

FILED
SUPREME COURT STATE
OF WASHINGTON
JUNE 5, 2025
BY SARAH R. PENDLETON
CLERK

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE PROPOSED
AMENDMENTS TO ARLJ 11—MISDEMEANANT
PROBATION DEPARTMENT

ORDER

NO. 25700-A-1635

The District and Municipal Court Judges’ Association, the District and Municipal Court Managers’ Association, and the Misdemeanant Probation Association, having recommended the adoption of the proposed amendments to ARLJ 11—Misdemeanant Probation Department, and the Court having published the proposed amendments for comment, and having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

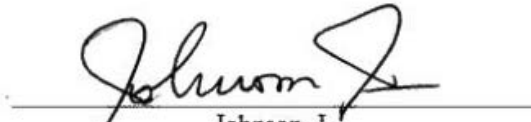
- (a) That the proposed amendments as attached hereto are adopted.
- (b) That the proposed amendments will be published in the Washington Reports and will become effective September 1, 2025.

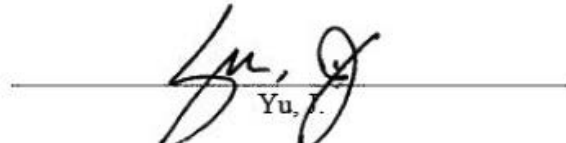
ORDER

IN THE MATTER OF THE PROPOSED AMENDMENTS TO ARLJ 11—MISDEMEANANT
PROBATION DEPARTMENT

DATED at Olympia, Washington this 5th day of June, 2025.


CHIEF JUSTICE

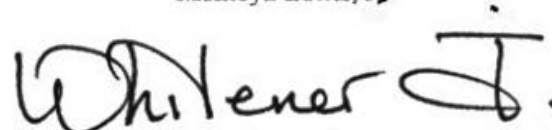

Johnson, J.


Yu, J.

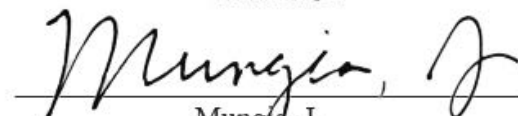

Madsen, J.


Montoya-Lewis, J.


González, J.


Whitener, J.


Gordon McCloud, J.


Mungia, J.

ARLJ 11

MISDEMEANANT PROBATION DEPARTMENT

RULE 11.1 DEFINITION

A ~~misdemeanant~~ probation department, if a court elects to establish one, is an entity that provides services designed to assist the court in the management of criminal justice and ~~thereby~~ aid in the preservation of public order and safety. ~~This entity~~ The probation department may consist of probation officers, ~~and~~ probation clerks, and other positions as determined by the Presiding Judge or their designee. The method of providing these services shall be established by the ~~p~~Presiding j~~udge or their designee of the local court~~ to meet the specific needs of the court.

RULE 11.2 QUALIFICATIONS AND CORE SERVICES OF PROBATION DEPARTMENT PERSONNEL

(a) Probation Officer Qualifications.

(1) Education: ~~A minimum of a b~~Bachelor's of arts or bachelor of sciencee degree is required. ~~that provides the necessary education and skills in dealing with complex legal and human issues, as well as competence in making decisions and using discretionary judgment. A course of study in sociology, psychology, behavioral sciences, or criminal justice, or a related field is preferred.~~

(2) ~~Counseling skills necessary to evaluate and act on offender crisis, assess offender needs, motivate offenders, and make recommendations to the court.~~

(3) ~~Skills:~~ Education and training necessary to e~~Communicate effectively, both orally and in writing; Utilize critical thinking and organization to manage complex situations. Employ empathy and interpersonal skills to motivate defendants. Deliver effective and technical presentations. to interview and counsel offenders with a wide variety of offender problems, including, but not limited to, alcoholism, domestic violence, mental illness, sexual deviancy; to testify; to communicate with referral resources; and to prepare legal documents and reports.~~

(3) Complete the Misdemeanant Probation Counselors Academy per WAC 139-10-235 within one year of hire.

(4) ~~Anyone not meeting the above qualifications and having competently held the position of probation officer for the past two years~~ A probation officer hired prior to the adoption of the 2025 amendments to ARLJ 11 shall be deemed to have met the qualifications.

(b) Probation Officer—Core Services.

(1) Conduct ~~pre and postsentence~~ investigations ~~with through~~ interviews and ~~extensive~~ research that ~~may includes, but is not limited to,~~ criminal history, contact with victims, personal history, social and economic needs, community resource needs, counseling/treatment needs, work history, and family, and employer, and community support, ~~and complete written pre and postsentence reports, which includes sentencing recommendations to the court.~~

(2) ~~For offenders referred to the misdemeanor probation department, determine their risk to the community using a standardized classification system with a minimum of monthly interviews for offenders classified at the highest level. Monitor and/or supervise defendants according to the risk, needs, and classification systems used by the court.~~

(3) Evaluate ~~offenders' social problems,~~ defendants through interview and/or assessments to determine appropriate service referrals. Identify potential barriers and defendant amenability to different types of treatment programs and treatment services, and determine appropriate referral. Conduct case management planning with defendants and assess compliance with court ordered probation conditions.

(4) ~~Supervise offenders with interviews depending on risk classification system. Complete written reports, which may include sentencing and/or sanctioning recommendations to the court. Communicate with judicial officers regarding probation matters. Testify in court as required.~~

(5) ~~Oversee community~~ Review reports from agencies providing court ordered services required of offenders with input to defendants, to the judicial officer (e.g., alcohol/drug, domestic violence, sexual deviancy, and mental illness).

~~(6) Other Duties. The core services listed under both probation officer and probation clerk are not meant to exclude other duties that may be performed by either classification of employee or other court clerical staff, such as record checks, calendaring court proceedings, and accounting of fees.~~

(c) Probation Clerk Qualifications.

(1) High school or equivalent diploma and two years' practical experience in social services, criminal justice, or a related field.

(2) ~~Efficient in all facets of basic eClerical skills including but not limited to~~ keyboarding, computer familiarity and competence, data entry, filing, document review, multi-tasking, prioritization, and customer service ~~positive public interaction.~~

(3) ~~Above average a~~ Ability to work with individuals experiencing mental health issues, substance use disorders, and homelessness. in dealing with stress and difficult clients.

(4) ~~Ability to complete and perform multi-task assignments. A probation clerk hired prior to the adoption of the 2025 amendments to ARLJ 11 shall be deemed to have met the~~ qualifications.

(d) Probation Clerk—Core Services.

(1) ~~Monitor compliance of treatment obligations with professional treatment providers.~~ receipt of progress reports and documents regarding compliance with court-ordered probation conditions.

(2) ~~Report offender~~ Monitor defendant noncompliance with conditions of sentence per court practice. ~~to the court.~~

(3) ~~Coordinate treatment referral information, and monitor community agencies for statutory reporting compliance.~~ Communicate with defendants to collect and verify personal contact information. Provide resource information for court ordered probation conditions and defendant needs.

(4) ~~Anyone not meeting the above qualifications and having held the position of probation clerk for the past two years shall be deemed to have met the qualifications.~~

~~(5) Other Duties.~~ The core services listed under both probation officer and probation clerk are not meant to exclude other duties that may be performed by either classification of employee, ~~or other court clerical staff, such as record checks, calendaring court proceedings, and accounting of fees.~~

RULE 11.3
STATUTORY PROBATION SERVICE FEES TO BE USED FOR PROBATION SERVICES

All positions, which are funded by statutory probation service fees, shall be limited to working with individuals or cases ~~who are on~~ receiving probation services. Any additional funds raised from statutory probation services fees beyond what is necessary to fund the positions in the probation department shall be used to provide additional levels of probation services.