



DMCJA Board of Governors Meeting
Friday, April 11, 2014, 12:30 p.m. – 3:00 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 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:

Detective Christopher Leyba, Seattle PD
Mr. Scott Bergstedt, WTSC Liaison
Ms. Aimee Vance, DMCMA
Deena Kaeling, MCA

AOC Staff:

Mr. Dirk Marler
Ms. Vicky Cullinane
Ms. Michelle Pardee
Ms. Sharon R. Harvey

President Svaren called the meeting to order at 12:34 p.m. and noted there was a quorum present. The new Courts of Limited Jurisdiction (CLJ) Court Association Coordinator, Sharon R. Harvey, was introduced to the District and Municipal Court Judges Association's Board of Governors.

ASSOCIATION BUSINESS

Minutes

M/S/P to approve the March 14, 2014 Board Meeting minutes as presented with one correction to change the date from February 14, 2013 to March 14, 2014.

Treasurer's Report

M/S/P to approve the Treasurer's Report. Judge Marinella reported that ninety-five percent of DMCJA members are active and a total of eight members have not paid DMCJA dues.

Special Fund Report

Judge Svaren reported that there is fifty-three thousand dollars (\$53,000.00) in the Special Fund. Interest has accrued by sixty cents (\$0.60). Judge Svaren reported that nothing has happened with this account.

eWarrants Presentation

Washington Traffic Safety Commission (WTSC) representatives, Scott Bergstedt and Seattle Police Department Detective, Christopher Leyba, spoke to the DMCJA Board of Governors about an electronic Warrants (eWarrants) initiative. WTSC has received a grant for a Washington State eWarrant system. A WTSC poll revealed that a search warrant is obtained two to four hours after a judge hears an issue. Washington State Patrol (WSP) and WTSC came together to create an electronic warrant system for Washington State. WTSC will model the Washington State eWarrants system from the Utah Criminal Justice Information System (UCJIS).

Detective Leyba stated that there are three phases to the Washington State system. The first phase includes the Electronic Interface, which is the stand alone web based application that may be used with Internet explorer or Mozilla applications. The officer may log into an online database and generate the desired warrant. The template will be filled in portable document format (PDF). The warrant is exported to the prosecutor's office. Once digitally signed, the eWarrant is then sent to the Judge. This process models the Utah system. There is also an "on-call" Judge system, which is known as the "opt in and opt out" feature. The second phase includes the Judge's notification of the eWarrant. When judges receive notification it is delivered into a queue. If the eWarrant is denied the Judge will not sign the warrant, however, if the eWarrant is approved, the officer prints the eWarrant for service. The third phase involves the Return of Service. There are three options regarding the return of service for eWarrants, namely, (1) the Judge may go into system and acknowledge the warrant, (2) the "e-mail option," which sends the eWarrant via email, and (3) electronic return of service warrant, which is a completely electronic "universal court based system." The "e-mail option" is known as the "middle ground" option. The Return of Service options need to be worked out according to Detective Leyba. The projected date of the eWarrant roll out and the drafting of a formal Charter is June 13, 2014. The tentative date for pilot agencies is October 2014. All warrants will be covered, however, only blood warrants are being tested at present. Judge Larson and Commissioner Howard are the DMCJA Representatives for this WTSC eWarrant initiative.

Standing Committee Reports

There were no Standing Committee Reports.

JIS Status Update

Ms. Vicky Cullinane reported that on May 29, 2014, there will be a change regarding how Judges will sign up on the Judicial Access Browser System (JABS). Judges will need to use a valid Resource Access Control Facility identification (RACF ID). Judges will be able to use one RACF ID to link into the computer systems of multiple courts. CLJ-CMS Steering Committee Charters will be ready for approval on April 25, 2014. Ms. Cullinane will report the outcome on April 26, 2014.

ACTION

A. Rules Committee

1) Proposed WSBA RALJ Amendments

a. RALJ 2.2 What May be Appealed

Rules Committee Recommendation: No objection to amendment.

Judge Rebecca Robertson reported for the Rules Committee.

M/S/P to adopt recommendations of the Rules Committee.

b. RALJ 5.4 Clarify scope of when new trial required-electronic record lost or damaged.

Rules Committee Recommendation: Some concern.

M/S/P to adopt recommendations of the Rules Committee.

c. RALJ 11.7(e) Application of Other Court Rules- Rules of Appellate Procedure

Rules Committee Recommendation: No objection to amendment. (RALJ – no discussion)

M/S/P to adopt Rules Committee Recommendations.

2) Proposed Amendments to CrR 8.10 and CrRLJ 8.13

Rules Committee Recommendation: Not support.

M/S/P to adopt Rules Committee Recommendations based on the proposed decision of the Washington Association of County Officials (WACO).

B. BJA Recommendations for Committees Review – Judge Svaren

1) Request for judicial branch entities that operate committees under authority using AOC staff or resources consider implementing BJA proposed chartering and committee standards.

M/S/P to look at Committees and to make a Charter.

DISCUSSION

A. Rules Committee

1) Proposed Amendments to GR 15 (action at next Board meeting)

Judge Robertson reported on GR 15, which relates to sealing records. Judge Ramsdell reported that the Superior Court Judges Association addressed the same issues as Rules Committee Chair, Judge Garrow.

B. Secretary of State Records Retention for Certification of Compliance (New Standards for Indigent Defense)

Judge Svaren reported on the Secretary of State's request for comments regarding the retention for certifications of compliance relating to standards for indigent defense. Judge Derr stated the forms should be retained for at least two years in case of audit. Mr. Dirk Marler had no position regarding the retention of these certifications. According to Judge Svaren, the Executive Branch has responsibility for these certifications. Judge Derr suggested the issue be sent to the DMCJA listerv to get membership input regarding the time period certification of compliance forms should be retained by the courts.

LIAISON REPORTS

DMCMA – Ms. Aimee Vance stated that District and Municipal Court Management Association (DMCMA) had no report.

MCA - Ms. Deena Kaelin reported that Misdemeanant Corrections Association (MCA) has assigned two people for the Judicial Information System Committee (JISC) and one person has been assigned for the Court User Work Group (CUWG).

SCJA – Judge Ramsdell reported that Superior Court Judges Association (SCJA) has no position on GR 31. The SCJA will reconstitute the Pension Committee to address legislation that will impact judges' retirements. SCJA has discussed rules regarding the personal constraints of juveniles.

WSBA – Judge Derr stated that the Washington State Bar Association (WSBA) has no report because the group has not met.

WSAJ – No Washington State Association of Justice (WSAJ) representative was present for the Board Meeting.

AOC – Mr. Dirk Marler reported that the Administrative Office of the Courts (AOC) is solely focusing on the case management system (CMS) initiative in superior courts. The AOC is reorganizing its staff to handle court CMS issues. Mr. Marler stated that the AOC will not spend money for the eWarrants initiatives or for the courts of limited jurisdiction (CLJs) to modernize.

BJA – No Board for Judicial Administration (BJA) representative was present for the Board Meeting. The April 11, 2014 BJA meeting was cancelled, and, therefore, there was nothing to report.

INFORMATION

A. Update on Public Record Request

Judge Svaren reported that no settlement had been reached in this case.

B. Reserves Committee Recent Meeting Minutes

Judge Alicea-Galvan reported that the Reserves Committee met regarding Special Fund dues. The Committee is looking at options to get more of a financial return for the Special Fund.

C. Rules Committee

1) Recent Meeting Minutes

2) Proposed Amendments to IRLJ 3.5

DMCJA rejects the proposed amendments to IRLJ 3.5.

D. JABS Logon Changes

Ms. Cullinane reported that JABS will change to be mildly more complicated. Judges must get a RACF ID and learn how the system works. One RACF ID may be used for multiple courts.

E. House Judiciary Committee Request for Interim Public Defense Work Group

DMCJA has been requested to participate in an Office of Public Defense (OPD) workgroup initiative. DMCJA Board members agreed to participate with the initiative after debated discussion. Judge Samuel Meyer and Judge Rebecca Robertson volunteered to be DMCJA representatives for the OPD workgroup.

OTHER BUSINESS

A. Next Board of Governor's Meeting is April 25-26, 2014 in Woodinville, Washington.

ADJOURNED 2:45 pm