



DMCJA Board of Governors Meeting
Friday, June 7, 2015, 9:00 a.m. – 12:00 p.m.
Skamania Lodge
Stevenson, WA

MEETING MINUTES

Members Present:

Chair, Judge Steiner
Judge Ahlf
Judge Burrowes
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 Svaren
Judge Staab

Guest:

Mr. Larry Barker, MCA

AOC Staff:

Ms. Vicky Cullinane
Ms. Callie Dietz
Ms. Sharon R. Harvey
Mr. Dirk Marler
Ms. Danielle Pugh-Markie

Members Absent:

Judge Garrow (non-voting)
Judge Smith (resigned)

Judge David Steiner, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum was present and called the DMCJA Board of Governors (Board) meeting to order at 9:00 AM. Judge Steiner asked attendees to introduce themselves.

GENERAL BUSINESS

A. Minutes

The Board motioned, seconded, and passed a vote (M/S/P) to approve the May 9, 2015 Board Meeting Minutes with the correction to change the word "guaranteed" to "indicated" in the statement, "Judge Svaren, who testified on behalf of SB 5174, informed that legislators *guaranteed* that the bill would pass during the 2015 Special Legislative Session." The statement now reads, "Judge Svaren, who testified on behalf of SB 5174, informed that legislators *indicated* that the bill would pass during the 2015 Special Legislative Session."

B. Treasurer's Report

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

C. Special Fund Report

M/S/P to approve the Special Fund Report. Judge Marinella reported that there is forty-seven thousand five hundred seventy-four dollars and eighty-five cents in the Special Fund account. He also stated that Washington Federal is an amenable bank.

1. *Legislative Committee*

Judge Meyer reported that there is no legislative budget to date. He mentioned opinion editorials and twitter correspondence regarding the Senate budget not being favorable to the Judiciary that angered some legislators. The House of Representatives and Senate are working on an agreement regarding “the size of the box,” which is a term that refers to the framework of the two-year state budget. Judge Meyer informed that he and Melanie Stewart, Esq., DMCJA Lobbyist, will provide a Legislative Update during the Spring Conference.

Trial Court Advocacy Board (TCAB)

Judge Steiner reported that there was no June meeting. He informed that Ms. Janet Skreen, AOC Court Association Coordinator, is the new staff person for the TCAB.

JIS Report

Ms. Cullinane reported that the courts of limited jurisdiction case management system (CLJ-CMS) Project is moving forward. The CLJ-CMS Court User Work Group (CUWG) will work on the future state of court Probation in October 2015. She further informed that the Judicial Access Browser System (JABS) glitch regarding dates in the 1800's is being sorted out. A fix of the system is in place for June 5, 2015. Ms. Cullinane urged judges to report any system problems through the eService system immediately. She then reported that Lewis County Superior Court, which is a pilot for the Superior Court CMS Project will go live on Saturday, June 13, 2015, at 7:30 AM.

LIAISON REPORTS

AOC – Mr. Dirk Marler, AOC Liaison, introduced Ms. Danielle Pugh-Markie, who is the new AOC Manager for the Office of Trial Court Services and Judicial Education. Ms. Pugh-Markie is the former AOC Manager of the Supreme Court Commissions and has high level connections with the National Judicial Institute on Domestic Violence.

BJA – Judge Ringus, DMCJA Representative on the Board for Judicial Administration (BJA), reported that January 1, 2016 will be the implementation date for the Administrative Records Act. He also reported that his term as BJA Chair expires in July 2015. The BJA has a standing issue with the State Legislature regarding the budget. He further added that no budget has passed during the Special Session to date. SB 5174 has not yet passed. He then added that the Policy and Planning Committee, which is chaired by Judge Garrow, continues to work on legislative issues.

MCA – Mr. Larry Barker, Misdemeanor Corrections Association (MCA) Liaison, stated that the MCA is interested in the state budget issue because the AOC offices will shut down if a budget is not reached by July 1, 2015. Mr. Barker, however, informed that the MCA is the least impacted by the budget deal. He discussed the Public Records Act regarding case notes and federally protected documents that will no longer be protected when at the MCA. Judge Lambo mentioned a two day meeting regarding an agreement to streamline alcohol and drug assessments. This would include a checklist for judges to complete and send to the MCA. There was no agreement among judges and the MCA regarding checklists because of the need for judges to see more information regarding the defendant. The judges at the meeting were concerned with what happens after decisions are made. Sensitive information being subject to public disclosure makes judges uneasy, however, Judges can request such information to be redacted.

DISCUSSION

Strategy to Achieve 2015-2016 DMCJA Goals

Judge Steiner introduced the DMCJA goals for 2015 to 2016, which are outlined as follows:

1. Court Security – The Trial Court Security Committee proposed Rule 35, which will be renumbered, has been submitted to the Supreme Court. Judge Steiner met with the Supreme Court Rules Committee in

May 2015 regarding the Rule. Ms. Shannon Hinchcliffe, AOC Staff to the Supreme Court Rules Committee, informed that she would put the Rule in the correct form and the Rule will be up for discussion in October 2015 for the Fall Session.

2. JIS/Case Management System – Judge Steiner informed that he thinks the Superior Court Case Management System (SC-CMS) Project outcome will determine legislative funding for the CLJ-CMS Project.
3. Adequate Court Funding – Judge Steiner informed that the TCAB, which advocates for trial courts, is tackling this issue and has a long range plan to encourage adequate court funding. The TCAB will focus on educating key Legislators regarding the state of the courts. There was a suggestion for the DMCJA President to send a group letter to the Legislature regarding funding in the next year in order for the Association to take a more active role. Judge Marinella mentioned funding received from Senate Bill (SB) 5454, which is an act relating to court operations, in which the state pays twenty-five percent of the salaries of district court judges and of elected municipal court judges, beginning July 1, 2006. Trial Court Improvement funding is for specific purposes, however. The Board discussed having the TCAB handle this issue.
4. Courts out of Collection Business – This issue was proposed by Judge Jahns, whose intent was that judges get out of the money collection business completely. The Board discussed a legislative change because laws require district and municipal courts to collect fines. Thus, the courts should educate the Legislature regarding the perils of judges' participation in the money business. Judge Steiner mentioned an issue of the court having a stake in the imposed fines because the less money collected the harder it would be to get a court budget in some cities. Judge Steiner also recommended sending the issue to the DMCJA Long Range Planning Committee with a list of all of the things the Board agrees with and what is controversial. The list would include the core principals, the gambit of legal financial obligations, and those issues that are controversial. There would be a half-day discussion of the issue before a decision is made on what is agreed on. This year, the Board will focus on the Statewide Relicensing issue.
5. Statewide Relicensing Program – The Board discussed the issue and determined that the Northwest Justice Project (NJP) is not the best group to spearhead the initiative. The Board mentioned the Attorney General taking on the issue because it represents the Department of Licensing. The Board also decided to invite the NJP to the August Board meeting for a dialogue regarding the Statewide Relicensing Program Initiative. Judge Steiner informed that the NJP is working with many groups, not just the DMCJA. Ms. Callie Dietz, State Court Administrator, informed that the NJP met with the AOC regarding the Project. Judge Meyer informed that the DMCJA Legislative Committee does not take a position on policy issues such as decriminalizing unpaid infractions, however, supporting a relicensing initiative is permissible. The NJP was invited to have a booth at the 2015 DMCJA Spring Conference.
6. Educate Justice Project – M/S/P to create a task force. The goal is to get a member of the DMCJA Long Range Planning Committee to Chair this task force. Judge Steiner recommended creating a task force, such as a Public Outreach Committee, which would be a short-term workgroup that would meet a few times to create resources for judges to contact Commissioners and Legislators. The workgroup would then provide a report to the Board regarding its efforts. Judges could also participate with Law Day and the annual YMCA Mock Trial to educate justice partners.
7. Interpreter Issues – Judge Steiner discussed creating a task force regarding Interpreter issues. The Board cautioned of being spread too thin and decided to focus on educating justice partners by having them visit courthouses, which would likely result in funding for Interpreter issues. There was also discussion that the BJA Policy and Planning Committees will work on Interpreter issues.

8. Member Involvement – The task is to encourage more DMCJA Membership involvement. The Board agreed to give this responsibility to the DMCJA Nominating Committee. There was discussion that the DMCJA President should encourage Members to get involved during the Spring Conference and to make materials regarding opportunities available. M/S/P to make an action item at the next Board Meeting the issue of sending the Nominating Committee a yearly plan to encourage membership involvement.
9. Improve Quality and Consistency of all CLJs – Judge Steiner noted that there is no Bylaws language regarding the duties of the DMCJA Legislative Committee. He requested that the issue be sent to the DMCJA Bylaws Committee. The Legislative Committee would draft the proposal. Judge Meyer noted that the summer is the best time to draft a proposal and that he will speak with Commissioner Linda Kippling regarding a Bylaw amendment to include the duties of the Legislative Committee.

Statewide Relicensing Program: Northwest Justice Project is proposing a relicensing plan to all justice partners. Do we want the ability to comment on the plan by inviting a representative to the next DMCJA meeting?

The Board decided to invite a Northwest Justice Project Representative to a Board Meeting in order to comment on the NJP's Relicensing Project initiative.

Appointment of Judge for the Unexpired Term in Position Number Three

M/S/P for Judge Charles Short, Okanagan District Court, to replace Judge Heidi Smith in Board Position Number Three. Judge Steiner reported that Judge Short was the only judge to accept the position. This issue led to the discussion of the DMCJA Diversity Policy, which requires one member of a minority group on the DMCJA Board, pursuant to the Bylaws. Judge Steiner will speak with Judge Willie Gregory, Chair of the DMCJA Diversity Committee, for direction on the subject.

Appointment of District and Municipal Court Management Association (DMCMA) Liaison

The Board decided to make this a discussion at the next DMCJA Board Meeting. It was suggested that the position should be tied with the DMCJA Secretary/Treasurer position. A Board Member is preferable for this liaison position.

INFORMATION

Judge Steiner informed that he recommended Judges Rosen and Staab for the Judicial Information System Committee (JISC). The Chief Justice makes the final appointment based on the DMCJA President's recommendation and list of volunteers provided.

Judge Jahns thanked the AOC for its prompt response regarding Judicial Needs Estimate (JNE) code errors.

OTHER BUSINESS

Judges Richard Bathum and James Docter were selected to represent the DMCJA on the Trial Court Sentencing and Supervision Committee.

Judge Elizabeth Stephenson was selected to join the Judicial Needs Estimate Workgroup.

Judge Donna Tucker was selected to represent the DMCJA on the WSBA Council on Public Defense.

Next Meeting: Tentative, July 10, 2015

ADJOURNED at 11 AM.