



**DMCJA Board of Governors Meeting
Saturday, May 9, 2015, 11:00 a.m. – 1:00 p.m.
Enzian Inn, Leavenworth, WA**

MEETING MINUTES

Members Present:

Chair, Judge David Steiner
Judge Ahlf
Judge Burrowes
Judge Garrow (non-voting)
Judge Gehlsen
Judge Jahns
Judge Marinella
Judge Meyer
Judge Olwell
Judge Ringus (non-voting)
Judge Robertson
Judge Staab
Judge Svaren

Guests

Judge William Downes, SCJA
Mr. Skip Stover, MCA

AOC Staff:

Ms. Vicky Cullinane
Ms. Sharon R. Harvey

Members Absent:

Judge Jasprica (non-voting)
Judge Lambo (non-voting)
Commissioner Noonan
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 10:21 AM. All attendees were asked to introduce themselves. Judge Steiner welcomed and introduced Judge Downes, who is the new Superior Court Judges' Association (SCJA) liaison, and Mr. Skip Stover, Misdemeanant Corrections Association (MCA) President.

GENERAL BUSINESS

A. Minutes

The Board motioned, seconded, and passed a vote (M/S/P) to approve the April 10, 2015 Board Meeting Minutes.

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.

D. Standing Committee Reports

1. *Legislative Update*

Judge Meyer reported on the status of DMCJA bills of interest during the 2015 Legislative Session and Special Legislative Session, which occurs from April 29, 2015 to May 29, 2015.

The DMCJA proposed Senate Bill (SB) 5125, Increasing District Court Civil Jurisdiction, passed out of both chambers. SB 5174, Increase in the Number of District Court Judges in Skagit County, did not pass both chambers during the regular legislative session because of internal legislative conflict that had nothing to do with the merits of SB 5174. House Bill (HB) 1390, Concerning Legal Financial Obligations, died during the regular legislative session. Further, the striker amendment for HB 1276, Concerning Impaired Driving, did not pass. A number of bills will be considered during the special legislative session, namely, HB 1276 and SB 5174. Judge Svaren, who testified on behalf of SB 5174, informed that legislators indicated that the bill would pass during the 2015 Special Legislative Session.

Judge Meyer further informed that he met with Judges Warning and Van Dornick, Melanie Stewart, DMCJA Lobbyist, Callie Dietz, State Court Administrator, and Ramsey Radwan, AOC Director of the Management Services Division, regarding the state budget and learned that the Senate budget, which provides no money for the CLJ-CMS Project, was merely proposed to make a statement. Legislators indicated that the Judiciary would come out okay in the budget. Further, Senator Mike Padden now supports the CLJ-CMS Project after speaking with Judge Patricia Connolly Walker, Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Court User Work Group (CUWG) Chair. Judge Meyer further informed of a work session he attended regarding the state of the court in which Mellani McAleenan spoke and Court of Appeals Judge Marlin J. Applewick attended. The work session addressed bills that affect each court level.

2. Rules Committee

M/S/P to adopt the proposed amendments to Civil Rules for Courts of Limited Jurisdiction (CRLJ) Rules 26, Discovery, and 56, Summary Judgment. These rule amendment proposals will be forwarded to the Supreme Court for consideration. The Rules Committee recommends that CRLJ 26 (g), which relates to time for discovery, be amended to remove the sixty and ninety day limitations on discovery. The last sentence of CRLJ (g) is omitted because it was seen as unnecessary. Regarding CRLJ 56, the Rules Committee recommended that CRLJ 56 (c) be amended to expand the initial filing period from ten to fifteen days prior to the hearing, with the adverse party being required to file and serve any responsive pleadings no later than three days before the hearing date. The amended CRLJ 56 (c) also provides that the moving party may file rebuttal pleadings the day prior to the motion hearing.

Judge Garrow reported that the Rules Committee formed three subcommittees to review the Infraction, Criminal, and Civil Rules for Courts of Limited Jurisdiction. The CRLJ Subcommittee proposed amending CRLJ 26 and CRLJ 56 to better reflect actual court practice. Judge Garrow informed that the Rules Committee requested the Washington State Bar Association (WSBA) Rules Committee review the proposed amendments, which was facilitated by Judge Frank Dacca. The WSBA Rules Committee approved the proposed amendment to CRLJ 26 and provided input regarding CRLJ 56.

Judge Garrow announced that she would no longer Chair the DMCJA Rules Committee and Judge Frank Dacca would assume the position as Committee Chair. She further informed that the DMCJA Rules Committee will meet at the 2015 Spring Conference.

Trial Court Advocacy Board (TCAB)

Judge Steiner reported that TCAB met on Friday, May 8, 2015, at the Enzian Inn. The group discussed the TCAB logo and the Charter, which was amended on April 10, 2015. Judge Steiner stated that the amendment contained no substantive changes. The SCJA passed the amended Charter. The TCAB passed the amended Charter subject to DMCJA approving it. The Board then voted to pass the TCAB Charter.

Judge Steiner further reported on TCAB's Two-Year Work Plan, which focusses on obtaining state funding for the trial courts. The group will address funding history, research other states, and meet with key legislators in the fall and educate them about trial courts. Judge Steiner informed that TCAB will work with the BJA; however, TCAB's emphasis will be on the trial courts. Judge Steiner further informed that TCAB no longer has an AOC Staff person because Ms. Regina McDougall no longer works for the AOC.

JIS Report

Ms. Cullinane reported on the status of the CLJ records destruction project. She stated that the first round, which will destroy infractions and civil cases according to current rules, should go quickly. Ms. Cullinane, AOC Staff for the Judicial Information System Committee (JISC), also informed that the JISC is seeking two DMCJA Members to serve on the Committee. The current terms of the DMCJA Representatives will expire in July 2015. Ms. Cullinane informed that the candidate must have an interest and knowledge of court administration automation, which includes electronic filing, the Judicial Access Browser System (JABS), or other similar system. The Chief Justice determines the DMCJA Representative upon receiving the DMCJA President's recommendation and list of DMCJA volunteers for the Committee. The Board voted to request that the terms of DMCJA Representatives be staggered. A letter request will be sent to the JISC along with the President's recommendation and the list of DMCJA volunteers.

LIAISON REPORTS

Misdemeanant Corrections Association (MCA) – Mr. Skip Stover, MCA President, reported that the MCA held its Annual meeting at the Enzian Inn. Driving under the influence of intoxicants (DUI) was discussed at the conference. Additionally, Judge Doug Robinson, Whitman County, spoke on alternative sentencing. Mr. Stover informed that his term as President will soon end and Patrick Gigstead will become the new President. Mr. Gigstead is a master with the Robert's Rules of Order. Mr. Stover informed that the MCA is awaiting the legislative budget.

Superior Court Judges' Association (SCJA) – Judge Michael Downes informed that the SCJA is also waiting for the state budget and wants to get things more resolved. Judge Downes stated that it was nice to be at the Board meeting.

Board for Judicial Administration (BJA) – Judge Ringus reported that the BJA will meet next Friday, May 15, 2015, at AOC SeaTac Office. He informed that the Salary Commission will meet on Monday, May 11, 2015, and discuss the proposed three percent cost of living adjustment (COLA) for Judiciary.

DISCUSSION

A. GR 31.1

Judge Ahlf informed that he attended a meeting with representatives from the SCJA and the AOC on Friday, April 24, 2015, regarding General Rule (GR) 31.1, which relates to the disclosure of Administrative Records. GR 31.1 will be implemented on January 1, 2016. Judge Ahlf reported that Chambers records, which are not subject to public disclosure, was addressed at the meeting. Mr. Ramsey Radwan, AOC Manager, will look into Chambers Records as they relate to GR 31.1. Judge Garrow clarified that GR 31.1 relates to Administrative Records and GR 31 relates to Court Records. The Board discussed whether AOC staff would be covered under Chambers Records.

B. Trial Court Sentencing and Supervision Committee Amended Scope and Purpose

Judge Robertson reported that the Adult Static Risk Assessment (ASRA) Committee has been renamed to Trial Court Sentencing and Supervision Committee (TCSSC). She informed that the Committee will research issues relating to trial court sentencing and supervision. The state budget may impact this committee if research organizations are not funded.

INFORMATION

Judge Steiner informed that there are open positions available on the Judicial Information System, Trial Court Sentencing and Supervision Committee, Judicial Needs Estimate Workgroup, and WSBA Council on Public Defense. The Board discussed the idea of the Nominating Committee soliciting volunteers in order to provide more information for Judge Steiner to select candidates.

OTHER BUSINESS

The next Board Meeting is Sunday, June 7, 2015, 9 AM to Noon, at the Skamania Lodge, in Stevenson, WA.

Judge Downes informed that the DMCJA Board meeting is the same time as the SCJA Long Range Planning Committee Meeting.

The meeting adjourned at noon.