



Making a *Difference*

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has."

- Margaret Mead

**Washington State Supreme Court
Gender and Justice Commission
2007 Annual Report**

*Washington State Supreme Court
Gender and Justice Commission
Members 2007*

Honorable Barbara A. Madsen,
Commission Chair
Washington State Supreme Court

Ms. Barbara L. Carr
Jefferson County Juvenile Court

Ms. Jeralita "Jeri" Costa
Indeterminate Sentence Review Board

Honorable Sara Derr
Spokane County District Court

Honorable Joan DuBuque
King County Superior Court

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Rafel Manville PLLC

Ms. Grace Huang
*Washington State Coalition Against
Domestic Violence*

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Coeur d'Alene Tribal Court

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Franklin County Clerk

Professor Natasha T. Martin
Seattle University School of Law

Honorable Craig Matheson
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Northwest Justice Project

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Kitsap County District Court

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Colville Tribal Court of Appeals

Mr. Daniel L. Thieme
Little Mendelson

Honorable Linda G. Tompkins
Spokane County Superior Court

Honorable Chris Wickham
Thurston County Superior Court

Ms. Myra Downing,
Commission Coordinator
Administrative Office of the Courts

Gender and Justice Commission

Mission

On June 29, 1994, the Washington Supreme Court established the Washington Gender and Justice Commission. The Supreme Court charged the Commission to identify concerns and make recommendations regarding the equal treatment of all parties, attorneys, and court employees in state courts and to file an annual report with the Governor, Legislature, and Chief Justice concerning the work of the Commission and its recommendations.

Membership

The Washington State Supreme Court appoints the Commission chair and the members. The Commission has twenty representatives from among the following: Court of Appeals, trial courts, bar associations, Clerk of Courts, attorneys, trial court administrators, college or university professors, citizens, and staffed by the Administrative Office of the Courts (AOC).

Funding and Staffing

The Commission is funded by the Washington State Legislature through AOC and augmented by federal grants. The Commission had .8 staff through September when the position was converted to 1 FTE. Secretarial support is provided by AOC and through Federal grant funds.



Gloria C. Hemmen
Executive Director
1987 – 2007

Gloria Hemmen retired in September 2007, after two decades of helping Washington courts to meet the goal of gender equity. Gloria began her services as an intern tasked with staffing the Gender and Justice Task Force. Gloria worked with others in creating the Washington State Supreme Court Gender and Justice Commission and became the first Executive Director.

Her attention to detail and relentless support for the Commission are reflected in the positive reputation of the Commission. With her assistance the Commission provided educational opportunities to many people involved in the justice system on such diverse gender issues as Domestic Violence, immigration, and impediments to justice for Gay, Lesbian, Bisexual, and Transgender citizens. Gloria earned the respect and admiration of all she served.



2007 Annual Report

To: Governor Christine Gregoire
Chief Justice Gerry Alexander
Members of the Washington State Judiciary
Members of the Washington State Legislature
Citizens of Washington State

From: Justice Barbara A. Madsen, Chair
Gender and Justice Commission Chair

On behalf of the Washington State Gender and Justice Commission, I am pleased to present you with the 2007 Annual Report on our progress to promote gender fairness, diversity, and equality in the courts and the court communities.

Our 2007 theme was “Making a Difference.” Throughout the year the work of the Commission focused on making a difference on issues related to gender. Our strategy for accomplishing this was through education programs.

For the first time we sponsored a session at the Presiding Judges’ Conference titled Sexual Orientation: Issues for the Courts. The Presiding Judge and Court Administrator of every court were presented with a Judicial Benchbook on this topic. In addition, a panel presented potential scenarios facing judges and afforded participants the opportunity to discuss issues and ask questions on the subject. The session received very high marks. It was selected for inclusion at the Annual Judicial Conference in 2008.

Creating safe places for women to thrive is one of our primary goals. The leading challenge is still domestic violence. Our education program on this topic was titled “Firearms and Domestic Violence: Court and Community Safety.” The purpose of the session was to enhance judicial officers’ understanding and awareness of federal and state statutes pertaining to batterer’s firearm restrictions and protection order firearm prohibitions and to offer some solutions to assist courts in enforcing their orders relating to firearms.

In addition, the Commission was fortunate again to offer grants to local jurisdictions to enhance their efforts in reducing domestic violence, stalking, and sexual violence. Descriptions of the types of programs receiving funds are listed in this report. Twelve judicial officers were also able to attend advanced training in domestic violence issues offered by the National Juvenile and Family Court Judges Association with funding through the Commission.

Another goal for the Commission is making a difference in gender equality on the bench and in the legal community. Women comprise 28 percent of the judges in Washington State. The Commission continues to seek ways to encourage more women to consider the law or the judiciary as career options. One of the ways the Commission has attempted to influence this is through our Color of Justice program. This program is targeted at young girls and youth of color and encourages them to consider law as a career.

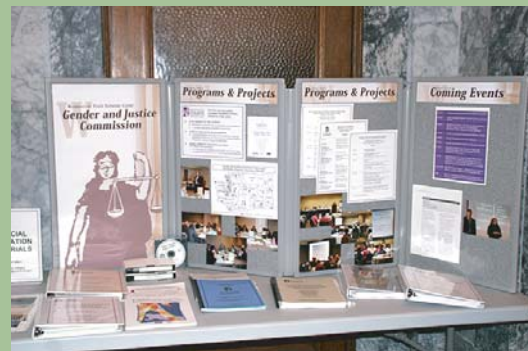
Looking forward, the Commission is committed to identifying the systemic issues that continue to plague our criminal justice system and create obstacles to eliminating domestic violence and reducing access to weapons for those who use them to do harm. Unfortunately the issue of domestic violence has crossed our borders and we face new challenges when working with non-English speaking people who find themselves in our courts.

We intend to build on our success in the coming year. Of course, the greatest strength of the Commission is its members. Without them, we could not have made the progress that we have. On behalf of the members and myself, thank you for your support and interest in making this an equal and just world for all of us.

Gender and Justice Commission

The mission of the Gender and Justice Commission is to promote gender equality in the system of law and justice through:

- ▶ Education:
- ▶ Coordination and cooperation with other organizations; and
- ▶ Programs and projects designed to eliminate gender discrimination and bias.



2007 Highlights

Gender and Justice Commission Sponsored DV Grants, Programs, Summits, 1996-2008

STOP Grants To The Courts

The Services, Treatment, Officers, and Prosecutors (STOP) Grant is awarded to support comprehensive and coordinated responses to sexual assault, D.V., and stalking crimes. In 2007, the grants were awarded to:

Asotin County District Court

Continuation grant that funded clinics offering assistance in filling out protection orders for victims of DV, sexual assault, and stalking.

Clallam County Superior Court

Received funding to increase availability of court security and enhance knowledge for security officer on the dynamics of DV and Sexual Assault and potential situations that may arise at courthouses.

Clark County District Court

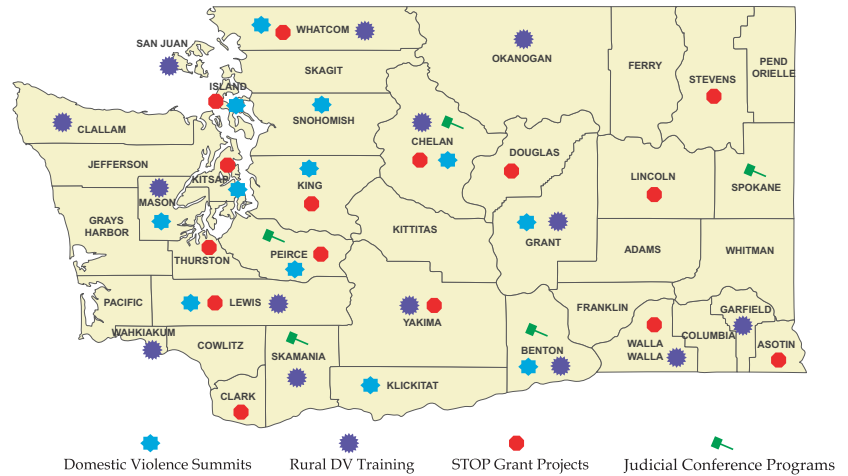
Created a SAFERoom (private room) and informative video for DV victims filing protection orders at the Clark County courthouse.

King County Superior Court

Provided a series of trainings and workshops for court personnel and judicial officers that focused on the dynamics of supervised visitation, safety, and post-separation in cases involving domestic violence. Funded the development of curriculum and provided training for courthouse facilitators on DV dynamics..

Spokane County District Court

Provided a court-based domestic violence advocate for Mental Health court and develop a manual for mental health DV advocacy.



State of Washington Court of Appeals, Division II

Provide training on “DV in the Workplace” for the Court of Appeals.

Walla Walla County Superior Court

Hire (for the DV Protection Order and Parenting Plan Clinics) an on-call attorney to provide emergency legal advice to DV advocates for the victims they serve.

Whatcom County Superior Court

Establish a clinic to assist DV victims with processing Parenting Plans and domestic relations legal paperwork. The Clinic is staffed by volunteer paralegals supervised by an attorney.

Gender and Justice Commission

Gender and Justice sponsored judicial education; travel scholarships for judges to attend out-of-state DV Workshops and in-state programs (King Co. training); JABS court-based training; support for new committee to work on simplifying the language of the DV Forms.

2007 Highlights Continued

2006 Domestic Violence Manual

The Domestic Violence (DV) Manual was updated and distributed in 2007. Six hundred copies of the manual were printed and distributed. Copies were sent to every superior, district, and municipal court judicial officers, law libraries, and domestic violence legal advocates on the lists provided by the Washington State Coalition Against Domestic Violence and the Office of Crime Victim Advocacy. In addition, the American Bar Association has distributed the Commission's manual to other countries.

Firearms and Domestic Violence: Court and Community Safety

Reports indicate that the majority of domestic violence homicides are committed with a firearm. A review of the Washington State Patrol data base, indicated that many courts were not using the updated Order for Protection that list the charges that qualify under federal firearms restrictions.

The Commission provided an educational program titled "Firearms and Domestic Violence: Court and Community Safety" at the 2007 Annual Judicial Conference. The purpose of the program was to reiterate the cases and criteria that require relinquishment of firearms and also identify the federal and state statutes that affect a batterer's right to possess firearms. Programs on forfeiture of firearms were presented. The Commission offered technical assistance to courts interested in developing a weapons forfeiture program.

An article by the Commission Chair Justice Barbara Madsen, was printed in the Washington State Bar Association BAR News titled "The Mandatory Order for Protection: A Tool for Client Safety." The article provided information on the forms used by the courts to document possession of firearms and the implications of using correct forms on providing the full protection of the law to victims of domestic violence.



Judicial Officer Education

Twelve Judicial Officers received advanced Domestic Violence and Elder Abuse Training. Some of the topics addressed during the workshops were Access to Justice and the Judge's Role in Community Response to Domestic Violence, Fairness and Culture Issues, and Aging and the Dynamics of Elder Abuse.

Judicial Access Browser (JABS) Training

The Gender and Justice Commission sponsored training for judicial officers, clerks, and court administrators on the Judicial Information System program called the Judicial Access Browser (JABS). The data in JABS allow judicial officers and court personnel to review case history, court orders, and other relevant information necessary in issuing protection orders and reducing the chance of conflicting orders.



Color of Justice

The Gender and Justice Commission partnered with Seattle University School of Law to present the National Association of Women Judges' "The Color of Justice Program." Fifty-seven students, predominantly students of color, from middle and high schools in the Puget Sound area attended. The Color of Justice program brings young women and youth of color from across the state together for exciting workshops and activities designed to encourage them to consider legal and judicial careers and to introduce them to campus life.

Judges and attorneys of color serve as panelists and mentors.

2007 Highlights Continued

Coordinated Response to Child Maltreatment and Domestic Violence Protocol Project

The Commission worked for three years with victim advocates, child welfare authorities, law enforcement and the judicial community in developing a model for a coordinated response to Child Maltreatment and Domestic Violence.

Problems raised by DV are compounded by differing perspectives about how to address its impacts on families. It became clear that discussion and resolution of the conflicts posed by the different outlooks is essential to the shared goal of protecting women and their children and stopping the generational cycle of domestic violence. Groups were convened across the state to work together on adopting a model to collaboratively address reducing domestic violence. King and Thurston Counties celebrated their success in accomplishing this goal in March.

Domestic Violence and Ethics Workshop

As our population becomes more diverse, the need for court interpretation services increases. According to RCW 2.43.010, it is the policy of the State of Washington to secure the rights of persons with a non-English-speaking cultural background, who cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them. The interpreter is expected to know the dynamics of domestic violence and be able to recognize perceptions and biases that may be associated with their own cultural background. This is especially critical in situations where a person is in danger of being injured or killed.

The Commission partnered with the Interpreters Commission to begin to address this dilemma by offering the “Domestic Violence and Ethics Workshop” several times around the state. The goal of the workshops is to provide interpreters with a basis of understanding of the dynamics of DV and its impact on victims and their families. The class has received very high marks.



2007 Highlights Continued

Human Trafficking

The Thirteenth Amendment outlaws slavery but we find that nearly one hundred and fifty years later people are still being enslaved in this country. Today it is called Human Trafficking. Over 18,000 people a year are smuggled into the country and sold into bondage. They are held against their will, often abused, and forced into involuntary servitude.

Commission members and staff continued to work with the Human Trafficking Task Force in developing a model state anti-trafficking law and to identify potential training topics designed to educate judicial officers and court personnel as to the issues related to Trafficking.

Breast Cancer Legal Resources Guide

Commission members helped edit the report and paid for production of the Breast Cancer Legal Resources Guide that was developed by the Washington Women Lawyers Association. The guide provides practical legal advice on many of the issues and challenges for those faced with breast cancer.

If I only Had One More Day

The Commission purchased and provided a copy of the 2006 Washington State Coalition Against Domestic Violence Fatality Review Report for all presiding judges in Superior, District, and Municipal Court. The report provides the court with information about what occurred during the last year and the opportunity for them to do their own assessments within their courts.

Sexual Orientation: Issues for the Courts

Each year a special conference is offered to the Presiding Judge and Court Administrator of each court in Washington. As part of its mission to offer education that will eliminate discrimination and bias, the Commission sponsored a session titled "Sexual Orientation: Issues for the Courts." As part of this session, the Bench Guide to Sexual Orientation and the Law was updated and given to each participant. During the session, panel members discussed the need for sensitivity to Gay, Lesbian, Bi-Sexual, and Transgender persons in the courtroom from a practitioner's and judge's perspective, including discussion of currently acceptable terminology and addressing issues raised by participants' questions.





National Association of Women Judges Reception (NAWJ)

NAWJ is dedicated to preserving judicial independence, ensuring equal justice and access to the courts for women, minorities and other historically disfavored groups. This is accomplished by providing professional development activities intended to increase the number of women judges. In Washington, 28% of the judicial officers are women.

The Commission shares the NAWJ vision. In June, the Commission collaborated with NAWJ in sponsoring a program and reception at the Supreme Court. The event was attended by Trial and Administrative law judges from all across the state.



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