
Judiciary Committee

SSB 6496

Title: An act relating to confidential court records.

Brief Description: Regulating access to confidential court records.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Schmidt and Eide; by request of Administrative Office of the Courts).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Prohibits unauthorized access, use, and disclosure of confidential court records by court and government employees.

Hearing Date: 2/20/04

Staff: Wendy Chen (786-7119); Trudes Hutcheson (786-7384).

Background:

In order to carry out court business, court personnel necessarily have access to confidential court records. Currently, no statute specifically regulates employees' access, use, or disclosure of information in such records, but statutes, court rules, and court orders regulate generally what information in a court record is confidential and what information may be disclosed and to whom. For example, a record that a person owes a support obligation is confidential, and a person who uses the information for purposes other than those specified in statute is guilty of a gross misdemeanor, as is a person who intentionally releases without authorization the results of genetic testing.

Summary of Bill:

An employee of, or person under contract with, a court, county clerk's office, government agency, or the Administrative Office of the Courts who, without authorization, intentionally accesses, uses, or discloses confidential court records that he or she knows to be confidential is guilty of a gross misdemeanor.

A court record is confidential if access is restricted by statute, court order, or court rules. A person may be authorized to access a confidential record for a specified use pursuant to official court business, a court order, rule, or statute, or a contractual agreement between the record's official custodian and the employee.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.