

ACCESS TO COURT RECORDS BROCHURE

INTRODUCTION: This brochure will assist you in understanding how to access court records and the restrictions on access. This is a guide and not a legal document. For more details, please consult the statutes and court rules listed at the end of this brochure.

What records are considered court records?

Court records include any document, information, exhibit, or other thing that is maintained by a court in connection with a judicial proceeding and any information in a case management system created or prepared by the court that is related to a judicial proceeding. Examples of court records are: an index, calendar, docket, order, decree, judgment, or minute entry in a courtroom proceeding.

What court records can the public access?

All court records are open to the public except as restricted by federal law, state law, court rule, court order, or case law.

What kinds of records are not available to the public?

Some categories of court records the public cannot access include:

- Adoption records
- Mental illness commitment records
- Alcohol and drug treatment commitment records
- Paternity records (except final orders)
- Confidential name change records
- Juvenile non-offender records (Juvenile Dependency, Truancy, At-Risk Youth, Child In Need of Services, Termination of Parental Rights, and Developmental Disability Placement)
- Court records sealed by judicial order

Are there any special restrictions for family law cases?

Yes, family law (and guardianship) cases have some additional restrictions. Some documents are considered restricted access documents and are not available to the public. Examples of these documents are:

- Confidential Information Form
- Sealed Financial Source Documents (documents filed under the Sealed Financial Source Cover sheet such as income tax returns, W-2s and schedules, wage stubs, credit card statements, financial institution statements, check registers, as well as other financial information sealed by court order)
- Sealed Personal Health Care Records (records related to the physical or mental health of an individual or which involve genetic parentage testing)
- Retirement Plan Orders
- Notice of Intent to Relocate
- Vital Statistics form (collected by the court and forwarded to the State of Washington Department of Health)
- Law Enforcement Information form (collected by the court and forwarded to local law enforcement)
- Foreign Protection Order Information form (collected by the court and forwarded to local law enforcement)

- Detailed portions of certain family law and guardianship reports such as parenting evaluations, domestic violence, risk assessments and CPS reports, sexual abuse evaluations, and guardian ad litem reports. - See GR 22 (e) for specific details.

Are restricted access family law documents accessible to an interested party?

Only if access is granted by the court. In order to be granted access, you must first file a Motion and Declaration to Allow Access to Records Under GR 22 (c)(2) with the court of record and schedule your motion for a hearing (you can get the form at: **Motion and Declaration to Allow Access to Records Under GR 22 (c)(2)**). If the court grants your motion, you will need to submit an Order Re: Access to Records Under GR 22(c)(2) (you can get the form at: **Order Re: Access to Records Under GR 22(c)(2)**).

What happens when the court orders a document or case sealed?

The public cannot view or copy sealed documents or sealed case records. However, records showing the existence of the sealed documents or cases are available to the public unless specifically restricted by statute.

Is information about jurors available to the public?

Yes, the names of jurors are available to the public. All other information is considered confidential. If additional information about jurors is desired, the person requesting the information would need to petition the trial court and show good cause why further information should be disclosed.

How can I view a court record or obtain a copy of a court record?

Court records - i.e., documents - in case files are maintained by court administration for district and municipal courts, by the county clerk for superior court, and by the clerk for appellate (Supreme Court and Court of Appeals) court. The procedure for requesting access to a court record in a case file or a copy of a court record varies from court to court. Visit the Washington State Courts' website - www.courts.wa.gov - for a **court directory** with addresses and telephone numbers and for **links to local court websites**.

Can I access court records online?

Some courts have computer systems that allow access to court records online. Check with the court where the record was filed to determine if they have online access.

Can I go to my local court and look at court records from another court?

No, a court can provide access only to its records. (But statewide access to case management records in the Judicial Information System for all courts is available; for information on this system, see the next question).

Can I access records in court case management systems?

The Administrative Office of the Courts maintains a statewide case management system called the Judicial Information System (JIS). (The JIS does not maintain actual court documents.) Many Washington State courts have a public access terminal in the courthouse where you can view JIS public record case information such as an index of filed cases and a list of documents filed in each case. Contact your local court to see if they have a public access terminal. You can also access the JIS by subscribing to a service called JIS-Link which provides a public access version of the system's screens. For more information about JIS-Link, visit the **JIS-Link page** or contact the Administrative Office of the Courts.

In addition to the JIS, some local courts maintain case management information systems themselves. For information on these systems and access to them, contact the local court.

Are there fees for looking at and copying court records?

There is no fee to view a court document at the courthouse but, as permitted by law, many courts charge fees to copy a document. Also, if remote electronic access is available, the court may charge a fee for remote access to a court document. There are fees for subscribing to and using JIS-Link.

Can I obtain court records in bulk?

Yes, subject to certain limitations. You will need to enter into a dissemination contract. Contact the court of record to learn more about its local policies and procedures, or the Administrative Office of the Courts for information on obtaining records from the Judicial Information System.

What laws and rules govern access to court records?

There are many statutes and court rules that govern access to court records. Here is a list of the most common ones:

Statutes

Adoptions - **RCW 26.33.330**
Chemical Dependency Commitment - **RCW 70.96A.150**
Confidential Name Changes - **RCW 4.24.130(5)**
Juvenile Non-Offender Records - **RCW 13.50.100**
Juvenile Offender Records - **RCW 13.50.050**
Mental Illness Commitment - **RCW 71.05.620**
Mental Illness Commitment of Minors - **RCW 71.34.210**
Paternity - **RCW 26.26.610**

Court Rules

GR 15 - Destruction, Sealing, and Redaction of Court Records
GR 22 - Access to Family Law and Guardianship Court Records
GR 31 - Access to Court Records

What other publications or resources are available?

A Citizen's Guide to Washington Courts
A Guide to Sealing and Destroying Court Records, Vacating Convictions, and Deleting Criminal History Records
Vacation of Misdemeanor and Gross Misdemeanor Convictions information sheet