



DMCJA Board of Governors Meeting
Friday, November 15, 2013, 12:30 p.m. – 3:30 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 Jasprica (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, SCJA
Judge Patricia Clark (ret.)
Mr. David Speikers, WSAJ
Ms. Aimee Vance, DMCMA

AOC Staff:

Ms. J Krebs
~~Ms. Vicky Cullinane~~
Ms. Michelle Pardee
Mr. Dirk Marler
Ms. Jennifer Creighton
Ms. Stephanie Happold

President Svaren called the meeting to order at 12:30 p.m. and noted there was a quorum present.

ASSOCIATION BUSINESS

Minutes

M/S/P to approve September 22, 2013 minutes.

Treasurer's Report

Judge Marinella included a written account statement in the materials. Shannon Hinchcliffe advised Judge Marinella that the 2013-2013 Budget line item for Judicial Assistance Committee should equal \$10,000 instead of \$5,000 and that will be adjusted. Also, he will be contacting Dino Traverso, CPA, to find out when an audit will take place. Judge Marinella also submitted a memo and reported that DMCJA owed SCJA a refund related to JASP funds in the amount of \$2,499.48 from the 2012-2013 Budget.

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

Policy for payment of dues when a vacant position is filled (full or pro-rata)

M/S/P to make this an Action item

The Board asked for language to better clarify the expectations for payment when a judge pays the dues versus when a jurisdiction pays the dues, to be congruent with the Bylaws. The Board

briefly discussed whether, if a judge pays the dues and then leaves office, would that judge receive a refund on pro-rated dues. Judge Marinella will continue to work on clarifying the expectations based on who paid the dues and submit a policy for action at the December meeting.

Special Fund Report

Judge Svaren reported on behalf of Judge Steiner that the recommendation is for no action at this time, but in the spring the new Vice President will submit a proposal to the Board for action on this fund. Judge Svaren, who is still on the account will work with the new Vice President to close the current fund and transfer money to an alternative banking option.

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

LEGISLATIVE COMMITTEE REPORT

1. Removal of Municipal Court Judges

The Legislative Committee has approved statutory language clarifying Washington State law that municipalities may not terminate a municipal court during a municipal judicial officer's term of office. The recommendation is to work with the BJA to pursue legislation.

M/S/P to adopt the recommendation of the Legislative Committee with the caveat that it be referred back to the Legislative Committee to add language addressing when a jurisdiction contracts with another jurisdiction. Judge Jahns voted opposed.

2. Imposing Misdemeanor Jury Fees

Courts of limited jurisdiction lack clear authority to impose jury fees when defendants are convicted of misdemeanors. This proposal would authorize municipal and district courts to impose these fees.

No action taken. Sent back to the Legislative Committee for further review.

3. Discover pass fee allocations

All revenue from discover pass violations currently is remitted only to the state, despite the burden on courts and local jurisdictions to process these infractions. The Legislative Committee proposes working with the counties on legislation that would provide that at least a portion of the money would go to the local jurisdiction.

M/S/P to adopt the recommendation of Legislative Committee.

4. Therapeutic Courts (SB 5797) Workgroup

This will be discussed at the December Legislative Committee meeting and brought for action at the December 13th Board Meeting.

FUTURE SECURITY CHANGES RELATED TO COURT INFORMATION

Mr. Marler reported on the memo sent out by Callie Dietz, Court Administrator, regarding future security changes. The catalyst for the changes was the breach in AOC data security. AOC is giving notice to affected parties so they have time to prepare, and will also follow up with affected parties after the changes are made to make sure things are still running smoothly. Some highlights of the security changes are: change in password requirements to make them stronger; Inside Courts will time out after a specified period of inactivity and all users will be logged off at 3am each day; future changes to JABS log in will keep in mind ease of use for those users.

DISCUSSION

A. Office of the Trial Courts

Judge Svaren requested Board members send him their ideas of how they envision this group would operate, as well as what its responsibilities, structure, and actions would look like. Judge Svaren sees it as an advisory group for issues of the trial courts. He does not see committees being formed but rather the group would vet information on trial court issues to enhance and improve communication with an ultimate goal of having unified support of the trial courts on issues affecting trial courts. The group would be made up of SCJA and DMCJA representatives, along with court administrator representation. Judge Derr referred to a structure similar to Court Management Council and that this group does not have title authority. Judge Lambo inquired if the group would be an advisory board that reports to BJA and that could free BJA up to focus on policy making. Judge Ramsdell said SCJA is interested in DMCJA's ideas for what this group should be and encouraged the trial courts to come together and coordinate efforts. Judge Jahns inquired if this group would be ad hoc or a continuing group that would require bylaws, charter, etc. Judge Svaren said the group would be continuing and that bylaws and a charter will be created, which is why DMCJA Board input is important. Judge Ramsdell said this would be a good way to continue Justice in Jeopardy and that Judge Michael Downes sees this group as more than just a name but having a real function and control of issues affecting the trial courts. The next meeting is December 6th and Judge Svaren will provide DMCJA Board feedback for discussion with SCJA. Ms. Vance requested DMCMA representation in this group.

B. Rules Committee Report on Court Security

The Rules Committee was charged with evaluating the efficacy of a general court rule to address court security. After reviewing other state rules, it is the recommendation of the Rules Committee that the process be opened up to include more stakeholders and to consider more comprehensive solutions to issues with courthouse security. Judge Svaren agreed with this proposal and will contact groups regarding putting together a task force to address the topic.

C. Data Dissemination

1. Policy Change for Juvenile Offender Records
Reviewed email sent out to LISTSERV about changes.
2. Records Retention Schedule
JISC, through the CLJ Workgroup, is asking DMCJA to create guidelines or criteria for judges to follow when flagging a case for permanent retention, which diverts from the standard retention schedule. Many Board members had concerns including whether it might increase the incidence of appeals, concern regarding it being purely a judge's decision, and whether there would be a notification process. Judge Svaren asked Board members to email him possible criteria for permanent retention to be discussed at the December Board meeting.

D. YMCA Mock Trial Program Contribution Request

M/S/P to donate \$1,600 which is the remaining balance of the Judicial Community Outreach budget. The request was for \$2,500.

E. Request for Scholarships for Mental Health Court Presentation

The Board reviewed the proposal and expressed concern that it did not fit in with the typical scholarship process. Board members suggested other avenues for funding, such as the Education Committee. Also, if requestors are going to be presenters at the conference, then they should first seek money from the group putting on the conference. Judge Svaren will let Judge Finkle know what was discussed and suggestions. The issue was tabled.

LIAISON REPORTS

DMCMA- Ms. Vance thanked DMCJA on behalf of DMCMA for its contribution to the presiding judges' education conference and for the efforts to work with SCJA to contribute enough money so that money would not be requested from the administrators. A line staff conference was held in early October and was successful. Next week pilot courts will begin printing warrants on plain paper; all courts should have this ability by December.

SCJA – SCJA met DMCJA's challenge of contributing \$12,500 to the presiding judges' education conference and also contributed \$1,400 to the Judicial College. SC-CMS is working through County Clerks' concerns over retaining local custody and control over court documents. The next Office of the Trial Courts meeting is on December 6, 2013.

WSAJ – Mr. Speikers reported that WSAJ is reviewing legislation for public access to probation files but has not yet taken a position on this.

WSBA – Judge Derr attended their meeting and reported back that they provide free CLEs.

BJA - Judge Lambo gave a re-cap of the November 15th BJA meeting. There was a lengthy discussion about the Unification Committee report recommendations. There were three recommendations and #2 (letter to courts and associations with BJA recommendations) & #3 (track committee work through web-based tools) were approved. #1 (BJA committees standardize charters and formation) was approved with additions.

STANDING COMMITTEE REPORTS

- A. Legislative Committee – Judge Meyer included the committee's minutes in the materials.
- B. Rules Committee – Judge Garrow included the committee's minutes in the materials.

INFORMATION

AOC is working with DMCJA & DMCMA to have a case management summit which will bring together DMCJA, DMCMA, and courts that are actively pursuing new case management systems. The purpose of the meeting is to discuss timelines, funding, and resources available for a statewide CLJ CMS.

Letter from Chief Justice Madsen seeking a DMCJA representative for a Stalking Protection Order workgroup. Judge Svaren will follow up with Judge Stiener to see if he can attend.

Judge Derr asked for an update on the Judicial Needs Estimate Workgroup. Judge Burrowes and Judge Jahns reported that the group had been meeting is planning to make recommendations for improvement by March.

OTHER BUSINESS

Tribal State Consortium Presentation

Judge Patricia Clark (ret.) gave a presentation Interested Judges should contact AOC staff (Michelle Pardee) for more information. Judge Alicea-Galvan thought it was important to participate in this consortium.

Meeting Adjourned at 3:27 p.m.