

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE SUGGESTED
AMENDMENTS TO GR 30—ELECTRONIC
FILING AND SERVICE

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ORDER

NO. 25700-A-1615

The District and Municipal Court Judges’ Association’s (DMCJA), having recommended the adoption of the suggested amendments to GR 30—Electronic Filing and Service, and the Court having considered the suggested amendments, and having determined that the suggested amendments will aid in the prompt and orderly administration of justice;


Now, therefore, it is hereby

ORDERED:

- (a) That the suggested amendments as attached hereto are adopted.
- (b) That pursuant to the emergency provisions of GR 9(j)(1), the suggested amendments will be expeditiously published in the Washington Reports and will become effective upon publication.

Page 2
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DATED at Olympia, Washington this 5th day of December, 2024.



Johnson, J.



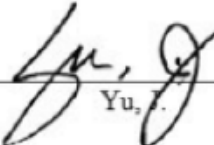
González, C.J.



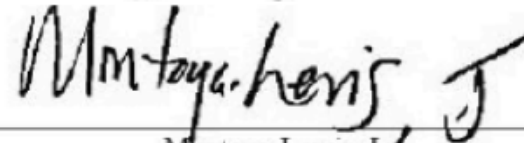
Gordon McCloud, J.



Madsen, J.



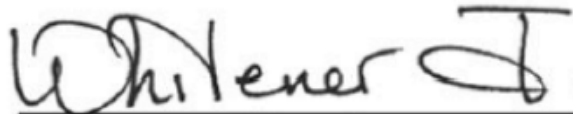
Yu, J.



Montoya-Lewis, J.



Stephens, J.



Whitener, J.

GENERAL RULE 9

RULE AMENDMENT COVER SHEET

Suggested Amendments to

WASHINGTON STATE COURT RULES: GENERAL RULES (GR)

PROPOSED AMENDMENT TO GR 30

1. **Proponent Organization:** District and Municipal Court Judges' Association (DMCJA)
2. **Spokesperson:** Judge Karl Williams, President DMCJA; Judge Catherine McDowall, Co-Chair DMCJA Court Rules Committee; Judge Wade Samuelson, Co-Chair DMCJA Court Rules Committee
3. **Purpose of Proposed Rule Amendment:**

The proposed change is a technical change to GR 30(d)(2)(D) to accommodate upcoming software changes by the Washington State Patrol.

General Rule 30(d) governs the process used to provide electronic signatures. When law enforcement file criminal citations and traffic infractions in courts of limited jurisdiction, they typically submit them electronically using a statewide electronic program provided by Washington State Patrol (WSP). The software application currently provided by WSP is the Statewide Electronic Collision & Traffic Online Records application, known as SECTOR. GR 30(d)(2)(D)(ii) provides that when officers submit documents through the SECTOR application using their user ID and password, the document is presumed to have been signed under penalty of perjury on the date and place set forth in the citation. This section of the rule also grants the same privilege to documents submitted by officers through the Justice Information Network Data Exchange or "a local secured system that the presiding judge designates by local rule."

At the time that this provision of GR 30 was added, SECTOR was the only application provided by WSP for issuing citations. However, WSP is transitioning to a new electronic collision and traffic records program, TraCS, and they are on target to begin enrolling pilot law enforcement agencies in the summer of 2025. CLJ courts will begin receiving citations electronically filed through TraCS as well as SECTOR. Because GR 30(d)(2)(D)(ii) authorizes electronic signatures only through SECTOR, filings submitted with TraCS will be out of compliance with the rule. If law enforcement's electronic signatures do not comply with GR 30, criminal and infraction filings may be dismissed for failure to include a validly signed sworn statement of the filing officer.

We therefore request to change the language of GR to allow electronic signatures through any statewide electronic collision and traffic records program provided by WSP, rather than naming the specific authorized application. By making this change to the rule, courts of limited jurisdiction will be able to continue to receive electronic citations from law enforcement agencies as WSP transitions to a new software system. Additionally, WSP will have flexibility in the future to employ other similar software applications without amending the rule.

4. **Hearing:** A hearing is not recommended.
5. **Expedited Consideration:** Expedited consideration is requested.

GR 30 ELECTRONIC FILING AND SERVICE

- (a) – (c) [Unchanged.]
- (d) Authentication of Electronic Documents.
 - (1) [Unchanged.]
 - (2) *Signatures*
 - (A)– (C) [Unchanged.]
 - (D) Law enforcement officer signatures on documents signed under penalty of perjury.
 - (i) A citation or notice of infraction initiated by an arresting or citing officer as defined in IRLJ 1.2(j) and in accordance with CrRLJ 2.1 or IRLJ 2.1 and 2.2 is presumed to have been signed when the arresting or citing officer uses their user id and password to electronically file the citation or notice of infraction
 - (ii) Any document initiated by a law enforcement officer is presumed to have been signed when the officer uses their user ID and password to electronically submit the document to a court or prosecutor through ~~the Statewide Electronic Collision & Traffic Online Records application~~ a statewide electronic collision and traffic records program provided by the Washington State Patrol, the Justice Information Network Data Exchange, or a local secured system that the presiding judge designates by local rule. Unless otherwise specified, the signature shall be presumed to have been made under penalty of perjury under the laws of the State of Washington and on the date and at the place set forth in the citation.
 - (E) – (F) [Unchanged.]
 - (3) [Unchanged.]
- (e) [Unchanged.]

[Adopted effective September 1, 2003; Amended effective December 4, 2007; September 1, 2011; December 9, 2014; February 1, 2021; January 1, 2023.]