

MODIFICATION REQUEST COVER SHEET

Name of Filer	DIANA KIESEL
Reporting Period	<input type="checkbox"/> Annual report <input checked="" type="checkbox"/> Candidate report – covering January 2, 2019 to January 1, 2020
Type of Request	<input checked="" type="checkbox"/> New <input type="checkbox"/> Renewal with No Change <input type="checkbox"/> Full Commission Approval <input type="checkbox"/> Renewal with Change
Office Held/Sought & Term	Judge, Pierce County Superior Court, Position 7 Candidate in 2020 Certificate of Election issued May 25, 2020
Application Rule(s)	<input type="checkbox"/> Income & Ownership Interest: WAC 390-28-100(b) <input checked="" type="checkbox"/> Personal Residence: WAC 390-28-100(1)(d) <input type="checkbox"/> Attorney: WAC 390-28-100(1)(e)(i) <input type="checkbox"/> Judge / Judicial Candidate: WAC 390-28-100(1)(e)(ii) <input type="checkbox"/> Spousal: WAC 390-28-100(1)(e)(iv) <input type="checkbox"/> Other: WAC 390-28-100
Explanation of Rule(s)	<p>Personal residence - Real property. Regarding reporting the information otherwise required by RCW 42.17A.710 (1)(h) through (k):</p> <p>(i) Under WAC 390-24-200, the filer must list the street address of each parcel, the assessor's parcel number, the abbreviated legal description appearing on property tax statements, or the complete legal description. Each property description must be followed by the name of the county in which the property is located.</p> <p>(ii) No modification will be necessary if the filer describes the real property using one of the alternatives in WAC 390-24-200, plus the name of the county. Judges, prosecutors, or sheriffs may describe a personal residence in the alternative manner provided under RCW 42.17A.710(2), and WAC 390-24-200 without a modification.</p> <p>(iii) A modification will be required if the filer seeks some other means to describe reportable real property including the personal residence of the filer. The commission may consider and grant such a modification to amend the description of a residential address to the extent necessary to protect the applicant or an immediate family member who has received a threat, has obtained a no contact order, or has presented a similar personal safety concern.</p>
Supporting Documents (attached)	<input checked="" type="checkbox"/> Candidate F-1 (filed January 15, 2020) <input checked="" type="checkbox"/> Certificate of Election (issued May 25, 2020) <input checked="" type="checkbox"/> Modification Application

Reason(s) for Modification (as stated by filer)	<ul style="list-style-type: none">• Judge Kiesel is requesting a partial reporting modification that would exempt her from disclosing her residential address and a second vacation home address, on her Personal Financial Affairs Statement (F-1 report) filed as a 2020 candidate and covering January 2, 2019 to January 2, 2020, due to safety concerns.• In her application, Judge Kiesel stated that prior to being certified as a Pierce County Superior Court Judge in May 2020, she served as an attorney and eleven years as a Pierce County Superior Court Commissioner. During her tenure as an attorney, she testified in a well-known murder trial and as a Commissioner, she presided over thousands of cases, including several Family Law child custody litigation cases. She also served many rotations at Western State Hospital presiding over civil commitment litigation cases where residents of the facility were found to be a danger to others and some defendants had committed violent felony offenses.• Judge Kiesel considered requesting a partial reporting modification regarding her residential and vacation addresses when submitting her F-1 report as a candidate in 2020. After PDC staff informed her that neither her candidacy nor her position as a Commissioner allowed her to use the address disclosure alternative described in RCW 42.17A.71(2)(a) without a Commission Order granting this exemption, she decided to wait until the results of her candidacy to determine how she wanted to proceed.
Other Issues	<p>As a current judicial office holder, Judge Kiesel is now able to utilize the address disclosure alternative described in RCW 42.17A.71(2)(a).</p> <p>PDC staff have informed Judge Kiesel of the residential address alternatives set forth in WAC 390-24-200.</p> <p>Judge Kiesel's records would be exempt from public disclosure if the Commission finds in accordance with RCW 42.17A.120 and WAC 390-28-080 that disclosure of such information would present a personal risk to a reasonable person.</p>