



## Washington State Office of Civil Legal Aid

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Children's Representation Program  
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**January 31, 2022**

The Honorable Justice Charles W. Johnson  
The Honorable Justice Mary Yu  
Supreme Court Rules Committee  
c/o Clerk of the Supreme Court  
PO Box 40929  
Olympia, WA 98504-0929

Re: Proposed Amendments to GR 31 and CrR 2.1

Dear Justices Johnson, Yu, and members of the Rules Committee:

The Washington State Office of Civil Legal Aid (OCLA) hosts and administers a statewide Children's Representation Program for children and youth in the child welfare system, many of whom are dually involved with the juvenile justice system. OCLA supports the proposed amendments to General Rule 31, concerning access to court records, and Criminal Rule 2.1, concerning access to the criminal indictment or information. The proposed amendments will preserve confidentiality in juvenile offender cases by requiring that only a youth's initials be used in all captions, pleadings, briefings, and indictment or information forms.

Adoption of the proposed amendments will protect against the undue burden a juvenile offense record places on a young person's ability to secure employment, housing, higher education, or military service. As noted, there is substantial overlap between youth involved in the child welfare system and those involved in the juvenile justice system in Washington State. In both systems, BIPOC children and youth are overrepresented. These youth also tend to experience disproportionately negative outcomes in the areas of employment, higher education, and housing, both generally and compared to their white counterparts. Adopting these proposed amendments will advance the significant interest of race equity in juvenile offender proceedings by removing obstacles that arise when a young person is directly identifiable in juvenile offense records.

Adopting the proposed amendments will also bring GR 31 and CrR 2.1 in line with other court rules impacting juvenile defendants. In 2018, this Court took action to preserve a minor's right to privacy in juvenile offender proceedings by amending RAP 3.4 to require parties to use the accused juvenile's initials in all captions, pleadings, and briefings. The amendment further required references to "any related individuals [be] in such a way as to not disclose the juvenile's identity." Youth at all stages of juvenile offender proceedings, not just those involved at the appellate level, should be afforded the protection that strict use of initials in captions, briefings,

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indictments, and pleadings brings. We at the Office of Civil Legal Aid respectfully request that this Committee adopt the amendments to GR 31 and CrR 2.1 as proposed.

Respectfully,

OFFICE OF CIVIL LEGAL AID

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

Bailey Zydek, Program Counsel  
OCLA Children's Representation Program

**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** [Linford, Tera](#)  
**Subject:** FW: Comment re: Proposed Rule Change GR 31 and CrR 2.1  
**Date:** Tuesday, February 1, 2022 9:44:41 AM  
**Attachments:** [Letter of Support Rule Change GR 31 CrR 2.1 FINAL.pdf](#)

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**From:** Zydek, Bailey (OCLA) [mailto:[bailey.zydek@ocla.wa.gov](mailto:bailey.zydek@ocla.wa.gov)]  
**Sent:** Tuesday, February 1, 2022 9:43 AM  
**To:** OFFICE RECEPTIONIST, CLERK <[SUPREME@COURTS.WA.GOV](mailto:SUPREME@COURTS.WA.GOV)>  
**Subject:** Comment re: Proposed Rule Change GR 31 and CrR 2.1

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Good Morning,

Please see the attached letter from the Office of Civil Legal Aid's Children's Representation Program in support of the proposed amendments to rules GR 31 and CrR 2.1.

Thank you,

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