



DMCJA Board of Governors Meeting
Friday, July 11, 2014, 12:30 p.m. – 3:30 p.m.
AOC SeaTac Office

MEETING MINUTES

Members:

Chair, Judge Alicea-Galvan
Judge Ahlf
Judge Burrowes
~~Judge Garrow (non-voting)~~
~~Judge Gehlsen~~
Judge Jahns
~~Judge Jasprica (non-voting)~~
~~Judge Lambo (non-voting)~~
Judge Marinella
Judge Meyer
Commissioner Noonan
Judge Olwell
Judge Ringus (non-voting)
Judge Robertson
Judge Smith
Judge Staab
Judge Steiner
~~Judge Svaren~~

Guests:

Judge Harold D. Clarke, III, SCJA
Judge David Larson
Former Judge Scott Bergstedt
Ms. Suzanne Elsner, DMCMA
Ms. Deena Kaelin, MCA
Ms. Shelly Baldwin, WTSC
Detective Christopher Leyba, Seattle PD

AOC Staff:

Mr. Dirk Marler
Ms. Vicky Cullinane
Ms. Charlotte Jensen
Ms. J Krebs
Ms. Sharon R. Harvey

President Alicea-Galvan noted a quorum was present and called the District and Municipal Court Judges' Association (DMCJA) Board of Governors (Board) meeting to order at 12:30 p.m. Judge Alicea-Galvan then asked all present to introduce themselves.

GENERAL BUSINESS

Minutes

The Board motioned, seconded, and passed a vote (M/S/P) to approve the Board Meeting Minutes dated June 8, 2014.

Treasurer's Report

M/S/P to approve the Treasurer's Report. This will be the last report from Judge Marinella, who is now the DMCJA Vice-President.

Special Fund Report

M/S/P to approve the Special Fund Report. Judge Marinella transferred Special Fund monies from Bank of America to Washington Federal Bank on June 20, 2014. Since the transfer of banks, the Special Fund has earned two dollars and nineteen cents (\$2.19) in interest. There is currently forty-eight thousand five hundred forty-three dollars and ninety-eight cents (\$ 48,543.98) in the Special Fund account.

Standing Committee Reports

Judge Robertson reported that the Rules Committee meeting was canceled. Judge Meyer reported that a Public Disclosure Commission (PDC) issue, which would be addressed during the discussion section of the meeting, may have an impact on the Legislative Committee.

JIS Status Update

Ms. Vicky Cullinane reported that the Courts of Limited Jurisdiction Case Management System (CLJ-CMS) project is moving forward. The first meeting for the Court User Work Group (CUWG) is July 30-31, 2014 in SeaTac, WA. The Judicial Information System Committee (JISC) voted to approve the DMCJA request to amend the CUWG Charter to include a non-voting DMCJA representative from a court that has not expressed an intent to use the statewide case management solution provided by the Administrative Office of the Courts (AOC).

Ms. Cullinane also reported that the JISC passed the JIS Standard on June 27, 2014. A copy of the standard is in the board materials. The JISC is providing two additional comment periods for stakeholders. A notification was sent to the DMCJA President and the presiding judges and administrators of all courts that have or are planning to use their own case management systems. The JISC expects to receive all comments by August 2014 and make any adjustments to the JIS Standard at their September 2014 meeting.

LIAISON REPORTS

DMCMA – Ms. Suzanne Elsner reported that she is the new President of the District and Municipal Court Management Association (DMCMA).

MCA – Ms. Deena Kaelin reported that Skip Stover, Chelan County District Court Probation, is the new President of the Misdemeanor Corrections Association (MCA).

SCJA – Judge Harold D. Clarke, III reported that he is the new Superior Court Judges Association (SCJA) President-Elect and informed that the next SCJA Board meeting is Saturday, July 12, 2014.

AOC – Mr. Dirk Marler informed the Board that July 11th is the birthday of 7-11 convenient stores, which will offer a free 3 oz. Slurpee to customers on its birthday.

BJA – Judge Ringus reported on the status of forms for General Rule (GR) 31.1, which is an action item on the next Board for Judicial Administration (BJA) agenda. Judge Ringus is hopeful the Board will have seen the GR 31.1 forms in time for the budget meeting on July 30, 2014. The BJA has created Charters for standing committees. Judge Ahlf informed Judge Ringus that the GR 31.1 Implementation Executive Oversight Committee has more documents for the BJA to review.

ACTION

M/S/P to make an action item, *West v. Washington State Association of District and Municipal Court Judges, et al.* M/S/P to authorize Judge Alicea-Galvan and Judge Meyer to retain Jeffrey S. Meyers, Esquire as counsel for the Public Disclosure Commission (PDC) issue.

M/S/P to make an action item, DMCJA Seniority List. M/S/P to include Commissioners and Magistrates on the DMCJA Seniority List.

DISCUSSION

A. Electronic Law Enforcement Interface (ELIAS)

M/S/P to make ELIAS an action item at the next Board meeting on August 8, 2014.

The Board viewed a video of a King 5 news segment in which Detective Christopher Leyba and former Judge Scott Bergstedt promoted the electronic warrant (eWarrant) system known as ELIAS. Prior to the showing of the King 5 news video, Detective Leyba stated that King 5 will retract calling ELIAS a “database” because the terminology is inaccurate. Mr. Bergstedt informed the Board that ELIAS is good and efficient. Detective Leyba

accepted personal responsibility for all miscommunication regarding ELIAS materials, namely, not sending the DMCJA Board ELIAS materials created in May 2014. All language in materials not approved by the DMCJA Board have been taken out, according to Detective Leyba. Mr. Bergstedt will work with Commissioner Howard and Judge Larson, DMCJA liaisons to the Washington Traffic Safety Commission (WTSC) eWarrants Initiative Workgroup, because Detective Leyba does not want any more miscommunication issues. There will be further review to resolve issues with the Project Charter. ELIAS priorities will be reorganized on October 1, 2014, and, rollout will be November 1, 2014.

Detective Leyba presented to the Board a slide show regarding the ELIAS application relating to data flow and retention. The presentation stated the process of the ELIAS system, which is also reflected in the DMCJA Meeting Minutes dated April 11, 2014. The Board discussed concerns with the ELIAS system and Detective Leyba stated that he would work with the Board to design a system that is valuable to judges. Detective Leyba requested the Board review the ELIAS Project Charter and tell Detective Leyba what the Board would like for him to do. Judge Larson stated that he would make sure the WTSC eWarrants Initiative Workgroup reports its activities to the entire Board.

B. JNE Workgroup Report

M/S/P to make this issue an action item at the next DMCJA Board meeting on August 8, 2014. Judge Jahns reported that the Judicial Needs Estimate (JNE) Workgroup was initiated by Judge Sara Derr in order to track the amount of cases CLJs adjudicate. The JNE Workgroup requested that each DMCJA Board member review the information in the *Judicial Needs Estimate Workgroup Recommendations* packet and vote on the recommendations at the next DMCJA Board meeting on August 8, 2014.

C. Judicial Independence

Judge Marinella reported to the Board that there has been no update regarding a survey follow-up submitted by the DMCJA Workgroup tasked with assessing whether judicial independence is impinged by the relationship between Washington cities and their part-time municipal court judges. AOC staff, J Krebs and Sharon R. Harvey, stated that they would research the issue and present the findings at the next DMCJA Board meeting on August 8, 2014.

D. Rules Committee

1. Proposed CrRLJ 3.2 (o) Amendment regarding *Comment* Section.

M/S/P to make this an action item at the next Board meeting on August 8, 2014. Ms. Krebs explained that the Rules Committee only added a comment to Criminal Rules for Courts of Limited Jurisdiction (CrRLJ) 32 (o). The Board discussed sending the issue back to the Rules Committee to state the reason for recommending a comment change instead of a Rule change.

E. DMCJA Seniority List

1. Correspondence from Magistrate and Judge Pro Tempore Adam C. Eisenberg

M/S/P to make this an action item. The Board discussed including Magistrates and Commissioners to the DMCJA Seniority List that is disseminated at each DMCJA Spring Conference.

INFORMATION

A. *West v. Washington State Association of District and Municipal Court Judges, et al.*

1. Order Granting Motion for Summary Judgment
2. Order Denying Motion to Recuse
3. Order Continuing Hearing and Awarding Terms to Defendant

M/S/P to make this an action item. Judge Meyer informed the Board that the DMCJA was successful on its Motion for Summary Judgment. Judge Meyer stated that both Tony Perkins and Phillip E. Stutzman of the PDC are of the position that some judge activity is considered lobbying and questioned Judge Meyer as to whether the judges qualified for an exemption to reporting lobbying activities. Judge Meyer stated that former DMCJA Presidents, Judge Svaren and Judge Derr, have iterated to the PDC that the Commission has no authority over the Judicial Branch, and, therefore, judges need not report such activities. The Board discussed provisions under Revised Code of Washington (RCW) 3.70.010, which established the DMCJA.

B. Trial Court Security Committee

Judge Robertson informed the Board that the Trial Court Security Committee met on June 23, 2014 and discussed various issues relating to court security.

C. National Scholarship Award Not Needed

1. Correspondence from Judge Riehl

The Board was informed that Judge Riehl would not be using the National Scholarship Award money because the program he planned to attend was canceled.

D. Judicial Information System (JIS) Standard and Court User Workgroup Charter (CUWG)

The Board was informed of the JIS Standard and the revised CUWG Charter.

E. Normandy Park Delegation YMCA Youth & Government Thank You Notes

The Board was informed that the Normandy Park Delegation YMCA Youth & Government group sent individualized thank you notes to DMCJA members who participated in the program.

OTHER BUSINESS

A. Next Board Meeting will be held on August 8, 2014, 12:30 p.m. to 3:30 p.m., at the AOC Office in SeaTac, Washington.

ADJOURNED at 3:05 p.m.