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Equity and Justice Lead
bonnies@wsba.org

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Chief Equity and Justice Officer
dianas@wsba.org



THE ALLIANCE
for Equal Justice

MEMBER

June 14, 2023

Chelan County District Court
350 Orondo Ave, 4th Floor
Wenatchee, WA 98801
Sent Via Email: DistrictCourt.Clerk@co.chelan.wa.us

Re: Proposed Local General Rule 1 - Decorum and Diligence

Dear Chelan County District Court,

We write on behalf of the Access to Justice Board to ask that the Chelan County District Court not adopt proposed Local General Rule 1 - Decorum and Diligence ("LGRLJ1") with respect to what the Court characterizes as "pro se" litigants." The Board appreciates the Court's need to ensure decorum and diligence, and suggests that, as drafted, LGRLJ1 could undermine access to justice for unrepresented litigants and is in tension with the Code of Judicial Conduct.

The 2015 Civil Legal Needs Study Update (the "Study") found that low-income Washington residents suffer nearly ten civil legal problems each year, and for individuals impacted by domestic violence, that number is nearly double. Moreover, of those low-income members of our community facing civil legal needs, approximately three-quarters lack access to counsel to assist them in vindicating their important rights. The Study included surveys of low-income census tracts throughout Central Washington. Moreover, the more than 300 respondents to the survey in the North Central and South-Central regions reported over 2,000 civil legal problems.

Code of Judicial Conduct Rule 2.6 - Ensuring the Right to Be Heard provides in relevant part that "[j]udges should endeavor to ensure unrepresented litigants have a fair opportunity to participate in proceedings," and the rule provides a non-exhaustive list of steps consistent with these principles and helpful in facilitating the right of unrepresented litigants to be heard. CJC R. 2.6, cmt. 4.

The Court's proposed LGRLJ1 requires unrepresented litigants to "observe the formality consistent with good courtroom practice." While the Board understands and supports courtroom decorum to ensure access to justice, the Board urges the Court to consider that unrepresented litigants may be unfamiliar with what the Court considers "good courtroom practice," and that such a requirement could unintentionally undermine access to justice for struggling members of our community.

For these reasons, the Board asks that the Court not adopt proposed LGRLJ1 as to unrepresented litigants.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry Price". The signature is fluid and cursive, with the first name "Terry" and last name "Price" clearly distinguishable.

Terry Price, Chair
Access to Justice Board

Cc: Terra Nevitt, Executive Director, Washing State Bar Association