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COURTS

**DISTRICT AND MUNICIPAL  
COURT JUDGES' ASSOCIATION**

***BOARD MEETING***

**October 14, 2016**

**AOC SEATAC OFFICE  
SEATAC, WASHINGTON**

# DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

## 2016-2017

<i><b>DATE</b></i>	<i><b>TIME</b></i>	<i><b>MEETING LOCATION</b></i>
<i><b>Friday, July 8, 2016</b></i> CANCELLED	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i><b>Friday, Aug. 12, 2016</b></i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i><b>Sunday, Sept. 11, 2016</b></i>	9:00 a.m. – 12:00 noon	2016 Annual Judicial Conference, Spokane, WA
<i><b>Friday, Oct. 14, 2016</b></i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i><b>Friday, Nov. 4, 2016</b></i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i><b>Friday, Dec. 9, 2016</b></i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i><b>Friday, Jan. 13, 2017</b></i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i><b>Friday, Feb. 10, 2017</b></i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i><b>Friday, March 10, 2017</b></i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i><b>Friday, April 14, 2017</b></i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i><b>May 2017</b></i>	TBD	In conjunction with Board Retreat
<i><b>June 2017</b></i>	TBD	In conjunction with Spring Program

AOC Staff: Sharon Harvey

Updated: June 13, 2016



**DMCJA BOARD MEETING**  
**FRIDAY, OCTOBER 14, 2016**  
**12:30 PM – 3:30 PM**  
**AOC SEATAC OFFICE**  
**SEATAC, WA**

**PRESIDENT JUDGE G. SCOTT MARINELLA**

**AGENDA**

**PAGE**

**Call to Order**

**General Business**

- |  |       |
|--|-------|
| A. Minutes – September 11, 2016  | 1-4   |
| B. Treasurer’s Report – <i>Judge Robertson</i>                         | 5     |
| C. Special Fund Report – <i>Judge Burrowes</i>                         |       |
| D. Standing Committee Reports  |       |
| 1. Legislative Committee – <i>Judge Meyer</i>                          |       |
| a. Meeting Minutes for August 12, 2016                                 | 6-9   |
| 2. Diversity Committee   |       |
| a. Letter from Judge Marilyn Paja regarding Bi-Annual Pro Tem Training | 10-13 |
| E. Trial Court Advocacy Board (TCAB)                                   |       |
| F. JIS Report – <i>Ms. Vicky Cullinane</i>                             |       |

**Action**

- |   |       |
|---|-------|
| A. DMCJA Rules Committee Proposed Amendments to Infraction Rule for Courts of Limited Jurisdiction (IRLJ) 3.5, <i>Decisions on Written Statements</i> | 15-20 |
| 1. Memorandum dated September 27, 2016 regarding Proposed Amendment to IRLJ 3.5   |       |
| 2. General Rule (GR) 9 Cover Sheet and Proposed Amendment   |       |

**Liaison Reports**

- |   |       |
|---|-------|
| A. District and Municipal Court Management Association ( <b>DMCMA</b> ) – <i>Ms. Paulette Revoir</i>    |       |
| B. Misdemeanant Corrections Association ( <b>MCA</b> ) – <i>Ms. Melissa Patrick</i>                     |       |
| C. Superior Court Judges’ Association ( <b>SCJA</b> ) – <i>Judge Sean O’Donnell</i>                     |       |
| D. Washington State Bar Association ( <b>WSBA</b> ) – <i>Sean Davis, Esq.</i>                           |       |
| E. Washington State Association for Justice ( <b>WSAJ</b> ) – <i>Loyd James Willaford, Esq.</i>         |       |
| F. Administrative Office of the Courts ( <b>AOC</b> ) – <i>Mr. Dirk Marler</i>                          |       |
| G. Board for Judicial Administration ( <b>BJA</b> ) – <i>Judges Garrow, Jasprica, Logan, and Ringus</i> |       |
| H. Minority and Justice Commission ( <b>MJC</b> ) – <i>Judge Linda Coburn</i>                           | 22-23 |

<p><b>Discussion</b></p> <ul style="list-style-type: none"> <li>A. DMCJA Proposed Legislation for 2017 Legislative Session <ul style="list-style-type: none"> <li>1. Bail Bonds</li> <li>2. Discover Pass</li> <li>3. DNA Samples</li> <li>4. Youth Courts</li> </ul> </li> <li>B. Whether to amend DMCJA Bylaws, Art. X, Sec. 2, <i>Nominating Committee</i>, to include members from Central WA</li> <li>C. Funding Request for YMCA Youth &amp; Government Program</li> </ul>	<p>25-28</p> <p>29-30</p> <p>31</p>
<p><b>Information</b></p> <ul style="list-style-type: none"> <li>A. 2016-2017 DMCJA Nominating Committee Roster</li> <li>B. Annual DOL/DMCJA/DMCMA/AOC Joint Leadership meeting was held on September 30, 2016 at the AOC Olympia Center.</li> <li>C. Update regarding Senate Bill 6360, Consolidation of traffic-based financial obligations through a unified payment plan system, Workgroup</li> <li>D. A Pretrial Reform Initiative Informational Meeting (“3DaysCount” Initiative) was scheduled for October 7, 2016, at Seattle City Hall.</li> </ul>	<p>33</p>
<p><b>Other Business</b></p> <p>The next DMCJA Board Meeting is November 4, 2016, 12:30 a.m. to 3:30 p.m., AOC Office, SeaTac, WA.</p>	
<p><b>Adjourn</b></p>	

# **GENERAL BUSINESS**



**DMCJA Board of Governors Meeting**  
**Friday, September 11, 2016, 9:00 a.m. – 12:00 p.m.**  
**AOC SeaTac Office**  
**SeaTac, WA**

## MEETING MINUTES

### **Members Present:**

Chair, Judge G. Scott Marinella  
Judge Scott Ahlf  
Judge Joseph Burrowes  
Judge Linda Coburn  
Judge Karen Donohue  
Judge Douglas Fair (via phone)  
Judge Michelle Gehlsen  
Judge Judy Jasprica (non-voting)  
Judge Michael Lambo  
Commissioner Rick Leo (via phone)  
Judge Kevin Ringus (non-voting)  
Judge Rebecca Robertson  
Judge Douglas Robinson  
Judge Charles Short  
Judge Tracy Staab

### **Guests:**

Mr. Salvador Mungia, ACLU  
Mr. Loyd Willaford, WSAJ (via phone)

### **AOC Staff:**

Ms. Callie Dietz  
Ms. Sharon R. Harvey  
Mr. Dirk Marler

### **Members Absent:**

Judge Michael Finkle  
Judge Janet Garrow (non-voting)  
Judge Mary Logan (non-voting)  
Judge Samuel Meyer  
Judge David Steiner

## **CALL TO ORDER**

Judge G. Scott Marinella, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum was present and called the DMCJA Board of Governors (Board) meeting to order at 9:06 a.m. Judge Marinella asked attendees to introduce themselves.

## **GENERAL BUSINESS**

### A. Minutes

The Board moved, seconded, and passed a vote (M/S/P) to approve the Board Minutes for August 12, 2016.

### B. Treasurer's Report

M/S/P to approve the Treasurer's Report. Judge Robertson reported that the Treasurer's Report was sent to each Board member electronically on Saturday, September 10, 2016. She further informed that fifteen thousand dollars (\$15,000) was paid for the Presiding Judge and Administrator Program, which includes five thousand dollars (\$5,000) for the District and Municipal Court Managers' Association (DMCMA) and ten thousand dollars (\$10,000) for the DMCJA portion of the funding commitment. In February 2016, the Board voted to fund the Program, which will be held November 6-8, 2016 in Chelan, WA.

### C. Special Fund Report

M/S/P to approve the Special Fund Report. Judge Burrowes informed that there was nothing to report regarding the Special Fund. Judge Marinella addressed the issue regarding the two hundred fifteen dollars

(\$215) incidental fees for the 2016 Annual Spring Conference. In 2016, there were fifteen DMCJA members who attended the conference but did not pay their incidental fees. Judge Marinella informed that Ms. Harvey met with AOC staff regarding the collection of the fees and determined that the AOC prefers to collect the incidental fees owed. Thus, the Board determined that the AOC, not the DMCJA, would collect the monies owed. Judge Burrowes volunteered to personally contact judges who had not paid their incidental fees. By general consensus, the Board decided to educate the membership regarding general dues, special fund assessments, and incidental fees.

#### D. Standing Committee Reports

##### 1. *Rules Committee Minutes*

Judge Marinella informed that the Rules Committee's Minutes for July 20, 2016 are located in the Board materials. Judge Robertson reported that she was not present at the August 24, 2016 Rules Committee meeting, and, therefore unable to provide an update on Infraction Rule for Courts of Limited Jurisdiction (IRLJ) 3.5. For this reason, Judge Marinella requested that the issue be deferred to the October Board meeting. Judge Marinella suggested, however, that the amendment to IRLJ 3.5 include language regarding no appeals for telephonic or video conference mitigation hearings. This recommendation will be provided to Judge Franklin Dacca, DMCJA Rules Committee Chair.

##### 2. *Diversity Committee*

Judge Coburn and Judge Short reported that the DMCJA Diversity Committee co-hosted a biannual Pro Tem Training with the Washington State Bar Association (WSBA) August 19-20, 2016 in Seattle. They informed that the training was well attended and received positive oral responses. The Committee is awaiting written evaluations from attendees. Judges Coburn and Short then reported that several attendees received funding to attend the training. The cost to attend the Pro Tem training was approximately four hundred dollars (\$400). The Committee advertised scholarship funding to minority bar associations in an effort to increase diversity on the bench. Judge Marinella informed that Judge Paja sent out letters thanking Pro Tem Training faculty for their support.

#### E. Trial Court Advocacy Board (TCAB) Update

Judge Marinella reported that the next TCAB meeting is Tuesday, September 13, 2016, at noon. The group will discuss Engrossed Second Substitute Senate Bill (E2SSB) 5454, *An act relating to court operations*, which passed the Legislature in 2005. The bill created an equal justice subaccount created as a subaccount of the public safety and education account. The state treasurer was charged with depositing monies received from imposed court fees into the account. This subaccount was appropriated only for the following: (1) Criminal indigent defense assistance and enhancement at the trial court level, (2) Representation of parents in dependency and termination proceedings, (3) Civil legal representation of indigent persons, and (4) Contribution to district court judges' salaries and to eligible elected municipal court judges' salaries. See E2SSB 5454, Section 8 (2).

### **ACTION**

#### A. DMCJA Rules Committee Proposed Amendments to Infraction Rules for Courts of Limited Jurisdiction (IRLJ) 3.5, *Decisions on Written Statements*

The general consensus of the Board was to defer this action item to the October Board meeting in order to obtain more information regarding the proposed amendments to IRLJ 3.5.

## B. Request for Proposals (RFP) Evaluators

M/S/P to authorize up to fifteen thousand dollars (\$15,000) partial pro tempore coverage for all volunteers upon application. This issue relates to a discussion item regarding the need for RFP evaluators for the courts of limited jurisdiction case management system (CLJ-CMS) Project.

## LIAISON REPORTS

### A. Board for Judicial Administration (BJA)

Judge Jasprica and Judge Ringus reported that the August meeting was an orientation for new BJA members. During the August meeting, the BJA resolution regarding courthouse security was reenacted. The next meeting is September 16, 2016. Ms. Dietz, State Court Administrator, reported that the BJA Legislative Committee will meet on September 20, 2016. She added that Judge Ringus is the BJA Legislative Committee Chair. Ms. Dietz further reported that the Judicial and Legislative Relations Associate Director position had been offered to an out-of-state candidate, who decided not to move to Washington State, and, therefore, rejected the offer. Judge Ringus then mentioned that he will join the interview panel on September 21, 2016. Judge Jasprica noted a strong DMCJA presence on the BJA because three out of four BJA standing committees are chaired by DMCJA members.

### B. Administrative Office of the Courts (AOC)

Mr. Marler, Judicial Services Director, reported that the AOC is focused on court case management system projects. Judge Marinella inquired about the mediation between the SCJA and DMCJA regarding the Office of the Superior Court. Ms. Dietz, State Court Administrator, informed that the SCJA and AOC signed a non-disclosure agreement prohibiting both sides from discussing details of the mediation.

### C. Washington State Association for Justice (WSAJ)

Mr. Willaford reported that the WSAJ is hosting a session regarding how to become a judge on November 29, 2016. The event will be held in downtown Seattle. The session is free and lunch will be provided.

## DISCUSSION

### A. *ACLU Proposed Amendments to General Rule 35, Jury Selection*

This issue relates to an American Civil Liberties Union (ACLU) proposed rule regarding peremptory challenges during jury selection. The Board discussed the proposed rule at its Board Retreat in May. At the June meeting, the Board determined not to support the rule in its current form but to invite Mr. Salvador Mungia, ACLU rule proponent, to the September Board meeting to further discuss the proposed rule.

During the September Board meeting, Mr. Mungia stated that the rule was proposed as a fundamental solution to the failings of the three-part test in *Batson v. Kentucky*, 476 U.S. 79 (1986). This test is also known as the "Batson challenge." A *Batson* challenge requires a party to make a prima facie case of purposeful discrimination based on the totality of the facts. The burden then shifts to the opposing party to present a neutral explanation for releasing a prospective juror. The trial court then has the duty to determine if the challenging party has established purposeful discrimination, such as a race-related reason for jury exclusion. Mr. Mungia stated that the proposed rule is expected to provide a new, functional method to prevent racial bias in jury selection. He further discussed *State v. Saintcalle*, 178 Wn.2d 34, 309 P.3d 326 (2013), to support the argument that *Batson* does not work. Mr. Mungia noted that in *Saintcalle*, the Supreme Court acknowledged that racial discrimination remains rampant in jury selection.

The Board and Mr. Mungia engaged in a robust discussion regarding solutions to the peremptory challenge issue. Judges offered suggested amendments to Comment 3 and Comment 4 of the proposed rule. Mr. Mungia informed that the ACLU of Washington Committee has worked on drafting the rule for approximately two years and will submit it to the Washington Supreme Court in its current form. Stakeholders, such as the

DMCJA, will have an opportunity to provide input during the comment period. Judge Marinella expressed appreciation for Mr. Mungia's attendance and stated that the experience was educational.

**B. DMCJA Audit – Whether to have a Full or Partial Audit**

This topic is a continuation from the May Board Retreat discussion regarding whether to request a full or partial DMCJA financial audit. Judge Robertson reported that based on prior Board discussions, a full audit of the DMCJA's finances will be requested. The audit will take approximately six months to complete.

**C. DMCJA Policy regarding Spring Conference Incidental Fees**

This topic was discussed during the Special Fund report. Judge Burrowes will work with Ms. Harvey in order to coordinate efforts with AOC regarding the collection of DMCJA dues, assessments, and incidental fees.

**D. 3DaysCount Review**

This topic relates to the 3DaysCount Initiative, which is a program that offers states assistance in improving and reforming their pretrial bail practices. On August 12, 2016, the Board voted for the DMCJA to join the SCJA and Minority and Justice Commission in applying for program assistance. Judge Marinella reported that the first meeting regarding the 3DaysCount Initiative application is Friday, October 7, 2016, from 8:30 a.m. to 12:00 p.m., in Seattle, WA. Judge Marinella invited Board members to attend the meeting and informed that he would attend telephonically. Judges Ahlf and Robertson volunteered to attend the meeting.

**E. JIS Report (RFP Evaluators)**

Mr. Marler provided an update regarding the courts of limited jurisdiction case management system (CLJ-CMS) Project. He stated that on August 26, 2016, the Judicial Information System Committee (JISC) authorized that request for proposals (RFP) be published to potential Project vendors. The RFPs were based on business requirements promulgated by the CLJ-CMS court user work group (CUWG). Mr. Marler informed that the Project requires DMCJA volunteers to serve as RFP evaluators. The deadline for the CLJ-CMS Steering Committee to receive the names of the DMCJA volunteer evaluators is September 30, 2016. He noted that without judicial participation, the Administrative Office of the Courts would be the sole selector of a vendor, which is not ideal. The goal is for the AOC and DMCJA to work together to obtain a vendor that meets the business and technological needs of the courts of limited jurisdiction. Mr. Marler expressed that there will be two tiers of evaluators, namely, Tier I and Tier II. Tier I participants are needed from December 7, 2016 to January 11, 2017. These judicial volunteers will receive evaluator training and then score the vendors' written responses to the RFP on their own. In contrast, Tier II evaluators are needed from February 9, 2017 to April 28, 2017. Tier II judicial volunteers will receive evaluator training, attend demonstrations, and participate in client on-site visits and evaluations. The Board discussed the time commitment for this vital project and inquired whether the Project could cover the costs of hiring pro tempore judges to hear cases while a judicial volunteer is participating as an evaluator. Mr. Marler stated that regrettably there is no authority for AOC to reimburse pro tem costs for this purpose. The Board, therefore, discussed the possibility of offering funds for pro tempore judges in order to encourage judicial participation in the CLJ-CMS Project. The Board discussed whether to authorize up to fifteen thousand dollars (\$15,000) partial pro tempore coverage for all volunteers upon application.

M/S/P to make the discussion item regarding whether to authorize up to fifteen thousand dollars (\$15,000) partial pro tempore coverage for all volunteers an action item.

**OTHER BUSINESS**

The next DMCJA Board Meeting is October 14, 2016, 12:30 a.m. to 3:30 p.m., in AOC Office, SeaTac.

**ADJOURNED** at approximately 12:00 p.m.



P.O. Box 1800  
 Saint Paul, Minnesota 55101-0800

3452 TRN

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**Business Statement**

Account Number: [REDACTED]

Statement Period:

Aug 1, 2016  
 through  
 Aug 31, 2016

Page 1 of 1



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 THE WASHINGTON STATE DISTRICT AND  
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**INFORMATION YOU SHOULD KNOW**

**Message for clients who initiate ACH transactions**

If you send ACH Credit payments: We're excited to introduce a new service option to you. Effective September 23, 2016, you may send ACH credit payments and have them post to the receiver on the same day. If you opt to enroll in the new Same Day ACH service, an additional per item fee will apply to each same day ACH entry. Contact your banking officer or Treasury Management Representative for more information, including any applicable fees.

If you send ACH Debits: Effective October 3, 2016, ACH debit transactions returned by the receiver as unauthorized or authorization revoked will result in an additional \$6.00 fee. The current fee for all ACH returns will continue to apply as well.

For additional information, visit the U.S. Bank 2016 ACH Rule Change website at: [www.usbank.com/ach](http://www.usbank.com/ach), Access code: fastiach16 or send an email request to [commercialsupport@usbank.com](mailto:commercialsupport@usbank.com)

**PLATINUM BUSINESS MONEY MARKET**

U.S. Bank National Association

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Account Number: [REDACTED]

**Account Summary**

	# Items				
Beginning Balance on Aug 1		\$	100,681.28	Annual Percentage Yield Earned	0.09%
Other Deposits	1		8.52	Interest Earned this Period	\$ 8.52
<b>Ending Balance on Aug 31, 2016</b>		<b>\$</b>	<b>100,689.80</b>	Interest Paid this Year	\$ 67.07
				Number of Days in Statement Period	31

**Other Deposits**

Date	Description of Transaction	Ref Number	Amount
Aug 31	Interest Paid	[REDACTED]	\$ 8.52
<b>Total Other Deposits</b>			<b>\$ 8.52</b>



WASHINGTON  
COURTS

## DMCJA Legislative Committee Meeting

Friday, August 12, 2016

9:30 a.m. to 12:00 p.m.

SeaTac, Washington

### MEETING MINUTES

#### Members:

Chair, Judge Samuel G. Meyer  
Judge ~~Claire Bradley~~  
Judge ~~Brett Buckley~~  
Judge Michelle Gehlsen  
Judge Jeffrey Goodwin  
Judge Robert Grim  
Judge ~~Corinna Harn~~  
Judge ~~Kristen Olbrechts~~  
Judge Glenn Phillips  
Judge Wade Samuelson  
Judge ~~Ketu Shah~~  
Judge Shelley Szambelan

#### Guests:

Ms. Melanie Stewart  
Ms. Linda Baker, DMCMA  
Ms. Kathy Seymour, DMCMA

#### AOC Staff:

Ms. J Benway  
Ms. Sharon Harvey

### 1. CALL TO ORDER AND INTRODUCTIONS

Judge Meyer called the meeting to order at 9:35 a.m. and the participants introduced themselves. Judge Goodwin and Judge Szambelan participated by telephone.

### 2. GENERAL BUSINESS

#### A. MINUTES – JUNE 8, 2016

It was motioned, seconded and passed to approve the June 8, 2016 meeting minutes.

#### B. LEGISLATIVE COMMITTEE ROSTER

The Committee was provided with an updated roster.

### 3. DMCJA LEGISLATIVE PROPOSALS FOR 2015

#### A. BAIL BONDS REGARDING THE SURRENDER OF THE DEFENDENT

Committee consensus is to run the same bill as last year; Ms. Stewart reports that it failed to progress for political reasons. Ms. Stewart requested that Committee members let her know if they have anecdotal evidence of suspects being improperly released under the current statute. This item will be on the agenda for the Committee's next meeting.

#### B. BOATING AND AIRCRAFT DUI STATUTES

At issue is the concern that the definition of what constitutes drugs is inconsistent across the various DUI statutes. Judge Phillips will raise the issue to Rep. Goodman or the DUI Workgroup if one is convened.

### **C. CIVIL JURISDICTION LIMIT**

The Committee reviewed the proposal and were concerned that it had been made moot by recent case law. Judge Samuelson will review the issue and prepare a brief memo for the next Committee meeting.

### **D. COLLECTION AND TESTING OF DNA SAMPLES FOR CERTAIN OFFENSES**

The issue is that due to ambiguous wording of the statute, the Washington State Patrol (WSP) is apparently not testing DNA samples sent to it by the City of Seattle. The Committee agreed that this a significant concern but not within the scope of the Legislative Committee. Judge Meyer or Melanie Stewart will notify the Association of Washington Cities, the Washington Association of Sheriffs and Police Chiefs, and the WSP of the issue.

### **E. CONDITIONS OF PROBATION**

Judge Butler requested that the Committee propose legislation to modify the number of days of license suspension when a person has his or her license suspended for a non-DUI violation. Judge Phillips stated that the DUI Workgroup had considered that provision and chose not to adopt it so he didn't think the legislation would be successful. Judge Meyer will communicate that to Judge Butler.

### **F. CONTINUING JURISDICTION**

The Committee determined that the concern seemed to be one of court operations rather than a matter for legislation. Judge Meyer will communicate with Judge McKenna to that effect.

### **G. PRETRIAL COSTS**

The Committee determined that this proposal to allow an increase of the fees that are charged to pre-trial defendants would be unsuccessful in the current political climate. Judge Meyer will communicate that to Judge Steele.

### **H. CRIMINAL COMPLAINT**

Judge Meyer pointed out that last year's bill that amended the statutes pertaining to criminal complaints and citations was not proposed by DMCJA. The Committee agreed that the legislation could be clearer. Judge Phillips agreed to raise the issue to Rep. Goodman or the DUI Workgroup if one is convened.

### **I. DISCOVER PASS RE SKAMANIA COUNTY**

The Committee agreed that there should be no link between court funding and the outcome of cases. Ms. Stewart stated that discussions were underway between county and state parks representatives to address the issue. Committee consensus is that it would be preferable to have legislation proposed by the counties or state agency rather than DMCJA. Ms. Stewart will monitor the discussions and keep the Committee informed when there is a chance for support or participation.

**J. DOMESTIC VIOLENCE DEFINED**

The Committee shared the concern that the definition of family or household member should include step-children. Judge Meyer stated that he would provide the information to DMCJA representatives to the Domestic Violence Workgroup.

**K. INACCESSIBLE ACCESS**

The concern is an ambiguity in RCW 46.19.050 regarding the definition of "access aisle." Ms. Stewart will present the issue to a disability advocacy organization.

**L. INHALING TOXIC FUMES**

The Committee agreed with the concern that a 30-day maximum sentence under RCW 9.47A.050 for inhaling toxic provided insufficient time for defendants to obtain treatment but did not think that it was appropriate legislation for DMCJA to sponsor. Ms. Stewart stated that she would bring the concern forward to Rep. Goodman and other legislators interested in this type of impact.

**M. JUDICIAL INDEPENDENCE – MUNICIPAL COURT JUDGES AND COURTS**

DMCJA proposed similar legislation in 2014 to preserve the independence of municipal courts and municipal court judges, and the legislation was strongly opposed by cities. The Committee thought that it might be beneficial to raise the issue again even if there wasn't a strong chance of having the legislation progress. Judge Szambelan stated that she would review the previous legislation and bring back a proposal for the Committee at the next meeting.

**N. RIGHTS OF THE ACCUSED**

The Supreme Court has held that Art. 1, Sec. 22 of the Washington Constitution requires only county-specific juries to be impaneled in municipal courts. This creates inefficiencies for municipal courts in cities that are in two counties, such as Auburn and Bothell. Changing the requirement would necessitate a constitutional amendment. Ms. Stewart and Judge Meyer will raise the issue when they meet with the Chairs of the House and Senate judicial committees to see if there might be support for moving the proposal forward.

**O. YOUTH COURT CREATION**

The Committee agreed that it would make sense for student courts to hear transit infractions in addition to traffic infractions. Judge Meyer agreed to bring forward a proposal for the next meeting; Ms. Stewart will raise the issue with the lobbyist for the juvenile courts.

**4. OTHER PROPOSALS**

**A. SCJA PROPOSAL: AFFIDAVIT OF PREJUDICE**

Judge Meyer stated that the SCJA had provided its proposed amendment for review, although it would not impact district or municipal courts. Judge Buckley will review the proposal to see if there is any cause for concern and if the Committee may want to consider reviewing the comparable CLJ statutes.

**B. WSP PROPOSAL: STANDARDIZING COLLECTION AND DISTRIBUTION OF  
CRIMINAL RECORDS**

Unlike previous legislation, this proposal would not increase the workload of court staff. The Committee saw no reason to oppose the proposal.

**5. OTHER BUSINESS**

**A. LEGISLATIVE UPDATE**

Ms. Stewart stated that it will likely be a long and difficult legislative session, focused on funding for education. She and Judge Meyer will be meeting with the Chairs of the Senate Law and Justice Committee and the House Judiciary Committee prior to the start of session.

**B. NEXT MEETING**

The next meeting is scheduled for Friday, September 9, 2016 from 1:30 to 3:30 p.m.

There being no other business, the meeting was adjourned at 10:55 a.m.

**KITSAP COUNTY DISTRICT COURT**

**CLAIRE M. BRADLEY, JUDGE**  
DEPARTMENT NO. 1

614 Division Street, MS-25  
Port Orchard, WA 98366  
Phone (360) 337-7109  
Fax 337-4865

**MARILYN G. PAJA, JUDGE**  
DEPARTMENT NO. 3

**JEFFREY J. JAHNS, JUDGE**  
DEPARTMENT NO. 2

**STEPHEN J. HOLMAN, JUDGE**  
DEPARTMENT NO. 4

**MAURICE H. BAKER**  
COURT ADMINISTRATOR

06 September 2016

The Honorable Judge G. Scott Marinella, President  
Washington State District and Municipal Court Judges Association  
c/o Columbia County District Court  
535 Cameron Street  
Dayton, WA 99328-1279

Re. Report from DMCJA Diversity Committee  
Fourth Annual DMCJA Pro tem Training, August 19-20, 2016

Dear Judge Marinella:

I was honored to be asked to serve as the master of ceremonies at the presentation of Attorney Training for Service as Pro tem: District and Municipal Court held this year August 19-20, 2016. On behalf of the Diversity Committee of the District & Municipal Court Judges Association (DMCJA), I want to thank you very much for the considerable and continuing support of the DMCJA to this training. This year the WSBA funded two scholarships to well-qualified attendees who are members of minority bar associations to attend this training at no cost.

We haven't seen the attendee written evaluations yet, so we will have more detail then, but the questions and comments from the audience on site seemed very positive and enthusiastic. I believe we had about 100 attendees this year, spread about equally between on-line and in-person attendees, and with considerable geographic diversity throughout the State.

Judge Willie Gregory, Chair of the DMCJA Diversity Committee has provided vital and continuing leadership of this training over the past four years, including additional judges in the process and at each presentation. The staff at the Administrative Office of the Courts (AOC) was very helpful, particularly Ms. Stephanie Apgar, Court Educator, Ms. Sara McNish, Technology Educator, Ms. Cynthia Delostrinos, Supreme Court Commissions Administrative Manager, and Mr. Robert Lichtenberg, Court Interpreter Commission Coordinator. Ms. Emma Garkavi, the Interpreter Coordinator for Seattle Municipal Court played a large role. We had considerable interaction and assistance from the WSBA CLE education staff as well. Ms. Margaret Yetter, Court Administrator from Kent Municipal Court donated her time to one of the presentations,

and Ms. Reiko Callner from the Washington Commission on Judicial Conduct taught a session on ethics for the fourth time. Our own Sharon Harvey attended the proceedings and helped us considerably during the one and a half day program.

The following judges volunteered extraordinary time and energy for one or more sessions of the training:

Judge Linda Coburn, Edmonds Municipal Court  
Judge Lisa O'Toole, King County District Court  
Judge Melanie Dane, Black Diamond Municipal Court  
Judge Ketu Shah, King County District Court  
Judge Karli Jorgensen, Kent Municipal Court  
Judge Mary Logan, City of Spokane Municipal Court  
Judge Tam Bui, Snohomish County District Court  
Judge N. Scott Stewart, Issaquah Municipal Court  
Judge Charles Short, Okanogan County District Court, and  
Justice Steven González, Washington State Supreme Court

I've attached a copy of the program agenda for your information.

Recognizing that some members of the DMCJA Board may be unfamiliar with this pro tem training project, we thought we should include a brief history of this on-going project of the DMCJA Diversity Committee and the Washington State Bar Association.

Back in 2009, Paula Littlewood, WSBA Executive Director, and then-DMCJA leadership discussed the paucity of gender, ethnic and racial diversity in the judiciary statewide, and wondered what we might do to improve. Of course, there have been other substantial efforts, including the Washington State Judicial Institute sponsored with Seattle University Law School and the University of Washington Leadership Institute. In the fall of 2010, after approval by the DMCJA Board of Directors, the DMCJA Diversity Committee instituted this Pro tem Training. The Board recognized that service as a pro tem is one way of testing one's fitness for the bench, and also so that we might provide training for our own pro tem judges that might not otherwise be available locally. Back in 2009, Limited Jurisdiction courts had faced some disdain from issues such as those reflected in the *Hammermaster* case. Ethics training and discussion about the judicial role became central to our considerations.

We agreed that after completion of the course in person, or live on-line, the roster of attendees would be distributed to all DMCJA members, and also made available to SCJA members.<sup>1</sup> Recognizing the independence of Washington court judges, no guarantee is made to

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<sup>1</sup> SCJA was invited to participate in this this training with us, but in 2010, the organization formally declined to do so. Some SCJA members, including now Supreme Court Justice Mary Yu, did participate as instructors, and applauded our efforts. The Diversity Committee is considering whether another outreach to SCJA would be timely and beneficial to the project.

attendees that they will be selected to serve, only that attendance is another 'positive' on their resume.

This is the fourth biennial presentation by the DMCJA in partnership with the Washington State Bar Association (WSBA) with the goal of enlarging the pool of attorneys who are interested and educated in service as a judicial officers pro tempore, and more specifically to encourage the ranks of the appointed and elected judiciary to reflect the rich diversity of our own communities. Previous attendees now serve as pro tem judges around the state – some are now elected or appointed judges themselves. At least two previous attendees were faculty at this 2016 training.

Although there has been some progress, we have not yet completed our mission or this project. In 1988, the Washington population was 4,575,000 of which 10.6% were identified as minorities. Only 5% of active members of the WSBA were minorities, and only about 4 percent of state judges were minorities. By 1990, only 16, still only 4.3% of the 371 Washington state judges at all levels were minorities.<sup>2</sup>

Twenty years later, in 2009, there were still only 30 ethnic and racially diverse judges in our State.<sup>3</sup> Although progress has been made, particularly with white women judicial officers, according to 2014 Washington state statistics contained in the national research article Gavel Gap<sup>4</sup> there is room for more additional development of well-qualified members of the judiciary who also reflect the diversity of their own communities:

Women of Color (Population = 15%, State Judges = 4%)  
White Women (Population = 35%, State Judges = 34%)  
Men of Color (Pop = 16%, Judges = 6%)  
White Men (Pop = 34%, Judges = 56%)

We will be meeting in the coming weeks to debrief from the training. In support of our mission for this training, I have asked Ms. Raghu for the statistics for attendance at this training, including diversity if that is available. If you or the DMCJA Board have any comments at all, at any time, please contact me or Judge Willie Gregory, Chair of the DMCJA Diversity Committee by phone or email. His email is [Willie.Gregory@seattle.gov](mailto:Willie.Gregory@seattle.gov), and mine is [mpaja@co.kitsap.wa.gov](mailto:mpaja@co.kitsap.wa.gov).

The questions and comments from the attendees, both in person and on-line, reflected their interest in this training. In my small court alone, in the past week, I've had five attendees

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<sup>2</sup> Washington State Minority and Justice Task Force, Final Report, December 1990 at p. 79.  
<http://www.courts.wa.gov/committee/pdf/TaskForce.pdf>

<sup>3</sup> Washington State Racial and Ethnic Minority Judges, March 2009.  
<http://www.courts.wa.gov/committee/pdf/MinorityJudges.pdf>

<sup>4</sup> The Gavel Gap: Who Sits in Judgment on State courts?, Tracey E. George and Albert H. Yoon, American Constitution Society for Law and Policy, 2014, <http://gavelgap.org/>

September 6, 2016

Page 4 of 4

contact me about getting on the pro tem roster. The usual WSBA CLE protocols including professional recording of the presentations and the materials we provided will make this training available to other interested lawyers for many years to come.

In about six weeks, the names of those attendees whom the DMCJA and WSBA have prepared for service as a judge pro tem will be disseminated to all of the DMCJA membership and will also be available to Superior Court Judges who wish to receive it. Again the DMCJA Diversity Committee is indebted to the DMCJA leadership and Board for its continued support for this endeavor. On behalf of the Diversity Committee, thank you.

Sincerely,

  
Judge Marilyn Paja  
Member, DMCJA Diversity Committee

Encl – 2016 Pro tem Training Agenda

Cc: Judge Willie Gregory, Chair of DMCJA Diversity Committee

DMCJA Board c/o Ms. Sharon Harvey, Administrative Office of the Courts

Ms. Cynthia Delostrinos, Manager of Supreme Court Commissions and (interim) Staff to DMCJA Diversity Committee

# **ACTION**

TO: Judge Scott Marinella, President, DMCJA Board  
FROM: Judge Frank Dacca, Chair, DMCJA Rules Committee  
SUBJECT: Proposed Amendment to IRLJ 3.5  
DATE: September 27, 2016

It is my understanding that on September 11, 2016, the DMCJA Board considered the DMCJA Rules Committee proposal to amend IRLJ 3.5 and suggested that a new sub-paragraph (b)(3) possibly be added to make clear that no appeal be allowed from a decision on an infraction at a mitigation hearing. As set forth below, our Rules Committee respectfully recommends that the proposed IRLJ 3.5 remain in its current form since the appeal issue is already specifically governed by IRLJ 5.1.

In its current form, IRLJ 3.5 allows decisions to be based on written statements in both contested and mitigation infraction hearings. Essentially, this option creates an alternative procedure to the procedures for contested hearings and mitigation hearings, which are governed by IRLJ 3.3 and IRLJ 3.4, respectively. Because it is an alternative procedure that requires less formality, under subsection (a) the right to an appeal is waived. This also makes sense because the hearing is not held in open court and presumably there would be no record that could be examined on appeal.

By contrast, the newly proposed local option to allow testimony via telephone or videoconference in mitigation hearings for infractions under subsection (b) is not intended to create an alternative procedure, but merely to provide an alternative means for the court to hear evidence in the context of a mitigation hearing. The procedural requirements for mitigation hearings under IRLJ 3.4 would still be in place and such hearings would still be required to be recorded under ARLJ 13, which provides: "All limited jurisdiction courts shall make an electronic record of all proceedings and retain the record for at least as long as the record retention schedule dictates."

The mitigation hearings would also still be subject to the general rule pertaining to appeals from infraction proceedings, IRLJ 5.1, What Orders May Be Appealed, which provides:  
A defendant may appeal a judgment entered after a contested hearing finding that the defendant has committed the infraction. The plaintiff may appeal a decision

which in effect abates, discontinues, or determines the case other than by a judgment that the defendant has not committed an infraction. No other orders or judgments are appealable by either party.

Although not a model of clarity, this rule sets forth that an appeal from a mitigation hearing for an infraction may be allowed only by the state under very limited circumstances. Eliminating the option of appeal could serve to deny a party this right merely because testimony was provided via videoconference. It would also provide no recourse should the procedural requirements of the rule pertaining to videoconferences, giving proper notice, for example, were not met.

For these reasons, the Rules Committee respectfully requests that the DMCJA Board approve the proposed IRLJ 3.5 in its current form without any modification for submission to the Washington State Supreme Court.

Thank you for consideration of these comments. If you have any questions, please contact me at 253-798-7712 or [fdacca@co.pierce.wa.us](mailto:fdacca@co.pierce.wa.us).

Attachment: GR 9 Cover Sheet and Proposed Rule Amendments

CC: DMCJA Rules Committee

**GR 9 COVER SHEET**

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

**Amend IRLJ 3.5: Decision on Written Statement (Local Option)**

**Submitted by the District & Municipal Courts Judges Association**

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- A. Name of Proponent:** District & Municipal Courts Judges Association
- B. Spokesperson:** Judge Scott Marinella  
President, DMCJA
- C. Purpose:** The proposed amendment provides an opportunity for courts to adopt a local rule permitting a telephonic or video conference appearance in lieu of an in-person appearance for a mitigation hearing related to an infraction. The proposed amendment also edits the language regarding hearings on written statements for clarity and readability and removes an exemption from the Rules of Evidence.

**(1) Allowing Video Conference Mitigation Hearings**

The Rules Committee recognizes that the use of technology, including telephone conferencing and video conferencing, is widespread in our communities. The committee believes that the IRLJ 1.1(b) requirement for a “just, speedy, and inexpensive determination of every infraction case” would be enhanced with the addition of an opportunity for citizens to employ telephone and video conference appearances in lieu of a personal appearance. Adding the option for a local rule provides an opportunity to utilize technology to make the court more accessible.

The Committee suggests limiting the use of telephone and video conference appearances to mitigation hearings only. In a mitigation hearing, the defendant is stipulating that the infraction was committed and the evidence received by the court is typically testimony from the defendant regarding mitigating circumstances. The Committee’s conclusion is that the challenges surrounding the presentation and admission of evidence in a contested hearing by telephone or video conference are not present in a mitigation hearing.

The amended rule provides three basic parameters for implementation of any local rule option for telephone and video conference appearances on mitigation hearings: (1) the hearings shall be on the record, (2) defendants shall be advised the hearing was being audio recorded and (3)

written notice of the decision and any penalty imposed shall be sent to defendants. However, much of the “how” regarding the implementation of this local rule option should be left to local jurisdictions. In the future, the Rules Committee should examine best practices based upon the experiences of local courts and perhaps suggest further changes to the proposed rule.

## **(2) Proposed Amendments to Existing Sections**

Decisions on written statements are still available as a local rule option. The caption for IRLJ 3.5 is changed to read ‘Local Rule Options’ and the rule is reformatted with decisions on written statements as section (a) and telephone and video conference hearings as section (b). Reformatting the rule allows for future expansion and addition of local rules.

The section exempting decisions on hearing statements from the Rules of Evidence is removed. ER 1101 establishes exemptions from the rules of evidence and local rule decisions on written statements are not exempted by ER 1101. Additionally, removing the exemption permits evidentiary objections on written statements. Subjecting in person appearances and decisions on written statements to the same evidentiary standards removes the possibility of inconsistent results.

With the exception of the evidence rules exemption, all of the requirements for decisions on written statements remain within the rule. Some redundant language has been eliminated and the text of the rule has been reformatted for readability.

**D. Hearing:** A hearing is not requested.

**E. Expedited Consideration:** Expedited consideration is not requested.

**Clean Version:**

RULE IRLJ 3.5  
LOCAL RULE OPTIONS

**(a) Decisions on Written Statements.**

(1) *Contested Hearing Procedures.* The court shall examine the citing officer's report and any statement or documents submitted by the defendant. The examination may be held in chambers and shall take place within 120 days after the defendant filed the response to the notice of infraction. The court shall determine if the plaintiff has proved by a preponderance of the evidence submitted whether the infraction was committed.

(2) *Mitigation Hearing Procedures.* A mitigation hearing based upon a written statement may be held in chambers and shall take place within 120 days after the defendant filed the response to the notice of infraction.

(3) *Notice to Defendant.* The court shall notify the defendant in writing of its decision, including any penalty imposed.

(4) *No Appeal Permitted.* There shall be no appeal from a decision on written statements.

**(b) Telephonic or Video Conference Mitigation Hearings.**

(1) *Local Rule Permitted.* A court may adopt a local rule permitting defendants to appear at a mitigation hearing by telephone or video conference in lieu of an in-person appearance.

(2) *Requirements.* Such local rule shall comply with the requirements that the hearings shall be conducted on the record, the defendant be advised that the hearing is being audio recorded, and the court shall advise the defendant in writing of its decision and any penalty imposed.

**Proposed Amendment:**

RULE IRLJ 3.5  
DECISION ON WRITTEN STATEMENTS LOCAL RULE OPTIONS  
(Local Option)

**(a) Decisions on Written Statements.**

(1) Contested Hearing Procedures. The court shall examine the citing officer's report and any statement or documents submitted by the defendant. The examination may be held in chambers and shall take place within 120 days after the defendant filed the response to the notice of infraction. The court shall determine whether the plaintiff has proved by a preponderance of the evidence submitted whether the infraction was committed~~examination may be held in chambers and shall not be governed by the Rules of Evidence.~~

~~(1) Factual Determination.~~ The court shall determine whether the plaintiff has proved by a preponderance of all evidence submitted that the defendant has committed the infraction.

(2) Disposition Mitigation Hearing Procedures. A mitigation hearing based upon a written statement may be held in chambers and shall take place within 120 days after the defendant filed the response to the notice of ~~if the court determines that the infraction has been committed, it may assess a penalty in accordance with rule 3.3.~~

(3) Notice to Parties Defendant. The court shall notify the parties ~~defendant in writing of its decision whether an infraction was found to have been committed and what penalty, if including any penalty, was imposed.~~

(4) No Appeal Permitted. There shall be no appeal from a decision on written statements.

**(b) Telephonic or Video Conference Mitigation Hearings.**

(1) Local Rule Permitted. A court may adopt a local rule permitting defendants to appear at a mitigation hearing by telephone or video conference in lieu of an in-person appearance ~~Mitigation hearings based upon written statements may be held in chambers.~~

(2) Requirements. Such local rule shall comply with the requirements that the hearings shall be conducted on the record, the defendant be advised that the hearing is being audio recorded, and the court shall advise the defendant in writing of its decision and any penalty imposed.

# LIAISON REPORTS



# Department of Justice

FOR IMMEDIATE RELEASE  
September 27, 2016  
<http://www.justice.gov/usao/waw>

U.S. Attorney Annette L. Hayes  
Western District of Washington  
(206) 553-4110

## **WASHINGTON ONE OF FIVE STATES SELECTED FOR 'PRICE OF JUSTICE' GRANT**

*DOJ Awards Nearly \$500,000 to Study and Improve use of Court Fines and Fees for Offenders*

Washington State is one of five states selected for a new U.S. Department of Justice grant to study and improve the use of fines and fees in the justice system, announced U.S. Attorney Annette L. Hayes. Under the terms of the grant, the Washington State Minority and Justice Commission will receive \$499,816 to study the impact of legal financial obligations in courts across the state, and develop a calculator that judges at all levels can use to determine an offender's ability to pay and a realistic payment schedule. Research to date indicates indigent offenders are unable to pay significant fines and fees, and that failure to pay can ultimately result in additional jail time.

"Equal justice and due process are critical elements in the assessment of fines and fees in state and local courts," said U.S. Attorney Annette L. Hayes. "This grant, endorsed by prosecutors, defense attorneys, judges, court clerks and others is an excellent step in assisting the Washington state court system to ensure the enforcement of fines and fees is done in a way that is fair to all."

According to the grant application, the use of legal financial obligations varies widely across the state and across various court levels. Recent court rulings require judges to make individualized rulings on the amount of fines and fees based on a defendant's financial situation, but many judges are unsure how to individualize the process. In addition, Washington has one of the highest interest rates on unpaid fines and fees at 12 percent.

Under the grant, the Washington State Minority and Justice Commission will bring together stakeholders to promote and increase collaboration and data sharing among criminal justice agencies and officials. The stakeholder group will study how legal financial obligations are assessed in Washington. The group will explore a 'calculator' currently used in Edmonds Municipal Court to see if computer software can make the calculator a useful tool in courts across the state. Grant funding will pay for a software company to work on the calculator to make it as easy to use as a smartphone app. The calculator will be used as a pilot project in the Edmonds Municipal Court and in one superior court in the state. The superior court will be selected for the pilot project based on whether defendants there are facing additional jail time for failure to pay court fees and fines.

In endorsing the state's grant application, the Washington State Office of Public Defense wrote, "Critically, legal financial obligations have been shown to disproportionately impact people of color, who disproportionately live in poverty."

The Director of 'I Did The Time,' an advocacy group that works to assist former defendants as they re-enter society, endorsed the grant application writing, "Our organization has been fighting to increase public awareness about the costs of legal financial obligations (LFOs) on individuals and families who stay tied to the system, forever at risk of returning to jail when they cannot find work, are not able to work due to disability status and/or can never get out from underneath the crushing increase in fines due to the oppressive interest rate."

The association of state prosecutors also endorsed the study. "Our primary concern will remain the imposition and collection of actual victim restitution. The victim penalty assessment and the DNA database fee are also important in providing services and protection to crime victims. Beyond that, either mandatory or discretionary legal financial obligations should be re-evaluated for appropriateness of imposition and amount. We believe the imposition of interest on legal financial obligations in Washington State should be reduced or, possibly, eliminated."

The other states receiving grants from the Bureau of Justice Assistance under this program are: California, Louisiana, Texas, and Missouri.

Press contact for the U.S. Attorney's Office is Public Affairs Officer Emily Langlie at (206) 553-4110 or [Emily.Langlie@usdoj.gov](mailto:Emily.Langlie@usdoj.gov).

# DISCUSSION

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HOUSE BILL 2462

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State of Washington

64th Legislature

2016 Regular Session

By Representatives Kilduff, Goodman, and Rodne

Read first time 01/13/16. Referred to Committee on Public Safety.

1 AN ACT Relating to surrender of person under surety's bond; and  
2 amending RCW 10.19.160.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 10.19.160 and 1986 c 322 s 5 are each amended to  
5 read as follows:

6 The surety on the bond may return to custody a person in a  
7 criminal case under the surety's bond if the surrender is accompanied  
8 by a notice of forfeiture or a notarized affidavit specifying the  
9 reasons for the surrender. The surrender shall be made to ~~((the~~  
10 ~~facility in which the person was originally held in custody or))~~ the  
11 county or city jail affiliated with the ~~((court))~~ jurisdiction  
12 issuing the warrant resulting in bail. Upon surrender, a person must  
13 be held until the next judicial day or until another bond is posted.

--- END ---

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SENATE BILL 6297

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State of Washington                      64th Legislature                      2016 Regular Session

By Senators King and Takko

Read first time 01/14/16. Referred to Committee on Natural Resources & Parks.

AN ACT Relating to the disposition of penalties paid for failure to comply with recreational site or lands pass/permit requirements; amending RCW 7.84.100.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec. 1.** RCW 7.84.100 and 2012 c 262 s 2 are each amended to read as follows:

(1) A person found to have committed an infraction shall be assessed a monetary penalty. No penalty may exceed five hundred dollars for each offense unless specifically authorized by statute.

(2) The supreme court may prescribe by rule a schedule of monetary penalties for designated infractions. The legislature requests the supreme court to adjust this schedule every two years for inflation. The maximum penalty imposed by the schedule shall be five hundred dollars per infraction and the minimum penalty imposed by the schedule shall be ten dollars per infraction. This schedule may be periodically reviewed by the legislature and is subject to its revision.

(3) Whenever a monetary penalty is imposed by a court under this chapter, it is immediately payable. If the person is unable to pay at that time, the court may, in its discretion, grant an extension of the period in which the penalty may be paid.

(4) The county treasurer shall remit seventy five percent of the money received under RCW 79A.80.080(5) to the state treasurer. Money

remitted under this subsection to the state treasurer must be deposited in the recreation access pass account established under RCW 79A.80.090. The balance of the noninterest money received by the county treasurer must be deposited in the county current expense fund.

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## RCW 3.72.010

### Youth court creation—Jurisdiction.

(1) A court created under chapter 3.30, 3.46, 3.50, or 35.20 RCW may create a youth court. The youth court shall have jurisdiction over traffic **and transit** infractions alleged to have been committed by juveniles age sixteen or seventeen. The court may refer a juvenile to the youth court upon request of any party or upon its own motion. However, a juvenile shall not be required under this section to have his or her traffic **or transit** infraction referred to or disposed of by a youth court.

(2) To be referred to a youth court pursuant to this chapter, a juvenile:

(a) May not have had a prior traffic **or transit** infraction referred to a youth court;

(b) May not be under the jurisdiction of any court for a violation of any provision of Title 46 RCW;

(c) May not have any convictions for a violation of any provision of Title 46 RCW; and

(d) Must acknowledge that there is a high likelihood that he or she would be found to have committed the traffic **or transit** infraction.

(3)(a) Nothing in this chapter shall interfere with the ability of juvenile courts to refer matters to youth courts that have been established to provide a diversion for matters involving juvenile offenders who are eligible for diversion pursuant to \*RCW 13.40.070 (6) and (7) and who agree, along with a parent, guardian, or legal custodian, to comply with the provisions of RCW 13.40.600.

(b) Nothing in this chapter shall interfere with the ability of student courts to work with students who violate school rules and policies pursuant to RCW 28A.300.420.

[ 2005 c 73 § 1; 2002 c 237 § 2.]

## **ARTICLE IX - Commission on Judicial Conduct**

### **Section 1. Commission on Judicial Conduct Representatives:**

The Association shall be represented on the Commission on Judicial Conduct (CJC) by a member and alternate who are limited jurisdiction court judges.

### **Section 2. Election of Representatives:**

The Nominating Committee shall select not more than two limited jurisdiction court judges as candidates for each open position, and shall submit the names of the nominees for election at the next Spring Conference. Election of representatives shall be held at the Spring Conference. Terms of office are for four years and shall commence on June 1, of the year in which elected, or at the conclusion of the Annual Meeting, whichever last occurs. Elections shall be held pursuant to the terms of RCW 2.64.020.

### **Section 3. Vacancies:**

All vacancies in office shall be filled by a member of the Association appointed by the President with ratification of the Board of Governors.

## **ARTICLE X - Committees**

### **Section 1. Membership of Committees:**

There shall be twelve (12) standing committees and other such committees as may be authorized by the Association and by the President. The standing committees shall be the Nominating Committee, Bylaws Committee, Conference Committee, Legislative Committee, Court Rules Committee, Education Committee, Long Range Planning Committee, Diversity Committee, DOL Liaison Committee, Technology Committee, Therapeutic Courts Committee, and Judicial Assistance Services Program. Committee Chairs shall submit written annual reports to the members at the Association's Annual Meeting. In selecting members for the Association's committees, the President should make every effort to assign a member to the member's first preferred committee, even if such assignment increases the committee's size.

### **Section 2. Committee Functions:**

#### **(a) Nominating Committee:**

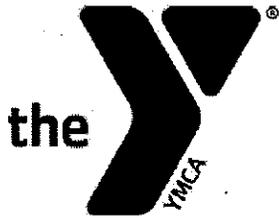
- (1)** The Nominating Committee shall serve for one year and shall consist of not less than five members with at least one member from each of the following four geographical areas:

northeastern, southeastern, northwestern, and southwestern Washington, and one member-at-large.

- (2) At the Board meeting in October, the President will appoint the members of the Nominating Committee. The Immediate Past-President will Chair the Nominating Committee. The Chair of the Diversity Committee shall be a member of the Nominating Committee. No more than one member of the Nominating Committee may be a member of the present Board of Governors.
- (3) The Nominating Committee shall select a slate of candidates from members in good standing. It will select not more than two candidates for Vice-President, Secretary-Treasurer, and President-Elect who shall serve one year, and three Board members-at-large, who shall serve on the Board for three years. The Committee shall also select not less than two (2) candidates to serve as a representative to the Board for Judicial Administration for a four (4) year term.
- (4) The Nominating Committee, after soliciting suggestions of nominees and after securing the consent of the nominees to serve, shall submit its report to the Board at its March business meeting. The names of the nominees will be published in the written notice of the Spring Conference and in the Minutes of the Board's March meeting. Nominations for all offices except President may be made by the members, at the Spring Conference.

(b) Education Committee:

- (1) The Education Committee shall develop and administer a mentor program for new judges, commissioners, and judicial officers. Efforts should be made to contact new judges, commissioners, and judicial officers immediately upon their commencement of service and to select mentor judges, commissioners, and judicial officers geographically proximate to the judge they advise.
- (2) The Education Committee shall develop educational programs for the Association's Spring Conference and such other educational seminars as may become available consistent with policies of the Board for Court Education (BCE).
- (3) The Education Committee shall administer the Continuing Judicial Education requirement as contained in these Bylaws.



September 28, 2016

Honorable Scott Marinella  
Washington District and Municipal Court Judges Association  
PO Box 41170  
Olympia, WA 98504-1170

Dear Judge Marinella:

Thank you for the previous support of the YMCA Youth & Government program. The financial contributions of the District and Municipal Court Judges Association and volunteer service of your members help ensure the young women and men of our state have the opportunity to gain the knowledge and skills needed to be active and engaged citizens and leaders in our communities.

I'm excited to announce that this year, we are expanding access to high quality civic and legal education with a new Middle School Mock Trial tournament! We expect to host three regional tournaments early in 2017 and serve approximately 100-150 students in grades six and seven.

In previous years, the Court made a \$1600 contribution to our annual fundraising campaign. **I hope the DMCJA will continue this support by renewing your contribution this year, and considering a modest increase to help support our program expansion efforts.** I also ask that you encourage your members to volunteer their time and talents to support young people around our state.

The annual YMCA Mock Trial State Championship will be held **Friday and Saturday, March 24 - 25** at the Thurston County Courthouse. We need over 200 legal volunteers to serve as competition raters and presiding judges during this event. A formal call for volunteers will go out after the first of the year, but please mark your calendars now and help us spread the word about this unique and inspiring opportunity.

In the Y, we believe in the potential of all young people. This is why your support is critical. Together we can ensure young women across Washington are exposed to careers in the law, and gain the skills needed to be leaders in their communities. Thank you for your consideration.

Respectfully,

Sarah Clinton  
Executive Director  
[sclinton@seattleyymca.org](mailto:sclinton@seattleyymca.org)

Cc: Judge Robert Lewis, Mock Trial Program Chair  
Sharon Harvey

Youth & Government  
Mail PO Box 193, Olympia, WA 98507  
Physical 921 Lakeridge Way SW, Olympia, WA 98502  
P 360 357 3475 F 360 753 4615 [youthandgovernment.org](http://youthandgovernment.org)



# INFORMATION

## **SB 6360 Statewide Stakeholder Meeting Monthly Report**

To: Judge G. Scott Marinella  
President, DMCJA Board of Governors

From: Judge Elizabeth Bejarano  
Appointed DMCJA Representative to SB 6360 Work Group which is to provide feedback to the Office of the Attorney General by December 1, 2017, with a recommendation for a plan to consolidate traffic-based financial obligations statewide.

### Update:

The SB 6360 Work group has met three times to date. The Work Group consists of one member from each of the following organizations: AOC, DOL, DMCJA, DMCMA, WA Assn. of Prosecuting Attorneys, WA Defender Assn & WA Assn of Criminal Defense Lawyers, Office of Civil Legal Aid, WSP, WA Assn of Sheriffs and Police Chiefs, WA Traffic Safety Commission, Assn of WA Cities, WA Assn of Counties, WA Collector's Assn, Attorney General's Office.

As of our most recent meeting, we have not come to any firm or final decisions, but are starting to narrow our focus. Our current discussions are focused on defining what types of "traffic-based financial obligations" will be included within the plan.

The majority of members were in favor of breaking into sub-groups to discuss certain aspects of what a plan may look like from the perspective of the user experience, operational logistics, and financial specifications.

We are reviewing statistical data collected by DOL and the Attorney General's Office, and I anticipate there will be a continuous flow of data collection and review in the near future.

I will submit reports on our progress after each meeting from this point forward. Our next meeting is scheduled for Friday, November 4, 2016, at 9:30 am at the Attorney General's Office in Olympia. Anyone can attend the meeting either in person or by telephone. If anyone has any questions, or would like to attend the meeting and wishes the specific address or call-in number, I can be contacted via telephone or email. Thank you-

Elizabeth Bejarano  
206-973-4610  
ebejarano@ci.seatac.wa.us



**DMCJA BOARD MEETING**  
**FRIDAY, OCTOBER 14, 2016**  
**12:30 PM – 3:30 PM**  
**AOC SEATAC OFFICE**  
**SEATAC, WA**

**PRESIDENT JUDGE G. SCOTT MARINELLA**

**SUPPLEMENTAL AGENDA**

**PAGE**

**Call to Order**

**General Business**

- A. Amended Minutes – September 11, 2016** X1-4
- B. Treasurer’s Report – Judge Robertson** X5
- C. Special Fund Report – *Judge Burrowes*
- D. Standing Committee Reports
  - 1. Legislative Committee – *Judge Meyer*
    - a. Meeting Minutes for August 12, 2016 6-9
  - 2. Diversity Committee
    - a. Letter from Judge Marilyn Paja regarding Bi-Annual Pro Tem Training 10-13
- E. Trial Court Advocacy Board (TCAB)
- F. JIS Report – *Ms. Vicky Cullinane*

**Action**

- A. DMCJA Rules Committee Proposed Amendments to Infraction Rule for Courts of Limited Jurisdiction (IRLJ) 3.5, *Decisions on Written Statements*
  - 1. Memorandum dated September 27, 2016 regarding Proposed Amendment to IRLJ 3.5 15-20
  - 2. General Rule (GR) 9 Cover Sheet and Proposed Amendment

**Liaison Reports**

- A. District and Municipal Court Management Association (**DMCMA**) – *Ms. Cynthia Marr*
- B. Misdemeanant Corrections Association (**MCA**) – *Ms. Melissa Patrick*
- C. Superior Court Judges’ Association (**SCJA**) – *Judge Sean O’Donnell*
- D. Washington State Bar Association (**WSBA**) – *Sean Davis, Esq.*
- E. Washington State Association for Justice (**WSAJ**) – *Loyd James Willaford, Esq.*
- F. Administrative Office of the Courts (**AOC**) – *Mr. Dirk Marler*
- G. Board for Judicial Administration (**BJA**) – *Judges Garrow, Jasprica, Logan, and Ringus*
- H. Minority and Justice Commission (**MJC**) – *Judge Linda Coburn* 22-23

<p><b>Discussion</b></p> <ul style="list-style-type: none"> <li>A. DMCJA Proposed Legislation for 2017 Legislative Session <ul style="list-style-type: none"> <li>1. Bail Bonds</li> <li>2. Discover Pass</li> <li><b>3. DNA Samples</b></li> <li>4. Youth Courts</li> <li><b>5. Commissioners to Solemnize Marriage</b></li> </ul> </li> <li>B. Whether to amend DMCJA Bylaws, Art. X, Sec. 2, <i>Nominating Committee</i>, to include members from Central WA</li> <li>C. Funding Request for YMCA Youth &amp; Government Program <ul style="list-style-type: none"> <li><b>1. Youth &amp; Government 2015-2016 Annual Report</b></li> </ul> </li> <li>D. <b>Agreement Between Administrative Office of the Courts and Superior Court Judges' Association</b></li> </ul>	<p>25-28</p> <p>X</p> <p>X</p> <p>29-30</p> <p>31</p> <p>X</p> <p>X</p>
<p><b>Information</b></p> <ul style="list-style-type: none"> <li>A. <b>2016-2017 DMCJA Nominating Committee Roster</b></li> <li>B. Annual DOL/DMCJA/DMCMA/AOC Joint Leadership meeting was held on September 30, 2016 at the AOC Olympia Center.</li> <li>C. Update regarding Senate Bill 6360, Consolidation of traffic-based financial obligations through a unified payment plan system, Workgroup</li> <li>D. A Pretrial Reform Initiative Informational Meeting ("3DaysCount" Initiative) was scheduled for October 7, 2016, at Seattle City Hall.</li> <li>E. <b>Commissioner Linda Kipling, Island County District Court, has been reappointed to the Annual Conference Planning Committee for a term of two years.</b></li> <li>F. <b>Commissioner Paul Wohl, Thurston County District Court, has been reappointed to the BJA Public Trust and Confidence Committee for a term of two years.</b></li> <li>G. <b>There is a position vacancy for one DMCJA Representative to serve a two year term on the BJA Public Trust and Confidence Committee.</b></li> <li>H. <b>There are position vacancies for the Presiding Judge and Administrator Education Committee. The positions are for a three year term.</b></li> </ul>	<p>X</p> <p>33</p>
<p><b>Other Business</b></p> <p>The next DMCJA Board Meeting is November 4, 2016, 12:30 a.m. to 3:30 p.m., AOC Office, SeaTac, WA.</p>	
<p><b>Adjourn</b></p>	

# GENERAL BUSINESS

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**DMCJA Board of Governors Meeting**  
**Friday, September 11, 2016, 9:00 a.m. – 12:00 p.m.**  
**AOC SeaTac Office**  
**SeaTac, WA**

**AMENDED MEETING MINUTES**

**Members Present:**

Chair, Judge G. Scott Marinella  
Judge Scott Ahlf  
Judge Joseph Burrowes  
Judge Linda Coburn  
Judge Karen Donohue  
Judge Douglas Fair (via phone)  
Judge Michelle Gehlsen  
Judge Judy Jasprica (non-voting)  
Judge Michael Lambo  
Commissioner Rick Leo (via phone)  
Judge Kevin Ringus (non-voting)  
Judge Rebecca Robertson  
Judge Douglas Robinson  
Judge Charles Short  
Judge Tracy Staab

**Guests:**

Mr. Salvador Mungia, ACLU  
Mr. Loyd Willaford, WSAJ (via phone)

**AOC Staff:**

Ms. Callie Dietz  
Ms. Sharon R. Harvey  
Mr. Dirk Marler

**Members Absent:**

Judge Michael Finkle  
Judge Janet Garrow (non-voting)  
Judge Mary Logan (non-voting)  
Judge Samuel Meyer  
Judge David Steiner

**CALL TO ORDER**

Judge G. Scott Marinella, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum was present and called the DMCJA Board of Governors (Board) meeting to order at 9:06 a.m. Judge Marinella asked attendees to introduce themselves.

**GENERAL BUSINESS**

**A. Minutes**

The Board moved, seconded, and passed a vote (M/S/P) to approve the Board Minutes for August 12, 2016.

**B. Treasurer's Report**

M/S/P to approve the Treasurer's Report. Judge Robertson reported that the Treasurer's Report was sent to each Board member electronically on Saturday, September 10, 2016. She further informed that fifteen thousand dollars (\$15,000) was paid for the Presiding Judge and Administrator Program, which includes five thousand dollars (\$5,000) for the District and Municipal Court Managers' Association (DMCMA) and ten thousand dollars (\$10,000) for the DMCJA portion of the funding commitment. In February 2016, the Board voted to fund the Program, which will be held November 6-8, 2016 in Chelan, WA.

**C. Special Fund Report**

M/S/P to approve the Special Fund Report. Judge Burrowes informed that there was nothing to report regarding the Special Fund. Judge Marinella addressed the issue regarding the two hundred fifteen dollars

(\$215) incidental fees for the 2016 Annual Spring Conference. In 2016, there were fifteen DMCJA members who attended the conference but did not pay their incidental fees. Judge Marinella informed that Ms. Harvey met with AOC staff regarding the collection of the fees and determined that the AOC prefers to collect the incidental fees owed. Thus, the Board determined that the AOC, not the DMCJA, would collect the monies owed. Judge Burrowes volunteered to personally contact judges who had not paid their incidental fees. By general consensus, the Board decided to educate the membership regarding general dues, special fund assessments, and incidental fees.

#### D. Standing Committee Reports

##### 1. *Rules Committee Minutes*

Judge Marinella informed that the Rules Committee's Minutes for July 20, 2016 are located in the Board materials. Judge Robertson reported that she was not present at the August 24, 2016 Rules Committee meeting, and, therefore unable to provide an update on Infraction Rule for Courts of Limited Jurisdiction (IRLJ) 3.5. For this reason, Judge Marinella requested that the issue be deferred to the October Board meeting. Judge Marinella suggested, however, that the amendment to IRLJ 3.5 include language regarding no appeals for telephonic or video conference mitigation hearings. This recommendation will be provided to Judge Franklin Dacca, DMCJA Rules Committee Chair.

##### 2. *Diversity Committee*

Judge Coburn and Judge Short reported that the DMCJA Diversity Committee co-hosted a biannual Pro Tem Training with the Washington State Bar Association (WSBA) August 19-20, 2016 in Seattle. They informed that the training was well attended and received positive oral responses. The Committee is awaiting written evaluations from attendees. Judges Coburn and Short then reported that several attendees received funding to attend the training. The cost to attend the Pro Tem training was approximately four hundred dollars (\$400). The Committee advertised scholarship funding to minority bar associations in an effort to increase diversity on the bench. Judge Marinella informed that Judge Paja sent out letters thanking Pro Tem Training faculty for their support.

#### E. Trial Court Advocacy Board (TCAB) Update

Judge Marinella reported that the next TCAB meeting is Tuesday, September 13, 2016, at noon. The group will discuss Engrossed Second Substitute Senate Bill (E2SSB) 5454, *An act relating to court operations*, which passed the Legislature in 2005. The bill created an equal justice subaccount created as a subaccount of the public safety and education account. The state treasurer was charged with depositing monies received from imposed court fees into the account. This subaccount was appropriated only for the following: (1) Criminal indigent defense assistance and enhancement at the trial court level, (2) Representation of parents in dependency and termination proceedings, (3) Civil legal representation of indigent persons, and (4) Contribution to district court judges' salaries and to eligible elected municipal court judges' salaries. See E2SSB 5454, Section 8 (2).

### **ACTION**

#### A. DMCJA Rules Committee Proposed Amendments to Infraction Rules for Courts of Limited Jurisdiction (IRLJ) 3.5, *Decisions on Written Statements*

The general consensus of the Board was to defer this action item to the October Board meeting in order to obtain more information regarding the proposed amendments to IRLJ 3.5.

## B. Request for Proposals (RFP) Evaluators

M/S/P to authorize up to fifteen thousand dollars (\$15,000) partial pro tempore coverage for all volunteers upon application. This issue relates to a discussion item regarding the need for RFP evaluators for the courts of limited jurisdiction case management system (CLJ-CMS) Project.

## LIAISON REPORTS

### A. Board for Judicial Administration (BJA)

Judge Jasprica and Judge Ringus reported that the August meeting was an orientation for new BJA members. During the August meeting, the BJA resolution regarding courthouse security was reenacted. The next meeting is September 16, 2016. Ms. Dietz, State Court Administrator, reported that the BJA Legislative Committee will meet on September 20, 2016. She added that Judge Ringus is the BJA Legislative Committee Chair. Ms. Dietz further reported that the Judicial and Legislative Relations Associate Director position had been offered to an out-of-state candidate, who decided not to move to Washington State, and, therefore, rejected the offer. Judge Ringus then mentioned that he will join the interview panel on September 21, 2016. Judge Jasprica noted a strong DMCJA presence on the BJA because three out of four BJA standing committees are chaired by DMCJA members.

### B. Administrative Office of the Courts (AOC)

Mr. Marler, Judicial Services Director, reported that the AOC is focused on court case management system projects. Judge Marinella inquired about the mediation between the SCJA and DMCJA regarding the Office of the Superior Court. Ms. Dietz, State Court Administrator, informed that the SCJA and AOC signed a non-disclosure agreement prohibiting both sides from discussing details of the mediation.

### C. Washington State Association for Justice (WSAJ)

Mr. Willaford reported that the WSAJ is hosting a session regarding how to become a judge on November 29, 2016. The event will be held in downtown Seattle. The session is free and lunch will be provided.

## DISCUSSION

### A. *ACLU Proposed Amendments to General Rule 35, Jury Selection*

This issue relates to an American Civil Liberties Union (ACLU) proposed rule regarding peremptory challenges during jury selection. The Board discussed the proposed rule at its Board Retreat in May. At the June meeting, the Board determined not to support the rule in its current form but to invite Mr. Salvador Mungia, ACLU rule proponent, to the September Board meeting to further discuss the proposed rule.

During the September Board meeting, Mr. Mungia stated that the rule was proposed as a fundamental solution to the failings of the three-part test in *Batson v. Kentucky*, 476 U.S. 79 (1986). This test is also known as the "Batson challenge." A *Batson* challenge requires a party to make a prima facie case of purposeful discrimination based on the totality of the facts. The burden then shifts to the opposing party to present a neutral explanation for releasing a prospective juror. The trial court then has the duty to determine if the challenging party has established purposeful discrimination, such as a race-related reason for jury exclusion. Mr. Mungia stated that the proposed rule is expected to provide a new, functional method to prevent racial bias in jury selection. He further discussed *State v. Saintcalle*, 178 Wn.2d 34, 309 P.3d 326 (2013), to support the argument that *Batson* does not work. Mr. Mungia noted that in *Saintcalle*, the Supreme Court acknowledged that racial discrimination remains rampant in jury selection.

The Board and Mr. Mungia engaged in a robust discussion regarding solutions to the peremptory challenge issue. Judges offered suggested amendments to Comment 3 and Comment 4 of the proposed rule. Mr. Mungia informed that the ACLU of Washington Committee has worked on drafting the rule for approximately two years and will submit it to the Washington Supreme Court in its current form. Stakeholders, such as the

DMCJA, will have an opportunity to provide input during the comment period. Judge Marinella expressed appreciation for Mr. Mungia's attendance and stated that the experience was educational.

**B. DMCJA Audit – Whether to have a Full or Partial Audit**

This topic is a continuation from the May Board Retreat discussion regarding whether to request a full or partial DMCJA financial audit. Judge Robertson reported that based on prior Board discussions, a full audit of the DMCJA's finances will be requested. **The audit will begin in six months.**

**C. DMCJA Policy regarding Spring Conference Incidental Fees**

This topic was discussed during the Special Fund report. Judge Burrowes will work with Ms. Harvey in order to coordinate efforts with AOC regarding the collection of DMCJA dues, assessments, and incidental fees.

**D. 3DaysCount Review**

This topic relates to the 3DaysCount Initiative, which is a program that offers states assistance in improving and reforming their pretrial bail practices. On August 12, 2016, the Board voted for the DMCJA to join the SCJA and Minority and Justice Commission in applying for program assistance. Judge Marinella reported that the first meeting regarding the 3DaysCount Initiative application is Friday, October 7, 2016, from 8:30 a.m. to 12:00 p.m., in Seattle, WA. Judge Marinella invited Board members to attend the meeting and informed that he would attend telephonically. Judges Ahlf and Robertson volunteered to attend the meeting.

**E. JIS Report (RFP Evaluators)**

Mr. Marler provided an update regarding the courts of limited jurisdiction case management system (CLJ-CMS) Project. He stated that on August 26, 2016, the Judicial Information System Committee (JISC) authorized that request for proposals (RFP) be published to potential Project vendors. The RFPs were based on business requirements promulgated by the CLJ-CMS court user work group (CUWG). Mr. Marler informed that the Project requires DMCJA volunteers to serve as RFP evaluators. The deadline for the CLJ-CMS Steering Committee to receive the names of the DMCJA volunteer evaluators is September 30, 2016. He noted that without judicial participation, the Administrative Office of the Courts would be the sole selector of a vendor, which is not ideal. The goal is for the AOC and DMCJA to work together to obtain a vendor that meets the business and technological needs of the courts of limited jurisdiction. Mr. Marler expressed that there will be two tiers of evaluators, namely, Tier I and Tier II. Tier I participants are needed from December 7, 2016 to January 11, 2017. These judicial volunteers will receive evaluator training and then score the vendors' written responses to the RFP on their own. In contrast, Tier II evaluators are needed from February 9, 2017 to April 28, 2017. Tier II judicial volunteers will receive evaluator training, attend demonstrations, and participate in client on-site visits and evaluations. The Board discussed the time commitment for this vital project and inquired whether the Project could cover the costs of hiring pro tempore judges to hear cases while a judicial volunteer is participating as an evaluator. Mr. Marler stated that regrettably there is no authority for AOC to reimburse pro tem costs for this purpose. The Board, therefore, discussed the possibility of offering funds for pro tempore judges in order to encourage judicial participation in the CLJ-CMS Project. The Board discussed whether to authorize up to fifteen thousand dollars (\$15,000) partial pro tempore coverage for all volunteers upon application.

M/S/P to make the discussion item regarding whether to authorize up to fifteen thousand dollars (\$15,000) partial pro tempore coverage for all volunteers an action item.

**OTHER BUSINESS**

The next DMCJA Board Meeting is October 14, 2016, 12:30 a.m. to 3:30 p.m., in AOC Office, SeaTac.

**ADJOURNED** at approximately 12:00 p.m.

**DMCJA 2016-2017 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	\$1,500.00	\$0.00	\$1,500.00
4 Board Meeting Expense	\$30,000.00	\$6,769.12	\$23,230.88
5 Bookkeeping Expense	\$3,000.00	\$535.00	\$2,465.00
6 Bylaws Committee	\$250.00	\$0.00	\$250.00
7 Conference Calls	\$750.00	\$8.82	\$741.18
8 Conference Committee	\$4,000.00	\$0.00	\$4,000.00
Conference Incidental Fees For Members			
9 Spring Conference 2016	\$40,000.00	\$0.00	\$40,000.00
10 Diversity Committee	\$2,000.00	\$918.55	\$1,081.45
11 DMCJA/SCJA Sentencing Alternatives	\$2,500.00	\$287.20	\$2,212.80
12 DMCMA Liaison	\$500.00	\$0.00	\$500.00
13 DOL Liaison Committee	\$500.00	\$0.00	\$500.00
14 Education Committee	\$14,500.00	\$867.65	\$13,632.35
15 Educational Grants	\$5,000.00	\$0.00	\$5,000.00
16 Education-PJ Conference	\$12,000.00	\$15,000.00	-\$3,000.00
17 Education-Security	\$2,000.00	\$0.00	\$2,000.00
18 Judicial Assistance Committee*	\$14,000.00	\$738.35	\$13,261.65
19 Judicial Community Outreach	\$4,000.00	\$54.00	\$3,946.00
20 Legislative Committee	\$4,000.00	\$604.29	\$3,395.71
21 Legislative Pro-Tem	\$2,500.00	\$42.00	\$2,458.00
22 Lobbyist Contract	\$61,000.00	\$15,249.99	\$45,750.01
23 Lobbyist Expenses	\$1,500.00	\$0.00	\$1,500.00
24 Long-Range Planning Committee	\$1,500.00	\$0.00	\$1,500.00
25 MCA Liaison	\$1,500.00	\$0.00	\$1,500.00
26 National Leadership Grants	\$5,000.00	\$0.00	\$5,000.00
27 Nominating Committee	\$400.00	\$0.00	\$400.00
28 President Expense	\$7,500.00	\$100.00	\$7,400.00
29 Pro Tempore (committee chair approval)	\$10,000.00	\$0.00	\$10,000.00
30 Professional Services	\$15,000.00	\$0.00	\$15,000.00
31 Rules Committee	\$1,000.00	\$21.60	\$978.40
32 SCJA Board Liaison	\$1,000.00	\$54.00	\$946.00
33 Therapeutic Courts	\$3,500.00	\$0.00	\$3,500.00
34 Treasurer Expense and Bonds	\$1,000.00	\$54.00	\$946.00
36 Trial Court Advocacy Board	\$3,000.00	\$0.00	\$3,000.00
37 Uniform Infraction Committee	\$1,000.00	\$0.00	\$1,000.00
<b>TOTAL</b>	<b>\$259,400.00</b>	<b>\$41,304.57</b>	<b>\$218,095.43</b>
<b>TOTAL DEPOSITS MADE</b>	<b>\$0.00</b>		
<b>CREDIT CARD (balance owing)</b>	<b>\$0.00</b>		

\*includes \$7,000 from the SCJA  
Balance as of 09-30-2016

**Christina E Huwe**  
**Pierce County Bookkeeping**  
1504 58<sup>th</sup> Way SE  
Auburn, WA 98092  
Phone (360) 710-5937  
E-Mail: piercecountybookkeeping@comcast.net

SUMMARY OF REPORTS

**WASHINGTON STATE**  
**DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION**

For the Period Ending September 30th, 2016

Please find attached the following reports for you to review:

- Statement of Financial Position
- Monthly Statement of Activities
- Bank Reconciliation Reports
- Transaction Detail Report (year-to-date)
- Current Information

Please contact me if you have any questions in regards to the attached.

**PLEASE BE SURE TO KEEP FOR YOUR RECORDS**

**Washington State DMCJA**  
**Statement of Financial Position**  
As of September 30, 2016

	Sep 30, 16
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Bank of America - Checking	2,223
Bank of America - Savings	11,551
US Bank - Savings	100,698
Washington Federal	45,101
<b>Total Checking/Savings</b>	159,574
<b>Total Current Assets</b>	159,574
<b>Fixed Assets</b>	
Accumulated Depreciation	(492)
Computer Equipment	579
<b>Total Fixed Assets</b>	86
<b>Other Assets</b>	
Prepaid Expenses	27,750
<b>Total Other Assets</b>	27,750
<b>TOTAL ASSETS</b>	<b>187,410</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Equity</b>	
Unrestricted Earnings	(78,605)
Unrestricted Net Assets	305,296
Net Income	(39,281)
<b>Total Equity</b>	187,410
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>187,410</b>

**Washington State DMCJA**  
**Statement of Activities**  
For the Three Months Ending September, 2016

	Jul 16	Aug 16	Sep 16	TOTAL
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest Income	13	13	12	38
Membership Revenue	0	25	0	25
<b>Total Income</b>	<u>13</u>	<u>38</u>	<u>12</u>	<u>63</u>
<b>Gross Profit</b>	13	38	12	63
<b>Expense</b>				
Prior Year Budget Expense	1,975	637	2,398	5,010
4 - Board Meeting Expense	453	2,453	3,863	6,769
5 - Bookkeeping Expense	0	0	535	535
7 - Conference Calls	0	0	9	9
8 - Conference Committee	0	0	0	0
10 - Diversity Committee	0	298	621	919
11 - DMCJA/SCJA Sentencing Alt.	0	0	287	287
14 - Education Committee	0	868	0	868
16 - Education - PJ Confrence	0	0	15,000	15,000
18 - Judicial Assistance Commit	0	(6,700)	438	(6,262)
19 - Judicial Community Outreac	0	0	54	54
20 - Legislative Committee	0	151	453	604
21 - Legislative Pro-Tem	0	42	0	42
22 - Lobbyist Contract	3,083	5,083	7,083	15,250
28 - President Expense	0	0	100	100
31 - Rules Committee	0	22	0	22
32 - SCJA Board Liaison	0	54	0	54
34 - Treasurer Expense and Bond	0	54	0	54
99 - Depreciation Expense	10	10	10	29
<b>Total Expense</b>	<u>5,521</u>	<u>2,971</u>	<u>30,852</u>	<u>39,343</u>
<b>Net Ordinary Income</b>	<u>(5,508)</u>	<u>(2,933)</u>	<u>(30,839)</u>	<u>(39,281)</u>
<b>Net Income</b>	<u>(5,508)</u>	<u>(2,933)</u>	<u>(30,839)</u>	<u>(39,281)</u>

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**Other Information**

10:16 AM

10/03/16

**Washington State DMCJA**  
**Reconciliation Detail**  
**Bank of America - Checking, Period Ending 09/30/2016**

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						18,715.12
<b>Cleared Transactions</b>						
<b>Checks and Payments - 22 items</b>						
Check	08/29/2016	online	Roy Fore	X	-168.48	-168.48
Transfer	08/31/2016			X	-426.62	-595.10
Check	08/31/2016	online	Melanie Stewart	X	-54.00	-649.10
Check	09/02/2016	online	Superior Court Judg...	X	-494.64	-1,143.74
Check	09/02/2016	online	Robert Grim	X	-399.00	-1,542.74
Check	09/07/2016	online	Charles Short	X	-333.67	-1,876.41
Check	09/07/2016	online	Pierce County Book...	X	-150.00	-2,026.41
Check	09/09/2016	online	Administrative Office...	X	-15,000.00	-17,026.41
Check	09/13/2016	online	Melanie Stewart	X	-2,000.00	-19,026.41
Check	09/13/2016	online	Melanie Stewart	X	-2,000.00	-21,026.41
Check	09/20/2016	online	AOC	X	-5,377.44	-26,403.85
Check	09/20/2016	online	Charles Short	X	-388.35	-26,792.20
Check	09/20/2016	online	G. Scott Marinella	X	-339.12	-27,131.32
Check	09/20/2016	online	Karen Donohue	X	-142.52	-27,273.84
Check	09/20/2016	online	Michael J. Lambo	X	-138.52	-27,412.36
Check	09/20/2016	online	Michelle Gehlsen	X	-109.52	-27,521.88
Check	09/20/2016	online	Douglas B. Robinson	X	-91.80	-27,613.68
Check	09/20/2016	online	Wade Samuelson	X	-83.16	-27,696.84
Check	09/20/2016	online	Samuel G. Meyer	X	-54.00	-27,750.84
Check	09/20/2016	online	Joseph Burrowes	X	-41.40	-27,792.24
Check	09/20/2016	online	Linda Coburn	X	-22.00	-27,814.24
Check	09/26/2016	online	Pierce County Book...	X	-385.00	-28,199.24
<b>Total Checks and Payments</b>					-28,199.24	-28,199.24
<b>Deposits and Credits - 2 items</b>						
Transfer	09/13/2016			X	5,000.00	5,000.00
Transfer	09/20/2016			X	7,000.00	12,000.00
<b>Total Deposits and Credits</b>					12,000.00	12,000.00
<b>Total Cleared Transactions</b>					-16,199.24	-16,199.24
<b>Cleared Balance</b>					-16,199.24	2,515.88
<b>Uncleared Transactions</b>						
<b>Checks and Payments - 3 items</b>						
Check	02/11/2014	7276	Douglas Goelz		-84.00	-84.00
Check	09/28/2016	online	Judy Jasprica		-154.52	-238.52
Check	09/28/2016	online	Scott Ahlf		-54.00	-292.52
<b>Total Checks and Payments</b>					-292.52	-292.52
<b>Total Uncleared Transactions</b>					-292.52	-292.52
<b>Register Balance as of 09/30/2016</b>					-16,491.76	2,223.36
<b>Ending Balance</b>					-16,491.76	2,223.36

10:18 AM

10/03/16

**Washington State DMCJA**  
**Reconciliation Detail**  
**Bank of America - Savings, Period Ending 09/30/2016**

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						23,550.31
<b>Cleared Transactions</b>						
<b>Checks and Payments - 2 items</b>						
Transfer	09/13/2016			X	-5,000.00	-5,000.00
Transfer	09/20/2016			X	-7,000.00	-12,000.00
<b>Total Checks and Payments</b>					-12,000.00	-12,000.00
<b>Deposits and Credits - 1 item</b>						
Deposit	09/30/2016			X	0.30	0.30
<b>Total Deposits and Credits</b>					0.30	0.30
<b>Total Cleared Transactions</b>					-11,999.70	-11,999.70
<b>Cleared Balance</b>					-11,999.70	11,550.61
<b>Register Balance as of 09/30/2016</b>					-11,999.70	11,550.61
<b>Ending Balance</b>					-11,999.70	11,550.61

10:11 AM  
10/07/16

**Washington State DMCJA**  
**Reconciliation Detail**  
Washington Federal, Period Ending 09/30/2016

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						45,097.79
Cleared Transactions						
Deposits and Credits - 1 Item						
Deposit	09/30/2016			X	3.70	3.70
Total Deposits and Credits					3.70	3.70
Total Cleared Transactions					3.70	3.70
Cleared Balance					3.70	45,101.49
Register Balance as of 09/30/2016					3.70	45,101.49
Ending Balance					3.70	45,101.49

10:12 AM  
10/07/16

Washington State DMCJA  
Reconciliation Detail  
US Bank - Savings, Period Ending 09/30/2016

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						100,688.80
Cleared Transactions						
Deposits and Credits - 1 Item						
Deposit	09/30/2016			X	8.25	8.25
Total Deposits and Credits					8.25	8.25
Total Cleared Transactions					8.25	8.25
Cleared Balance					8.25	100,698.05
Register Balance as of 09/30/2016					8.25	100,698.05
Ending Balance					8.25	100,698.05

**Washington State DMCJA**  
**Transaction Detail by Account**  
 July through September 2016

Type	Date	Num	Name	Memo	Original Amount	Paid Amount	Balance
<b>Bank of America - Checking</b>							
Deposit	07/01/2016			returned bill pay from 3-1-16	24.84	24.84	24.84
Check	07/19/2016	online	AOC		(205.77)	(205.77)	(180.93)
Check	07/19/2016	online	Melanie Stewart		(2,000.00)	(2,000.00)	(2,180.93)
Check	07/19/2016	online	Michael Lamb		(184.97)	(184.97)	(2,315.90)
Check	07/19/2016	online	AOC	retreat expense	(112.03)	(112.03)	(2,427.93)
Check	08/15/2016	online	David A. Svaran	date 6-5-16 KSOY9-WBSXK	(144.97)	(144.97)	(2,572.90)
Check	08/15/2016	online	Douglas B. Robinson	date 7-18-16 KSOY9-WGKBN	(208.32)	(208.32)	(2,781.22)
Check	08/15/2016	online	G. Scott Marinella	date 7-14-16 KSOY9-WH991	(660.34)	(660.34)	(3,441.55)
Check	08/15/2016	online	Michael Finkle	date 7-14-16 KSOY9-WHTF8	(74.04)	(74.04)	(3,515.60)
Check	08/15/2016	online	Melanie Stewart	July 7-6-16 invoice 4336 Services KSOY9-WH...	(2,000.00)	(2,000.00)	(5,515.60)
Check	08/15/2016	online	Michelle Gehlsen	7-29-16 KSOY9-WHTF8	(81.00)	(81.00)	(5,596.60)
Check	08/15/2016	online	Ingallina's Box Lunch	7-19-16 KSOY9-WHG7Q	(271.56)	(271.56)	(5,868.16)
Check	08/15/2016	online	The Deli	7-19-16	(26.12)	(26.12)	(5,894.28)
Check	08/15/2016	online	Susanna Kanther	April & May KSOY9-WJCPQ	(600.00)	(600.00)	(6,494.28)
Check	08/16/2016	online	Dino W Traverso, PLLC	6/30/16 invoice 10833 for work ending on 6/30/...	(875.00)	(875.00)	(7,369.28)
Check	08/17/2016	online	Ingallina's Box Lunch	K97D9-2N7Y8	(537.59)	(537.59)	(7,906.87)
Check	08/17/2016	online	Susanna Kanther	June Invoice K57C-RXJV50	(300.00)	(300.00)	(8,206.87)
Check	08/18/2016	online	Rick Leo	KSOY9-WJ74G	(103.52)	(103.52)	(8,310.39)
Deposit	08/22/2016			Deposit	8,283.28	8,283.28	(27.11)
Check	08/22/2016	online	Joseph Burrows	KRSR-J-KF1ZH	(63.40)	(63.40)	(90.51)
Check	08/22/2016	online	Michelle Gehlsen		(24.84)	(24.84)	(115.35)
Check	08/22/2016	online	Samuel G. Meyer	KRSR-J-KJXJC	(54.00)	(54.00)	(169.35)
Check	08/22/2016	online	Scott Ahlf	KRSR-J-KK4TR	(162.00)	(162.00)	(331.35)
Check	08/22/2016	online	Kevin Ringus	KSRT1-8P9K2	(21.60)	(21.60)	(352.95)
Check	08/22/2016	online	Tracy A. Staab	KSRTG-D21GW	(153.90)	(153.90)	(506.85)
Check	08/22/2016	online	Douglas B. Robinson	KSRTS-37JSC	(96.00)	(96.00)	(602.85)
Check	08/22/2016	online	Michael Finkle	KSRTS-37JSC	(18.38)	(18.38)	(621.21)
Check	08/22/2016	online	G. Scott Marinella	KSRTZ-20KTN	(79.20)	(79.20)	(700.41)
Check	08/22/2016	online	David A. Steiner	KSRV3-7XM21	(16.74)	(16.74)	(717.15)
Check	08/22/2016	online	Susanna Kanther	KSRV7-5R51D July Invoice	(300.00)	(300.00)	(1,017.15)
Check	08/22/2016	online	Franklin L. Dacco	KSRTB-L4482	(21.60)	(21.60)	(1,038.75)
Check	08/22/2016	online	Karen Donohue	KSRTB-L50CF	(21.60)	(21.60)	(1,060.35)
Check	08/22/2016	online	Mary C. Logan	KSRTB-L56Y6	(18.64)	(18.64)	(1,078.99)
Check	08/22/2016	online	Michael J. Lamb	KSRTB-L5DTH	(25.92)	(25.92)	(1,104.91)
Check	08/22/2016	online	Rick Leo	KSRTB-L5P19	(24.18)	(24.18)	(1,129.09)
Check	08/26/2016	online	Mary C. Logan	KT540-M43TH	(42.00)	(42.00)	(1,171.09)
Check	08/26/2016	online	Ingallina's Box Lunch	KT53X-0C0D4	(238.76)	(238.76)	(1,409.85)
Check	08/26/2016	online	Lisa O'Toole	KT54D-4JR8Z	(12.74)	(12.74)	(1,422.59)
Check	08/26/2016	online	Scott Stewart	KT54M-KPYG8	(14.04)	(14.04)	(1,436.63)
Check	08/26/2016	online	Timothy Jenkins	KT54V-902HK	(9.72)	(9.72)	(1,446.35)
Check	08/26/2016	online	Kevin McCann	KT54X-K8CDO	(16.20)	(16.20)	(1,462.55)
Check	08/26/2016	online	Karen Donohue	KT558-J07Q5	(21.60)	(21.60)	(1,484.15)
Check	08/26/2016	online	Kelley Owell	KT545-9FK15	(172.80)	(172.80)	(1,656.95)
Check	08/29/2016	online	Roy Fore	KT66F-436W9	(168.48)	(168.48)	(1,825.43)
Transfer	08/31/2016			Credit Card Payment KTW3D-1BGVJ	(426.62)	(426.62)	(2,252.05)
Check	08/31/2016	online	Melanie Stewart		(54.00)	(54.00)	(2,306.05)
Check	09/02/2016	online	Robert Grim	KV5GL-42DJ3	(399.00)	(399.00)	(2,705.05)
Check	09/02/2016	online	Superior Court Judges Association	KTRXS-KJLFY	(494.64)	(494.64)	(3,199.69)
Check	09/07/2016	online	Charles Short	KVC5X-D2JT5	(333.67)	(333.67)	(3,533.36)
Check	09/09/2016	online	Pierce County Bookkeeping	July Invoice KVBPB-SFVCZ	(150.00)	(150.00)	(3,683.36)
Check	09/09/2016	online	Administrative Office of the Courts	Presiding Judges' Conference	(15,000.00)	(15,000.00)	(18,683.36)
Check	09/13/2016	online	Melanie Stewart	KW1VM-BWC66	(2,000.00)	(2,000.00)	(20,683.36)
Transfer	09/13/2016			Funds Transfer	5,000.00	5,000.00	(15,683.36)
Check	09/13/2016	online	Melanie Stewart	September Invoice 4364 KW4YK-T7NN7	(2,000.00)	(2,000.00)	(17,683.36)
Check	09/20/2016	online	Joseph Burrows	: KWP5K-2VX09	(41.40)	(41.40)	(17,724.76)
Check	09/20/2016	online	Samuel G. Meyer	KWP6K-GMKZM	(54.00)	(54.00)	(17,778.76)
Check	09/20/2016	online	Douglas B. Robinson	KWP6W-2ZS JL	(91.80)	(91.80)	(17,870.56)
Check	09/20/2016	online	G. Scott Marinella	KWS9C-KQW43	(339.12)	(339.12)	(18,209.68)
Check	09/20/2016	online	Karen Donohue	KWS3L-XTF63	(142.52)	(142.52)	(18,352.20)
Check	09/20/2016	online	Wade Samuelson	KWS3S-26ROW	(83.16)	(83.16)	(18,435.36)
Check	09/20/2016	online	Charles Short	KWS3Z-WG1NC	(388.35)	(388.35)	(18,823.71)
Check	09/20/2016	online	Michelle Gehlsen	KWS46-H0FD3	(109.52)	(109.52)	(18,933.23)
Check	09/20/2016	online	Michael J. Lamb	KWS4C-86NG3	(138.52)	(138.52)	(19,071.75)
Check	09/20/2016	online	AOC	KWSBR-W30F3	(5,377.44)	(5,377.44)	(24,449.19)
Transfer	09/20/2016			Funds Transfer Confirmation Number 3547532...	7,000.00	7,000.00	(17,449.19)
Check	09/20/2016	online	Linda Coburn	KVX0G-F8TDB	(22.00)	(22.00)	(17,471.19)
Check	09/26/2016	online	Pierce County Bookkeeping	August Invoice KWQB0-B7YC3	(385.00)	(385.00)	(17,856.19)
Check	09/28/2016	online	Judy Jasprica	KXGX6-W7WVC	(154.52)	(154.52)	(18,010.71)
Check	09/28/2016	online	Scott Ahlf	KXGXJ-H8178	(54.00)	(54.00)	(18,064.71)
<b>Total Bank of America - Checking</b>						<b>(18,064.71)</b>	<b>(18,064.71)</b>
<b>Bank of America - Savings</b>							
Deposit	07/31/2016			Interest	0.40	0.40	0.40
Deposit	08/31/2016			Interest	0.40	0.40	0.80
Transfer	09/13/2016			Funds Transfer	(5,000.00)	(5,000.00)	(4,999.20)
Transfer	09/20/2016			Funds Transfer Confirmation Number 3547532...	(7,000.00)	(7,000.00)	(11,999.20)
Deposit	09/30/2016			Interest	0.30	0.30	(11,998.90)
<b>Total Bank of America - Savings</b>						<b>(11,998.90)</b>	<b>(11,998.90)</b>

**Washington State DMCJA**  
**Transaction Detail by Account**  
 July through September 2016

Type	Date	Num	Name	Memo	Original Amount	Paid Amount	Balance
<b>US Bank - Savings</b>							
Deposit	07/31/2016			Interest	8.52	8.52	8.52
Deposit	08/31/2016			Interest	8.52	8.52	17.04
Deposit	09/30/2016			Interest	8.25	8.25	25.29
<b>Total US Bank - Savings</b>						25.29	25.29
<b>Washington Federal</b>							
Deposit	07/31/2016			Interest	3.82	3.82	3.82
Deposit	08/22/2016			Deposit	25.00	25.00	28.82
Deposit	08/31/2016			Interest	3.82	3.82	32.64
Deposit	09/30/2016			Interest	3.70	3.70	36.34
<b>Total Washington Federal</b>						36.34	36.34
<b>Accumulated Depreciation</b>							
General ...	07/31/2016				(9.58)	(9.58)	(9.58)
General ...	08/31/2016				(9.58)	(9.58)	(19.16)
General ...	09/30/2016	CEH			(9.58)	(9.58)	(28.74)
<b>Total Accumulated Depreciation</b>						(28.74)	(28.74)
<b>Prepaid Expenses</b>							
General ...	07/31/2016			1/12 of Contract	(3,083.33)	(3,083.33)	(3,083.33)
General ...	08/31/2016			1/12 of Contract	(3,083.33)	(3,083.33)	(6,166.66)
General ...	09/30/2016	CEH		1/12 of Contract	(3,083.33)	(3,083.33)	(9,249.99)
<b>Total Prepaid Expenses</b>						(9,249.99)	(9,249.99)
<b>Bank of America C. C.</b>							
Credit C...	08/15/2016		Coast Gateway	Judge Short	(213.31)	(213.31)	(213.31)
Credit C...	08/19/2016		Coast Gateway	Judge Short	(213.31)	(213.31)	(426.62)
Transfer	08/31/2016			Funds Transfer	426.62	426.62	0.00
<b>Total Bank of America C. C.</b>						0.00	0.00
<b>Interest Income</b>							
Deposit	07/31/2016			Interest	(6.52)	(6.52)	(6.52)
Deposit	07/31/2016			Interest	(3.82)	(3.82)	(12.34)
Deposit	07/31/2016			Interest	(0.40)	(0.40)	(12.74)
Deposit	08/31/2016			Interest	(0.40)	(0.40)	(13.14)
Deposit	08/31/2016			Interest	(8.52)	(8.52)	(21.66)
Deposit	08/31/2016			Interest	(3.82)	(3.82)	(25.48)
Deposit	08/31/2016			Interest	(0.30)	(0.30)	(25.78)
Deposit	09/30/2016			Interest	(3.70)	(3.70)	(29.48)
Deposit	09/30/2016			Interest	(8.25)	(8.25)	(37.73)
<b>Total Interest Income</b>						(37.73)	(37.73)
<b>Membership Revenue</b>							
Deposit	08/22/2016		Victoria Meadows	special fund	(25.00)	(25.00)	(25.00)
<b>Total Membership Revenue</b>						(25.00)	(25.00)
<b>Prior Year Budget Expense</b>							
Deposit	07/31/2016			returned bill pay from 3-1-16	(24.84)	(24.84)	(24.84)
Check	07/19/2016	online	Michelle Gehlsen	June (prior budget expense)	2,000.00	2,000.00	1,975.16
Check	08/15/2016	online	Melanie Stewart	date 6-5-16 KS0Y9-WB9XX	144.97	144.97	2,120.13
Check	08/15/2016	online	David A. Svaren	April & May KS0Y9-WJCPD	800.00	800.00	2,720.13
Check	08/15/2016	online	Susanna Kanther	6/30/16 invoice 10693 for work ending on 6/30/...	875.00	875.00	3,595.13
Check	08/15/2016	online	Dino W Traverso, PLLC	June Invoices KS7CX-RJV50	300.00	300.00	3,895.13
Check	08/17/2016	online	Susanna Kanther	From the SCJA (refund of DMCJA remaining fu...	(1,283.28)	(1,283.28)	2,611.85
Deposit	08/22/2016	10751	Superior Court Judges Association	KTRXS-KJLFY	494.64	494.64	3,106.49
Check	09/02/2016	online	Superior Court Judges Association	KWSBR-W30F3	1,903.64	1,903.64	5,010.13
Check	09/20/2016	online	AOC				5,010.13
<b>Total Prior Year Budget Expense</b>						5,010.13	5,010.13
<b>4 - Board Meeting Expense</b>							
Check	07/19/2016	online	AOC		205.77	205.77	205.77
Check	07/19/2016	online	Michael Lambo		134.97	134.97	340.74
Check	07/19/2016	online	AOC	retreat expense	112.03	112.03	452.77
Check	08/15/2016	online	Douglas B. Robinson	date 7-18-16 KS0Y9-WGKBN	208.32	208.32	661.09
Check	08/15/2016	online	G. Scott Marinella	date 7-14-16 KS0Y9-WH9F1	600.34	600.34	1,261.43
Check	08/15/2016	online	Michael Finkle	date 7-14-16 KS0Y9-WHTF6	74.04	74.04	1,335.47
Check	08/15/2016	online	Michelle Gehlsen	7-28-16 KS0Y9-WHTF6	81.00	81.00	1,416.47
Credit C...	08/15/2016		Coast Gateway	Judge Short	213.31	213.31	1,629.78
Check	08/17/2016	online	Ingallina's Box Lunch	KS7D8-2N7Y8	440.30	440.30	2,070.08
Check	08/18/2016	online	Rick Leo	KS0Y0-WJ74G	103.62	103.62	2,173.70
Check	08/22/2016	online	Joseph Burrowes	KSR5J-KF12H	25.20	25.20	2,198.90
Check	08/22/2016	online	Joseph Burrowes	KSR5J-KF12H	38.20	38.20	2,237.10
Check	08/22/2016	online	Michelle Gehlsen		24.84	24.84	2,261.94
Check	08/22/2016	online	Samuel G. Meyer	KSR6J-KJXJC	54.00	54.00	2,315.94
Check	08/22/2016	online	Scott Ahlf	KSR5J-KK4TR	54.00	54.00	2,369.94
Check	08/22/2016	online	Kevin Ringus	KSRT1-BP9K2	21.80	21.80	2,391.74
Check	08/22/2016	online	Tracy A. Steab	KSR5G-D21GW	153.90	153.90	2,545.64
Check	08/22/2016	online	Douglas B. Robinson	KSRT5-37JSC	96.00	96.00	2,641.64
Check	08/22/2016	online	Michael Finkle	KSRT5-37JSC	18.36	18.36	2,659.99
Check	08/22/2016	online	G. Scott Marinella	KSRTZ-Z0KTN	79.20	79.20	2,739.19

**Washington State DMCJA  
Transaction Detail by Account  
July through September 2016**

Type	Date	Num	Name	Memo	Original Amount	Paid Amount	Balance
Check	08/22/2016	online	David A. Steiner	KSRV3-7XM21	16.74	16.74	2,815.84
Check	08/22/2016	online	Karen Donohue	KSRTB-L50CF	21.60	21.60	2,837.24
Check	09/22/2016	online	Mary C. Logan	KSRTB-L56Y6	18.64	18.64	2,855.88
Check	08/22/2016	online	Michael J. Lambro	KSRTB-L5DTH	25.92	25.92	2,881.80
Check	08/22/2016	online	Rick Lee	KSRTB-L5P19	24.18	24.18	2,905.98
Check	09/20/2016	online	Joseph Burrowes	: KWP6K-2VX09	41.40	41.40	2,947.38
Check	09/20/2016	online	Douglas B. Robinson	KWP6W-2ZSJL	91.80	91.80	3,039.18
Check	09/20/2016	online	G. Scott Marinelle	KWS3C-KQWH3	239.12	239.12	3,278.30
Check	09/20/2016	online	Karen Donohue	KWS3L-XTF63	142.52	142.52	3,420.82
Check	09/20/2016	online	Wade Samuelson	KWS3S-26R0W	83.16	83.16	3,503.98
Check	09/20/2016	online	Charles Short	KWS3Z-WG1NC	388.35	388.35	3,892.33
Check	09/20/2016	online	Michelle Gehlsen	KWS46-H0FDB	109.52	109.52	4,001.85
Check	09/20/2016	online	Michael J. Lambro	KWS4C-86NG3	138.52	138.52	4,140.37
Check	09/20/2016	online	AOC	KWSBR-W30F3	2,452.23	2,452.23	6,592.60
Check	09/20/2016	online	Linda Coburn	KWX0G-F9TDB	22.00	22.00	6,614.60
Check	09/28/2016	online	Judy Jasprica	KXGX6-W7WVC	154.52	154.52	6,769.12
<b>Total 4 - Board Meeting Expense</b>						<b>6,769.12</b>	<b>6,769.12</b>
<b>5 - Bookkeeping Expense</b>							
Check	09/07/2016	online	Pierce County Bookkeeping	July Invoice KV8PR-SFVCZ	150.00	150.00	150.00
Check	09/26/2016	online	Pierce County Bookkeeping	KWQB0-B7YC3	385.00	385.00	535.00
<b>Total 5 - Bookkeeping Expense</b>						<b>535.00</b>	<b>535.00</b>
<b>7 - Conference Calls</b>							
Check	09/20/2016	online	AOC	KWSBR-W30F3	8.82	8.82	8.82
<b>Total 7 - Conference Calls</b>						<b>8.82</b>	<b>8.82</b>
<b>8 - Conference Committee</b>							
Check	09/20/2016	online	AOC	KWSBR-W30F3	0.00	0.00	0.00
<b>Total 8 - Conference Committee</b>						<b>0.00</b>	<b>0.00</b>
<b>10 - Diversity Committee</b>							
Check	08/15/2016	online	Ingallina's Box Lunch	7-19-16 KS0Y9-WHG7Q	271.56	271.56	271.56
Check	08/15/2016	online	The Dell	7-19-16	28.12	28.12	297.68
Check	09/07/2016	online	Charles Short	KVCSX-D2JT5	333.67	333.67	631.35
Check	09/20/2016	online	AOC	KWSBR-W30F3	287.20	287.20	918.55
<b>Total 10 - Diversity Committee</b>						<b>918.55</b>	<b>918.55</b>
<b>11 - DMCJA/SCJA Sentencing Alt.</b>							
Check	09/20/2016	online	AOC	KWSBR-W30F3	287.20	287.20	287.20
<b>Total 11 - DMCJA/SCJA Sentencing Alt.</b>						<b>287.20</b>	<b>287.20</b>
<b>14 - Education Committee</b>							
Credit C...	08/19/2016		Coast Gateway	Judge Short	213.31	213.31	213.31
Check	08/26/2016	online	Ingallina's Box Lunch	invoice 01-314026	31.87	31.87	245.28
Check	08/26/2016	online	Ingallina's Box Lunch	invoice 01-314025	206.79	206.79	452.07
Check	08/26/2016	online	Lisa O'Toole	KT54D-4JR8Z	12.74	12.74	464.81
Check	08/26/2016	online	Scott Stewart	KT54M-KPYG8	14.04	14.04	478.85
Check	08/26/2016	online	Timothy Jenkins	KT54V-902HK	9.72	9.72	488.57
Check	08/26/2016	online	Kevin McCann	KT54X-K8CD0	16.20	16.20	504.77
Check	08/26/2016	online	Karen Donohue	KT558-J07Q5	21.60	21.60	526.37
Check	08/26/2016	online	Kelley Howell	KT545-9FK15	172.80	172.80	699.17
Check	08/29/2016	online	Roy Fore	KTG6F-436W9	168.48	168.48	867.65
<b>Total 14 - Education Committee</b>						<b>867.65</b>	<b>867.65</b>
<b>16 - Education - PJ Conference</b>							
Check	09/09/2016	online	Administrative Office of the Courts	KVLD4-BYG7H	15,000.00	15,000.00	15,000.00
<b>Total 16 - Education - PJ Conference</b>						<b>15,000.00</b>	<b>15,000.00</b>
<b>18 - Judicial Assistance Commit</b>							
Deposit	09/22/2016	10753	Superior Court Judges Association	SCJA's 2016-2017 JASP contribution	(7,000.00)	(7,000.00)	(7,000.00)
Check	09/22/2016	online	Susanna Kanther	KSRV7-5RS1D July	300.00	300.00	(8,700.00)
Check	09/20/2016	online	AOC	KWSBR-W30F3	438.35	438.35	(8,281.65)
<b>Total 18 - Judicial Assistance Commit</b>						<b>(6,281.65)</b>	<b>(6,281.65)</b>
<b>19 - Judicial Community Outreach</b>							
Check	09/28/2016	online	Scott Ahlf	KXGXJ-H8175	54.00	54.00	54.00
<b>Total 19 - Judicial Community Outreach</b>						<b>54.00</b>	<b>54.00</b>
<b>20 - Legislative Committee</b>							
Check	08/17/2016	online	Ingallina's Box Lunch	8-11-16 KS7D9-2N7Y8	97.29	97.29	97.29
Check	08/31/2016	online	Melanie Stewart	KTW3M-8JBJKN	54.00	54.00	161.29
Check	09/02/2016	online	Robert Grim	KV5GL-42DJ3	399.00	399.00	560.29
Check	09/20/2016	online	Samuel G. Meyer	KWP6K-GMKZM	54.00	54.00	604.29
<b>Total 20 - Legislative Committee</b>						<b>604.29</b>	<b>604.29</b>

**Washington State DMCJA  
Transaction Detail by Account  
July through September 2016**

Type	Date	Num	Name	Memo	Original Amount	Paid Amount	Balance
<b>21 - Legislative Pro-Tem</b>							
Check	08/29/2016	online	Mary C. Logan	KT540-M43TH	42.00	42.00	42.00
Total 21 - Legislative Pro-Tem						42.00	42.00
<b>22 - Lobbyist Contract</b>							
General ...	07/31/2016			1/12 of Contract	3,083.33	3,083.33	3,083.33
Check	08/15/2016	online	Melanie Stewart	July 7-8-16 invoice 4336 Services KSOY8-WH...	2,000.00	2,000.00	5,083.33
General ...	08/31/2016			1/12 of Contract	3,083.33	3,083.33	8,166.66
Check	09/13/2016	online	Melanie Stewart	August invoice 4344	2,000.00	2,000.00	10,166.66
Check	09/13/2016	online	Melanie Stewart	September invoice 4364 KW4YK-T7NN7	2,000.00	2,000.00	12,166.66
General ...	09/30/2016	CEH		1/12 of Contract	3,083.33	3,083.33	15,249.99
Total 22 - Lobbyist Contract						15,249.99	15,249.99
<b>28 - President Expense</b>							
Check	09/20/2016	online	G. Scott Marinella	KWS3C-KQWH3	100.00	100.00	100.00
Total 28 - President Expense						100.00	100.00
<b>31 - Rules Committee</b>							
Check	08/22/2016	online	Franklin L. Dacca	KSRTB-L4482	21.60	21.60	21.60
Total 31 - Rules Committee						21.60	21.60
<b>32 - SCJA Board Liaison</b>							
Check	08/22/2016	online	Scott Ahlf	KSR SJ-KK4TR	54.00	54.00	54.00
Total 32 - SCJA Board Liaison						54.00	54.00
<b>34 - Treasurer Expense and Bond</b>							
Check	08/22/2016	online	Scott Ahlf	KSR SJ-KK4TR	54.00	54.00	54.00
Total 34 - Treasurer Expense and Bond						54.00	54.00
<b>99 - Depreciation Expense</b>							
General ...	07/31/2016				9.58	9.58	9.58
General ...	08/31/2016				9.58	9.58	19.16
General ...	09/30/2016	CEH			9.58	9.58	28.74
Total 99 - Depreciation Expense						28.74	28.74
<b>TOTAL</b>						<b>0.00</b>	<b>0.00</b>

# DISCUSSION

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**RCW 43.43.754**

**DNA identification system—Biological samples—Collection, use, testing—Scope and application of section.**

- (1) A biological sample must be collected for purposes of DNA identification analysis from:
- (a) Every adult or juvenile individual convicted of a felony, or any of the following crimes (or equivalent juvenile or municipal offenses):
- Assault in the fourth degree with sexual motivation (RCW 9A.36.041, 9.94A.835)
  - Communication with a minor for immoral purposes (RCW 9.68A.090)
  - Custodial sexual misconduct in the second degree (RCW 9A.44.170)
  - Failure to register (\*RCW 9A.44.130 for persons convicted on or before June 10, 2010, and RCW 9A.44.132 for persons convicted after June 10, 2010)
  - Harassment (RCW 9A.46.020)
  - Patronizing a prostitute (RCW 9A.88.110)
  - Sexual misconduct with a minor in the second degree (RCW 9A.44.096)
  - Stalking (RCW 9A.46.110)
  - Violation of a sexual assault protection order granted under chapter 7.90 RCW; and
- (b) Every adult or juvenile individual who is required to register under RCW 9A.44.130.
- (2) If the Washington state patrol crime laboratory already has a DNA sample from an individual for a qualifying offense, a subsequent submission is not required to be submitted.
- (3) Biological samples shall be collected in the following manner:
- (a) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense who do not serve a term of confinement in a department of corrections facility, and do serve a term of confinement in a city or county jail facility, the city or county shall be responsible for obtaining the biological samples.
- (b) The local police department or sheriff's office shall be responsible for obtaining the biological samples for:
- (i) Persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense who do not serve a term of confinement in a department of corrections facility, and do not serve a term of confinement in a city or county jail facility; and
  - (ii) Persons who are required to register under RCW 9A.44.130.
- (c) For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who are serving or who are to serve a term of confinement in a department of corrections facility or a department of social and health services facility, the facility holding the person shall be responsible for obtaining the biological samples. For those persons incarcerated before June 12, 2008, who have not yet had a biological sample collected, priority shall be given to those persons who will be released the soonest.
- (4) Any biological sample taken pursuant to RCW 43.43.752 through 43.43.758 may be retained by the forensic laboratory services bureau, and shall be used solely for the purpose of providing DNA or other tests for identification analysis and prosecution of a criminal offense or for the identification of human remains or missing persons. Nothing in this section prohibits the submission of results derived from the biological samples to the federal bureau of investigation combined DNA index system.
- (5) The forensic laboratory services bureau of the Washington state patrol is responsible for testing performed on all biological samples that are collected under subsection (1) of this section, to the extent allowed by funding available for this purpose. The director shall give priority to testing on samples collected from those adults or juveniles convicted of a felony or adjudicated

guilty of an equivalent juvenile offense that is defined as a sex offense or a violent offense in RCW 9A.030. Known duplicate samples may be excluded from testing unless testing is deemed necessary or advisable by the director.

(6) This section applies to:

(a) All adults and juveniles to whom this section applied prior to June 12, 2008;

(b) All adults and juveniles to whom this section did not apply prior to June 12, 2008, who:

(i) Are convicted on or after June 12, 2008, of an offense listed in subsection (1)(a) of this section; or

(ii) Were convicted prior to June 12, 2008, of an offense listed in subsection (1)(a) of this section and are still incarcerated on or after June 12, 2008; and

(c) All adults and juveniles who are required to register under RCW 9A.44.130 on or after June 12, 2008, whether convicted before, on, or after June 12, 2008.

(7) This section creates no rights in a third person. No cause of action may be brought based upon the noncollection or nonanalysis or the delayed collection or analysis of a biological sample authorized to be taken under RCW 43.43.752 through 43.43.758.

(8) The detention, arrest, or conviction of a person based upon a database match or database information is not invalidated if it is determined that the sample was obtained or placed in the database by mistake, or if the conviction or juvenile adjudication that resulted in the collection of the biological sample was subsequently vacated or otherwise altered in any future proceeding including but not limited to posttrial or postfact-finding motions, appeals, or collateral attacks.

(9) A person commits the crime of refusal to provide DNA if the person has a duty to register under RCW 9A.44.130 and the person willfully refuses to comply with a legal request for a DNA sample as required under this section. The refusal to provide DNA is a gross misdemeanor.

[2015 c 261 § 10; 2008 c 97 § 2; 2002 c 289 § 2; 1999 c 329 § 2; 1994 c 271 § 402; 1990 c 230 § 3; 1989 c 350 § 4.]

**RCW 26.04.050**

**Who may solemnize.**

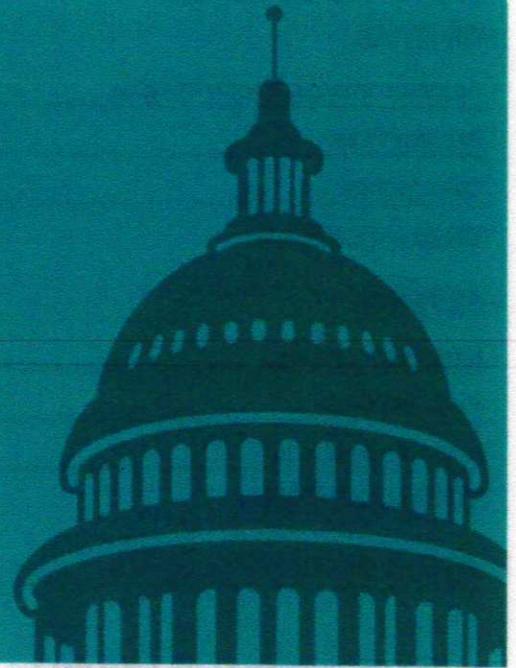
The following named officers and persons, active or retired, are hereby authorized to solemnize marriages, to wit: Justices of the supreme court, judges of the court of appeals, judges of the superior courts, supreme court commissioners, court of appeals commissioners, superior court commissioners, any regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any religious organization, and judges **and commissioners** of courts of limited jurisdiction as defined in RCW 3.02.010.

[2012 c 3 § 4 (Referendum Measure No. 74, approved November 6, 2012); 2007 c 29 § 1; 1987 c 291 § 1; 1984 c 258 § 95; 1983 c 186 § 1; 1971 c 81 § 69; 1913 c 35 § 1; 1890 p 98 § 1; 1883 p 43 § 1; Code 1881 § 2382; 1866 p 82 § 4; 1854 p 404 § 4; RRS § 8441.]



# ENGAGED INFORMED CITIZENSHIP

## YOUTH & GOVERNMENT 2015-2016 IMPACT REPORT



### LEADERSHIP MESSAGE

Thank you for joining our cause! With funding from our generous donors and incredible support from our committed volunteers, we served more than 1,150 Washington teens this year, and convened the largest Youth Legislature session in 20 years! For the first time, middle school students presented a trial during our statewide Mock Trial tournament, prompting us to explore additional opportunities for middle schoolers in 2017. On the national level, 18 Washington students represented our state at the YMCA Conference on National Affairs and were recognized as a premier delegation, and Mock Trial teams from our state placed in the top 10 at two separate national competitions.

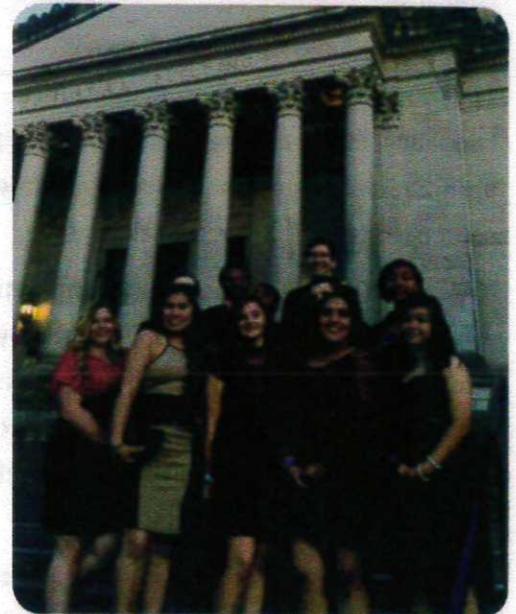
YMCA Youth & Government programs go beyond the mechanics of how a bill becomes law or how a courtroom works. With support from our generous donors, we're teaching democracy to the next generation. Our students learn to serve others, collaborate, and become a force for positive change. They develop critical life skills: seeing various sides of an issue, respecting those with opposing viewpoints, communicating effectively, and compromising to find creative solutions.

Students also gain real-world experiences. This year, we partnered with Governor Jay Inslee and Ys around the state to host a capitol campus walk in support of healthy communities. Two of our students joined others from around the country to advocate for kids and families in Washington DC, while others worked with TVW here in Washington, expanding coverage of our statewide events and hosting a community town hall in Walla Walla.



**Thank you again for being part of this important work.**

David Fisher,  
Youth & Government Board Chair



## 2015 FINANCIALS

### REVENUE

Contributions & Special Events	232,500
Program Fees	188,778
Other Income	44,880
<b>TOTAL REVENUE</b>	<b>\$466,158</b>

### EXPENSE

Employee Expense	239,471
Administration	64,961
Program Expenses	161,726
<b>TOTAL EXPENSES</b>	<b>\$466,158</b>

**2015 ENDOWMENT TOTAL:** **\$299,425**

## IMPACT STORY: GABRIELLA

Gabriella joined the YMCA Youth & Government program through her local Spokane YMCA two years ago. She says the program has helped her build her confidence and practice her public speaking skills.



"A room full of teenagers was intimidating, especially when I was asked to stand up and debate on my very first night," says Gabriella. "I thought I was going to pass out. But the advisors were incredibly encouraging and supportive, and the other teenagers were friendly and welcoming. **From that first night, I was hooked.**"

On her first trip to the Youth Legislature program in Olympia, Gabriella fell in love with the Capitol and politics, learning how your own experiences, and the experiences of others can influence and change opinions.

**"Sometimes my stance on a bill would be changed because of listening to others, and other times I was the one changing people's minds,"** says Gabriella.

She says the program has taught her to be more open-minded, helps her to organize her thoughts, and find her voice.

"You may just see my name on the ballot some day."

## 2015-2016 IMPACT BY THE NUMBERS

### 1,150 STUDENTS

participated in Washington State Youth & Government programs in the 2015-2016 school year.

### 88%

of participants said they **gained confidence in public speaking**



### 90%

of participants said they were **able to better see both sides of an issue**



### 370 VOLUNTEERS

contributed

### 23,000 HOURS

of service

That's nearly

### 4 YEARS

worth of hours!



### \$29,355

in financial aid was distributed to 235

students for regional, statewide, and national programs.





## 2015-2016 YOUTH & GOVERNMENT DONORS

THANK YOU FOR YOUR SUPPORT!

### AMBASSADORS

**\$20,000+**

Microsoft Corporation

### FOUNDERS

**\$5,000 - \$19,999**

Comcast Cable

Lucy Helm

Perkins Coie

Rob Makin

United States District Court,  
Western Division

Washington Judges Foundation

YMCA of Greater Seattle

### BENEFACTORS

**\$2,500 - \$4,999**

BECU

The Boeing Company

CenturyLink

Chehalis Indian Tribe

The Community Foundation of  
South Puget Sound

JP Morgan Chase

Bill Stauffacher

Vulcan

### CHAMPIONS

**\$1,500 - \$2,499**

Jeanne Cushman

David & Terri Fisher

Kevin & Michelle Hamilton

PEMCO Financial Services

Premera Blue Cross

Kurt & Valarie Schmidt

Scott & Cheryl Washburn

Washington District & Municipal  
Court Judges

Bob & Carolyn Wolfe

### ADVOCATES

**\$1,000 - \$1,499**

Bill & Kathleen Collins

Mike Egan

Kelly Evans

Empire Health Foundation

Erica Hallock

Thomas & Lee Hoemann

Norm & Karen Hyatt

Marcia Isenberger

Kenneth Kanikeberg

Les Schwab Tire Centers

Robert & Kim Lewis

Al Ralston

Sanitary Service Company

Dwayne Slate

Starbucks Coffee Company

T.O.D.A.Y. Foundation

Virginia Stout

Paul & Mary Elizabeth Stritmatter

Washington State Association for  
Justice

Washington Federation of State  
Employees

YMCA of Pierce & Kitsap  
Counties

YMCA of Snohomish County

### SUSTAINERS

**\$500 - \$999**

Jillian Barron

Benton Rural Electric Association

Bogard & Johnson LLC

Gail Brown

The Clinton Family

William & Laura Downing

Pat & Susan Dunn

Marta Fowler

Jeff & Candy Havens

Joe Jenkins & Phillip Setran

### SUSTAINERS (CONT.)

Bill & Carole Koenig

Enid & Hondo Layes

John & Sandra McCullough

David M Namura

Pacifica Law Group

Mary Pryor

Amy Steele

South Sound YMCA

Michael Temple

Washington Education  
Association

Matt Wojcik

YMCA of Grays Harbor

### SUPPORTERS

**\$250 - \$499**

Association of Washington  
Business

Jerry Barney

Cheri Brennan & Tom Horsley  
Discovia

Denny Eliason

Stuart & Irene Elway

Fred & Bonnie Finn

Chris & Andrew Foster

Dean & Sharon Foster

Dan Harbaugh

Gary & Leona Huff

Jean Leonard

Dan McGrady

Pam & Rick Panowicz

Sam Reed

Denise Ryser

Rachel Smith-Mosel

Krystal Starwich

Jane Rushford & Thomas  
Trompeter

David Vail

Jane & David Wall

Rich Wallis



## 2015-2016 YOUTH & GOVERNMENT DONORS

THANK YOU FOR YOUR SUPPORT!

### SUPPORTERS (CONT.)

Walla Walla YMCA  
Whatcom Family YMCA  
YMCA of the Inland Northwest

### FRIENDS

#### Up to \$249

Fred & Mary Jane Adair  
Gerry Alexander  
Deborah Barnett  
Charles Bates  
Scott & Cheryloy Beckwith  
Jeff Bowe, Red Lion Olympia  
Catherine Brazil  
Christine Brischle  
Bret Brodersen  
Jane Broeksmit  
Marty Brown & Kate Lykins  
Dudley Brown  
Betty Buckley & Gregg Caudell  
Deborah Carpenter  
Jeanne Chowning  
Donna Christensen  
Kelly Cooper  
Jim Cooper  
Gerald Costello  
Traci Couture  
Dan Crocker  
Cheryl Duryea  
Wayne Ehlers & Patricia Hall  
Kenneth Erickson  
Mary Fairhurst  
Stan Finkelstein  
Brenda & Tom Fitzsimmons  
Holly & Jim Gadbow  
Jacki Gavin  
Sean Graham  
Marjorie & John Gray  
Michael Greer

### FRIENDS (CONT.)

Shane Hamlin  
Arlen Harris  
Norm & Tovi Harris  
Thomas & Margaret Hayward  
Allen Hayward  
Brad Hendrickson & Laura McDowell  
Lauri Hennessey  
Lorraine Hine  
Bill Hochberg  
EJ & Delores Hoemann  
Jim & Peggy Holstine  
Glenn Hudson  
Keith Kauhanen  
Sheri Kelly  
Jeff Kingsbury  
Chris & Liza Koenig  
Leadership Spokane  
Alicia LeVezu  
Lois & Jack Lichstein  
Peter Lieurance  
Susan & Blake Lindskog  
Lacey Lincoln  
Paula Littlewood  
Julien Loh  
Marsha Long  
Terrence Lukens  
Louise Miller  
Bill Montgomery  
Ralph Munro  
Carol Murphy  
Bob & Penny Nerup  
Janelle Nesbit  
Jane Noland  
Olympic Peninsula YMCA  
Cecille Owens  
Frank Pritchard  
Steve Retz  
Richard Roger

### FRIENDS (CONT.)

Eva Rothschild  
Montine Rummel  
Mike & Ann Ryherd  
Ali Scego  
Cheryl Selby  
Liz Setran  
The Simpson Family  
Renee Radcliff Sinclair  
Ron Stead  
Debra Stephens  
Tony Sermonti  
Melanie Stewart & Wayne Williams  
Sherie Story  
Strand Apples  
Lisa Sutton  
Phil Talmadge  
Scott Taylor  
Karl Tegland  
Lisa Thatcher  
Pam Toal  
Vander Yacht Propane, Inc.  
Richard Van Wagenen  
Bill Wegeleben  
James Williams  
Bob Wubben  
Kim Wyman  
Sung Yang  
Cyndi Zechmann



**AGREEMENT BETWEEN**  
**ADMINISTRATIVE OFFICE OF THE COURTS**  
**AND**  
**SUPERIOR COURT JUDGES ASSOCIATION**

This Agreement is made and entered into by and between the Washington State Administrative Office of the Courts (AOC) and the Superior Court Judges Association (SCJA) and ratified by the Washington State Supreme Court.

**PURPOSE**

This document is the Agreement between AOC and the SCJA regarding adding policy analyst positions which are solely designated to provide policy work for the SCJA.

**RESPONSIBILITY OF PARTIES**

Two full-time policy analyst positions will be designated to work on policy priorities determined by the SCJA. All applications for the positions identified in this agreement will be reviewed by SCJA and AOC, unless otherwise agreed. Applicants will be jointly interviewed by AOC and SCJA and selected by SCJA with AOC approval within the existing position classification. AOC shall approve the analyst as long as the candidate meets AOC hiring criteria unless the candidate is legally disqualified or otherwise disqualified, which may include prior documented poor job performance, unsatisfactory references or inability to meet qualifications set forth in the job description which is attached as Appendix A. All reference checks will be done by phone conference with a member of SCJA and AOC participating.

The first policy analyst will assume these duties on November 1, 2016, or as soon as the candidate is selected. A second full-time analyst will be added by July 1, 2017, if new state general funds over the current funding level are provided by the legislature, but no later than July 1, 2018, whether there is additional funding or not. The judicial branch shall submit a request for funds for the second position in the 2017-2019 biennium budget.

AOC also agrees to maintain the current level of support for the SCJA (totaling approximately 2.2 FTE) in the manner in which it is currently provided. This support includes, but is not limited, to administrative support. Administrative support includes arranging meetings and events, preparing agendas, and meeting minutes.

SCJA acknowledges that staff are AOC employees and are "at will". They are subject to all statutes and state rules, as well as policies, procedures and practices of AOC. Policy Analyst work will be directed by SCJA with day-to-day supervision by AOC. AOC will not reassign, redirect, or redeploy the policy analysts without prior consultation and joint approval of SCJA. Additional projects or duties will not be given without written consent of the SCJA.

RCW 41.06.070 exempts positions in the judicial branch of state government from state civil service provisions. Because of this exemption, the AOC cannot transfer employment termination approval to another entity or group. However, AOC agrees not to terminate the policy analyst(s) without conferring with the SCJA unless there is an immediate issue due to safety, security, or other emergent issues. For any other matters including, but not limited to,

lack of performance, budget reductions or personnel issues, the AOC will confer with the SCJA to expeditiously resolve the matter.

In return, SCJA agrees that it will not advance or support in any way legislation or budget provisions that would create an Office of the Superior Courts, for the term of this agreement. SCJA further agrees to work with AOC and Board for Judicial Administration to publicly oppose any legislation or budget provisions that would have a similar effect.

The SCJA and AOC agree that the SCJA will take the same proportional share of any budget reduction imposed on AOC.

SCJA will designate a judge to work with AOC to look for opportunities to clarify, streamline and consolidate support services for SCJA's committees and policy/planning efforts.

SCJA will also designate a judge to work with AOC and leadership from the other court levels to investigate ways to improve state support for policy analysis and planning efforts on behalf of Washington courts and develop potential funding proposals within the auspices of the Board for Judicial Administration and the Washington Supreme Court.

#### **PERIOD OF PERFORMANCE**

The term of this Agreement will be six years from the date of signing. This Agreement is renewable. If either party chooses not to renew this Agreement then a written notice of Intent Not to Renew shall be given to the other party no later than one year prior to the expiration of this Agreement.

The parties agree that this Agreement will be reviewed every two years to determine whether staffing is sufficient.

Members designated by SCJA and AOC will meet annually to discuss job performance and any issues that need to be resolved. If any issues are a matter of concern between the annual reviews, the SCJA or AOC will immediately notify the other party to resolve the matter.

#### **DISPUTE RESOLUTION**

Should a dispute occur, the parties will meet and confer. If a disagreement still exists, then both sides will agree upon a third party dispute resolution method to resolve the dispute.

#### **RATIFICATION**

This Agreement has no force and effect unless and until ratified by the Washington State Supreme Court.

#### **ENTIRE AGREEMENT**

This Agreement including Appendix A represents all the terms and conditions agreed upon by the parties. No other understandings or representations, oral or otherwise, regarding the subject matter of this Agreement will be deemed to exist or to bind any of the parties hereto.

#### **CONFORMANCE**

If any provision of this Agreement violates any statute or rule of law of the State of Washington, it is considered modified to conform to that statute or rule of law.

**THIS AGREEMENT** is executed by the persons signing below who warrant that they have the authority to execute the Agreement.

**Administrative Office of the Courts**

**SCJA Executive Committee**

Callie T. Dietz 9/22/16  
Signature Date

Callie T. Dietz  
Name

State Court Administrator  
Title

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_

**Washington State Supreme Court**

Barbara Madsen (only)  
*in my individual* Signature Date 9/22/2016  
*capacity -*

not on behalf of  
the Supreme Court  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_

\_\_\_\_\_  
Signature Date

\_\_\_\_\_

\_\_\_\_\_  
Title

\_\_\_\_\_

\_\_\_\_\_  
Signature Date

\_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_

\_\_\_\_\_  
Title

**Ratified by:**

Charles P. Johnson

Charles K. Wiggins

*Wm. J. ...*

Fairhurst, G.

Stephens, G.

*Wm. J. ...*

John McLeod, J.

Jung, G.



*Administrative Office of the Courts*

**SENIOR COURT PROGRAM ANALYST**

---

**Primary Purpose**

Manages participation of diverse stakeholder groups in development, implementation and evaluation of significant, high-impact changes to judicial programs, court processes, practices, and staffing to improve the efficiency/effectiveness and integrity of court operations as well as enhance consumer experiences and outcomes.

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**Distinguishing Characteristics**

This is a senior professional level job that works with minimal supervision and applies independent judgment and decision making on complex, and highly technical, major projects. May supervise/review the work of other professional staff and support staff.

---

**Duties and Responsibilities**

Plans, implements, monitors and evaluates court program components involving significant impact on judicial programs, including completion of complex or highly technical major projects and objectives.

Manages inter-jurisdictional, comprehensive programs and/or complex/highly technical major projects. Designs and analyzes alternative management techniques and estimates the statewide impact of implementing proposed change(s). Completes research, assessments, and provides recommendations to a designated Manager or Executive.

Provides information, assessment, consultation, support and recommendations to AOC, courts, associations and boards and commissions within major operational areas (i.e., personnel management, contracting, performance management, budget development, court service delivery and/or judicial system policy and procedure) to achieve consistent, efficient, and effective programs and operations.

Analyzes and evaluates proposed legislation and its probable impact upon project and program goals; prepares briefs on proposed legislation.

May supervise the work of other professional staff and support staff.

Performs other duties as assigned.

---

AD  
CTD

## **Key Competencies**

### **Agency values:**

- Integrity
- Honesty
- Accountability
- Teamwork
- Trust
- Respect
- Customer Service
- Communication

### **Behavioral Competencies**

- Influencing
- Problem solving
- Planning/organizing
- Consulting
- Relationship building
- Tact/diplomacy

### **Knowledge, Skills and Ability**

- Ability to understand customer expectations and deliver work products meeting those expectations.
- Ability to earn the trust, respect, and confidence of coworkers and customers through consistent honesty, forthrightness and professionalism in all interactions
- Communication skills both orally and in writing
- Ability to form effective goals and achieve them through the use of objectives, timelines, action plans and solutions
- Ability to prioritize and effectively manage time in order to meet productivity standards, deadlines, and work schedules; accepts personal responsibility for the quality and timeliness of work
- Analysis, evaluation, and efficient development of recommendations and options
- Ability to multi-task and effectively work on multiple projects simultaneously
- Knowledge and understanding of the interaction and mission of interested groups, boards, committees & judicial staff regarding services/support provided by AOC
- Knowledge and understanding of the justice system with specific focus on the Washington State court system; laws, procedures, and practices within appellate courts and courts of limited and general jurisdiction; trends in court administration

### **Qualifications and Credentials\***

A Bachelor's degree in court administration, public administration, political science, business administration or closely allied field **AND:**

- Five (5) years of responsible experience in court administration and/or program development, including one (1) year in a supervisory or lead role and/or managing/directing groups or teams.

\*Certain positions may require a law degree in addition to the qualifications above.

Relevant experience may substitute for the required education.

### **SALARY RANGE: 62**

- Workweek may fluctuate depending on workload or agency need.
- Overnight travel may be required based on business need.
- This position is not covered by the Fair Labor Standards Act (FLSA).

10/14-Updated; 03/10-Revised Qualifications; 01/10-Revised Scope, Activities and Competencies; 4/06-New JD Format  
6/05-Revised Include Core Competencies; 2/05-Revised Salary Range; 9/98-Revised Title/Duties/Range; 2/94-Revised

Senior Court Program Analyst - AOC HR - 10/14

