

MODIFICATION REQUEST COVER SHEET

Name of Filer	JOHN A. AUSTIN III
Reporting Period	<input type="checkbox"/> Annual report <input checked="" type="checkbox"/> Candidate report (April 17, 2023 to April 16, 2024)
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	Superior Court Judge Position 15, Pierce County Superior Court Candidate 2024
Application Rule(s)	<input type="checkbox"/> Income & Ownership Interest: WAC 390-28-100(1)(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(1)(e)
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"/> Modification Request Application <input type="checkbox"/> Attachment <input checked="" type="checkbox"/> Current F-1 Filed 4/25/24 <input type="checkbox"/> Order
Reason(s) for Modification (as stated by filer)	<ul style="list-style-type: none">• John Austin III is requesting a partial reporting modification that would exempt him from disclosing his residential address on his Personal Financial Affairs Statement filed as a 2024 candidate and covering the previous twelve months, due to safety concerns.• Mr. Austin states that he has been a public defender for Pierce County for the last 20 years, and has received threats in the past and is aware of possible danger to him and his family
Other Issues	<ul style="list-style-type: none">• Mr. Austin has agreed to recuse himself if a matter came before him involving a conflict of interest between interest between his personal interests and public duties.• PDC staff have informed Mr. Austin of the residential address alternatives set forth in WAC 390-24-200.• Mr. Austin'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.• Mr. Austin has identified his residential address using the permissible alternative in RCW 42.17A.710(2)(a) and would automatically qualify for the reporting exemption if elected to judicial office.