



**DMCJA Board of Governors Meeting**  
**Sunday, June 4, 2017, 9:00 a.m. – 12:00 p.m.**  
**The Davenport Grand Hotel**  
**Spokane, WA**

## MEETING MINUTES

### **Members Present:**

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

### **AOC Staff:**

Ms. Sharon R. Harvey  
Ms. Vicky Cullinane

### **Members Absent:**

Judge Janet Garrow (non-voting)  
Judge Michael Lambo  
Judge Mary Logan (non-voting)  
Judge David Steiner

## **CALL TO ORDER**

Judge 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 9:00 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 Meeting Minutes for May 13, 2017.

### **B. Treasurer's Report**

M/S/P to approve the Treasurer's Report. Judge Meyer informed that the Treasurer's Report is located in the supplemental agenda packet. He reported that he has been unable to contact Dino Traverso, DMCJA accountant, because Mr. Traverso is on vacation. Judge Meyer informed that he will work with the new DMCJA Treasurer regarding an association audit. He then reported that he received a request for reimbursement for an education grant awarded to a DMCJA member. Judge Meyer reported that this Judge requested an increase in education grant funding of approximately nine hundred fifty dollars (\$950). Judge Donohue informed that the request relates to the DMCJA Education Grant that is administered by the DMCJA Education Committee. Judge Meyer inquired whether the Treasurer has the authority to provide an increase in

grant funding, as requested by the DMCJA member. Judge Marinella recommended that Judge Meyer obtain more information regarding the issue and bring the matter back for Board approval of an increase in educational grant funding. Judge Donohue, DMCJA Education Committee Co-Chair, informed that this educational grant funding was provided prior to the end of the DMCJA fiscal year. She also informed that Ms. Stephanie Apgar, AOC Staff for the DMCJA Education Committee, may provide more information regarding the education grant. Judge Donohue requested that the education grant recipient provide Ms. Apgar with program receipts for costs up to one thousand dollars (\$1,000).

#### C. Special Fund Report

M/S/P to approve the Special Fund Report. Judge Robertson reported that approximately nine percent of the association have not paid their Special Fund dues. The deadline for submitting all dues and assessments was May 1, 2017, however, Judge Robertson is still receiving checks from DMCJA members. It was noted that the AOC will flag conference participants who have not paid their dues and inform them of the consequences of not paying dues and assessment fees, such as the inability to vote or join committees.

#### D. Standing Committee Reports

##### 1. *Legislative Committee*

Judge Meyer informed that he is scheduled to provide a comprehensive Legislative Update for the association on Tuesday, June 6, 2017, during the annual spring conference. He then reported that Melanie Stewart, Esq., DMCJA Lobbyist, will not attend the spring conference because she has been ill. Judge Marinella requested that Judge Meyer speak with Representative Terry Nealy about the association's legislative agenda. Representative Nealy is scheduled to be the keynote speaker during the annual association luncheon on Monday, June 5, 2017.

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

It was reported that the next TCAB meeting is August 11, 2017. All TCAB meetings will coincide with DMCJA Board meetings, which are typically on the second Friday of each month. The TCAB will focus on the revitalization of Trial Court Improvement Account funds and the Justice in Jeopardy initiative. Judge Marinella reported that he expressed these TCAB focus projects to the Board for Judicial Administration on May 19, 2017.

#### F. Judicial Information Systems (JIS) Report

Ms. Cullinane reported that the courts of limited jurisdiction case management system (CLJ-CMS) Steering Committee is in the process of choosing between two vendors for its new CLJ-CMS. The selection will be based on project evaluator scores. Upon selection, the CLJ-CMS Steering Committee will forward its vendor recommendation to the Judicial Information System Committee (JISC) for a final selection. This final selection is anticipated to occur at the next JISC meeting on June 23, 2017. Ms. Cullinane informed that she and Ms. Lenora Sneva, CLJ-CMS Organizational Change Management Coordinator, are visiting courts and attending judicial and administrator conferences in order to get courts more engaged and informed about the new CLJ-CMS Project. There are now approximately one hundred and fifty (150) people on the Project listserv. Project team members have visited approximately 40 courts this year, and will visit about 40 more this fall to learn about current court business practices and integrations with other systems. The CLJ-CMS court user work group (CUWG) will start meeting again to determine the gap between requirements and the chosen system's functionality.

Judge Robertson inquired whether any modules have prosecutor or defense components. Judge Ahlf, DMCJA Project vendor evaluator, replied that he does not think there are any prosecutor and/or defense components

provided by any of the potential CLJ-CMS vendors. Judge Marinella informed that the data dissemination committee could address this issue. Ms. Cullinane informed that she would obtain an answer to Judge Robertson's question.

## **LIAISON REPORTS**

### **A. Administrative Office of the Courts (AOC)**

Ms. Harvey provided the AOC report on behalf of Ms. Callie Dietz, State Court Administrator. Ms. Harvey informed that Ms. Dietz wanted her to express that the (1) AOC is working on more staff support for the DMCJA, and, (2) she would like to meet with the DMCJA President quarterly with Ms. Harvey to discuss the needs of the DMCJA and how the AOC can provide the best support of the association and its work. The State Court Administrator also encourages each Board member to feel free to come to her or call her to express accomplishments or challenges regarding the new reorganization that took place on January 1, 2017 or other matters of concern to courts of limited jurisdiction. She also would like to thank all evaluators and steering committee members for their support of the CLJ-CMS Project.

### **B. Board for Judicial Administration (BJA)**

Judge Jasprica reported that the BJA Court Education Funding Task Force and Interpreter Service Funding Task Force have been created. Both task forces will develop legislative strategies to obtain adequate court funding. She further informed that the language access resolution has been renewed. She then reported that the term of BJA Member Co-Chair, Judge Scott Sparks, Kittitas County Superior Court, will end in July, and, therefore, a DMCJA member will become the Co-Chair. Judge Jasprica further reported that the next BJA meeting is scheduled for the third Friday in June. She added that this is a good time for the BJA, which has new leadership and energy.

## **ACTION**

### **A. Request for Review of CrRLJ 4.2 (g) Guilty Plea and DUI Sentencing Grid Changes**

M/S/P to approve the CLJ Forms Subcommittee's proposed amendments to CrRLJ 4.2 (g) and CrRLJ 4.2 (g) DUI1.

### **B. 2017-2018 DMCJA Board Meeting Schedule**

M/S/P to schedule a July 2017 meeting and cancel it if necessary.

## **DISCUSSION**

### **A. Senate Bill (SB) 6360, Consolidation of Traffic-Based Financial Obligations, Workgroup Draft Proposals**

Judge Marinella informed that Judge Elizabeth Cordi-Bejarano, SeaTac Municipal Court, has resigned as DMCJA Representative for the SB 6360 Workgroup. Thus, this position is vacant. Judge Marinella inquired whether any Board member desired to fill this vacant position. Judge Coburn volunteered for the position because no other Board member expressed interest in joining the workgroup.

The Board then discussed the two draft proposals presented by the workgroup. It was mentioned that one draft contained "shall" regarding the requirements of courts on multiple occasions, although Washington State does not have a unified court system. It was also noted that the costs involved were not discussed. Costs relate to personnel, and, therefore, it is an important factor of the statewide relicensing program. One draft stated that the AOC would send notices to defendants when courts typically send notices to parties. There was no mention in the draft about returned mail when a defendant has changed addresses. Further, there was no concrete deadline for a failure to comply with the program.

B. Request for Review of CrRLJ 4.2 (g) Guilty Plea and DUI Sentencing Grid Changes

Judge Staab, Chair of the Courts of Limited Jurisdiction (CLJ) Forms Subcommittee, reported that the committee has drafted changes to forms related to Criminal Rules for Courts of Limited Jurisdiction (CrRLJ) 4.2 (g) and CrRLJ 4.2 (g) DUI1. The changes are in response to 2017 legislative bills, Engrossed Second Substitute House Bill (E2SHB) 1614, Impaired Driving, and Senate Bill (SB) 5037, Driving Under the Influence, which become effective July 23, 2017. Judge Staab expressed that a fourth driving under the influence (DUI) violation is a felony. She stated that the committee has tried to simplify the sentencing grid, which is now eight pages from one page because of necessary footnotes. Judge Staab explained that the committee needs approval from the DMCJA before submitting the amendments to the Washington State Supreme Court Rules Committee for review and approval. She further informed that the committee, Ms. Merrie Gough, AOC Subcommittee Staff, and Ms. Carla Weaver, Department of Licensing (DOL) Liaison, worked hard on amending the forms. There was discussion regarding the use of the form as a template, guidelines for a second and third DUI offense, and how to handle cases related to indigence. There was discussion regarding an electronic version of the form that provides step by step instructions for judges. Additionally, there is an online form calculator related to the sentencing grid.

M/S/P to make an action item whether to approve the CLJ Forms Subcommittee's proposed amendments to CrRLJ 4.2 (g) and CrRLJ 4.2 (g) DUI1.

C. Whether to meet in July 2017

This topic relates to whether the Board should meet in July. Judge Marinella explained that the Board typically does not meet in July. There was discussion regarding a potential government shutdown in July if the Washington State Legislature does not approve a budget by June 30, 2017.

M/S/P to make this discussion topic an action item.

**INFORMATION**

- A. *Thank you to the following for your service on the DMCJA Board of Governors: Judge David Steiner (Immediate Past President), Judge Tracy Staab (Board Position #5), Judge Michelle Gehlsen (Board Position #6), and Commissioner Rick Leo (Commissioner Position #7).*

Judge Marinella thanked the above referenced members for serving on the Board, and, Immediate Past President, Judge Steiner, for serving more than one term as DMCJA President when former DMCJA President, Judge Veronica Alicea-Galvan, moved to the Superior Court bench. He also offered appreciation to Judge Jasprica and Judge Garrow who both served as DMCJA representatives in the BJA, as a leader of the Education Committee and Chair of the Policy and Planning Committee, respectively.

- B. *Washington Pretrial Reform Task Force Kickoff is June 22, 2017, from 8:30 a.m. to 12:00 p.m., at the AOC SeaTac Office, 18000 International Blvd, SeaTac, WA. Judge Mary Logan, Spokane Municipal Court, is the DMCJA Representative Co-Chair for the Pretrial Task Force.*

Judge Marinella informed that Judge Logan has accepted the position of co-chair for the 3DaysCount Pretrial Task Force. The DMCJA, Superior Court Judges' Association, and Minority and Justice Commission are co-sponsors of this initiative.

- C. *The Minority and Justice Commission held a Symposium on Jury Diversity in Washington State on May 24, 2017, from 9:00 a.m. to 12:00 p.m., at the Temple of Justice, in Olympia, WA.*

Judge Coburn, DMCJA representative for the Minority and Justice Commission, reported that the symposium was successful and provided information for promoting jury diversity. Judge Coburn encouraged Board members to watch the symposium on tww.com.

*D. Judge Aimee Maurer, WSBA Access to Justice Board (ATJ) DMCJA liaison, followed up with the ATJ regarding whether the Public Defender's Association, Prosecutor's Association, and Law Enforcement Associations were asked to provide feedback for the ATJ newly developed state plan. The ATJ informed that the state plan was shared with the Washington Defenders Association (WDA) via their listserv. The ATJ did not directly contact the prosecutor's association or law enforcement association.*

Judge Marinella informed that the WSBA ATJ made no direct contact with prosecutor or defense associations.

E. Board members are encouraged to apply to DMCJA Representative positions.

## **OTHER BUSINESS**

There were a few announcements during the other business portion of the meeting.

### Education

Judge Fair informed that there will be a court education meeting on June 19, 2017. During this meeting, stakeholders will determine what each level of court has in common regarding educational needs. The group will discuss the education process and seek to eliminate redundancy. This group will also focus on fall education programs.

### Election

Judge Staab informed that she has an opponent for her seat on the Spokane Municipal Court bench.

### Annual Spring Conference

Judge Marinella expressed that the DMCJA Education and Conference Planning committees have done a great job with the annual DMCJA Spring Conference.

### Next Meeting

Judge Marinella informed that the next DMCJA Board Meeting is scheduled for July 14, 2017, from 12:30 a.m. to 3:30 p.m., at the AOC Office in SeaTac, WA.

**ADJOURNED** at 10:00 a.m.