



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: November 22, 2022

TIME: 2:58 PM

WSR 22-23-156

Agency: Commission on Judicial Conduct

Subject of possible rule making: Commission on Judicial Conduct Public Records

Statutes authorizing the agency to adopt rules on this subject: Washington State Constitution, Article IV, Section 31, paragraph 10

Reasons why rules on this subject may be needed and what they might accomplish: Case law has established that the Public Records Act, RCW 42.56, with some exceptions not applicable here, does not apply to judicial branch records. Therefore, Washington State Administrative Code, Chapter 292-10 regarding Commission on Judicial Conduct Public Records is not legally applicable. The Commission on Judicial Conduct was created under the State Constitution as an independent agency of the judicial branch. The Commission will establish its own rule to facilitate access to Commission records.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: No other federal or state agencies regulate this subject.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The Commission will propose new rules and repeal old rules, and will provide public notice of

this rule making through its filings in the Washington State Register and through posting information on the Commission's website at www.cjc.state.wa.us. During the public comment period, the Commission will seek comment: (1) as shall be described in the anticipated Rule Making Proposal form (CR-102); (2) from persons who have requested notice of rulemaking; and, (3) from persons who attend the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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(If necessary)

Name:
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Additional comments:

Date: November 22, 2022

Name: J. Reiko Callner

Title: Executive Director

Signature: