



DMCJA Board of Governors Meeting
Sunday September 22, 2013, 9:00 a.m. – 12:00 p.m.
AOC SeaTac Office

MEETING MINUTES

Members:

Chair, Judge Svaren
Judge Alicea-Galvan
Judge Allen
Judge Burrowes
Judge Derr
Judge Garrow (non-voting)
Judge Jahns
~~Judge Jaspica (non-voting)~~
Judge Lambo (non-voting)
Judge Logan
Judge Marinella
Judge Meyer
Judge Olwell
Judge Ringus (non-voting)
Judge Robertson
Commissioner Smiley
Judge Smith
Judge Steiner

Guests:

Judge Jeffrey Ramsdell
Judge Tracy Staab
Judge Susan Woodard

AOC Staff:

Ms. Judith Anderson
Ms. Shannon Hinchcliffe
Ms. J Krebs
Ms. Vicky Marin
Ms. Michelle Pardee
Ms. Merrie Gough

President Svaren called the meeting to order at 9:03 a.m. and noted there was a quorum present.

ASSOCIATION BUSINESS

Minutes

M/S/P to approve August 9, 2013, minutes.

Treasurer's Report

Judge Marinella included a written accounting in the materials. With regard to the proposed policy to process mid-term dues, Judge Marinella will continue to work on this and submit a proposal for review at the November meeting.

M/S/P to approve the Treasurer's Report.

Special Fund Report

Judge Steiner reported that it has been difficult to transfer authority between officers when there is turnover. Judge Svaren has been trying to transfer authority as the custodian for several years and Bank of America has been very difficult to work with. Officers will look into finding alternative banking for the special fund.

M/S/P to approve the Special Fund Report.

ACTION

A. Rules Committee Items

1. SCJA Electronic Warrant Rule Proposal CrR 2.3 and CrR 3.2.1

Judge Garrow explained that the committee has worked with Judge Cozza and the SCJA for approximately a year to achieve parity in the proposed electronic warrant rules for both levels of court. The committee recommends submitting the current proposal for consideration by the Supreme Court Rules Committee, with a statement that the Board believes the rules to be congruent, despite the different word choices.

M/S/P to adopt the recommendation of the Rules Committee as written and send it to the Supreme Court Rules Committee.

2. ER 1101(c)(4) – Protection Order Rules

Judge Garrow explained that this is general housekeeping to include a new protection order which was created during the 2013 legislative session in the evidence rules.

M/S/P to adopt the recommendation of the Rules Committee and send it to the Supreme Court Rules Committee

3. Proposed GR 15 request sought by Data Dissemination Committee before proposal to JISC

Judge Garrow explained that this was a request for informal comment by the chair of the Data Dissemination Committee. Once the proposed rule is commented on it will be sent to the JISC for review. If the JISC approves it, it will be forwarded to the Supreme Court Rules Committee. Judge Garrow presented the memorandum of review and advised that the committee believed that it was an ambitious rule that contains provisions that are not harmonious with current case law.

M/S/P to adopt the recommendation of Rules Committee and send a letter, along with the memorandum and attachments to the Data Dissemination Committee.

4. CJC 2.2 Comment 4

Judge Garrow advised that the committee's recommendation falls in line with the recent comments of the ethics committee, which identifies concerns with the proposal.

M/S/P to adopt the committee's recommendations to not approve the changes and to provide those comments to the Supreme Court Rules Committee, as requested.

5. Proposed Changes to the Disciplinary Rules for Judges

Judge Garrow indicated that generally the changes in these proposed rules are for housekeeping purposes and the recommendation is to indicate no objections.

M/S/P to adopt the committee's recommendations to indicate no objections.

B. Presiding Judges Conference Budget Request

Judith Anderson came to the meeting to answer questions on behalf of the presiding judges' education committee ("PJ Ed") regarding the budget request, as Judge Larkin was not able to attend. Members expressed concern over setting the precedent of funding individual conferences and significantly supplementing judicial education. Some members discussed their appreciation for the committee's attempts to educate in lean economic times through webinars and adding individual presiding judge education sessions to spring conferences. However,

many agreed it was time to have an in-person conference where management teams (presiding judge and administrator) can attend.

There was additional discussion regarding the monetary requests to DMCMA and Superior Court Administrators. PJ Ed requested \$5,000 from DMCMA and did not formally request money from the Superior Court Administrators as it was determined they did not have the funding. The Superior Court Administrators did agree to give any leftover funds from their education budget to the conference. A member suggested that if SCJA and DMCJA both agreed to contribute money that they should increase the allocation to \$12,500 from each judicial association in order to cover both levels of administrators.

M/S/P to approve the request for \$10,000 and allocate the money within the 2014-2015 budget cycle for the presiding judges' education conference upon the contingency that there is no cap on district or municipal court team attendance and this is a one time commitment. Further, if SCJA is willing to contribute \$12,500 the DMCJA will contribute \$12,500 in order to relieve the administrators of the request.

DISCUSSION

A. Review of DUI Sentencing Grid, etc. pattern forms

Ms. Merrie Gough and Judge Staab from the CLJ pattern forms subcommittee called into the meeting and talked about the package of pattern forms, including the DUI sentencing grids and sentencing attachments which memorialized the changes from the 2013 legislative session. Members gave feedback to the guests and requested that a form be created which shows the mandatory minimums without the mandatory assessments.

B. Judicial College Reception Annual Contribution (Judicial College)

M/S/P to make this an Action item

M/S/P to give \$400 from the judicial outreach line item for social activities at the 2014 judicial college. Judge Jahns abstained.

C. Joint Judicial College Reception Proposal (SCJA & DMCJA)

M/S/P to make this an Action item

M/S/P to give \$1,000 from the judicial outreach line item for a joint DMCJA/SCJA reception at the 2014 judicial college. Judge Jahns abstained.

D. Annual Review of DMCJA Dues

M/S/P to make this an Action item

M/S/P to keep the 2014 general dues the same for all level of judicial officers, and to set dues as part of the annual budget process.

M/S/P special fund assessment to Action item

M/S/P to not assess the special fund assessment in 2014.

E. Nominating Committee Members

M/S/P to make this an Action item

M/S/P the slate of nominating committee members which include Judge Derr as ex-officio Chair as Immediate Past President, Judge Glenn Phillips, Judge Steve Brown, Judge Linda Portnoy, and Judge G. Scott Marinella.

F. System Improvement Committee

Judge Svaren handed out an outline of the proposed committee's charge. Members agreed by consensus that the committee should be formed and start working based on these charges and the budget request approved in the May 2013 meeting for this purpose.

LIAISONS

JISC – Mrs. Cullinane (formerly Ms. Marin) reported briefly on the progress of the SC CMS project. Odessey [Tyler Technologies] has been selected as the vendor and the pilot courts for the first phase will be Lewis and Thurston Counties. The courts of limited jurisdiction will be represented by the managers in the accounting discussions of the SC CMS project. MCA has made a request through the IT Governance program for a case management system. The JISC will likely take up the issue in the near future and consider the scope of the current CLJ CMS request. The Data Dissemination Committee (DDC) formed a workgroup to look further at the DMCJA letter in addition to other feedback related to the records retention schedule. It is likely that this item will be taken up at the October or November JISC meeting.

SCJA – SCJA sent a similar recommendation regarding the proposed amendments to the CJC. With the recent AOC reorganization, the Office of the Trial Courts will be a separate standing entity. SCJA and DMCJA representatives will meet with Callie tomorrow at 5 p.m. to discuss the new Office.

AOC – Shannon explained that AOC is currently undergoing a reorganization and it is being rolled out in different forums, most recently at BJA and likely during the business meeting in some form at fall conference. She further explained that she will be transitioning out of the staff role for DMCJA and into the primary staff role for BJA. Michelle Pardee and J Krebs will be filling the role for DMCJA for Board and committee support during the transition.

BJA - Judge Ringus gave a re-cap of the September 20th meeting, at which Judge Lambo gave a short presentation on Judicial Assistance Services Program, the BJA decided to re-start the Long Range Planning process, Callie gave an overview of the AOC reorganization, and they discussed the timeline for GR 31.1 effective date.

STANDING COMMITTEE REPORTS

- A. Therapeutic Courts Committee – Judge Finkle sent an email for the materials and recently (Friday afternoon) sent a copy of the latest bill draft of proposed language for a therapeutic courts bill from the workgroup created by SB 5797.
- B. Legislative Committee – Judge Meyer reported that the committee is currently researching and vetting the proposals from members and there will be another committee meeting on October 11.
- C. Technology Committee – Judge Walden included the committee's minutes in the materials.
- D. Rules Committee – Judge Garrow included the committee's minutes in the materials.

OTHER BUSINESS

Meeting Adjourned at 12:05 p.m.