

ATTACHMENT A

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE ADOPTION OF
ACCESS TO JUSTICE TECHNOLOGY
PRINCIPLES

ORDER

NO. 25700-B-627

WHEREAS, the responsible use of technology is central to providing access to justice for all individuals, and, to that end, technological tools should be developed and utilized that increase and enhance access to justice.

WHEREAS, the Access to Justice Board has developed technology principles that justice system decision makers should carefully consider whenever technology is purchased, planned or implemented, to avoid reducing access, and whenever possible, to use technology to enhance access to justice.

WHEREAS, the Access to Justice Technology Principles were considered at the June 28, 2019, meeting of the Judicial Information System Committee, and the committee unanimously passed a motion to endorse the principles for submission to the Washington Supreme Court.

WHEREAS, the Access to Justice Technology Principles were considered by the Supreme Court at the June 4, 2020, En Banc Conference, and were approved for adoption.

Now, therefore, it is hereby

ORDERED:

That the Access to Justice Technology Principles attached to this order are hereby approved and adopted for use by justice system decision makers.

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Order Adopting Access to Justice Technology Principles

DATED at Olympia, Washington this 5th day of June, 2020.

For the Court


CHIEF JUSTICE

Access to Justice Technology Principles

Preamble

The responsible use of technology is central to providing access to justice for all individuals. To that end, we should develop and utilize the technological tools that increase and enhance access to justice. These Principles do not mandate new expenditures, create new causes of action, or repeal or modify any rule. Rather they advocate that justice system decision makers carefully consider these Principles whenever technology is purchased, planned or implemented, to avoid reducing access, and, whenever possible, use technology to enhance access to justice.

Scope

The Access to Justice Technology Principles are adopted to:

- Guide the justice system's use of technology
- Combat discrimination, unfair treatment, and unjust biases in the justice system, and
- Ensure that technology does not create unfair results or processes for resolving legal problems.

The Access to Justice Technology Principles apply to everyone involved in administering the justice system including:

- Courts,
- Clerks of the Court,
- Administrative Office of the Courts, and
- Court Administrators.

Definition of Technology

"Technology" includes but is not limited to hardware and software, and all mechanisms and means used for the production, storage, retrieval, aggregation, transmission, communication, dissemination, interpretation, presentation, or application of information, including but not limited to data, documents, records, images, video, sound, and other media.

Access to Justice for All

Everyone should have access to the justice system.

Use of technology in our justice system should increase and must not diminish:

- equitable access to justice;
- opportunities for participation; and
- usability, accountability, efficiency, and transparency.

Technology in our justice system must start with a design for fairness and must be evaluated regularly against these rules.

All technology must be designed and used to eliminate discrimination, unfairness, and other unjust systemic biases and practices.

Openness, Privacy and Safety

Technology in the justice system must be open to the public and transparent, unless access is limited by law to protect the safety and privacy of the people involved.

Technology in the justice system must be designed to:

- assure that confidential information is not introduced into the public domain to the extent possible,
- ensure that people only have access to the appropriate information that they are allowed to see based on their role in the justice system,
- assure that information can be viewed, created, changed or deleted only by participants with the appropriate access levels, and
- assure that confidential information is not introduced into the public domain.

People must have meaningful access to view their own information and have it corrected if inaccurate.

Accountability and Fairness

The justice system must maximize the beneficial effects of technology while continuously improving technology to address the needs of people most impacted by or least able to engage effectively with the justice system. Users should have a voice in the acquisition and implementation of technology, including as testers.

The justice system must ensure that technology, especially algorithms, are periodically evaluated before, during and after development and implementation, for:

- inequitable processes,

- unfair outcomes, and
- unintended negative impacts.

Any proposed technology that would result in unfairness or inequity must not be implemented.

Technology that is already implemented that results in unfairness or inequity must be corrected, or if the harm cannot be eliminated, removed from use.

Maximizing Public Awareness and Use

The justice system must provide access to knowledge about itself and promote public awareness of its processes and resources.

Actors in the justice system must:

- regularly seek input from and listen to the public, and
- make regular improvements to technology, and the methods of providing information about the technology, based on user needs, experience, and feedback.

Usability

Technology in the justice system must be easy to use, affordable, and efficient.

Accessible Formats

Court information must be available to the public and should be available in ways that best enable its use. Information and resources must be offered in formats that do not place an undue financial burden upon users.

Plain Language

The justice system must strive to create legal information resources for the public in plain language, when possible.

Best Practices Workgroup

The technology committee of the Access to Justice Board will establish a workgroup that maintains and shares practical information, resources, definitions, and best practices for implementing the ATJ Technology Court Rules. The workgroup will periodically update periodically update these resources and publish them at: [URL]. The workgroup should

coordinate with Administrative Office of the Courts and will report to the Access to Justice Board and Judicial Information System Committee annually.

Accessibility

The justice system must consider, design, and implement technology systems for all persons, including those with disabilities.

Cultural Responsiveness

Technology in the justice system should incorporate principles and practices which address and respond to cultural variables and diversity of people and communities.

Human Touch

Technology should be used to increase the level of quality of human interaction, and to preserve or increase the humanity of our justice system.

Technology should be used to increase the satisfaction of the public's interaction with the justice system to ensure timely and fair outcomes.

Technology should be used to reduce the necessity of the public to physically go to court to resolve conflict.

Language Access

Courts should communicate in the preferred languages of people. Technology must be used in ways which enhance communication.

ATTACHMENT B



JIS-LINK FEE SCHEDULE: Effective May 1, 2021

General Public and State Agencies:

[RCW 2.68.030](#) states in part: "The judicial information system committee shall develop a schedule of user fees for in-state non-court users and all out-of-state users of the judicial information computer system and charges for judicial information system products and licenses for the purpose of distributing and apportioning the full cost of operation and continued development of the system among the users."

County and City Governmental Agencies:

[RCW 2.68.010](#) states in part: "... no fee may be charged to county or city governmental agencies within the state of Washington using the judicial information system for the business of the courts." Therefore, all fees and transaction charges are waived for these agencies.

Authority

The following schedule of user fees has been established pursuant to the requirement of RCW 2.68.030.

Installation Charges

The Subscriber shall pay a non-refundable initial installation charge of Two Hundred Dollars (\$200.00). The installation charge is due prior to connection to any JIS-Link services.

The Subscriber will be furnished user IDs as requested. If additional user IDs are required, they shall be provided at no additional cost.

Monthly Usage Charges

The Subscriber shall pay a charge of \$.145 (14½ cents) per transaction. A transaction equates to the execution of a command. A command is executed each time the user tells the system to respond; by pressing the ENTER key, or clicking to see additional case information.

Subscribers will be billed monthly for JIS-Link usage charges incurred during the billing period. The account is payable in full on the date shown on the front of the invoice, under the heading "Due Date" (30 calendar days from the Invoice Date).



JIS Link Fee Schedule

The AOC will apply a minimum charge of \$13.00 to all JIS-Link invoices. If transaction charges are less than \$13.00, the subscriber will be billed \$13.00; if transaction charges total \$13.00 or more, actual charges will be billed with no additional charge. If a subscriber has no transaction charges for the month, and no invoice needs to be mailed, no charges will be billed.

Pursuant to subparagraph 12.c. of the JIS-Link Basic Access Subscription and License Agreement, an account may be terminated, without notice, for non-payment if the account has not been paid in full within fifteen (15) calendar days of the "Due Date" (date shown on the front of the invoice under the heading "Due Date"). Accounts more than 30 days past due are subject to collection.

To have a terminated account reinstated, the subscriber will be required to re-apply, pay all amounts previously due, and pay the installation fee.

Taxes

Installation and usage charges are not subject to tax.