

Third Party Expense Process

The Legislature included language in ESSB 5187, to allow Blake impacted individuals to request a refund of “document verified costs” paid to third parties previously paid by defendants whose convictions have been vacated by court order related to State v. Blake.

Below, please find the suggested steps to take to ensure AOC receives the required information to provide a refund to the individual.

General Process:

1. Please find attached a Motion and Declaration for Third Party Expenses with proof of payment attached to file with the clerk.
2. Defense or individual files a Notice of Hearing with the clerk.
3. The Motion and Declaration and Notice of Hearing and Proposed Order served on the State/Prosecuting authority.
4. Proof of service filed with the Clerk.
5. Hearing scheduled and held.
6. The Court grants or denies motion for third party expenses and uses proposed order.

Clerk / Court Administrator:

If the order is **granted** and an amount should be refunded to the defendant (in full or partially) the code **OD3DEXP** should be used. **Code effective July 23, 2023**

This code should be set up as a workflow/queue for Odyssey DMS counties and emailed directly from third party DMS counties to this email address : Blake3rdparty@courts.wa.gov

Once received by AOC payment to be sent based on the information provided in the order.

If the motion is **denied** and no amount is to be given to the defendant, **ORDYMT** should be used.

This information has been distributed to:

Superior Court Clerks

District and Municipal Court Administrators

Washington Association of Prosecuting Attorneys

Office of Public Defense

Superior Court Judges

District & Municipal Court Judges

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