennie Laird, Co-Chair
Judge Cindy Larsen, Co-Chair
SCJA Family & Juvenile Law Committee

Cc: C. Anderson, AOC Staff; SCJA FJLC members

From: [OFFICE RECEPTIONIST, CLERK](#)
To: [Linford, Tera](#)
Subject: FW: SCJA - FJLC Comments on Proposed Rule 39 - re virtual trials
Date: Tuesday, December 28, 2021 4:57:42 PM
Attachments: [12.20.21 FJLC GR 39 Letter in Support.pdf](#)

From: Laird, Jennie [mailto:Jennie.Laird@kingcounty.gov]
Sent: Tuesday, December 28, 2021 4:58 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: Larsen, Cindy <Cindy.Larsen@snoco.org>; Anderson, Crissy <Crissy.Anderson@courts.wa.gov>
Subject: SCJA - FJLC Comments on Proposed Rule 39 - re virtual trials

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Please see the Family and Juvenile Law Committee comments on Proposed Rule 39 re virtual trials, attached.

Thank you,
Commissioner Jennie Laird
(Co-Chair of FJLC, with Judge Cindy Larsen)

Commissioner Jennie Laird
(*Pronouns she/her/hers*)
MRJC – Courtroom 1F
Family Law