



WASHINGTON
COURTS

**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

FRIDAY, May 9, 2015

**THE ENZIAN INN
LEAVENWORTH, WASHINGTON**

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2014-2015

DATE	TIME	MEETING LOCATION
Friday, July 11, 2014	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, Aug. 8, 2014	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Sunday, Sept 21, 2014	9:00 – 12:00 noon	2014 Annual Judicial Conference, Spokane, WA
Friday, Nov. 14, 2014	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, Dec. 12, 2014	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, Jan. 9, 2015	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, Feb. 13, 2015	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, March 13, 2015	12:30 – 3:30 p.m.	AOC SeaTac Office Center
Friday, April 10, 2015	12:30 – 3:30 p.m.	AOC SeaTac Office Center
May 8 & 9, 2015	May 8 12:00-5:00 p.m. May 9 9:00-1:00 p.m.	Enzian Inn, Leavenworth
June 7-10, 2015	TBD	Skamania Lodge, Stevenson, WA

AOC Staff: Sharon Harvey

(AOC Conference Room Reserved)

Updated: December 16, 2014



WASHINGTON
COURTS

DMCJA BOARD MEETING
SATURDAY, MAY 9, 2015
11:00 AM – 1:00 PM
THE ENZIAN INN
LEAVENWORTH, WA

PRESIDENT JUDGE DAVID STEINER

AGENDA

TAB

Call to Order

General Business

1

- A. Minutes - April 10, 2015 (p. 1)
- B. Treasurer's Report – *Judge Ahlf* (p. 5)
- C. Special Fund Report – *Judge Marinella*
- D. Standing Committee Reports
 - 1. Legislative Committee – *Judge Meyer*
 - 2. Rules Committee (p. 13)
 - a. Meeting Minutes dated March 25, 2015
 - 3. Education Committee – *Judge Burrowes*
- E. Trial Court Advocacy Board (TCAB) Update – *Judge Steiner*
- F. JIS Report – *Ms. Cullinane*

Liaison Reports

DMCMA MCA SCJA WSBA WSAJ AOC BJA

Action

2

- A. Rules Committee
 - 1. Proposed Amendments to CRLJ 26 and CRLJ 56 (p. 15)

Discussion

3

- A. General Rule (GR) 31.1 Update – *Judge Ahlf* (p. 29)
- B. TCAB Charter Amendments (p. 31)
- C. Trial Court Sentencing and Supervision Committee Amended Scope and Purpose (p. 35)

Information

4

- A. Judicial Information System Committee (JISC) Request for DMCJA Representatives (p. 39)
- B. Trial Court Sentencing and Supervision Committee Request for DMCJA Representatives (p. 41)
- C. Judicial Needs Estimate (JNE) Workgroup Request for DMCJA Liaison Announcement (p. 43)
- D. WSBA Council on Public Defense Request for DMCJA Representative (p. 45)

Other Business

A. Next Meeting: June 7-10, 2015, Skamania Lodge, Stevenson, WA

Adjourn



DMCJA Board of Governors Meeting
Friday, April 10, 2015, 12:30 p.m. – 3:30 p.m.
AOC SeaTac Office

MEETING MINUTES

Members Present:

Chair, Judge David Steiner
Judge Ahlf
Judge Burrowes
Judge Gehlsen
Judge Jahns
Judge Lambo (non-voting)
Judge Marinella
Judge Meyer
Commissioner Noonan
Judge Olwell
Judge Robertson
Judge Staab

Guests

Judge Harold Clarke III, SCJA
Ann Danieli, Esq., WSBA (via telephone)
Ms. Linda Baker, DMCMA

AOC Staff:

Ms. Vicky Cullinane
Ms. J Benway (via telephone)
Ms. Callie Dietz
Ms. Sharon R. Harvey
Mr. Dirk Marler

Members Absent:

Judge Garrow (non-voting)
Judge Jasprica (non-voting)
Judge Ringus (non-voting)
Judge Smith (resigned)
Judge Svaren

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 12:30 PM. 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 March 13, 2015 Board Meeting Minutes.

B. Treasurer's Report

M/S/P to approve the Treasurer's Report. Judge Ahlf, DMCJA Treasurer, reported that approximately ninety-seven point five percent (97.5%) of DMCJA members have paid their dues and specific notices have been sent to those members who have not paid.

C. Special Fund Report

M/S/P to approve the Special Fund Report. Judge Marinella, DMCJA Vice President, reported that the Special Fund has a balance of forty-seven thousand five hundred seventy dollars and ninety-four cents (\$47,570.94).

1. Legislative Committee

Judge Meyer, DMCJA Legislative Committee Chair, reported that the legal financial obligation (LFO) bill, House Bill (HB) 1390, is moving forward. The case of *State v. Blazina*, 344 P.3d 680 (Wash. Mar 12,

2015) addresses court procedure regarding LFOs and states that interest is accrued at a rate of twelve percent when defendants do not pay their financial obligations. The DMCJA is concerned regarding retroactive interest, which is not required to be paid under HB 1390. Judge Meyer further reported that HB 1276, which is the Omnibus driving under the influence (DUI) Bill, is moving forward. Judge Glenn Phillips has assisted the DMCJA by providing valuable input regarding this bill. The Public Disclosure Commission (PDC) bill, HB 1397, has been modified to accommodate judges who do not want to provide their residential address. This bill will likely pass through both chambers. Judge Meyer further informed that the Electronic Home Monitoring (EHM) bill, HB 1943, will go forward despite issues that the Washington Association of Sheriffs and Police Chiefs (WASPC) had with the bill. In addition, the Therapeutic Courts bill, HB 5107, continues to move forward in both the Senate and House of Representatives.

Judge Meyer addressed the House Appropriations Bill, HB 1106, and Senate Appropriations Bill, SB 5077. He reported that HB 1106 is good for the courts while SB 5077 is devastating to the court budget. The Senate bill would impact the ability of the Administrative Office of the Courts (AOC) to hold Judicial College. In addition, court research would be eliminated. The courts of limited jurisdiction case management system (CLJ-CMS) Project is not funded under the Senate budget.

Callie Dietz, State Court Administrator, encouraged judges to write to their local legislators and write opinion editorials in local newspapers to bring about awareness regarding proposed budget cuts to the Judiciary.

2. Rules Committee

M/S/P to make an action item at the next Board meeting. The Board sent Rules 26, *Discovery*, and 56, *Summary Judgment*, to the DMCJA Rules Committee to determine whether a change was necessary. The Rules Committee has proposed changes and would like to know whether the Board agrees with the Rules amendments. The Board will decide whether to send comments at the next Board meeting.

3. Bylaws

M/S/P to make an action item a Bylaw amendment to change the date that the term of office begins for DMCJA representatives to the Board for Judicial Administration (BJA).

Trial Court Advocacy Board (TCAB)

Judge Steiner reported that TCAB discussed its Charter at their April meeting. He informed that he would send to the Board proposed changes to the Charter before the next Board meeting in May 2015. The TCAB Chart will be a discussion item at the next Superior Court Judges' Association (SCJA) meeting. Changes to the Charter were not substantial and issues relating to the document were discussed.

JIS Report

Ms. Cullinane, AOC Liaison, informed that there is nothing new to report regarding the CLJ-CMS Project. Ms. Cullinane informed that she has prepared an email regarding means to contact local officials and urged judges to write to their local legislators regarding the Senate budget, which cuts funding for the CLJ-CMS Project. She also informed that the CLJ-CMS Court User Work Group (CUWG) will meet two days in April. Ms. Callie Dietz, State Court Administrator, added that judges should contact legislators and inform how not funding the CLJ-CMS Project would adversely impact courts of limited jurisdiction.

LIAISON REPORTS

DMCMA – Ms. Baker, District and Municipal Court Management Association (DMCMA) Liaison, informed that the DMCMA will have a staff training for Access to Administrative Records, General Rule (GR) 31.1. The DMCMA will also have a judicial needs assessment code training. The DMCMA Conference will be in May 2015.

SCJA – Judge Harold Clarke, Superior Court Judges' Association (SCJA) Liaison, reported that the SCJA Board of Trustees met on Saturday, April 4, 2015. The SCJA voted and the SCJA President signed a letter to approve the Judicial Information System (JIS) assessment and base penalty fee increase. The SCJA Spring Conference will be held the week of April 26, 2015 at the Skamania Lodge. The Annual Meeting will be held on Tuesday, April 28, 2015. Court Administrators will have their conference at the same time and place.

AOC – State Court Administrator, Callie Dietz, introduced Ms. Misty Butler, who will be the new Board for Judicial Administration (BJA) Representative. Ms. Butler worked for the Utah Administrative Office of the Courts where she was instrumental with court improvement projects. Ms. Butler was born and reared in Washington State.

BJA – Judge Lambo, Board for Judicial Administration (BJA) Liaison, informed that he was not at the last BJA meeting but reported on recent activity. General Rule (GR) 31.1 will be addressed at the May 15, 2015 meeting in order to discuss how the law will be implemented. Further, the BJA did not pass GR 35, which relates to judicial evaluations. The issue, however, was sent to the BJA Policy and Planning Committee. Proponents of GR 35 have contacted Judge Clarke and plan to continue to discuss judicial evaluations.

ACTION

DMCJA Comments for WSBA Escalating Cost of Civil Litigation Task Force draft Report

Judge Steiner stated that he would send out a DMJCA listserv notice for the DMCJA members to send comments to the Washington State Bar Association (WSBA) regarding the WSBA Escalating Cost of Civil Litigation Task Force's Draft Report.

Bylaws

M/S/P to approve an amendment to change the date that the term of office begins for DMCJA representatives to the Board for Judicial Administration (BJA) and place it on the ballot at the 2015 DMCJA Spring Conference.

Washington Pattern Jury Instruction (WPI) Committee 2015 Juror Guide for Review

M/S/P to approve the proposed 2015 Juror Information Guide.

DMCJA National Leadership Grant Requests

M/S/P to approve Judge Marilyn Paja's request up to \$2000. M/S/P to fund Judge Richard Kayne's request up to \$1500. Each DMCJA National Leadership Grant recipient must provide receipts for incurred expenses.

DMCJA Support Request for AOC Application regarding Adult Drug Court Discretionary Grant Program

M/S/P to approve a DMCJA letter of support for the grant.

DISCUSSION

A. DMCJA Position regarding Implementation of General Rule 31.1

Judge Steiner briefly discussed the issue of asking the Washington State Supreme Court to delay implementation of GR 31.1 unless a funding officer is provided. On Friday, April 24, 2015, the AOC and the SCJA will meet to discuss the issue. Judge Steiner requested that a DMCJA representative join the meeting and the request was granted. Judge Ahlf, who chaired the Implementation Committee, will attend the joint meeting regarding GR 31.1.

B. Selection of Two DMCJA Representatives for WA State Minority and Justice Commission

Judge Steiner discussed the opportunity for two DMCJA judges to represent the association on the Supreme Court Washington State Minority and Justice Commission. Judge Steiner requested that Board Members provide comments to him via email regarding each candidate by Friday, April 17, 2015.

C. Washington Pattern Jury Instruction (WPI) Committee 2015 Juror Guide for Review
M/S/P to make an action item this issue regarding the WPI Committee's proposed 2015 Juror Guide.

D. DMCJA National Leadership Grant Requests
M/S/P to move Judge Marilyn Paja and Judge Richard Kayne's requests for DMCJA National Leadership Grants to an action item.

E. Judge Heidi Smith Resignation from DMCJA Board of Governors
Judge Steiner reported that Board Member Judge Heidi Smith has resigned from the Okanagan District Court bench and, therefore, the Board. Judge Steiner informed the Board that he will appoint a replacement judge for the balance of Judge Smith's term, which is one year, upon recommendation by the DMCJA Nominating Committee.

F. Supreme Court Joint Meeting
Judge Steiner informed that Justice Fairhurst will host a Reception after the joint meeting in which all Board members are invited.

G. DMCJA Support Request for AOC Application regarding Adult Drug Court Discretionary Grant Program
M/S/P to make an action item this issue regarding a DMCJA letter of support for an AOC grant relating to Therapeutic Courts. M/S/P to approve a DMCJA letter of support for the grant.

H. Request for Judge Conery to Speak During Welcome Ceremony at 2015 DMCJA Spring Conference Regarding Fall Joint Conference in Seattle, WA

The Board discussed whether to grant a request by Judge John Conery, American Judge Association President, to speak for two minutes during the Welcome Ceremony to encourage DMCJA Members to attend the 2015 Annual Fall Conference in Seattle, WA. Judge Steiner decided to grant Judge Conery's request.

INFORMATION

Judge Steiner informed that the TCAB Draft Two-Year Work Plan, the thank you letter from the Judicial Institute, and the DMCJA letter of support for a JIS assessment and base penalty fee increase were included in the packet. Judge Steiner also informed that the Board unanimously voted not to fund the Outlook Webinar presentation that was discussed at the March 2015 Board meeting.

OTHER BUSINESS

Judge Steiner informed Board Members that the Board Retreat will be held May 8-9, 2015 at the Enzian Inn in Leavenworth, WA and to contact Ms. Sondra Hahn, AOC, regarding room assignments.

Judge Jahns reported that the denial of the citizen's recall complaint was appealed. Judge Jahns also led a brief discussion regarding the Senate budget impact on the CLJ-CMS Project.

ADJOURNED at 2:20 PM.

District and Municipal Court Judges' Association

April 30, 2015

President

JUDGE VERONICA ALICEA-GALVAN
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Past President

JUDGE DAVID A. SVAREN
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Board of Governors

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JUDGE MICHELLE K. GEHLEN
Bothell Municipal Court
(425) 487-5587

JUDGE JEFFREY J. JAHNS
Kitsap County District Court
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JUDGE SAMUEL MEYER
Thurston County District Court
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COMMISSIONER SUSAN J. NOONAN
King County District Court
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JUDGE KELLEY C. OLWELL
Yakima Municipal Court
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JUDGE REBECCA C. ROBERTSON
Federal Way Municipal Court
(253) 835-3000

JUDGE HEIDI SMITH
Okanogan County District Court
(509) 422-7170

JUDGE TRACY A. STAAB
Spokane Municipal Court
(509) 625-4400

To: President Steiner; DMCJA Officers; DMCJA Board of
Governors
From: Scott Ahlf, DMCJA Treasurer
Subject: Monthly Treasurer's Report for September/October 2014

Dear President Steiner, Officers and Members of the DMCJA Board of Governors:

The following is a summary of the total DMCJA accounts, expenditures and deposits, as well as an update regarding the finances of our association.

ACCOUNTS

US Bank Platinum Business Money Market Account
Fund Balance - \$100,544.37, as of March 31, 2015

Bank of America Accounts:
Investment Account - \$119,573.74, as of April 30, 2015
Checking Account - \$63,354.30, as of April 30, 2015

EXPENDITURES

Total 2014/2015 adopted budget:	\$246,900.00
Total expenditures to date (Apr. 30, 2015):	\$123,903.78
Total remaining budget as of Apr. 30, 2015:	\$120,496.22

DEPOSITS

Total deposits 2014/2015:	\$126,608.00
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DMCJA 2014-2015 Budget

ITEM COMMITTEE	Beginning Balance	Total Costs	Ending Balance
Access to Justice Liaison	\$500.00	\$0.00	\$500.00
Audit	\$2,000.00	\$0.00	\$2,000.00
Bar Association Liaison	\$5,000.00	\$0.00	\$5,000.00
Board Meeting Expense	\$30,000.00	\$17,375.60	\$12,624.40
Bookeeping Expense	\$3,000.00	\$1,825.00	\$1,175.00
Bylaws Committee	\$250.00	\$0.00	\$250.00
Conference Committee	\$3,500.00	\$0.00	\$3,500.00
Conference Incidental Fees For Members Spring Conference 2014	\$40,000.00	\$36,285.00	\$3,715.00
Diversity Committee	\$2,000.00	\$1,027.09	\$972.91
DMCMA Education	\$0.00	\$0.00	\$0.00
DMCMA Liaison	\$500.00	\$0.00	\$500.00
DOL Liaison Committee	\$500.00	\$83.25	\$416.75
Education Committee**	\$21,000.00	\$14,600.55	\$6,399.45
Educational Grants	\$5,000.00	\$2,872.00	\$2,128.00
Judicial Assistance Committee*	\$10,000.00	\$6,633.72	\$3,366.28
Legislative Committee	\$6,000.00	\$1,556.39	\$4,443.61
Legislative Pro-Tem	\$2,500.00	\$699.68	\$1,800.32
Lobbyist Expenses	\$1,000.00	\$224.00	\$776.00
Lobbyist Contract	\$55,000.00	\$20,000.00	\$35,000.00
Long-Range Planning Committee	\$1,500.00	\$85.49	\$1,414.51
MCA Liaison	\$1,500.00	\$1,158.59	\$341.41
National Leadership Grants	\$5,000.00	\$5,487.01	-\$487.01
Nominating Committee	\$400.00	\$0.00	\$400.00
President Expense	\$7,500.00	\$2,752.02	\$4,747.98
Reserves Committee	\$250.00	\$0.00	\$250.00
Rules Committee	\$1,000.00	\$28.10	\$971.90
Salary and Benefits Committee	\$2,500.00	\$0.00	\$2,500.00
SCJA Board Liaison	\$1,000.00	\$0.00	\$1,000.00
Technology/CMS Committee	\$7,500.00	\$0.00	\$7,500.00
Therapeutic Courts	\$2,500.00	\$0.00	\$2,500.00
Treasurer Expense and Bonds	\$1,000.00	\$10.00	\$990.00
Trial Court Advocacy Board	\$5,000.00	\$0.00	\$5,000.00
Judicial Community Outreach	\$4,000.00	\$3,100.00	\$900.00
Uniform Infraction Committee	\$1,000.00	\$0.00	\$1,000.00
Professional Services	\$15,000.00	\$8,100.29	\$6,899.71
DMCJA/SCJA Sentencing Alternatives	\$2,500.00	\$2,500.00	\$0.00
TOTAL	\$246,900.00	\$123,903.78	\$120,496.22
TOTAL DEPOSITS MADE	\$126,608.00		
CREDIT CARD (balance owing)	\$0.00		
*includes \$5,000 from the SCJA			
**includes \$12,500 committed to the Presiding Judges Conference as a one time expense			

**District & Municipal Court Judges/Comms/Magis
2015 Members in Good Standing
5/1/2015 deadline**

red=payment received after May 1

	LastFirstMiddle	Pos.	Gen. Dues Paid Amount	Gen. Dues Pd Good Stand	Spec Fund N/A for 2015	
1	Ahlf, Scott K.	Judge	\$750.00	1	1	2
2	Allen, Sandra L.	Judge	\$187.00	1	1	2
3	Andersen, Bradley	Judge	\$187.00	1	1	2
4	Anderson, Marcine S.	Judge	\$750.00	1	1	2
5	Andrew, Stewart R.	Judge	\$750.00	1	1	2
6	Arb, Susan C.	Judge	\$187.00	1	1	2
7	Baker, Jeff	Judge	\$375.00	1	1	2
8	Ball, Dennis	Comm	\$600.00	1	1	2
9	Barlow, Brian D.	Comm	\$600.00	1	1	2
10	Bates, Christopher	Judge	\$187.00	1	1	2
11	Bathum, Richard	Judge	\$750.00	1	1	2
12	Beall, Andrea L.	Judge	\$750.00	1	1	2
13	Bejarano, Elizabeth M.	Judge	\$375.00	1	1	2
14	Bender, Johanna	Judge	\$750.00	1	1	2
15	Bennett, Roger A.	Judge	\$187.00	1	1	2
16	Bisagna, Donald J.	Comm	\$300.00	1	1	2
17	Blauvelt, Arthur A. III	Judge	\$187.00	1	1	2
18	Blinn, Grant	Judge	\$750.00	1	1	2
19	Bobbink, Michael	Judge			1	1
20	Bradley, Clair	Judge	\$750.00	1	1	2
21	Brown, Thomas D.	Judge	\$375.00	1	1	2
22	Brueher, Gary J.	Judge	\$375.00	1	1	2
23	Buckley, Brett	Judge	\$750.00	1	1	2
24	Bui, Tam T.	Judge	\$750.00	1	1	2
25	Burrowes, Joseph M.	Judge	\$750.00	1	1	2
26	Butler, Katharine A.	Judge	\$750.00	1	1	2
27	Buttorff, Karla E.	Judge	\$750.00	1	1	2
28	Buzzard, James M.B.	Judge	\$187.00	1	1	2
29	Buzzard, R.W.	Judge	\$750.00	1	1	2
30	Buzzard, Steven R.	Judge	\$187.00	1	1	2
31	Caniglia, Gerald	Comm	\$600.00	1	1	2
32	Castelda, Anthony	Judge			1	1
33	Chapman, Arthur R.	Judge	\$750.00	1	1	2
34	Chow, Mark C.	Judge	\$750.00	1	1	2
35	Christie, David M.	Judge	\$750.00	1	1	2
36	Chung, Robert E.	Magis	\$600.00	1	1	2
37	Clough, Steve M.	Judge	\$750.00	1	1	2
38	Coburn, Linda W.Y.	Judge	\$750.00	1	1	2
39	Connolly Walker, Patricia	Judge	\$750.00	1	1	2
40	Cooper, Terri K.	Comm			1	1
41	Copland, Thomas A.	Judge	\$750.00	1	1	2
42	Crowell, Chancey C.	Judge	\$375.00	1	1	2
43	Curry, John F.	Judge	\$187.00	1	1	2
44	Dacca, Franklin L.	Judge	\$750.00	1	1	2
45	Dane, Melanie	Judge	\$187.00	1	1	2
46	Decker, Tarrell	Judge	\$375.00	1	1	2
47	Delarenti, II, Charles J.	Judge	\$750.00	1	1	2
48	Delaney, Howard F.	Comm	\$150.00	1	1	2
49	Derr, Sara B.	Judge	\$750.00	1	1	2
50	Devilla, Francis	Magis	\$600.00	1	1	2

	LastFirstMiddle	Pos.	Gen. Dues	Gen. Dues Pd	Spec Fund	
			Paid Amount	Good Stand	N/A for 2015	
51	Dixon, Martin M.	Comm	\$300.00	1	1	2
52	Docter, James N.	Judge	\$750.00	1	1	2
53	Doherty, John H.	Judge	\$375.00	1	1	2
54	Donohue, Karen	Judge	\$750.00	1	1	2
55	Druffel, Bill	Judge	\$187.00	1	1	2
56	Dunn, Michael A.	Judge	\$375.00	1	1	2
57	Ebenger, David	Judge	\$187.00	1	1	2
58	Eide, D. Mark	Judge	\$750.00	1	1	2
59	Eilmes, Kevin G.	Comm	\$600.00	1	1	2
60	Eisenberg, Adam	Magis	\$300.00	1	1	2
61	Elich, Matthew S.	Judge	\$750.00	1	1	2
62	Ellington, Thomas M.	Judge	\$187.00	1	1	2
63	Ellis, Darrel R.	Judge	\$375.00	1	1	2
64	Eng, Park	Magis	\$600.00	1	1	2
65	Engel, Donald	Judge	\$750.00	1	1	2
66	Fair, Douglas J.	Judge	\$750.00	1	1	2
67	Fassbender, Jennifer	Judge	\$187.00	1	1	2
68	Faubion, William J.	Judge	\$375.00	1	1	2
69	Faul, Bronson	Judge	\$375.00	1	1	2
70	Finkle, Michael J.	Judge	\$750.00	1	1	2
71	Fitterer, Richard C.	Judge	\$750.00	1	1	2
72	Fore, Roy S.	Judge	\$750.00	1	1	2
73	Fraser, Beth	Judge	\$750.00	1	1	2
74	Freedman, Larry	Comm	\$150.00	1	1	2
75	Garrison, Douglas K.	Judge	\$187.00	1	1	2
76	Garrow, Janet E.	Judge	\$750.00	1	1	2
77	Gehlsen, Michelle K.	Judge	\$375.00	1	1	2
78	Gilbert, Warren M.	Judge	\$750.00	1	1	2
79	Gillings, Fred L.	Judge	\$750.00	1	1	2
80	Goddard, Dianne E.	Comm	\$600.00	1	1	2
81	Goelz, Douglas E.	Judge	\$375.00	1	1	2
82	Goodwin, Jeffrey D.	Judge	\$750.00	1	1	2
83	Grant, David	Judge	\$750.00	1	1	2
84	Grant, Joshua F.	Judge	\$750.00	1	1	2
85	Green, Nathaniel	Judge	\$750.00	1	1	2
86	Gregory, Willie J.	Judge	\$750.00	1	1	2
87	Hagensen, John P.	Judge	\$750.00	1	1	2
88	Hamilton, Robert W.	Judge	\$187.00	1	1	2
89	Hansen, Randall L.	Comm	\$300.00	1	1	2
90	Hansen, Rick L.	Judge	\$375.00	1	1	2
91	Harmon, Nancy A.	Judge	\$750.00	1	1	2
92	Harn, Corinna D.	Judge	\$750.00	1	1	2
93	Harper, Anne C.	Judge	\$750.00	1	1	2
94	Hart, John H.	Judge	\$187.00	1	1	2
95	Hatch, David S.	Judge	\$187.00	1	1	2
96	Hawkins, W. H.	Judge	\$750.00	1	1	2
97	Hayes, Debra R.	Judge	\$750.00	1	1	2
98	Hedine, Kristian E.	Judge	\$750.00	1	1	2
99	Heller, James R.	Judge	\$750.00	1	1	2
100	Henke, Drew Ann	Judge	\$750.00	1	1	2
101	Henry, John R.	Judge	\$375.00	1	1	2
102	Heslop, Ronald D.	Judge	\$750.00	1	1	2
103	Hightower, Judith	Judge	\$750.00	1	1	2
104	Hill, Tyson R.	Judge	\$750.00	1	1	2
105	Hille, Adalia A.	Judge	\$375.00	1	1	2
106	Hitchcock, Kathleen E.	Judge	\$187.00	1	1	2
107	Holman, Stephen J.	Judge	\$750.00	1	1	2

	LastFirstMiddle	Pos.	Gen. Dues	Gen. Dues Pd	Spec Fund	
			Paid Amount	Good Stand	N/A for 2015	
108	Howard, Anthony E.	Judge	\$750.00	1	1	2
109	Hurson, James E.	Judge	\$750.00	1	1	2
110	Hyde, Stephen J.	Judge	\$187.00	1	1	2
111	Imler, Kyle L.	Judge	\$187.00	1	1	2
112	Ingvalson, Robert J.	Judge	\$750.00	1	1	2
113	Jahns, Jeff	Judge	\$750.00	1	1	2
114	Jasprica, Judy Rae	Judge	\$750.00	1	1	2
115	Jenkins, Timothy A.	Judge	\$375.00	1	1	2
116	Jorgensen, Karli K.	Judge	\$750.00	1	1	2
117	Jurado, Terry L.	Judge	\$750.00	1	1	2
118	Kathren, Daniel F.	Judge	\$750.00	1	1	2
119	Kato, Eileen A.	Judge	\$750.00	1	1	2
120	Kaino, Kristopher	Judge	\$187.00	1	1	2
121	Kayne, Richard	Judge	\$187.00	1	1	2
122	Kipling, Linda B.	Comm	\$600.00	1	1	2
123	Knowlton, John O.	Judge	\$375.00	1	1	2
124	Kondo, C. Kimi	Judge	\$750.00	1	1	2
125	Koss, David	Judge	\$750.00	1	1	2
126	Ladenburg, David B.	Judge	\$750.00	1	1	2
127	Lambo, Michael J.	Judge	\$750.00	1	1	2
128	Landes, Jill	Judge	\$750.00	1	1	2
129	Langsdorf, Sonya L.	Judge	\$750.00	1	1	2
130	Larson, David A.	Judge	\$750.00	1	1	2
131	Leland, Richard M.	Judge	\$750.00	1	1	2
132	Leo, Rick	Comm	\$600.00	1	1	2
133	Leone, Lisa	Magis	\$600.00	1	1	2
134	Leone, Lisa	Judge	\$750.00	1	1	2
135	Lev, Debra A.	Judge	\$750.00	1	1	2
136	Lewis, Terrance G.	Judge	\$187.00	1	1	2
137	Lineberry, Jeanette A.	Judge	\$750.00	1	1	2
138	Logan, Mary C.	Judge	\$750.00	1	1	2
139	Luken, Terri	Magis	\$600.00	1	1	2
140	Lutes, Ray D.	Judge	\$750.00	1	1	2
141	Lyon, Patricia L.	Judge	\$750.00	1	1	2
142	Maher, Dennis P.	Judge			1	1
143	Mahoney, Susan L	Judge	\$750.00	1	1	2
144	Mano, Jr., Joseph M.	Judge	\$187.00	1	1	2
145	Marinella, G. Scott	Judge	\$375.00	1	1	2
146	Markley, Marlynn	Comm			1	1
147	Marshall, Ronald S.	Judge	\$750.00	1	1	2
148	Maurer, Aimee	Judge	\$750.00	1	1	2
149	Maxwell, John E.	Judge	\$187.00	1	1	2
150	McBeth, Dale A.	Judge	\$375.00	1	1	2
151	McCann, Kevin A.	Judge	\$750.00	1	1	2
152	McCauley, Judith L.	Judge	\$750.00	1	1	2
153	McCulloch, Sara L.	Judge	\$375.00	1	1	2
154	McKenna, Edward	Judge	\$750.00	1	1	2
155	Meadows, Victoria C.	Judge	\$750.00	1	1	2
156	Mendoza, Debbie	Judge	\$187.00	1	1	2
157	Meyer, David	Judge	\$750.00	1	1	2
158	Meyer, Samuel G.	Judge	\$750.00	1	1	2
159	Meyer, Thomas L.	Judge	\$187.00	1	1	2
160	Michels, Steven L.	Judge	\$375.00	1	1	2
161	Miller, John A.	Judge	\$187.00	1	1	2
162	Moore, Stephen E.	Judge	\$750.00	1	1	2
163	Nault, Peter L.	Judge	\$750.00	1	1	2
164	Noonan, Susan	Comm	\$750.00	1	1	2

	LastFirstMiddle	Pos.	Gen. Dues	Gen. Dues Pd	Spec Fund	
			Paid Amount	Good Stand	N/A for 2015	
165	Odell, Timothy B.	Judge	\$750.00	1	1	2
166	Olbrechts, Kristen	Judge	\$750.00	1	1	2
167	Olson, John R.	Comm	\$150.00	1	1	2
168	Olwell, Kelley C.	Judge	\$750.00	1	1	2
169	O'Toole, Lisa	Judge	\$750.00	1	1	2
170	Osler, Kelli E.	Judge	\$750.00	1	1	2
171	Paja, Marilyn G.	Judge	\$750.00	1	1	2
172	Parcher, Kristen L.	Comm	\$300.00	1	1	2
173	Parise, Anthony	Comm	\$600.00	1	1	2
174	Penoyar, Elizabeth	Judge	\$375.00	1	1	2
175	Petersen, David L.	Judge	\$375.00	1	1	2
176	Peterson, Vance W.	Judge	\$750.00	1	1	2
177	Phillips, Glenn M.	Judge	\$750.00	1	1	2
178	Porter, Rick L.	Judge	\$750.00	1	1	2
179	Portnoy, Linda S.	Judge	\$375.00	1	1	2
180	Putka, Edward J.	Judge	\$750.00	1	1	2
181	Reynier, Jr., Ronald	Judge	\$375.00	1	1	2
182	Ringus, Kevin G.	Judge	\$750.00	1	1	2
183	Roach, Jerry	Judge	\$750.00	1	1	2
184	Robertson, Rebecca C.	Judge	\$750.00	1	1	2
185	Robinson, Douglas B.	Judge	\$750.00	1	1	2
186	Rochon, L. Stephen	Judge	\$187.00	1	1	2
187	Roewe, Michael P.	Comm	\$150.00	1	1	2
188	Rosen, Steven	Judge	\$750.00	1	1	2
189	Ross, Margaret Vail	Judge	\$750.00	1	1	2
190	Roy, Kevin M.	Judge	\$750.00	1	1	2
191	Rozzano, Mara	Judge	\$187.00	1	1	2
192	Sage, C Scott	Judge	\$187.00	1	1	2
193	Samuelson, Wade S.	Judge	\$750.00	1	1	2
194	Sanderson, Brian K.	Judge	\$750.00	1	1	2
195	Schreiber, Vernon L.	Judge	\$750.00	1	1	2
196	Schweppe, Alfred G.	Judge	\$750.00	1	1	2
197	Seaman, Shane	Comm	\$150.00	1	1	2
198	Seitz, Vicki M.	Judge	\$750.00	1	1	2
199	Shadid, Damon G.	Judge	\$750.00	1	1	2
200	Shah, Ketu	Judge	\$750.00	1	1	2
201	Short, Charles D.	Judge	\$750.00	1	1	2
202	Smiley, Pete	Comm	\$600.00	1	1	2
203	Smith, Douglas J.	Judge	\$750.00	1	1	2
204	Smith, Heidi E.	Judge	\$750.00	1	1	2
205	Solan, Susan	Judge	\$375.00	1	1	2
206	Staab, Tracy	Judge	\$750.00	1	1	2
207	Steele, George A.	Judge	\$375.00	1	1	2
208	Steiner, David A.	Judge	\$750.00	1	1	2
209	Stephenson, Elizabeth D.	Judge	\$750.00	1	1	2
210	Stewart, Kevin D.	Comm	\$600.00	1	1	2
211	Stewart, N. Scott	Judge	\$375.00	1	1	2
212	Stewart, Wayne	Judge	\$375.00	1	1	2
213	Stewart, William J.	Judge	\$187.00	1	1	2
214	Stiles, Brian L.	Judge	\$187.00	1	1	2
215	Sussman, Claire	Judge	\$750.00	1	1	2
216	Svaren, David A.	Judge	\$750.00	1	1	2
217	Swanger, James P.	Judge	\$750.00	1	1	2
218	Szambelan, Michelle	Judge	\$750.00	1	1	2
219	Tanner, Terry M.	Judge	\$750.00	1	1	2
220	Tedrick, Marjorie	Judge	\$187.00	1	1	2
221	Tolman, Jeff	Judge	\$375.00	1	1	2

	LastFirstMiddle	Pos.	Gen. Dues	Gen. Dues Pd	Spec Fund	
			Paid Amount	Good Stand	N/A for 2015	
222	Towers, Lorrie C.	Judge	\$750.00	1	1	2
223	Tripp, Gregory J.	Judge	\$750.00	1	1	2
224	Tripp, Wendy	Comm	\$150.00	1	1	2
225	Tucker, Donna K.	Judge	\$750.00	1	1	2
226	Turner, Michael S.	Judge	\$187.00	1	1	2
227	Tveit, Gina	Judge	\$750.00	1	1	2
228	Van De Veer, Philip J.	Judge	\$375.00	1	1	2
229	Van Slyck, Laura	Judge	\$750.00	1	1	2
230	Verhey, Elizabeth	Judge	\$750.00	1	1	2
231	Walden, Kimberly A.	Judge	\$375.00	1	1	2
232	Whitener-Moberg, Janis	Judge	\$750.00	1	1	2
233	Wilcox, Kalo	Judge	\$750.00	1	1	2
234	Williams, Matthew	Judge	\$750.00	1	1	2
235	Wilson, Donna	Judge	\$750.00	1	1	2
236	Witteman, Jeffrey M.	Comm	\$600.00	1	1	2
237	Wohl, Paul	Comm	\$600.00	1	1	2
238	Woodard, Susan J.	Judge	\$750.00	1	1	2
239	Wyninger, Karen S.	Comm	\$300.00	1	1	2
240	Zimmerman, Darwin J.	Judge	\$750.00	1	1	2
			\$134,757.00	235	240	

% who have NOT paid regular dues 2.08%

% in good standing in 2015 97.92% Note: special fund dues not assessed in 2014

% in good standing in 2014 97.47% Note: special fund dues not assessed in 2014

% in good standing in 2013 97.93% Note: special fund dues not assessed in 2013

% in good standing in 2012 96.64% Note: special fund dues not assessed in 2012

% in good standing in 2011 98.32% Note: special fund dues not assessed in 2011

% in good standing in 2010 85.19%

% in good standing in 2009 84.81%

% in good standing in 2008 72.03%

% in good standing in 2007 71.06%

% in good standing in 2006 87.77%

% in good standing in 2005 78.30%

% in good standing in 2004 69.87%

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DMCJA Rules Committee

Wednesday, March 25, 2015 (12:00 p.m. – 1:00 p.m.)
Via Teleconference

MEETING MINUTES

Members:

Chair, Judge Garrow
Vice Chair, Judge Dacca
~~Judge Butterff~~
Judge S. Buzzard
~~Judge Fraser~~
~~Judge Grant~~
Judge Harmon
~~Judge Robertson~~
~~Judge Steiner~~
Judge Szambelan
Judge Williams
Ms. Patti Kohler, DMCMA Liaison

AOC Staff:

Ms. J Benway

Acting Chair Judge Dacca called the meeting to order at 12:05 p.m.

The Committee discussed the following items:

1. January 21, 2015 meeting minutes

The January 21, 2015 Rules Committee meeting minutes were previously approved by the Committee via email.

2. Review WSBA proposed changes to IRLJ 2.5 and IRLJ 3.1

The Committee discussed the WSBA proposals, which request technical amendments to IRLJ 2.5, regarding failure to respond to a notice of infraction, and IRLJ 3.1, regarding preliminary proceedings. Both amendments are minor changes to correct typographical errors or incorrect references. The Committee is in favor of the amendments but found it unnecessary to recommend a letter of support.

3. Discuss WSBA review of CRLJ 26 & CRLJ 56

Judge Dacca presented proposed revisions to CRLJ 26, Discovery, and CRLJ 56, Summary Judgment, to the WSBA for comment. Subcommittee X of the WSBA Court Rules Committee was supportive of the CRLJ 26 and had suggestions regarding the CRLJ 56 proposal. The Rules Committee considered the suggestions and incorporated several into the final recommendation. The Committee approved the proposed amendments. Judge Dacca or Judge Garrow will provide the recommended amendments and a cover memo to the DMCJA Board for consideration.

4. Other Business and Next Meeting Date

The Committee discussed having a meeting during the DMCJA Spring Conference and directed Ms. Benway to request meeting space for the Tuesday of the conference at 7:30 a.m.

The next meeting is scheduled for Wednesday, April 22, 2014 at noon.

There being no further business, the meeting was adjourned at 12:40 p.m.

KING COUNTY DISTRICT COURT
East Division – Redmond Courthouse

Judge Janet E. Garrow
206-477-2103

8601 160th Ave NE
Redmond, WA 98052-3548

Kathy Orozco
Court Manager

TO: Judge David Steiner, Acting President, DMCJA Board
FROM: Judge Janet Garrow, Chair, DMCJA Rules Committee
SUBJECT: Proposed Amendments to CRLJ 26 and CRLJ 56
DATE: April 3, 2015

Last year, the DMCJA Rules Committee formed a subcommittee to review the Civil Rules for Courts of Limited Jurisdiction and make recommendations regarding possible amendments. This “CRLJ Subcommittee” subsequently recommended amendments to CLRJ 26 and CRLJ 56. The DMCJA Rules Committee discussed the proposed amendments and forwarded them to the WSBA Court Rules Committee for comment. Subcommittee X of the WSBA Rules Committee approved the proposed amendment to CRLJ 26 and provided input regarding CRLJ 56, which was considered in the final recommendation. The DMCJA Rules Committee recommends that the attached rule amendment proposals be forwarded to the Supreme Court for consideration.

To sum the reasons stated in the GR 9 Cover Sheet, the Committee recommends that CRLJ 26(g), pertaining to time for discovery, be amended to remove the time restrictions that are currently contained therein. This deletion will make the rule more consistent with current practice in courts of limited jurisdiction and with the other discovery rules that provide more expansive time frames. It will also make the rule more consistent with CR 26.

With regard to CRLJ 56, the Committee recommends that subsection (c), which addresses motions and proceedings for summary judgment, be amended to expand the time frames currently provided for initial and responsive pleadings. This will allow the parties more time to review and craft motions, which is appropriate for the complex cases that have become more common in courts of limited jurisdiction. The Committee also recommends the addition of a subsection (h), similar to that for superior courts, which requires the court to designate the

documents and other evidence relied upon when ruling on a summary judgment motion.

Thank you for consideration of these recommendations. Additional detail is found in the attached cover sheets. The Committee is grateful to Judge Dacca for drafting the proposed amendments and coordinating with the WSBA. If you have any questions, please contact me or J Benway.

Attachments: GR 9 Cover Sheet for Proposed Amendments to CRLJ 26
GR 9 Cover Sheet for Proposed Amendments to CRLJ 56

CC: DMCJA Rules Committee
J Benway, AOC Staff

GR 9 COVER SHEET

Suggested Amendment to
WASHINGTON STATE COURT RULES:
CIVIL RULES FOR COURTS OF LIMITED JURISDICTION

Amend CRLJ 26(g): Time for Discovery

Submitted by the District & Municipal Courts Judges Association

- A. Name of Proponent: District & Municipal Courts Judges Association
- B. Spokesperson: Judge David Steiner, Acting President
DMCJA
- C. Purpose: CRLJ 26 governs civil discovery in courts of limited jurisdiction. Subsection (g), pertaining to time for discovery, provides:

Time for Discovery. Twenty-one days after the service of the summons and complaint, or counterclaim, or cross complaint, the served party may demand the discovery set forth in sections (a) - (d) of this rule, or request additional discovery pursuant to section (e) of this rule. Unless agreed by the parties and with the permission of the court, all discovery shall be completed within 60 days of the demand, or 90 days of service of the summons and complaint, or counterclaim, or cross complaint, whichever is longer.

Courts of limited jurisdiction typically allow for more limited civil discovery than superior courts, as indicated by a comparison between the current OR 26 and CRLJ 26. However, CRLJ 26(g) limits the discovery time frame to a 60 or 90 day period that is inconsistent with the type of cases that are now filed in district courts. The current rule was implemented during a time when the monetary civil jurisdictional limits of district court were much lower. With the increase in district court jurisdiction to \$75,000 (and perhaps more in the future), the Committee recommends that the time limits for civil discovery be removed. The revised subsection would read:

(g) Time for Discovery. Twenty-one days after the service of the summons and complaint, or counterclaim, or cross complaint, the served party may demand the discovery set forth in sections (a) - (d) of this rule, or request additional discovery pursuant to section (e) of this rule. Unless

~~agreed by the parties and with the permission of the court, all discovery shall be completed within 60 days of the demand, or 90 days of service of the summons and complaint, or counterclaim, or cross complaint, whichever is longer.~~

This revision is advisable for several reasons. First, the 60 or 90 day time limit is inconsistent with the discovery processes that are currently allowed under CRLJ 26. CRLJ 26 provides for discovery to commence 21 days after service of the summons and complaint. Generally, paper discovery (interrogatories, requests for production) is served initially. The responding party then has 30 days to respond. After review, the serving party may then take depositions, and/or serve requests for admission. When the jurisdictional limits were lower, depositions were rare, but now it is standard practice to take depositions in district court civil cases. The current rule makes scheduling depositions very problematic as it is unlikely that the authorized three depositions per party can occur within the time frame the rule imposes. As a result, the parties must seek a joint order from the court in almost every case.

With the increased complexity of district court cases, adverse parties (many of whom are unrepresented), should properly have additional time to seek counsel. Both parties need more time to respond to and evaluate discovery. Both parties need more time to evaluate their settlement posture and to focus any discovery motions. Removal of the time limitations will improve court efficiency by requiring motions only where the parties are seeking to expand the discovery limitations (three depositions, 15 interrogatories, etc.), rather than the time constraints. Finally, removal of the 60/90 day limitation is more consistent with the myriad of court calendaring processes that are found throughout the different district courts in Washington.

Removal of the discovery time limitations will allow parties to file mainline civil cases in district court, and to take advantage of the limited discovery processes, six person juries, and final results that the district court process offers. Because of these reasons, the DMCJA recommends that CRLJ 26(g) be amended to remove the 60 and 90 day limitations on discovery. The amended rule retains the other limits on discovery within courts of limited jurisdiction, and allows for improved efficiency and flexibility in the handling of civil matters within those courts.

D. Hearing: A hearing is not requested.

E. Expedited Consideration: Expedited consideration is not requested.

Proposed Amendment

CRLJ 26
DISCOVERY

Discovery in courts of limited jurisdiction shall be permitted as follows:

- (a) Specification of Damages. A party may demand a specification of damages under RCW 4.28.360.
- (b) Interrogatories and Requests for Production.
 - (1) The following interrogatories may be submitted by any party:
 - (A) State the amount of general damages being claimed.
 - (B) State each item of special damages being claimed and the amount thereof.
 - (C) List the name, address and telephone number of each person having any knowledge of facts regarding liability.
 - (D) List the name, address and telephone number of each person having any knowledge of facts regarding the damages claimed.
 - (E) List the name, address and telephone number of each expert you intend to call as a witness at trial. For each expert, state the subject matter on which the expert is expected to testify. State the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.
 - (2) In addition to section (b)(1), any party may serve upon any other party not more than two sets of written interrogatories containing not more than 20 questions per set without prior permission of the court. Separate sections, paragraphs or categories contained within one interrogatory shall be considered separate questions for the purpose of this rule. The interrogatories shall conform to the provisions of CR 33.

(3) The following requests for production may be submitted by any party:

(A) Produce a copy of any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of any judgment which may be entered in this action, or to indemnify or reimburse the payments made to satisfy the judgment.

(B) Produce a copy of any agreement, contract or other document upon which this claim is being made.

(C) Produce a copy of any bill or estimate for items for which special damage is being claimed.

(4) In addition to section (b)(3), any party may submit to any other party a request for production of up to five separate sets of groups of documents or things without prior permission of the court. The requests for production shall conform to the provisions of CR 34.

(c) Depositions.

(1) A party may take the deposition of any other party, unless the court orders otherwise.

(2) Each party may take the deposition of two additional persons without prior permission of the court. The deposition shall conform to the provisions of CR 30.

(d) Requests for Admission.

(1) A party may serve upon any other party up to 15 written requests for admission without prior permission of the court. Separate sections, paragraphs or categories contained within one request for admission shall be considered separate requests for purposes of this rule.

(2) The requests for admission shall conform to the provisions of CR 36.

(e) ~~Other Discovery at Discretion of Court.~~ No additional discovery shall be allowed, except as the court may order. The court shall have discretion to decide whether to permit any additional discovery. In exercising such discretion the court shall consider (1) whether all parties are represented by counsel, (2) whether undue expense or delay in bringing the case to trial will result and (3) whether the interests of justice will be promoted.

(f) ~~How Discovery to Be Conducted.~~ Any discovery authorized pursuant to this rule shall be conducted in accordance with Superior Court Civil Rules 26 through 37, as governed by CRLJ 26.

(g) ~~Time for Discovery.~~ Twenty-one days after the service of the summons and complaint, or counterclaim, or cross complaint, the served party may demand the discovery set forth in sections (a) - (d) of this rule, or request additional discovery pursuant to section (e) of this rule. ~~Unless agreed by the parties and with the permission of the court, all discovery shall be completed within 60 days of the demand, or 90 days of service of the summons and complaint, or counterclaim, or cross complaint, whichever is longer.~~

[Amended effective September 1, 1994; amended effective September 1, 1999; amended effective September 1, 2005.]

GR 9 COVER SHEET

Suggested Amendment to
WASHINGTON STATE COURT RULES:
CIVIL RULES FOR COURTS OF LIMITED JURISDICTION

Amend CRLJ 56: Summary Judgment

Submitted by the District & Municipal Courts Judges Association

- A. Name of Proponent: District & Municipal Courts Judges Association
- B. Spokesperson: Judge David Steiner, Acting President
DMCJA
- C. Purpose: CRLJ 56 governs summary judgments in courts of limited jurisdiction. Subsection (c), pertaining to motion and proceedings, provides:

The motion shall be served at least 10 days before the time fixed for the hearing. The adverse party, prior to the day of hearing, may serve opposing affidavits. The judgment sought shall be rendered forthwith if the pleadings, depositions, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. A summary judgment, interlocutory in character, may be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.

CR 56 similarly governs the procedures and time deadlines for the filing and consideration of motions for summary judgment in superior court. A comparison of CR 56 and CRLJ 56 indicates that the respective rules are identical except for the language in subsection (c) and the omission of subsection (h) from the existing CRLJ 56.

Subsection (c) of both rules sets forth the time requirements for filing motions for summary judgment and the legal standard for granting or denying these motions. Under CR 56(c), a motion for summary judgment must be filed at least 28 days before the motion hearing, with the adverse party allowed to file a responsive pleading at least 11 days before the hearing. By contrast, the moving party under the existing CRLJ 56(c) must file the motion and supporting pleadings at least 10 days before the motion

hearing and the adverse party may file responsive pleadings prior to the day of the hearing.

The DMCJA recommends that CRLJ 56(c) be amended to expand the initial filing period from 10 to 15 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.

The abbreviated time limits created by CRLJ 56 seem to stem from the time when the jurisdictional limits of district courts resulted in more limited proceedings. With the increase in the civil jurisdiction limit in district court to \$75,000 (and perhaps more in the future), it makes sense to increase the time periods. Under the current rule, a high percentage of responsive pleadings are filed at or near the end of the court day prior to the hearing and are not seen by the judge or the litigants until the day of the hearing. With the increased complexity of the motions, the adverse parties (many of whom are unrepresented), should have additional time to respond to the allegations. Requiring the adverse party to file a responsive pleading within three days provides the moving party with an opportunity to review the response and consider whether it is advisable to cancel or continue the motion hearing. The three-day filing requirement promotes court efficiency and calendaring as it affords litigants the opportunity to assess their legal posture (and any possible settlement), and provides additional time for the judge to review in advance the pleadings filed by the respective parties.

The revised subsection (c) would read:

(c) Motion and Proceedings. The motion and any supporting affidavits, memoranda of law, or other documentation shall be filed and served at least 10 not later than 15 days before the time fixed for the hearing. The adverse party, prior to the day of hearing, may file and serve opposing affidavits, memoranda of law and other documentation not later than 3 days before the hearing. The moving party may file and serve any rebuttal documents not later than the day prior to the hearing. Summary judgment motions shall be heard more than 14 days before the date set for trial unless leave of the court is granted to allow otherwise. The judgment sought shall be rendered forthwith if the pleadings, answers to interrogatories, depositions, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law.

A summary judgment, interlocutory in character, may be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.

The final proposed revision to existing CRLJ 56 is to include a similar paragraph to CR 56(h), which governs the form of the order signed by the court, but which allows for more judicial discretion. The new subsection would read:

(h) Rulings by Court. In granting or denying the motion for summary judgment, the court shall designate the documents and other evidence considered in its rulings.

This addition would improve the clarity of the judicial record in the limited jurisdiction court.

For the reasons set forth herein, the DMCJA recommends that CRLJ 56 be amended as submitted.

- D. Hearing: A hearing is not requested.
- E. Expedited Consideration: Expedited consideration is not requested.

Proposed Amendment
CRLJ 56
SUMMARY JUDGMENT

(a) For Claimant. A party seeking to recover upon a claim, counterclaim, or cross claim, or to obtain a declaratory judgment may, at any time after the expiration of the period within which the defendant is required to appear, or after service of a motion for summary judgment by the adverse party, move with or without supporting affidavits for a summary judgment in his favor upon all or any part thereof.

(b) For Defending Party. A party against whom a claim, counterclaim, or cross claim is asserted or a declaratory judgment is sought may, at any time, move with or without supporting affidavits for a summary judgment in his favor as to all or any part thereof.

(c) Motion and Proceedings. The motion and any supporting affidavits, memoranda of law, or other documentation shall be filed and served at least 10 not later than 15 days before the time fixed for the hearing. The adverse party, prior to the day of hearing, may file and serve opposing affidavits, memoranda of law and other documentation not later than 3 days before the hearing. The moving party may file and serve any rebuttal documents not later than the day prior to the hearing. Summary judgment motions shall be heard more than 14 days before the date set for trial unless leave of the court is granted to allow otherwise. The judgment sought shall be rendered forthwith if the pleadings, answers to interrogatories, depositions, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. A summary judgment, interlocutory in character, may be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.

(d) Case Not Fully Adjudicated on Motion. If on motion under the rule judgment is not rendered upon the whole case or for all the relief asked and a trial is necessary, the court at the hearing of the motion, by examining the pleadings and the evidence before

it and by interrogating counsel, shall if practicable ascertain what material facts exist without substantial controversy and what material facts are actually and in good faith controverted. It shall thereupon make an order specifying the facts that appear without substantial controversy, including the extent to which the amount of damages or other relief is not in controversy, and directing such further proceedings in the action as are just. Upon the trial of the action, the facts so specified shall be deemed established, and the trial shall be conducted accordingly.

(e) Form of Affidavits; Further Testimony, Defense Required. Supporting and opposing affidavits shall be made on personal knowledge, shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein. Sworn or certified copies of all papers or parts thereof referred to in an affidavit shall be attached thereto or served therewith. The court may permit affidavits to be supplemented or opposed by depositions, answers to interrogatories, or further affidavits. When a motion for summary judgment is made and supported as provided in this rule, an adverse party may not rest upon the mere allegations or denials of his pleading, but his response, by affidavits or as otherwise provided in this rule, must set forth specific facts showing that there is a genuine issue for trial. If he does not so respond, summary judgment, if appropriate, shall be entered against him.

(f) When Affidavits Are Unavailable. Should it appear from the affidavits of a party opposing the motion that he cannot, for reasons stated, present by affidavit facts essential to justify his opposition, the court may refuse the application for judgment or may order a continuance to permit affidavits to be obtained or depositions to be taken or discovery to be had or may make such other order as is just.

(g) Affidavits Made in Bad Faith. Should it appear to the satisfaction of the court at any time that any of the affidavits presented pursuant to this rule are presented in bad faith or solely for the purpose of delay, the court shall forthwith order the party employing them to pay to the other party the amount of the reasonable expenses which

the filing of the affidavits caused him to incur, including reasonable attorney fees, and any offending party or attorney may be adjudged guilty of contempt.

(h) Rulings by Court. In granting or denying the motion for summary judgment, the court shall designate the documents and other evidence considered in its rulings.



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Superior Court Judges' Association

Jeffrey M. Ramsdell, *President*
King County Superior Court
515 3rd Ave, Rm C-203
Seattle, WA 98104-2361
(206) 477-1379

Harold D. Clarke, III, *President Elect*
Spokane County Superior Court
1116 W Broadway Ave
Spokane, WA 99260-0350
(509) 477-5717

Charles R. Snyder
Immediate Past President
Whatcom County Superior Court
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Bellingham, WA 98225-4048
(360) 738-2457

Michael T. Downes, *Secretary*
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Everett, WA 98201-4046
(425) 388-3075

Marilyn K. Haan, *Treasurer*
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Kelso WA 98626-1739
(360) 577-3085

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Bruce I. Weiss
Snohomish County Superior Court
3000 Rockefeller Ave, MS 502
Everett, WA 98201-4046
(425) 388-7335

January 6, 2015

Ms. Callie Dietz
State Court Administrator
Administrative Office of the Courts
P. O. Box 41170
Olympia, WA 98504-1170

Dear Ms. Dietz:

RE: Public Records Requests and GR 31.1

The Superior Court Judges' Association (SCJA) seeks your assistance in formulating a plan and policies to appropriately and timely respond to public records requests after GR 31.1 is implemented. Just recently the SCJA received multiple record requests from a single individual and more are anticipated. At this point, we have taken the position that we are not subject to the Public Records Act, and GR 31.1 has not yet been implemented, so we have denied these requests. Once GR 31.1 becomes effective, however, such a response will be inadequate. As the SCJA has no infrastructure or staffing to adequately address public records requests, your guidance is appreciated.

Not knowing when the Supreme Court may implement the rule, we consider time to be of the essence. To adequately prepare, the SCJA requests a meeting to begin the groundwork as soon as possible. Please coordinate the logistics with SCJA's staff person, Ms. Janet Skreen. I look forward to the start of our discussions.

Very truly yours,

Jeffrey M. Ramsdell
President-Judge, SCJA

cc: SCJA Board of Trustees
Ms. Janet Skreen



TRIAL COURT ADVOCACY BOARD

Charter

Purpose

The Trial Court Advocacy Board (TCAB) will serve to resolve problems and or coordinate issues of concern to and referrals made by the trial court associations. TCAB is uniquely identified ~~by the TCAB~~ as an advisory and advocacy body, comprised of judges and administrators, on behalf of trial courts enhancing es-statewide awareness of trial court issues involving court policy, resource allocation staffing, and budget and court operations. TCAB will provide a mechanism to thoroughly study these issues and develop practical, workable recommendations as solutions. ~~advance the trial courts' mission and create governance for judges and administrators to tailor their efforts for statewide advocacy related to local court operations.~~ By creating TCAB, the trial courts commit to work together on issues and projects uniquely identified as related to trial court operations without duplication or miscommunication. Through TCAB, communication and collaboration between trial court associations, the AOC, the BIA and other stakeholders will be increased, ~~trial court operational issues will be identified, staffed, detailed, vetted through stakeholders, and poised to advance changes to policy, programs, legislative, best practices, or funding requests.~~

Scope

~~Governance of TCAB will be~~ governed through a management structure at the direction of the trial court judges' associations. A unified message on behalf of the trial courts will enhance opportunities to address issues, promote solutions, and educate stakeholders about trial court operations. TCAB is dedicated to work on issues and problems in an effort to develop comprehensive, workable and research based solutions. This will be accomplished by utilizing research, as available, to address specific issues identified in the areas of trial court funding, resource allocation, and policy. ~~The general areas of concentration include budget, legislative coordination, policy and project planning based on research.~~

No additional committees will be created by TCAB, ~~but if projects require additional subject matter expertise, the committees of~~ the member associations (SCJA or DMCJA) may ~~can be involved at the request of TCAB and the approval of the respective~~ the Board. The TCAB structure will not limit projects and activities of the trial court associations.

TCAB will advocate for adequate and stable state-funding for statewide trial court purposes (programs, projects, staff, research capacity, etc.). ~~The funding requests made will not diminish focus is to propose new funding requests, not supplant already dedicated funding~~ to the judicial branch. Funding advocacy activities will be coordinated with existing governance entities, such as the BJA and the associated standing committees when appropriate.

Membership

TCAB voting members will be equally populated by judicial officers representing the leadership of both the Superior Court Judges' Association (SCJA) and the District and Municipal Court Judges' Association (DMCJA). The associations' president, incoming president, and immediate past president will constitute the six voting members of the Board. A quorum is 2/3rds of the membership or four judges. To pass, a motion must receive a majority vote of the membership, two judges from each association.

The chair of TCAB will rotate between trial court levels and be an assignment of the immediate past presidents. For 2014-2015, the SCJA immediate past president will be chair. In June of 2015, the DMCJA past president will chair TCAB. The chair's term expires in June of each year.

TCAB also consists of non-voting representatives from the following court administrator associations: (1) Association of Washington Superior Court Administrators, (1) District and Municipal Court Management Association, and (1) Washington Association of Juvenile Court Administrators and (1) the State Court Administrator and his/her designee. The administrator associations are a critical source for projects that will benefit from their court process expertise. The Board intends to maximize the areas of trial court focus by incorporating the work of the administrator associations.

Expectations

TCAB membership includes leaders from both judges' trial court associations. TCAB members will report to Association boards on projects and assignments.

AOC will provide resources, such as staffing, to support TCAB as agreed upon between TCAB and AOC.

A meeting schedule will be drafted and shared annually at the associations' Long Range Planning Retreats, with the BJA's Policy and Planning Committee and the BJA's Budget and Funding Committee. The meeting schedule will generally be every other month with the ability to adjust the schedule as needed and agreed upon.

Below is a summary of expectations for TCAB:

1. ~~Meet with appropriate entities to identify and study all funding provided for trial courts in Washington State. Such groups include, but are not limited to: AOC, counties, cities, state and federal funding sources, and agencies, foundations or groups providing grant funding. Advocate legislative requests on behalf of the trial courts and their associations. It may also be an advocacy source for court administrators and managers at the various trial court levels.~~
2. ~~Work with the Budget and Funding Standing Committee of the BJA to develop funding recommendation(s) for the trial courts. Identify potential areas that require support and forward them to the appropriate body to propose trial court funding.~~
3. ~~Identify potential areas that require support and approach any appropriate body to collaborate and develop trial court funding proposals. Participate in discussions and decisions regarding the distribution and allocation of funds passed through AOC specifically for trial court operations or support whenever such funds are allocated by the legislature or received through grants or other sources.~~
4. ~~Participate in discussion and decisions regarding the distribution and allocation of funds passed through AOC specifically for trial court operations or support whenever such funds are allocated by the legislature or received through grants or other sources.~~
5. Consider issues, problems or projects from trial court judges or administrators associations. ~~Make recommendations for changes which would provide solutions to these issues, problems or implementation of projects. These assignments will be staffed and returned to the Board for further direction.~~

The board members will review the charter annually in June of each year. The charter may also be reviewed and amended at any meeting if at least two members are present from each court level association SCJA or DMCJA.

Budget

~~The trial court judges associations contribute to the TCAB budget. TCAB meeting-related expenses for voting members, such as travel reimbursement, will be paid by the TCAB budget. judges' associations. If there are other related expenses, the presidents of each judges' association have the authority to approve.~~

Judge Downes, SCJA	Date	Judge Svaren, DMCJA	Date

Judge Ramsdell, SCJA

Date

Judge Marinella, DMCJA

Date

Judge Clarke, SCJA

Date

Judge Steiner, DMCJA

Date

Callie Dietz, AOC

Date



WASHINGTON
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Trial Court Sentencing and Supervision Committee

Purpose

The Trial Court Sentencing and Supervision Committee operates under the Superior Court Judges' Association (SCJA) and the District and Municipal Court Judges' Association (DMCJA). The committee will jointly promote policy and operational reform in trial courts, funding to support enhancements to sentencing and supervision, and will represent the trial court associations in organized statewide forums to discuss public policy related to sentencing, incarceration, and supervision.

The Trial Court Sentencing and Supervision Committee is designed to promote reform strategies that are consistent with Smarter Sentencing, evaluation, programs, and confinement. The committee will provide court-level input on development and implementation of assessments and supervision strategies to manage offenders in trial courts. Further, the committee will make recommendations on how to sustain, improve, and evaluate the application.

RESEARCH - The committee will track trends in criminal processing (sentencing and supervision) and participate in policy or funding developments related to Evidence Based Sentencing, based on the Risk, Needs, and Responsivity principles. With the benefit of research analysis and services, the committee will stay current on best practices and current research in the field of criminal justice system development.

TECHNOLOGY - The committee will advocate for development of compatible systems of offender management through assessment (risk and needs), case management, recidivism studies, development of evidence based interventions, and quality assurance. The Trial Court Sentencing and Supervision Committee will work with the trial court judge, administrator, and probation associations and the Trial Court Advocacy Board to promote further developments of assessment, intervention, and evaluation. The

committee will coordinate recommended modifications or additions to assessment applications in accordance with the JIS governance rules.

Objectives

The oversight committee will advise implementation and future development issues related to Risk, Needs, and Responsivity.

The objectives of this project are:

1. Monitor and support implementation application use in trial courts
2. Respond to change requests from court users
3. Define scope of research and evaluation of application data
4. Recommend development of additional domains
5. Oversee re-validation of application
6. Evaluate assessments to determine contribution to disparate impact in the justice system, and if so, how impact can be avoided or corrected
7. Propose and coordinate education to judges and probation staff, leadership from the trial court associations, defense attorney associations, and county and city prosecutor associations about Smarter Sentencing and Supervision

Membership Representatives

- SCJA (5)
- DMCJA (5)
- Misdemeanant Corrections (3)
- AOC Program Development Staff
- AOC Research and Quality Assurance Staff
- Washington Association of Juvenile Court Administrators/Quality Assurance (1)
- Liaison from AOC-ISD to advise on future assessment and technical development
- Other as determined necessary by the co-chairs

Terms

The terms are for two years and are renewable. The meetings will be in-person every other month and phone meetings on the alternating months. The associations select their representatives and the budget is provided by both the SCJA and DMCJA.

The Committee Charter will be reviewed at least every other year, or as directed by a chair.

Leadership

The Trial Court Sentencing and Supervision Committee will have co-chairs, one selected by the SCJA and the other selected by the DMCJA. The committee operates under the structure of the judge's' associations, and as such, will communicate with the associations via the board of trustees/governors. The governance and development apply to the Superior Court and Courts of Limited Jurisdiction.

The Supreme Court
State of Washington

MARY E. FAIRHURST
JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



FILED
APR 22 2015
KODC - East Division
Bellevue

(360) 357-2053
FAX (360) 357-2103
E-MAIL J.M.FAIRHURST@COURTS.WA.GOV

April 20, 2015

Honorable Judge David A. Steiner
President, District and Municipal Court
Judges' Association
585 112th Ave SE
Bellevue, WA 98004

Re: Judicial Information System Committee (JISC) nominations for consideration

Dear Judge Steiner:

The terms of Judge James Heller and Judge Steven Rosen, limited jurisdiction court representatives on JISC, expire on July 31, 2015. Pursuant to JISC Rule 2(a), Chief Justice Barbara A. Madsen will appoint two individuals for new terms that begin August 1, 2015 and expire July 31, 2018.

The Chief Justice is requesting that the District and Municipal Court Judges' Association assist by soliciting interested members for these positions and providing a list of names for her consideration. The Chief Justice will then appoint two individuals who have demonstrated an interest and commitment to judicial administration and to automation of judicial systems and functions.

To ensure that the Chief Justice has sufficient time to make the appointments before the beginning of the term, please send your recommendations to me no later than June 1, 2015, and I will forward them to Chief Justice Madsen for her consideration.

Thank you for your assistance.

Very truly yours,

A handwritten signature in cursive script that reads "Mary Fairhurst".

Mary E. Fairhurst

Cc: Ms. Callie Dietz, State Court Administrator
Ms. Vonnie Diseth, CIO, AOC



WASHINGTON
COURTS

April 24, 2015

VIA EMAIL

Honorable David A. Steiner
King County District Court
585 112th Ave SE
Bellevue, WA 98004

RE: TRIAL COURT SENTENCING AND SUPERVISION COMMITTEE

Dear Judge Steiner,

The Trial Court Sentencing and Supervision Committee, a joint committee of the trial courts, is interested in expanding the membership from three to five individuals to represent the interests of the District and Municipal Court Judges' Association (DMCJA). The expanded membership reflects the purpose and vision of the Committee, thoroughly outlined in the enclosed charter. In short, the Committee is organized to promote policy and operational reform in trial courts sentencing, incarceration, and supervision. Operational enhancements at the trial court level will be focused on policy and/or funding enhancement. Additionally, the Committee will provide regular communication with the association boards and the Trial Court Advocacy Board, and will represent trial courts in organized statewide forums to discuss criminal justice public policy.

The anticipated meeting schedule includes in-person meetings every other month, with shorter phone meetings on the alternating months. The Committee is co-chaired with one chair selected who is a DMCJA member and the other representing Superior Court. The Committee already has three representatives from the DMCJA, so we seek an additional two members. The DMCJA chair is Judge Mary Logan.

The next in-person meeting of the Committee is on June 26, 2015. It would be ideal if the additional DMCJA members were appointed by that time.

If you have any questions, please direct them to Judge Logan.

Thank you,
Regina McDougall

Enclosures:

- Charter
- Committee Roster
- Meeting Schedule

cc: Judge Mary Logan
Judge James Dixon
TCAB

This message is sent on behalf of Judge David A. Steiner, DMCJA President:

Greetings DMCJA Members:

The Judicial Needs Estimate (JNE) Workgroup is seeking a DMCJA Judge to serve on its team. The JNE Workgroup is tasked with reviewing the criteria and methodology used in the judicial needs estimate tool. This Workgroup consists of representatives from both the District and Municipal Court Management Association (DMCMA) and the DMCJA. The current DMCJA Representatives are Judge Joseph M. Burrowes, Benton County District Court, and Judge Mary C. Logan, Spokane Municipal Court. The first phase of the review has been completed. The workgroup is proceeding with the second phase of the review. The selected DMCJA Judge is expected to serve a minimum of one year and be available to meet at least once a month, from 12:10 PM to 1:00 PM, via teleconference. If you are interested in serving on the JNE Workgroup, **please send a statement of interest to Sharon Harvey at Sharon.Harvey@courts.wa.gov by Friday, May 8, 2015.** Thank you.

Sincerely,

Judge David A. Steiner
DMCJA President



WSBA

Washington State Bar Association
COUNCIL ON PUBLIC DEFENSE

Hon. Veronica Alicea-Galvan
District and Municipal Court Judges' Association
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504

March 17, 2015

RE: District and Municipal Court Judges' Association appointment to the WSBA's Council on Public Defense

Dear Judge Alicea-Galvan:

I am writing to ask that you nominate a District or Municipal Court Judge to serve on the Council on Public Defense, an advisory council to the Washington State Bar Association.

Originally in 2004, a WSBA Committee on Public Defense ("CPD") was established to implement recommendations of the WSBA's Blue Ribbon Panel on Criminal Defense. Original membership was appointed by the President and confirmed by the Board of Governors. The CPD's recommendations were acted upon by the Board of Governors during FY2007. One of these recommendations was that the CPD be extended through December 2008 to study, focus and follow-up on unfinished public criminal defense, dependency and civil commitment issues.

While the extended CPD made significant progress on the issues identified in its charter, it became apparent that maintaining and improving constitutionally effective public defense services in Washington requires an ongoing committee with a mandate that is broad enough to address both new and recurring public defense issues. In 2009 the WSBA Board of Governors established the Council on Public Defense as an advisory committee to the WSBA to provide a unique and valuable forum for bringing together representatives of the bar, prosecutors, private and public criminal defense counsel, the bench, elected officials and the public. The Council on Public Defense charter is enclosed for your review.

We are seeking your nomination by April 30, 2015. We note that Judge Richard Fitterer is completing his service on the Council for Public Defense and has greatly contributed to the council's work. We look forward to receiving your nomination and we would be happy to answer any questions you may have. Please prepare a short letter addressed to Paula Littlewood, Executive Director of the WSBA, and send it to the attention of Bonnie Sterken at bonnies@wsba.org. The WSBA Board of Governors will confirm nominations to the Council on Public Defense in June for appointments to begin October 1, 2015.

Sincerely,

Megan McNally
Director of Advancement & Chief Development Officer
Washington State Bar Association

Cc: President Anthony Gipe, WSBA Board of Governors
Paula Littlewood, Executive Director, WSBA
Brooks Holland, Chair, Council on Public Defense

Washington State Bar Association • 1325 Fourth Avenue, Suite 600 / Seattle, WA 98101-2539 • 800-945-WSBA / fax: 206-727-8310



WASHINGTON
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DMCJA BOARD MEETING
SATURDAY, MAY 9, 2015
11:00 AM – 1:00 PM
THE ENZIAN INN
LEAVENWORTH, WA

PRESIDENT JUDGE DAVID STEINER

SUPPLEMENTAL AGENDA

TAB

Call to Order

General Business

1

- A. Minutes - April 10, 2015 (p. 1)
- B. Treasurer's Report – *Judge Ahlf* (p. 5); **Revised 2014-2015 Budget - Total Costs**
- C. **Special Fund Report** – *Judge Marinella*
- D. Standing Committee Reports
 - 1. Legislative Committee – *Judge Meyer*
 - 2. Rules Committee (p. 13)
 - a. Meeting Minutes dated March 25, 2015
 - 3. Education Committee – *Judge Burrowes*
- E. Trial Court Advocacy Board (TCAB) Update – *Judge Steiner*
- F. JIS Report – *Ms. Cullinane*

X

X

Liaison Reports

DMCMA MCA SCJA WSBA WSAJ AOC BJA

Action

2

- A. Rules Committee
 - 1. Proposed Amendments to CRLJ 26 and CRLJ 56 (p. 15)

Discussion

3

- A. General Rule (GR) 31.1 Update – *Judge Ahlf* (p. 29)
- B. TCAB Charter Amendments (p. 31)
- C. Trial Court Sentencing and Supervision Committee Amended Scope and Purpose (p. 35)
 - 1. **Misdemeanant Corrections Supervision Enhancement**

X

Information

4

- A. Judicial Information System Committee (JISC) Request for DMCJA Representatives (p. 39)
- B. Trial Court Sentencing and Supervision Committee Request for DMCJA Representatives (p. 41)
- C. Judicial Needs Estimate (JNE) Workgroup Request for DMCJA Liaison Announcement (p. 43)
- D. WSBA Council on Public Defense Request for DMCJA Representative (p. 45)

Other Business A. Next Meeting: June 7-10, 2015, Skamania Lodge, Stevenson, WA	
Adjourn	

DMCJA 2014-2015 Budget

ITEM	COMMITTEE	Beginning Balance	Total Costs	Ending Balance
1	Access to Justice Liaison	\$500.00	\$0.00	\$500.00
2	Audit	\$2,000.00	\$0.00	\$2,000.00
3	Bar Association Liaison	\$5,000.00	\$0.00	\$5,000.00
4	Board Meeting Expense	\$30,000.00	\$17,375.60	\$12,624.40
5	Bookkeeping Expense	\$3,000.00	\$1,825.00	\$1,175.00
6	Bylaws Committee	\$250.00	\$0.00	\$250.00
7	Conference Committee	\$3,500.00	\$0.00	\$3,500.00
8	Conference Incidental Fees For Members Spring Conference 2014	\$40,000.00	\$36,285.00	\$3,715.00
9	Diversity Committee	\$2,000.00	\$1,027.09	\$972.91
10	DMCMA Education	\$0.00	\$0.00	\$0.00
11	DMCMA Liaison	\$500.00	\$0.00	\$500.00
12	DOL Liaison Committee	\$500.00	\$83.25	\$416.75
13	Education Committee**	\$21,000.00	\$14,600.55	\$6,399.45
14	Educational Grants	\$5,000.00	\$2,872.00	\$2,128.00
15	Judicial Assistance Committee*	\$10,000.00	\$6,633.72	\$3,366.28
16	Legislative Committee	\$6,000.00	\$1,556.39	\$4,443.61
17	Legislative Pro-Tem	\$2,500.00	\$699.68	\$1,800.32
18	Lobbyist Expenses	\$1,000.00	\$224.00	\$776.00
19	Lobbyist Contract	\$55,000.00	\$20,000.00	\$35,000.00
20	Long-Range Planning Committee	\$1,500.00	\$85.49	\$1,414.51
21	MCA Liaison	\$1,500.00	\$1,158.59	\$341.41
22	National Leadership Grants	\$5,000.00	\$5,487.01	-\$487.01
23	Nominating Committee	\$400.00	\$0.00	\$400.00
24	President Expense	\$7,500.00	\$2,752.02	\$4,747.98
25	Reserves Committee	\$250.00	\$0.00	\$250.00
26	Rules Committee	\$1,000.00	\$28.10	\$971.90
27	Salary and Benefits Committee	\$2,500.00	\$0.00	\$2,500.00
28	SCJA Board Liaison	\$1,000.00	\$0.00	\$1,000.00
29	Technology/CMS Committee	\$7,500.00	\$0.00	\$7,500.00
30	Therapeutic Courts	\$2,500.00	\$0.00	\$2,500.00
31	Treasurer Expense and Bonds	\$1,000.00	\$10.00	\$990.00

32	Trial Court Advocacy Board	\$5,000.00	\$0.00	\$5,000.00
33	Judicial Community Outreach	\$4,000.00	\$3,100.00	\$900.00
34	Uniform Infraction Committee	\$1,000.00	\$0.00	\$1,000.00
35	Professional Services	\$15,000.00	\$8,100.29	\$6,899.71
36	DMCJA/SCJA Sentencing Alternatives	\$2,500.00	\$2,500.00	\$0.00
	TOTAL	\$246,900.00	\$126,403.78	\$120,496.22
	TOTAL DEPOSITS MADE	\$126,608.00		
	CREDIT CARD (balance owing)	\$0.00		
	*includes \$5,000 from the SCJA			
	**includes \$12,500 committed to the Presiding Judges Conference as a one time expense			

05-06-'15 09:40 FROM-

T-388 P0001/0001 F-625

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ACCT# [REDACTED] WA STAT D W HISTORY INQUIRY 05/06/15 09:22 2 OF 2 SIBP

Date	TCB	Amount	Balance	Teller	STAT	MOD	DESCRIPTION
01 02/28/15	INT	3.65	47,565.80	080	0080		
02 03/31/15	INT	4.04	47,570.94	080	0080		
03 04/30/15	INT	3.91	47,574.05	080	0080		
	ENDING BAL		47,574.05				

10/10/10

Misdemeanant Corrections Supervision Enhancement

State Budget Request to the Legislature

** As drafted by the Trial Court Funding Operations Committee*

This package proposes a grant managed process to fund a system of assessment and case management for offenders ordered to supervision and conditions by a court of limited jurisdiction. For a court to be eligible for state funding, the probation division must comply with assessment and case management standards. The proposed system of offender management is optional and outcomes will be measured by re-offending rates. The proposed system targets progressive corrections strategies to frequent misdemeanor level offenders, with a goal to provide meaningful intervention and interrupt criminal progression to more serious behavior.

The Misdemeanant Corrections Association (MCA) is the Washington state association for misdemeanor probation officers. This funding request is made by the MCA, the DMCJA, and supported by the Trial Courts Advocacy Board and Adult Static Risk Assessment Oversight Committee.

In Washington's Courts of Limited Jurisdiction (CLJ), supervision of offenders can be executed in various ways. Some CLJ, or misdemeanor probation departments, perform pre-trial supervision in addition to post-conviction supervision. Existing probation services perform post-conviction supervision ordered by a CLJ. If no probation department exists, generally, the court will conduct some form of bench probation – that could mean a court clerk reviewing the case for compliance or it could mean the judge reviewing each case.

This budget packages proposes a progressive corrections based system which includes assessment, defined supervision practices, and outcome evaluation for re-offending rates.

The Washington State Center for Court Research, in cooperation with the Washington State University, are currently researching criminogenic characteristics of frequent CLJ offenders who primarily serve confinement in local jails. County, city and state funders have shared interest in addressing recidivism in a meaningful way with this population of offenders. If meaningful intervention was available, ordered, and supervised, the impact would be felt in two ways: (1) possible reduction in jail costs and population control (including out of county housing costs) and (2) measure overall impact on recidivism rates, including risk to community.

The strategy to measure recidivism in on operational environment, such as CLJ probation, is to consider arrest and violations which has direct relevance for DUI offenders undergoing monitoring. Also, there is current capacity to track prosecution and conviction for re-offending behavior (and severity). The recidivism evaluation should occur at 6-month intervals, beginning

with each sentencing. Employment is another relevant outcome, or protective factor, which can be measured at the beginning, during, and at the conclusion of supervision.

The adult static risk assessment (ASRA) is an automated, validated, actuarially-based assessment that categorizes a defendant's risk to re-offend and risk of violence into the following categories: low, moderate, high property, high drug, and high violent. Case management principles support the use of evidence based interventions to target defendants and offenders who score in the moderate or high risk ranges. The low risk offenders should receive minimal intervention because increased exposure to higher risk populations (even at the court house) it is likely to increase their own risky behavior. The use of confinement alternatives, programs, and targeted case management strategies should be available for those who score moderate or high on the ASRA. That categorization of risk will determine the use of enhanced CLJ probation services, which is the basis for the funding request.

State resources are needed to adequately provide staffing for enhanced case management practices of defendants ordered to supervision by a court of limited jurisdiction. There is a relationship between lowering re-offending behavior and effective case management strategies. This funding proposal articulates a strategy to staff CLJ misdemeanor probation units (some including pre-trial services) to provide improved level of intervention that include application of the ASRA. Not only will this provide an immediate impact to jail populations, it will provide long term data and the ability to evaluate offender characteristics that fall between juvenile and felony criminal activity.

The state will see a rapid return on investment by expecting regular reports back on intervention effectiveness on recidivism and criminal filing trends. In theory, the felony filing rate will decrease if the mid-level offenders (generally referred for misdemeanors) experience meaningful intervention as part of their CLJ supervision.

ARLJ 11 requires that a risk assessment be conducted on every probationer to determine the level of supervision. If courts use the ASRA to determine risk to re-offend and risk for violence, the data can be shared between courts (via JABS) and the assessment is subject to modern validation studies. Use of ASRA is tied to disbursement of state funding to enhance CLJ probation model, which will be a deliverable listed in a contract between the state and city or county.

The package requests grant funding for an opt-in supervision system enhancement at the CLJ supervision level. Within 2 years of state supported supervision practices, the jurisdictions that opted in will be measured for re-offending behavior, and the outcome of that evaluation will demonstrate the effectiveness of applying a system of assessment and case management to the CLJ offender population.

If state funding to enhance case management standards and practices for supervision ordered through a court of limited jurisdiction is not approved or funded, the level of meaningful intervention available to this population of offenders will remain inconsistent in our state, and where it doesn't exist at all, judges or clerks will conduct "bench probation/supervision". The current form of probation can be described as surveillance, and does very little or nothing to change criminogenic attributes.

The model of funding the system is grant based; Administrative Office of the Courts to local CLJ jurisdiction. State funding will be allotted by the Legislature to the AOC, who will accept applications from CLJ jurisdictions wishing to participate.

In the application process, CLJ jurisdictions will outline case management strategies and court operational enhancements that require funding to meet the standards for assessment and case management. The ASRA is a defined process with minimal workload impacts. The sophisticated system of case management is based on standards approved by the MCA and vetted by the Washington State Center for Court Research, which requires staff resources. The local improvement plan will include state resources for staff to meet the demands of the outlined system of case management standards. The system improvement for qualified and selected courts will be measured at least every six months based on new referrals from law enforcement to a trial court. Within two years, with regular reporting, the state and local jurisdiction will clearly understand the extent of state and local cost savings. The grant program will operate within the budget allocated. The amount of state resources allocated will limit the number of courts who can opt into the corrections supervision enhancement.