



**DMCJA Board of Governors Meeting**  
Friday, December 13, 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 Kim Walden  
Judge Donna Tucker  
Judge James Heller  
Judge Jeffrey Ramsdell, SCJA  
Candice Bock, AWC  
Doug Levy  
Ms. Aimee Vance, DMCMA  
Brian Kelly, WSBA  
Deena Kaeling, MCA

**AOC Staff:**

Ms. J Krebs  
Ms. Vicky Cullinane  
Ms. Michelle Pardee  
Mr. Dirk Marler  
Ms. Callie Dietz  
Ms. Vonnie Diseth

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

**ASSOCIATION BUSINESS**

Minutes

*Judge Jahns proposed amended language under the Legislative Committee Report, 1. Removal of Municipal Court Judges. M/S/P to approve November, 2013 minutes with that amendment.*

Treasurer's Report

Judge Marinella included a written account statement in the materials. An audit will take place at the close of the 2014 books. *M/S/P to approve the Treasurer's Report.*

Special Fund Report

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

**CLJ Case Management System Update**

Ms. Dietz, Mr. Marler and Ms. Diseth gave a presentation on the history, timeline, events, and discussions regarding a CLJ Case Management System (CMS). They presented a history of the

current Information Technology Governance projects and how these are/were prioritized, and also discussed why a statewide approach/CMS is critical. They then presented AOC's high-level timeline for gathering the CLJ business requirements and recent events and discussions with CLJ courts who are anxious to get moving on this project or are planning on moving forward with their own CMS. The current plan is to start the Business Requirements process by second quarter 2014 and put out an RFP by second quarter 2016. A meeting is scheduled for January 24, 2014 to specifically discuss in detail how AOC and courts can move forward with a CLJ CMS.

## **ACTION**

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

*No action taken*

Judge Marinella submitted a policy with language that clarified the expectations for payment when a judge pays the dues versus when a jurisdiction pays the dues. The Board discussed whether, if a judge pays the dues and then leaves office, would that judge receive a refund on pro-rated dues. The refund question was also raised at the November 2013 Board meeting. Judge Marinella and Judge Steiner will continue work adding language covering refund of dues and bring back to the Board.

### Legislative Committee

#### 1. Imposing Misdemeanor Jury Fees

*No action taken.*

In November, the Board sent this back to the Legislative Committee for further review. The Legislative Committee decided not to change the original proposal.

#### 2. Therapeutic Courts (SB 5797) Workgroup

*M/S/P to support but not sponsor bill.*

#### 3. Other Business

Judge Meyer reported that the DMCJA proposal regarding municipal court termination had been submitted to the BJA; the Legislative Executive Committee had been formed to address legislation throughout the legislative session; and the Impaired Driving Workgroup Report is available for review.

## **DISCUSSION**

### A. JISC CLJ Workgroup Request for Guidelines for Flagging Cases for Permanent Retention

Judge Svaren did not receive any further comments or suggestions for guidelines.

*M/S/P to make this an Action item.*

*M/S/P to approve the recommended guidelines for judges to follow when flagging a case for permanent retention, which diverts from the standard retention schedule set out in the November 7, 2013, letter to DMCJA from the JISC CLJ Workgroup.*

### B. Office of the Trial Courts

There was a meeting on December 6, 2013, and the following was decided: The purpose is to be an advocacy group for issues of the courts of limited jurisdiction; the group does

not yet have a title – two names were proposed to be chosen at the next meeting; the group intends to meet quarterly; the chair will be a one year term and will be filled by one of the past presidents of the associations (to rotate between the associations); court administrators may send liaisons to the meetings but not vote; court security issues will be a focus, as well as creating a protocol for referring projects to the WA State Center for Court Research. SCJA currently has a legislative contact list that they will share/blend with DMCJA to increase contact with legislators to advocate on CLJ issues; and each association will ask their boards to provide funding so members may attend meetings.

Judge Steiner said that Judge Svaren's document regarding how the group should be formed set the ground work and helped progress the formation of this group.

C. Long Range Planning Recommendations to the Board

Judge Steiner reported that the Long Range Planning Committee met on October 18, 2013, and reviewed the items listed in the report submitted to the Board.

D. System Improvement Committee

Judge Steiner reported that the Committee met by telephone on December 4 and discussed the five items on the charge document. The Committee divided up into separate subcommittees to further review the items on the charge document and will meet in person on January 24, 2014, to go over the work the subcommittees have done.

E. Court Security Workgroup Status Update

Judge Svaren spoke with Judge Charles Snyder, SCJA, and both associations are interested in working together with DMCMA to form a joint committee to address trial court security issues. More information will be given at future meetings.

## LIAISON REPORTS

**DMCMA**- Next week DOL should be returning tickets with errors through email and no longer mailing the returns.

**MCA** – They are planning their spring conference. Due to a resignation, Ms. Kaelin will be attending DMCJA Board meetings until a successor is chosen.

**SCJA** – Met with DMCJA for Office of Trial Courts and will be picking a new name and working on the protocol of AOC staff use. SC-CMS is still working through County Clerks' concerns over retaining local custody and control over court documents. Discussion on family law issues such as having separate courts for only family law cases and attorneys for all kids in termination and dependency hearings.

**WSBA** – Mr. Kelly reported that 2015 bar dues will remain the same and is the third year in a row that they have remained the same. WSBA is reviewing the impact this may have on WSBA programs and if any will have to cut any programs. There has been work on LLLT- Limited License Legal Technician requirements, which include educational and experience components.

**WSAJ** – No liaison present.

**AOC** – Ms. Dietz reported on the AOC reorganization and is working on filling vacancies. Positions have been filled for Supreme Court Commissions Coordinator, Language Interpreter Commission, and there is a new Security IT officer. Applications were received for the DMCJA staff position and interviews will be taking place.

**BJA** - Judge Lambo gave a re-cap of the December 13th BJA meeting. AOC reported on updates to its security system since the security breach and that they are working with another state agency, Military Department, to test AOC's security by trying to breach AOC security and work to fix weak parts of the system. Court Security resources were discussed and having education programs at conferences. Mellani McAleenan stressed the importance of contacting local legislators about the importance of the JISC account as when money is removed from that account it hurts the judicial branch and courts. Interpreter bill position remains at opposed because it is an unfunded mandate. There may be a workgroup that will keep the bill alive for the future possible funding.

#### **STANDING COMMITTEE REPORTS**

- A. Rules Committee – Judge Garrow included the committee's minutes in the materials.
- B. Long Range Planning Committee – Judge Steiner included the committee's minutes in the materials.

#### **INFORMATION**

The 2013 DMCJA Annual Report to the Chief Justice was included in the materials by Judge Svaren.

Leadership meeting DOL/DMCJA/DMCMA/AOC letter from Judge Svaren to Pat Kohler, Director of DOL, was included in the materials by Judge Svaren.

Judge Meyer reported that the Impaired Driving Work Group Report was published and to contact him for copies. It is a large document.

#### **OTHER BUSINESS**

##### **Legislative Efforts to Increase Criminal Conviction Filing Fees**

Ms. Candice Bock, Association of Washington Cities, and Mr. Doug Levy presented to the Board proposed legislation to increase the criminal conviction filing fees in an effort to help cover some of the costs for the January 2015 implementation of public defense standards and caseload limits. In 2004, a Court Funding Alternatives work group had recommended the fee be set at \$55, rather than the current \$43. However that did not occur. The increase of the fee would benefit both local and state governments as more money would be collected. Mr. Levy and Ms. Bock would like the Board's support for the legislation and any other feedback. The Board asked what percentage of the fees were actually collected. Mr. Levy responded about 60% of the imposed criminal conviction filing fees were collected. Judge Lambo understood the crunch that municipalities are under but also is concerned that fees pile up on people and increase their financial burden. Also, often the fees are converted to community service and so the increase in revenue would not be what is expected. Ms. Vance asked if the request was to increase the fee regardless of whether the person was represented by a private attorney or public defender. Mr. Levy said fee increase is without distinction between private or

public attorney. Judge Jahns discussed proposing a change so that all fees collected stay local, instead of increasing the fee amount. Judge Tucker suggested creating a new fee for the sole purpose of funding public defense mandates. Ms. Bock has seen historically that the legislature would rather increase an existing fee rather than create a new fee. Judge Alicea-Galvan suggested that the cities also work with their prosecutors to determine what violations would be part of the caseloads and what violations they wanted to move forward on prosecuting. Judge Meyer noted that historically DMCJA has opposed user fees to fund programs, including increase of fees. Ms. Bock and Mr. Levy thanked the Board for their time, they hope the Board would recognize the need to fund the January 2015 implementation of public defense standards and caseload limits, and appreciate the Board's feedback.

Meeting Adjourned at 3:43 p.m.