



**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

October 13, 2017

**AOCSEATAC OFFICE
SEATAC, WASHINGTON**

**DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION
SCHEDULE OF BOARD MEETINGS
2017-2018**

DATE	TIME	MEETING LOCATION
<i>Friday, July 14, 2017</i> CANCELLED	12:30—3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Aug. 11, 2017</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Sunday, Sept. 17, 2017</i>	9:00 a.m. – 12:00 p.m.	2017 Annual Judicial Conference Vancouver, WA
<i>Friday, Oct. 13, 2017</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Nov. 3, 2017</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Dec. 8, 2017</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Jan. 12, 2018</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Feb. 9, 2018</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, March 9, 2018</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, April 13, 2018</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, May 11, 2018 & Saturday, May 12, 2018</i>	May 11: 12:00-5:00 p.m. May 12: 9:00-1:00 p.m.	TBD
<i>June 3, 2018</i>	9:00 a.m. – 12:00 p.m.	Campbell's Resort Chelan, WA

AOC Staff: Sharon Harvey

Updated: September 7, 2017



DMCJA BOARD MEETING
FRIDAY, OCTOBER 13, 2017
12:30 PM – 3:30 PM
AOC SEATAC OFFICE
SEATAC, WA

PRESIDENT SCOTT K. AHLF

AGENDA

PAGE

Call to Order

General Business

- | | |
|---|-------|
| A. Minutes – September 17, 2017 | 1-6 |
| B. Treasurer’s Report | |
| C. Special Fund Report | |
| D. Standing Committee Reports | |
| 1. Legislative Committee – <i>Judge Samuel Meyer</i> | |
| a. Meeting Minutes for August 18, 2017 | 7-10 |
| 2. Rules Committee | |
| a. Meeting Minutes for August 23, 2017 | 11-12 |
| 3. Therapeutic Courts – <i>Judge Michael Finkle</i> | |
| a. Therapeutic Courts Committee Survey Results | 13-14 |
| E. Trial Court Advocacy Board (TCAB) | |
| F. Judicial Information Systems (JIS) Report – <i>Ms. Vicky Cullinane</i> | |

Liaison Reports

- A. District and Municipal Court Management Association (**DMCMA**) – *Ms. Cynthia Marr*
- B. Misdemeanant Corrections Association (**MCA**) – *Ms. Stacie Scarpaci*
- C. Superior Court Judges’ Association (**SCJA**) – *Judge Blaine Gibson*
- D. Washington State Association for Justice (**WSAJ**) – *Loyd James Willaford, Esq.*
- E. Administrative Office of the Courts (**AOC**) – *Ms. Callie Dietz*
- F. Board for Judicial Administration (**BJA**) – *Judges Ringus, Jasprica, Logan, and Johnson*

Action

- | | |
|--|-------|
| A. DMCJA Spring Conference: Whether to Retain Security Officers – <i>Judge Charles Short</i> | 15 |
| B. 2018 Legislative Proposals – <i>Judge Samuel Meyer</i> | |
| 1. Discover Pass Bill (2SSB 5342; HB 1478) | 16-19 |
| 2. DNA Samples | 20-21 |
| 3. Commissioners to Solemnize Marriage (HB 1221) | 22 |
| 4. Small Claims (SB 5175; SHB 1196) | 23-31 |

<ul style="list-style-type: none"> 5. Powers of Commissioners 6. Interlocal Agreements for Probation Services 7. DVPO, SAPO, Extension of 14 Day Period for a Full Temporary Order Hearing 	<p>32-33 34-36 37-45</p>
<p>Discussion</p> <ul style="list-style-type: none"> A. Judicial Independence <ul style="list-style-type: none"> 1. DMCJA Judicial Independence Issues and Responses 2. General Rule (GR) 29 Educational Program 3. Proposed Legislation by Judge David Larson 4. Proposed Court Rule by Judge David Larson 5. Legislative Proposal Idea from Judge Linda Portnoy 6. Washington Municipal Courts Article by Judge Jeffrey Jahns (attached to meeting notice) 7. Court Funding Task Force Final Report (attached to meeting notice) 	<p>46-47 48-49 50 51</p>
<p>Information</p> <ul style="list-style-type: none"> A. 2017-2018 Nominating Committee Roster B. Board members are encouraged to apply for DMCJA representative positions. Available positions include: <ul style="list-style-type: none"> 1. Engrossed Second Substitute House Bill (E2SHB) 1163 - Domestic Violence Perpetrator Treatment Workgroup 2. Presiding Judge & Administrator Education Committee (Co-Chair) 3. BJA Court System Education Funding Task Force C. DMCJA Board members are encouraged to submit Board agenda topics for monthly meetings. D. SB 6360 Statewide Relicensing Workgroup met on August 31, 2017 and September 15, 2017 to provide the Washington State Office of the Attorney General (OAG) with recommendations regarding a plan for the consolidation of traffic-based financial obligations. The OAG will provide a report to the Legislature, Washington Supreme Court, and Governor by December 1, 2017. E. The Municipal Court Judge Swearing-In Ceremony is December 11, 2017, from 9:30 a.m. to 12:00 p.m., in the Supreme Court Courtroom at the Temple of Justice in Olympia, Washington. 	
<p>Other Business</p> <p>The next DMCJA Board Meeting is scheduled for November 3, 2017, 12:30 p.m. to 3:30 p.m., at the AOC SeaTac Office in SeaTac, WA. The Board will discuss whether to obtain a financial planner and view a presentation on the Forensic Competency Evaluation Videoconferencing Pilot Program.</p>	
<p>Adjourn</p>	
<p>Persons with a disability, who require accommodation, should notify Susan Peterson at 360-705-5278 or susan.peterson@courts.wa.gov to request or discuss accommodations. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.</p>	



DMCJA Board of Governors Meeting
Sunday, September 17, 2017, 9:00 a.m. – 12:00 p.m.
The Heathman Lodge
Vancouver, WA

MEETING MINUTES

Members Present:

Chair, Judge Scott Ahlf
Judge Linda Coburn
Judge Melanie Dane
Judge Karen Donohue (by phone)
Judge Michael Finkle
Judge Michelle Gehlsen
Judge Dan Johnson (non-voting)
Judge Samuel Meyer (by phone)
Judge Kevin Ringus (non-voting)
Judge Rebecca Robertson (by phone)
Judge Douglas Robinson (by phone)
Judge Damon Shadid (by phone)
Judge Charles Short
Judge Judy Jasprica (non-voting)
Commissioner Rick Leo (by phone)

Guests:

Judge Andrea Beall
Justice Steven González
Ms. Janice Humphrey (Interpreter)
Ms. Cynthia Marr, DMCMA
Mr. Loyd Willaford, WSAJ (by phone)

AOC Staff:

Ms. Callie Dietz
Ms. Jeanne Englert
Ms. Sharon R. Harvey
Mr. Robert Lichtenberg
Mr. Dirk Marler
Ms. Susan Peterson

Members Absent:

Judge Douglas Fair
Judge Michael Lambo
Judge Mary Logan (non-voting)
Judge G. Scott Marinella

CALL TO ORDER

Judge Ahlf, 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 Ahlf asked attendees to introduce themselves.

GENERAL BUSINESS

A. Minutes

The Board moved, seconded, and passed a vote (M/S/P) to approve the August 11, 2017 Board Meeting Minutes.

B. Treasurer's Report

M/S/P to approve the Treasurer's Report. Judge Gehlsen provided the Treasurer's report and thanked Judge Meyer for his help during the transfer of treasurer duties. She also expressed appreciation for the bookkeeper. Judge Gehlsen will look into Judge Coburn's inquiry regarding reimbursement for attendance at an August 31, 2017 DMCJA Legislative Committee meeting that Judge Coburn did not attend.

C. Special Fund Report

M/S/P to approve the Special Fund Report. Judge Robertson gave the Special Fund report and provided bank statements for the last three months. She reported there is approximately \$56,000 in the account. The transfer to Judge Meyer is expected to take place on October 13, 2017.

D. Standing Committee Reports

1. *Education Committee*

Judge Short, DMCJA Education Committee Chair, gave an update on the topic of court security. He reported the Education Committee met and would like to request the Board authorize up to \$2,500 for a security officer at the annual DMCJA Spring Conference. In Chelan County, they can hire one deputy from the Chelan Sheriff's Office at \$50-\$75 per hour, based on seniority and normal overtime rates, and they are looking at using an officer who is \$50 per hour. The officer would arrive about one hour before the day begins and stay until one hour after the day ends. Typical Chelan County Sheriff's Office staff levels in Chelan include a minimum of one deputy at all times, with up to three officers during business hours, and if they hire an additional, there would be a total of four deputies. M/S/P to put this topic on for Discussion for today's meeting. This topic will put on for Action at the October Board meeting.

2. *Legislative Committee*

The Legislative Committee minutes from March 17, 2017, June 7, 2017, and July 27, 2017 were provided for the Board's review. Judge Meyer, Legislative Committee Chair, reported that the Committee met on September 8, 2017. He informed the Committee solicited ideas from the membership and narrowed the proposals to seven legislative ideas. He informed the first four are hold overs from last year, which include the (a) *Discover Pass Bill* [2SSB 5342; HB 1478], (b) *DNA Samples*, (c) *Commissioners to Solemnize Marriage* [HB 1221], and (d) *Small Claims* [SB 5175; SHB 1196]). The others are new ideas this year that include (1) *Powers of Commissioners*, (2) *Interlocal Agreements for Probation Services*, and (3) *Domestic Violence Protection Order (DVPO), Sexual Assault Protection Order (SAPO), Extension of 14 Day Period for a Full Temporary Order Hearing*. He requested that the Board review the information provided in the materials and put it on for Action at the October Board meeting.

3. *Rules Committee*

The Rules Committee minutes from June 6, 2017 and July 27, 2017 were provided for the Board's review.

E. Trial Court Advocacy Board (TCAB) Update

Judge Ahlf reported the TCAB will meet on Monday, September 18, 2017, at 5:30 p.m., during the Annual Judicial Conference. He informed the current focus is to revitalize the Justice in Jeopardy Initiative.

LIAISON REPORTS

A. District and Municipal Court Management Association (DMCMA)

Ms. Cynthia Marr, DMCMA President, reported that Judge Jasprica, BJA Court Education Committee (CEC) Chair, gave an overview of the CEC at the last DMCMA Board meeting. In addition, Ms. Marr informed that the DMCMA Fall Regionals will be held in six different locations around the state. She expressed that the DMCMA appreciates the DMCJA's support by allowing staff to attend the trainings. Ms. Marr informed the DMCMA is working on their spring conference, which will be in May 2018 at Campbell's Resort in Chelan, Washington. The DMCMA Education Committee and DMCMA Long Range Planning Committee are planning a joint retreat. Ms. Marr further informed that they recently reviewed their policy and procedures manual, and said their focus is always on training, education, and the Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Project. Judge Jasprica informed that the CLJ courts are very well represented at DMCMA Board meetings. Ms. Marr expressed her gratitude for the support.

B. Misdemeanant Corrections Association (MCA)

Judge Ahlf informed that Mr. Rick Bomar was unable to attend, and the MCA will have a new liaison soon.

C. Washington State Association for Justice (WSAJ)

Mr. Loyd Willaford reported that the annual WSAJ Judicial Candidate Training is scheduled for October 13, 2017, from 9:30 a.m. to 1:30 p.m., in Seattle. He mentioned that some members have asked about how

District Court Pro Tempore judges are trained and whether they receive feedback from the Court. Mr. Willaford directed that member to contact the specific court where the member had concerns. The WSAJ continues to monitor civil filings after the district court civil jurisdiction limit increased from \$75,000 to \$100,000 in 2015. Some members have expressed an interest in bringing Mandatory Arbitration Rules (MAR) to district courts in order to encourage more filings therein.

D. Administrative Office of the Courts (AOC)

Ms. Callie Dietz, State Court Administrator, reported the AOC is looking at legislation everyone can work together on in the future. She expressed how well everyone worked together during the last legislative session which had positive outcomes for the judicial branch. She informed that the primary focus for the upcoming session will be supplemental funding. In addition, since the budget came out late last session, there are a few technical things Mr. Ramsey Radwan, AOC Management Services Director, wants to review. Ms. Dietz expressed her enthusiasm regarding the CLJ-CMS Project. She informed that she, Mr. Marler, and Ms. Harvey will be available during the Annual Judicial Conference to address Board members' concerns.

E. Board for Judicial Administration (BJA)

The Board congratulated Judge Jasprica on becoming the new BJA Member Co-Chair. Judge Jasprica reported that one focus of the September 15, 2107 BJA meeting was welcoming new members; another focus was looking at the internal goals for the BJA, which include: (1) presenting a unified message, (2) communication with the branches, and (3) committee communication. In addition, Judge Jasprica informed the BJA will be focusing on the budget process and expecting more transparency regarding the process. Judge Johnson, BJA Policy and Planning Committee Member, reported they are discussing interpreter funding. Judge Ahlf informed that Chief Justice Fairhurst put in a request for the associations to be more involved in the budget process; however, the Supreme Court did not approve the recommendation. Judge Ringus, BJA Legislative Committee Chair, reported that in looking at the legislative agenda for the next year, he expects another interpreter bill. Thus, he is working with the Interpreter Services Task Force. The topic of a joint judicial legislative reception was also discussed. This legislative reception would include all court levels.

ACTION

1. *Request for DMCJA Board Letter for Odyssey Portal Access*

M/S/P to have Judge Ahlf, DMCJA President, write a letter explaining the business need for Odyssey Portal access.

2. *Judicial Benefit Multiplier Program*

M/S/P to have the Treasurer talk to Dino Traverso, DMCJA accountant, about getting a recommendation for a financial planner.

DISCUSSION

A. Supreme Court Interpreter Commission Presentation – *Supreme Court Interpreter Commission*

Justice Steven González, Chair of the Washington State Supreme Court Interpreter Commission (Commission), gave a brief overview of the Commission and its work. The Commission serves as a policy making and advisory body to the Washington Courts, including the Administrative Office of the Courts (AOC), concerning court interpreters and language assistance in general. The Commission sets policy for the courts and the Court Interpreter Program, which is responsible for interpreter certification, registration, testing, continuing education, training, and discipline. The Commission is also responsible for strategic planning and working with educational institutions and other interpreter program stakeholder groups to develop resources to support court interpreting in Washington. The Commission's 2016 Annual Report was also provided, which illustrates the Commission's work. Recent key activities of the Commission include: (1) holding a public forum

in Mount Vernon, (2) submitting legislative bills pertaining to interpreters, and (3) developing an updated Model Language Access Plan (LAP) Deskbook.

Mr. Lichtenberg, AOC Language Access Program Coordinator, discussed the funding history for the Court Interpreter Reimbursement Program. He explained that the Legislature initially appropriated funding to the AOC in the amount of \$1.5 million for the 2008-2009 biennium for trial court interpreter services, but because of budget fall during the economic recession, the Program lost funding. He explained that it is now \$1.22 million biennially. He also explained that the maximum amount available for each court varies and is based on their interpreter usage over the two previous years, but is factored against the level of spending by other courts in the Program. This can result in some courts getting decreased funding despite experiencing additional expenses. For fiscal year (FY) 2016 contracts ranged from \$375 to \$100,673. He further informed that the interpreter pay rate is capped at \$50.00 an hour for courts in the Program and that the AOC reimburses courts for up to 50% of that rate, up to a maximum of \$25 per hour. The AOC also reimburses for mileage and when agreed upon by the court and an interpreter, for interpreter travel time. Each court individually decides how much to compensate interpreters, although some courts take part in a joint compensation policy. Rates are sometimes negotiated between the courts and each interpreter, especially when interpreters must be brought in from out of state or for longer trials. Rates can vary because of a number of factors, including the language needed, location of the courts, and credentials of the interpreter. Justice Gonzalez informed that the Commission has proposed legislative bills regarding interpreter funding for several years without success.

Judge Andrea Beall, DMCJA Representative Member, reported that the Commission has three standing committees: (1) Issues Committee, (2) Education Committee, and (3) Discipline Committee. In addition, she informed the Commission is trying to get adequate funding and is gathering statistics on what needs are being met and what is lacking. The Annual Report states that in FY 2016 courts spent more money on interpreter expenses than the AOC had available for reimbursement, and she informed the money usually runs out early in the year. She said they want to increase reimbursements for others to join, but will need to increase funding for the Court Interpreter Reimbursement Program. Justice González informed there has been an increase in immigrants in Washington State with the state now being one of the top ten states in terms of immigrant population growth over the past 10 years; therefore, they need help with funding. Judge Beall also reported the rate of pay for interpreters and said the Commission sent out a survey regarding interpreter pay earlier in the year, but a large percentage of courts did not respond. She informed that the Commission needs the courts to respond to their surveys, and that it is not too late for courts to submit a response.

Ms. Dietz inquired whether there is video conference capabilities for interpreters. Mr. Lichtenberg informed that video conference for court interpreters has been utilized. Ms. Dietz stated that there is a national effort to create a Video Remote Interpreting service through the National Center for State Courts and the Council of State Court Administrators. Another question arose about the background of the application process to participate in the Program back in 2007 and why everybody did not opt into the Court Reimbursement Program. Mr. Lichtenberg explained that some courts did not realize the benefits of joining the Program. In addition, some courts may have been trying to save money because they would have to pay 50% of the cost of certified interpreters, which are more costly than non-credentialed court interpreters, in order to be reimbursed. There are local overhead costs as well since participating courts must allocate local staff resources to provide expense and usage reports to the AOC.

B. Judicial Benefit Multiplier Program

This topic relates to Judge Ahlf's request for Mr. Ramsey Radwan, AOC Management Services Division Director, to provide information regarding the Judicial Benefit Multiplier (JBM) Program. Judge Ahlf informed that PERS 2 has gone up significantly, and when this happens, individual contributions also rise. He further informed that the SCJA wrote a letter and asked the DMCJA, as well as the Court of Appeals and Supreme Court, to join them to write one letter to the Salary Commission signed by all courts levels. Mr. Brady Horenstein offered to write the letter. Judge Ahlf asked if Board members had any objections to him signing this letter. He explained he does not want to discourage the Salary Commission and wants to continue to have

a good relationship with them; he also wants them to know where judges stand on this topic. This is about educating the Salary Commission and making sure judges are able to realistically pay their bills. He explained that originally the Salary Commission's goal was to get CLJ judges on par with other judges. Judge Ahlf informed that the Chief Justice of the Supreme Court, the Presiding Judge of the Court of Appeals, the SCJA President, and the DMCJA President would all sign the letter.

Judge Ahlf further explained that initially judges were to get a 4% raise, but ended up getting a 2% raise instead this year. He also pointed out that the SCJA is on a different plan, and do not have judicial multiplier like CLJ judges; therefore, they pay a lesser percentage than CLJ judges. The question then arose whether it would be better to have an individual retirement account (IRA) and how CLJ judges could be better served. There was group discussion and Board members made suggestions, including asking Dino Traverso, DMCJA accountant, and possibly using special fund money to hire an expert to look at the issue. M/S/P to move this topic to an action item.

C. Request for DMCJA Board Letter for Odyssey Portal Access

Mr. Dirk Marler, AOC Court Services Division Director, reported there is an opportunity for the Board to ask county clerks on a statewide basis to request access to documents through the "Odyssey portal." Courts of Limited Jurisdiction (CLJ) judges have long contended that having statewide access to electronic documents protects public safety and provides important information for judicial decision making. Mr. Marler answered Board members' questions and explained the process for moving the request forward. The Board considered Mr. Marler's suggestion and agreed it is important to have this access. Mr. Marler recommended that the Board send a letter explaining the business need for Odyssey Portal access. He suggested the letter be written to Ms. Callie Dietz, State Court Administrator, with a copy to Ms. Barbara Christensen, Washington State Association of County Clerks (WSACC) President. M/S/P to make this an action item.

INFORMATION

Judge Ahlf brought the following informational items to the Board's attention:

A. New Proposed Evidence Rule 413 Comment

The Board did not provide a comment regarding New Proposed Evidence Rule 413.

B. Board members are encouraged to apply for DMCJA representative positions. Available positions include:

- 1. Engrossed Second Substitute House Bill (E2SHB) 1163 Workgroups*
 - i. Domestic Violence Perpetrator Treatment Workgroup*
 - ii. Domestic Violence Risk Assessment Workgroup*
- 2. Presiding Judge & Administrator Education Committee (Co-Chair)*

C. DMCJA Board members are encouraged to submit Board agenda topics for monthly meetings.

D. SB 6360 Statewide Relicensing Workgroup met on August 31, 2017 and September 15, 2017 to provide the Washington State Office of the Attorney General (OAG) with recommendations regarding a plan for the consolidation of traffic-based financial obligations. The OAG will provide a report to the Legislature, Washington Supreme Court, and Governor by December 1, 2017.

It was suggested the Board may want to invite the DMCJA Representative(s) on the SB 6360 Statewide Relicensing Workgroup to a future Board meeting.

E. DMCJA Follow-Up Letter for DOL Joint Leadership Meeting on July 25, 2017

Judge Ahlf informed that leaders from the DMCJA, DMCMA, AOC, and DOL met for its annual joint leadership meeting. The DOL discussed its DRIVES project, which will modernize the agency's legacy computer system.

F. Judge Ahlf recommended Judge John H. Hart, Colfax Municipal Court, to serve as DMCJA Representative to the Judicial Information System Committee (JISC).

Judge Ahlf informed that he recommended Judge John Hart to serve as DMCJA Representative on the JISC.

OTHER BUSINESS

Mr. Marler advised the Board that the Department of Commerce recently requested data about the Prostitution Prevention and Intervention Account assessments. Commerce staff expressed concern that the amount collected has significantly decreased and that judges, superior and CLJ, might not be imposing the assessment as required. The AOC wanted to bring the matter to the Board's attention because it could lead to more probing by Commerce and unwarranted media attention. As Judge Donohue mentioned, judges may waive 2/3 of a fee but not 1/3 of it. Other members expressed that they do not hear many cases in which the assessment should be imposed. Mr. Marler said he would verify that new judges are still being informed of the requirement and that he would inform the Board of any new developments.

Next Meeting

The next DMCJA Board Meeting is October 13, 2017, from 12:30 a.m. to 3:30 p.m., at the AOC Office Center in SeaTac, WA. The Board will discuss its newly created Judicial Independence Fire Brigade. Judge Ahlf asked Mr. Marler to attend that meeting. The Fire Brigade, which was created at the May 2017 Board Retreat, is chaired by Judge Steiner and Judge Lambo. Judge Ahlf asked Board members to think about the topic and come prepared to discuss it at the October 13, 2017 meeting.

ADJOURNED at 11:10 a.m.



DMCJA Legislative Committee Meeting FRIDAY, AUGUST 18, 2017

AOC Offices, SeaTac, WA
9:30 a.m. to 12:00 p.m.

MEETING MINUTES

Members:

Chair, Judge Samuel G. Meyer
~~Judge Brett Buckley~~
~~Judge Janet Garrow~~
Judge Robert Grim (phone)
Judge Corinna Harn
Judge Gregg Hirakawa
~~Judge Nancy McAllister~~
Judge Glenn Phillips
~~Judge Wade Samuelson~~
~~Judge Jeffrey Smith~~
Judge Shelley Szambelan
~~Judge Thomas Verge~~
Janene Johnstone, MCA Liaison (phone)
Maryam Olson, DMCMA Liaison
Kathy Seymour, DMCMA Liaison (phone)

AOC Staff:

Ms. J Benway
Ms. Sharon Harvey

Guests:

Judge Scott Ahlf, DMCJA President
Melanie Stewart, Legislative Representative

1. CALL TO ORDER

Judge Meyer called the meeting to order at 9:35 a.m. The Committee members introduced themselves.

2. GENERAL BUSINESS

- A. Minutes – June 7, 2017: It was motioned, seconded and passed to approve the minutes for the June 7, 2017 meeting as presented.
- B. Legislative Committee Roster: The Committee was provided with the most current Committee roster.

3. DMCJA LEGISLATIVE PROPOSALS FOR 2018

- A. Powers of commissioners – Limitations

Judge Docter proposed a statutory change to make the authority of municipal court commissioners congruent with that of district court commissioners. This item was assigned to Judge Szambelan.

- B. Statutory Clean-Up: Deferred Sentence and Misdemeanors

Judge Phillips raised two issues for the Committee:

1. Whether a court of limited jurisdiction (CLJ) has jurisdiction for up to five years over a deferred sentence for a domestic violence offense.

2. Whether RCW 3.50.440 should be revised to be consistent with RCW 9A.20.010(2) regarding default penalties.

Judge Phillips will continue to pursue these matters for the Committee.

C. Weapons allowed to Judges and Court Commissioners

Judge D. Johnson proposed a statutory amendment to allow a judge with a concealed weapons permit to carry a firearm in the courtroom. The Committee determined that it wanted to address the issue on a larger scale regarding court security. Judge Harn agreed to review and bring back the previous legislative proposal regarding court security.

D. Ignition Interlock Device (IID) under Deferred Prosecution

Judge Portnoy raised the issue of a statutory conflict between RCW 10.05.140 and RCW 46.20.720 regarding Ignition Interlock Devices in a deferred prosecution. The Committee agreed to present this issue to the DUI Workgroup if one is convened. The Committee discussed inviting Rep. Roger Goodman, who often convenes a DUI Workgroup, to the next Committee meeting.

E. Matching Money for Therapeutic Courts

Judge Portnoy requested information regarding the restriction of funds for therapeutic courts in RCW 2.30.040. Judge Meyer agreed to raise the issue with Senator Padden.

F. Clarification request for district and municipal courts regarding Electronic Home Monitoring (EHM) and Electronic Home Detention (EHD) as it relates to the Sentencing Reform Act (SRA)

Judge Portnoy requested clarification regarding whether the provisions of the Sentencing Reform Act related to electronic home monitoring and detention apply to courts of limited jurisdiction. Committee consensus was that the provisions did apply to CLJs but that the statute was confusing. Judge Hirakawa agreed to review the matter and provide a proposal to address the issue.

G. Interlocal Agreements for Probation Services

Judge Larson proposed statutory amendments to authorize municipal courts and district courts to cooperate on probation services. Some committee members believed that this authority already exists under current rules and statutes. Judge Meyer assigned this item to Judge Buckley for review.

H. Statutory amendments related to Domestic Violence Protection Order (DVPO), Sexual Assault Protection Order (SAPO), harassment, and stalking to extend 14 day period for a full order hearing of the issuance of a temporary order

Judge Garrow proposed revising the protection order statutes to allow for a 30-day extension beyond the mandated 14-day period for a full order hearing following the temporary order. Judge Meyer stated that he would request that Judge Garrow provide suggested language for the proposal.

- I. Request for fees collected by courts and paid to state simplified into one amount with one place

Judge Steele proposed legislation to consolidate all the fees collected by courts and submitted to the state into one amount with one source of authority. The Committee suggested that this proposal be referred to the Legal Financial Obligations Workgroup for consideration.

- J. Request for cap on pre-trial monetary fees to be lifted

Judge Steele also proposed a change to RCW 10.01.160 to lift the cap on pretrial fees if the defendant and prosecutor agree. Judge Meyer agreed to review this issue.

- K. Clarification request of whether DNA fee should be collected as to adults as well as juvenile offenders if DNA has been previously provided

Judge Langsdorf requested clarification regarding application of RCW 43.43.7541 to adult offenders. Judge Meyer agreed to review the issue.

4. PROPOSED LEGISLATION

- A. 2017 Legislative Session – DMCJA Proposed Bills that did not pass:

1. Discover Pass – The state Parks agency presented the 2017 proposal to split the Discover Pass penalty with local jurisdictions. Ms. Stewart will investigate whether the agency is planning to request this legislation again.
2. DNA Samples – The issue of WSP not testing DNA samples from municipal courts continues to be a concern.
3. Commissioners to Solemnize Marriage – District court commissioners are the only judicial officers not included in the marriage solemnization statute. Senator Padden opposed the proposal to add them.
4. Small Claims – Judge Garrow proposed streamlining small claims court procedure but the proposal was opposed by Senator Padden because it wasn't revenue-neutral.

The Committee is interested in pursuing these proposals, but due to the potential number of proposals they will need to be prioritized. Because Senator Padden is opposed to the last two proposals and has stated that he would not introduce them in the Senate Law & Justice Committee, it may be fruitless to request these amendments again unless Senate leadership changes.

- B. Department of Social and Health Services (DSHS) proposed amendment to eliminate DSHS background check related to insane persons possessing a firearm

The Committee discussed the issue and provided comments to Mr. Horenstein.

5. INFORMATION

- A. 2017-2018 DMCJA Legislative Committee Meeting Schedule

The Committee was presented with a revised meeting schedule.

6. OTHER BUSINESS

A. Next Meeting: Friday, September 8, 2017, 9:30 a.m. to 12:00 p.m.

The Committee agreed to meet telephonically on September 8. Representative Goodman will be invited.

Judge Szambalen stated that the Rules Committee had a concern regarding a statute of limitations for notices of infraction that she may bring forward to the Committee.

7. ADJOURN

The meeting was adjourned at 11:20 a.m.



DMCJA Rules Committee

Wednesday, August 23, 2017 (noon – 1:00 p.m.)

Via Teleconference

MEETING MINUTES

Members:

Chair, Judge Szambelan
~~Vice Chair, Judge Dacca~~
Judge Buttorff
Judge S. Buzzard
~~Judge Fore~~
Judge Goodwin
~~Commissioner Hanlon~~
~~Judge Rozzane~~
~~Judge Samuelson~~
Judge Steiner
~~Ms. Linda Hagert, DMCMA Liaison~~
Ms. Patti Kohler, DMCMA Liaison

AOC Staff:

Ms. J Benway

The meeting was called to order at 12:02 p.m.

The Committee discussed the following items:

1. Welcome & Introductions

Judge Szambelan welcomed the Committee members in attendance.

2. Approve Minutes from the July 2017 Rules Committee meeting

It was motioned, seconded and passed to approve the minutes from the July 27, 2017 Rules Committee meeting as presented.

3. Discuss Proposal for New ER 413, proposed by Columbia Legal Services et al

The Committee previously considered this item and determined that due to the controversial and possibly impactful nature of the proposed new rule, the Committee would decline to comment at this time but would provide the information to the DMCJA Board. The Board considered the issue at its August Board meeting, and requested that the Rules Committee substantively review the proposal and provide a report to the Board. Because the Board will not meet before the deadline for comments on September 15, any recommendation by the Committee should be sent directly to DMCJA President Judge Ahlf.

The Committee discussed the proposal at length. The general consensus was that the new rule was not necessary because other rules of evidence could accomplish the same purpose and

the proposal had the potential for unintended consequences. Judge Szambelan agreed to provide this comment to Judge Ahlf. Judge Steiner stated that he was opposed to the Committee's recommendation as he is generally in favor of the proposed rule.

4. Update re Proposal to Amend the IRLJ

Judge Steiner stated that the IRLJ Subcommittee had met to review his proposals to amend the IRLJ. He made certain changes in response to Subcommittee input and provided the revised proposal to the Committee. Committee members were generally in favor of the proposals, except the proposal to amend IRLJ 3.1(c). Committee members would like the opportunity to review and comment on the proposals individually. Ms. Benway stated that she would prepare separate sheets for the proposals so the Committee could take action on them.

5. Other Business and Next Meeting Date

The next meeting is scheduled for Thursday, September 28 at noon.

There being no further business, the meeting was adjourned at 12:42 p.m.



Municipal Court

TO: DMCJA Therapeutic Courts Committee

FR: Judge Laura Van Slyck, co-chair

DT: September 26, 2017

RE: August 2017 DMCJA Membership Survey - Highlights

CC: Judge Fred Gillings, co-chair

Judges,

Judge Gillings and I hope you can join us for the Wednesday September 27, 2017 committee teleconference, beginning at 12:15 p.m. Below are some highlights from the survey that we sent out in August. My intent is for this to give us a jump-off point for discussions, thereby maximizing our fairly limited time.

Survey Highlights & Takeaways

- Question 1 (size of court) – This question was not that helpful. Perhaps the survey responders failed to notice that we were asking about criminal filings, not all filings.
- Question 2 (when became interested) – Half of our responders have had interest since before June 2017 conference. Only 10% are not interested and 6% became interested since the conference and would like more information and help. It appears that further conference training should be “nuts and bolts” and not focused on whether or not to actually develop a therapeutic court. The large majority of our membership is already interested or already has a court. Let’s expend committee resources on those who are already interested and need help getting started.
- Question 3 (options for help) – The “other” response was 38.46% and we got some good ideas: Neighboring small courts meet with each other, BJA webinars made available, and forms, guides and checklists to help interested judges get started. 31% are interested in more DMCJA conference presentations and most judges would prefer to visit other therapeutic courts with their own teams (26%) than having a mentor judge (18%) or a team visit their court (13%).
- Question 4 (barriers) – Funding is a big issue (55%), one that committee co-chairs plan to let the DMCJA board know about. Many interested judges feel they would be unable to fill a therapeutic court docket (problems recruiting candidates, caseload too small were all responses in the “other” response, which was 50%). Others are having issues with buy-in from the defense bar. There is

not much we can do when a judge perceives time commitment to be an issue (19%). We can help with lack of knowledge (12%) and maybe provide some guidance if a judge is in an unfavorable political climate (7%). Our work should relate to networking opportunities, development of a “beginner packet” or primer, and providing talking points to help judges sell their projects.

- Question 5 (interest in judicial training) – There is a definite interest in additional training (44% “strong” interest, 33% want training with the DMCJA conference schedule). 14% want both, and some of those want it specific to smaller courts. Again, a “nuts and bolts” presentation at conference sounds like it would be welcomed, but it should not be a plenary session. The webinar option should be explored as well.

Action Items for Discussion

Following discussion of the survey results, we will discuss action items. At this point, Judge Gillings and I would like to see some ad hoc subcommittees formed with 2-3 judges on each. Please think about your area of interest – subcommittees will likely be tasked with:

- Preparation of a curriculum for an upcoming conference “nuts and bolts” presentation on implementing a therapeutic court;
- Identification of smaller courts that are interesting in joining with other smaller courts nearby;
- Research of BJA webinars that we could recommend to the membership.

Security Request for Spring Conference

The Education Committee requests the DMCJA Board authorize **\$2500** in funding for a Chelan County Sheriff's Office deputy to serve as security at the Spring Conference in Chelan.

Typical Chelan County Sheriff's Office staff levels in Chelan:

1 deputy 24/7.

1 additional deputy during normal business hours for City Hall.

1 additional deputy during normal business hours for the school.

Total: A minimum of 1 deputy at all times with up to 3 during business hours.

Cost of an additional deputy to be used as security: \$50-\$75/hr. (Based on seniority and normal overtime rates.)

Estimate of hours for 1 deputy as security:

Sunday	11am-11pm	12 hours
Monday	6:30am-3:30pm	9 hours
Tuesday	6:30am-5:30pm	11 hours
Wednesday	6:30am-12:30pm	6 hours

38 hours x \$50 = \$1900

38 hours x \$75 = \$2850

SECOND SUBSTITUTE SENATE BILL 5342

State of Washington

65th Legislature

2017 Regular Session

By Senate Ways & Means (originally sponsored by Senators King, Takko, Pearson, and Pedersen; by request of Parks and Recreation Commission)

READ FIRST TIME 02/24/17.

1 AN ACT Relating to the distribution of monetary penalties to
2 local courts and state agencies paid for failure to comply with
3 discover pass requirements; and amending RCW 7.84.100.

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

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

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

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

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

1 (4)(a) For counties with a population of less than one hundred
2 thousand on the effective date of this section, the county treasurer
3 shall remit seventy-five percent of the money received under RCW
4 79A.80.080(5) to the state treasurer. In all other counties, the
5 county treasurer shall remit ((the)) all money received under RCW
6 79A.80.080(5) to the state treasurer.

7 (b) Money remitted under this subsection to the state treasurer
8 must be deposited in the recreation access pass account established
9 under RCW 79A.80.090. The balance of the noninterest money received
10 by the county treasurer must be deposited in the county current
11 expense fund and used to support court-related functions.

12 (c) An eligible county under (a) of this subsection may not
13 retain any money received under RCW 79A.80.080(5) in the year
14 following any year in which the rate of discover pass infractions
15 dismissed in that county exceeds twelve percent.

--- END ---

HOUSE BILL 1478

State of Washington

65th Legislature

2017 Regular Session

By Representatives Blake, Klippert, Goodman, Johnson, Griffey, J. Walsh, Fitzgibbon, Sells, and McCabe; by request of Parks and Recreation Commission

Read first time 01/20/17. Referred to Committee on Appropriations.

1 AN ACT Relating to the distribution of monetary penalties to
2 local courts and state agencies paid for failure to comply with
3 discover pass requirements; and amending RCW 7.84.100.

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

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

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

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

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

1 (4)(a) For counties with a population of less than one hundred
2 thousand on the effective date of this section, the county treasurer
3 shall remit seventy-five percent of the money received under RCW
4 79A.80.080(5) to the state treasurer. In all other counties, the
5 county treasurer shall remit ((the)) all money received under RCW
6 79A.80.080(5) to the state treasurer.

7 (b) Money remitted under this subsection to the state treasurer
8 must be deposited in the recreation access pass account established
9 under RCW 79A.80.090. The balance of the noninterest money received
10 by the county treasurer must be deposited in the county current
11 expense fund.

--- END ---

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 offenses), **or an equivalent municipal offense where the municipal prosecuting authority certifies at the time of sentencing that the municipal offense of conviction is equivalent to the following crimes:**

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 **or convicted of an equivalent municipal 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 **or convicted of an equivalent municipal 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 **or convicted of an equivalent municipal 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 [9.94A.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 convicted of an equivalent municipal offense**; 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. **No cause of action may be brought against the state based upon the analysis of a biological sample authorized to be taken pursuant to a municipal ordinance if it is later determined that the sample was obtained or placed in the database by mistake, or if the conviction or 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.

HOUSE BILL 1221

State of Washington

65th Legislature

2017 Regular Session

By Representatives Rodne, Goodman, Klippert, Kilduff, Jinkins,
Barkis, Muri, and Hudgins

Read first time 01/13/17. Referred to Committee on Judiciary.

1 AN ACT Relating to the solemnization of marriages by
2 commissioners of courts of limited jurisdiction; and amending RCW
3 26.04.050.

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

5 **Sec. 1.** RCW 26.04.050 and 2012 c 3 s 4 are each amended to read
6 as follows:

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

--- END ---

SENATE BILL 5175

State of Washington 65th Legislature 2017 Regular Session

By Senators Padden, Pedersen, and Warnick

Read first time 01/16/17. Referred to Committee on Law & Justice.

1 AN ACT Relating to modifying the process for prevailing parties
2 to recover judgments in small claims court; amending RCW 12.40.020,
3 12.40.030, 12.40.040, 12.40.050, 12.40.105, 12.40.120, and 43.79.505;
4 adding a new section to chapter 12.40 RCW; and repealing RCW
5 12.40.110.

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

7 **Sec. 1.** RCW 12.40.020 and 2011 1st sp.s. c 44 s 2 are each
8 amended to read as follows:

9 ~~((1))~~ A small claims action shall be commenced by the plaintiff
10 filing a claim, in the form prescribed by RCW 12.40.050, in the small
11 claims department. A filing fee of ~~((fourteen))~~ thirty-four dollars
12 plus any surcharge authorized by RCW 7.75.035 shall be paid when the
13 claim is filed. Any party filing a counterclaim, cross-claim, or
14 third-party claim in such action shall pay to the court a filing fee
15 of ~~((fourteen))~~ thirty-four dollars plus any surcharge authorized by
16 RCW 7.75.035.

17 ~~((2) Until July 1, 2013, in addition to the fees required by
18 this section, an additional surcharge of ten dollars shall be charged
19 on the filing fees required by this section, of which seventy-five
20 percent must be remitted to the state treasurer for deposit in the~~

1 ~~judicial stabilization trust account and twenty five percent must be~~
2 ~~retained by the county.))~~

3 **Sec. 2.** RCW 12.40.030 and 1997 c 352 s 1 are each amended to
4 read as follows:

5 Upon filing of a claim, the court shall set a time for hearing on
6 the matter. The court shall issue a notice of the claim which shall
7 be served upon the defendant to notify the defendant of the hearing
8 date. A trial need not be held ~~((on this))~~ at the first
9 ~~((appearance))~~ hearing, if dispute resolution services are offered
10 instead of trial, or local practice rules provide ~~((that trials will~~
11 ~~be held on different days))~~ for a pretrial hearing.

12 **Sec. 3.** RCW 12.40.040 and 1997 c 352 s 2 are each amended to
13 read as follows:

14 The notice of claim ~~((can))~~ may be served either as provided for
15 the service of summons or complaint and notice in civil actions as
16 described in RCW 4.28.080 or by registered or certified mail if a
17 return receipt with the signature of the party being served is filed
18 with the court. No other legal document or process is to be served
19 with the notice of claim. Information from the court regarding the
20 small claims department, local small claims procedure, dispute
21 resolution services, or other matters related to litigation in the
22 small claims department may be included with the notice of claim when
23 served.

24 The notice of claim shall be served promptly after filing the
25 claim. Service must be complete at least ten calendar days prior to
26 the first hearing.

27 The person serving the notice of claim shall be entitled to
28 receive from the plaintiff, besides mileage, the fee specified in RCW
29 36.18.040 for such service; which sum, together with the filing fee
30 set forth in RCW 12.40.020, shall be added to any judgment given for
31 plaintiff.

32 **Sec. 4.** RCW 12.40.050 and 1984 c 258 s 62 are each amended to
33 read as follows:

34 A claim filed in the small claims department shall contain: (1)
35 The name and address of the plaintiff; (2) a sworn statement, in
36 brief and concise form, of the nature and amount of the claim and
37 when the claim accrued; and (3) the name and residence of the

1 defendant, if known to the plaintiff, for the purpose of serving the
2 notice of claim on the defendant.

3 **Sec. 5.** RCW 12.40.105 and 2004 c 70 s 1 are each amended to read
4 as follows:

5 ~~((If the losing party fails to pay the judgment within thirty
6 days or within the period otherwise ordered by the court, the
7 judgment shall be increased by: (1) An amount sufficient to cover
8 costs of certification of the judgment under RCW 12.40.110; (2) the
9 amount specified in RCW 36.18.012(2))~~ (1) Upon the judge's entry of
10 judgment in a small claims action, the judgment is certified as a
11 district court civil judgment and shall be increased by: (a) The
12 amount specified in RCW 36.18.012(2); (b) any post judgment interest
13 provided for in RCW 4.56.110 and 19.52.020; and ((+3+)) (c) any other
14 costs incurred by the prevailing party to enforce the judgment,
15 including but not limited to reasonable attorneys' fees, without
16 regard to the jurisdictional limits on the small claims department.

17 (2) The clerk of the small claims department shall enter the
18 civil judgment on the judgment docket of the district court; and, as
19 in other judgments of district courts, once the judgment is entered
20 on the district court's docket garnishment, execution, and other
21 process on execution provided by law may issue thereon.

22 (3) A certified copy of the district court judgment shall be
23 provided to the prevailing party for no additional fee.

24 (4) The prevailing party may file a transcript of the district
25 court civil judgment or a certified copy of the district court
26 judgment with superior courts for entry in the superior courts' lien
27 dockets with like effect as in other cases.

28 **Sec. 6.** RCW 12.40.120 and 1997 c 352 s 4 are each amended to
29 read as follows:

30 No appeal shall be permitted from a judgment of the small claims
31 department of the district court where the amount claimed was less
32 than two hundred fifty dollars. No appeal shall be permitted by a
33 party who requested the exercise of jurisdiction by the small claims
34 department where the amount claimed by that party was less than one
35 thousand dollars. A party in default may seek to have the default
36 judgment set aside according to the civil court rules applicable to
37 setting aside judgments in district court.

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 12.40
2 RCW to read as follows:

3 If the prevailing party receives payment of the judgment, the
4 prevailing party shall file a satisfaction of such judgment with the
5 district court. If the prevailing party fails to file proof of
6 satisfaction of the judgment, the party paying the judgment may file
7 such notice with the district court.

8 **Sec. 8.** RCW 43.79.505 and 2011 1st sp.s. c 44 s 6 are each
9 amended to read as follows:

10 The judicial stabilization trust account is created within the
11 state treasury, subject to appropriation. All receipts from the
12 surcharges authorized by RCW 3.62.060(2), (~~(12.40.020(2),~~)
13 36.18.018(4), and 36.18.020(5) shall be deposited in this account.
14 Moneys in the account may be spent only after appropriation.

15 Expenditures from the account may be used only for the support of
16 judicial branch agencies.

17 NEW SECTION. **Sec. 9.** RCW 12.40.110 (Procedure on nonpayment)
18 and 2016 c 202 s 19, 1998 c 52 s 6, 1995 c 292 s 6, 1984 c 258 s 68,
19 1983 c 254 s 3, 1975 1st ex.s. c 40 s 1, 1973 c 128 s 2, & 1919 c 187
20 s 11 are each repealed.

--- END ---

SUBSTITUTE HOUSE BILL 1196

State of Washington 65th Legislature 2017 Regular Session

By House Judiciary (originally sponsored by Representatives Goodman, Rodne, Jinkins, Kilduff, McBride, and Barkis)

READ FIRST TIME 01/30/17.

1 AN ACT Relating to modifying the process for prevailing parties
2 to recover judgments in small claims court; amending RCW 12.40.020,
3 12.40.030, 12.40.040, 12.40.050, 12.40.105, 12.40.120, 4.56.200, and
4 43.79.505; adding a new section to chapter 12.40 RCW; and repealing
5 RCW 12.40.110.

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

7 **Sec. 1.** RCW 12.40.020 and 2011 1st sp.s. c 44 s 2 are each
8 amended to read as follows:

9 ~~((1))~~ A small claims action shall be commenced by the plaintiff
10 filing a claim, in the form prescribed by RCW 12.40.050, in the small
11 claims department. A filing fee of ~~((fourteen))~~ thirty-four dollars
12 plus any surcharge authorized by RCW 7.75.035 shall be paid when the
13 claim is filed. Any party filing a counterclaim, cross-claim, or
14 third-party claim in such action shall pay to the court a filing fee
15 of ~~((fourteen))~~ thirty-four dollars plus any surcharge authorized by
16 RCW 7.75.035.

17 ~~((2) Until July 1, 2013, in addition to the fees required by
18 this section, an additional surcharge of ten dollars shall be charged
19 on the filing fees required by this section, of which seventy-five
20 percent must be remitted to the state treasurer for deposit in the~~

1 ~~judicial stabilization trust account and twenty five percent must be~~
2 ~~retained by the county.))~~

3 **Sec. 2.** RCW 12.40.030 and 1997 c 352 s 1 are each amended to
4 read as follows:

5 Upon filing of a claim, the court shall set a time for hearing on
6 the matter. The court shall issue a notice of the claim which shall
7 be served upon the defendant to notify the defendant of the hearing
8 date. A trial need not be held ~~((on this))~~ at the first
9 ~~((appearance))~~ hearing, if dispute resolution services are offered
10 instead of trial, or local practice rules provide ~~((that trials will~~
11 ~~be held on different days))~~ for a pretrial hearing.

12 **Sec. 3.** RCW 12.40.040 and 1997 c 352 s 2 are each amended to
13 read as follows:

14 The notice of claim ~~((can))~~ may be served either as provided for
15 the service of summons or complaint and notice in civil actions as
16 described in RCW 4.28.080 or by registered or certified mail if a
17 return receipt with the signature of the party being served is filed
18 with the court. No other legal document or process is to be served
19 with the notice of claim. Information from the court regarding the
20 small claims department, local small claims procedure, dispute
21 resolution services, or other matters related to litigation in the
22 small claims department may be included with the notice of claim when
23 served.

24 The notice of claim shall be served promptly after filing the
25 claim. Service must be complete at least ten calendar days prior to
26 the first hearing.

27 The person serving the notice of claim shall be entitled to
28 receive from the plaintiff, besides mileage, the fee specified in RCW
29 36.18.040 for such service; which sum, together with the filing fee
30 set forth in RCW 12.40.020, shall be added to any judgment given for
31 plaintiff.

32 **Sec. 4.** RCW 12.40.050 and 1984 c 258 s 62 are each amended to
33 read as follows:

34 A claim filed in the small claims department shall contain: (1)
35 The name and address of the plaintiff; (2) a sworn statement, in
36 brief and concise form, of the nature and amount of the claim and
37 when the claim accrued; and (3) the name and residence of the

1 defendant, if known to the plaintiff, for the purpose of serving the
2 notice of claim on the defendant.

3 **Sec. 5.** RCW 12.40.105 and 2004 c 70 s 1 are each amended to read
4 as follows:

5 ~~((If the losing party fails to pay the judgment within thirty
6 days or within the period otherwise ordered by the court, the
7 judgment shall be increased by: (1) An amount sufficient to cover
8 costs of certification of the judgment under RCW 12.40.110; (2) the
9 amount specified in RCW 36.18.012(2))~~ (1) Upon the judge's entry of
10 judgment in a small claims action, the judgment is certified as a
11 district court civil judgment and shall be increased by: (a) The
12 amount specified in RCW 36.18.012(2); (b) any post judgment interest
13 provided for in RCW 4.56.110 and 19.52.020; and ((+3+)) (c) any other
14 costs incurred by the prevailing party to enforce the judgment,
15 including but not limited to reasonable attorneys' fees, without
16 regard to the jurisdictional limits on the small claims department.

17 (2) The clerk of the small claims department shall enter the
18 civil judgment on the judgment docket of the district court; and, as
19 in other judgments of district courts, once the judgment is entered
20 on the district court's docket garnishment, execution, and other
21 process on execution provided by law may issue thereon.

22 (3) A certified copy of the district court judgment shall be
23 provided to the prevailing party for no additional fee.

24 (4) The prevailing party may file a transcript of the district
25 court civil judgment or a certified copy of the district court
26 judgment with superior courts for entry in the superior courts' lien
27 dockets with like effect as in other cases.

28 **Sec. 6.** RCW 12.40.120 and 1997 c 352 s 4 are each amended to
29 read as follows:

30 No appeal shall be permitted from a judgment of the small claims
31 department of the district court where the amount claimed was less
32 than two hundred fifty dollars. No appeal shall be permitted by a
33 party who requested the exercise of jurisdiction by the small claims
34 department where the amount claimed by that party was less than one
35 thousand dollars. A party in default may seek to have the default
36 judgment set aside according to the civil court rules applicable to
37 setting aside judgments in district court.

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 12.40
2 RCW to read as follows:

3 If the prevailing party receives payment of the judgment, the
4 prevailing party shall file a satisfaction of such judgment with the
5 district court. If the prevailing party fails to file proof of
6 satisfaction of the judgment, the party paying the judgment may file
7 such notice with the district court.

8 **Sec. 8.** RCW 4.56.200 and 2012 c 133 s 1 are each amended to read
9 as follows:

10 The lien of judgments upon the real estate of the judgment debtor
11 shall commence as follows:

12 (1) Judgments of the district court of the United States rendered
13 or filed in the county in which the real estate of the judgment
14 debtor is situated, from the time of the entry or filing thereof;

15 (2) Judgments of the superior court for the county in which the
16 real estate of the judgment debtor is situated, from the time of the
17 filing by the county clerk upon the execution docket in accordance
18 with RCW 4.64.030;

19 (3) Judgments of the district court of the United States rendered
20 in any county in this state other than that in which the real estate
21 of the judgment debtor to be affected is situated, judgments of the
22 supreme court of this state, judgments of the court of appeals of
23 this state, and judgments of the superior court for any county other
24 than that in which the real estate of the judgment debtor to be
25 affected is situated, from the time of the filing of a duly certified
26 abstract of such judgment with the county clerk of the county in
27 which the real estate of the judgment debtor to be affected is
28 situated, as provided in this act;

29 (4) Judgments of a district court of this state rendered or filed
30 as a foreign judgment in a superior court in the county in which the
31 real estate of the judgment debtor is situated, from the time of the
32 filing of a duly certified district court judgment or duly certified
33 transcript of the docket of the district court with the county clerk
34 of the county in which such judgment was rendered or filed, and upon
35 such filing said judgment shall become to all intents and purposes a
36 judgment of the superior court for said county; and

37 (5) Judgments of a district court of this state rendered or filed
38 in a superior court in any other county in this state than that in
39 which the real estate of the judgment debtor to be affected is

1 situated, a transcript of the docket of which has been filed with the
2 county clerk of the county where such judgment was rendered or filed,
3 from the time of filing, with the county clerk of the county in which
4 the real estate of the judgment debtor to be affected is situated, of
5 a duly certified abstract of the record of said judgment in the
6 office of the county clerk of the county in which the certified
7 transcript of the docket of said judgment of said district court was
8 originally filed.

9 **Sec. 9.** RCW 43.79.505 and 2011 1st sp.s. c 44 s 6 are each
10 amended to read as follows:

11 The judicial stabilization trust account is created within the
12 state treasury, subject to appropriation. All receipts from the
13 surcharges authorized by RCW 3.62.060(2), (~~(12.40.020(2),)~~)
14 36.18.018(4), and 36.18.020(5) shall be deposited in this account.
15 Moneys in the account may be spent only after appropriation.

16 Expenditures from the account may be used only for the support of
17 judicial branch agencies.

18 NEW SECTION. **Sec. 10.** RCW 12.40.110 (Procedure on nonpayment)
19 and 2016 c 202 s 19, 1998 c 52 s 6, 1995 c 292 s 6, 1984 c 258 s 68,
20 1983 c 254 s 3, 1975 1st ex.s. c 40 s 1, 1973 c 128 s 2, & 1919 c 187
21 s 11 are each repealed.

--- END ---

POWERS OF MUNICIPAL COURT COMMISSIONERS

Proposal: To amend the statute setting forth municipal court commissioners' powers to mirror those set forth in the district court commissioners' powers.

Why it's needed: Aside from the benefits of having uniformity, it removes a potential challenge with a small legislative fix. The issue has been raised as a part of challenge to a search warrant that authorized a blood draw (i.e., warrant unlawful because commissioner wasn't authorized as district court commissioners). Several municipal courts utilize court commissioners, who issue search warrants on a routine basis.

Law as it currently exists:

RCW 3.50.075

Court commissioners—Appointment—Qualification—Limitations—Part-time judge.

(1) One or more court commissioners may be appointed by a judge of the municipal court.

(2) Each commissioner holds office at the pleasure of the appointing judge.

(3) A commissioner authorized to hear or dispose of cases must be a lawyer who is admitted to practice law in the state of Washington or a nonlawyer who has passed, by January 1, 2003, the qualifying examination for lay judges for courts of limited jurisdiction under RCW [3.34.060](#).

(4) On or after July 1, 2010, when serving as a commissioner, the commissioner does not have authority to preside over trials in criminal matters, or jury trials in civil matters unless agreed to on the record by all parties.

(5) A commissioner need not be a resident of the city or of the county in which the municipal court is created. When a court commissioner has not been appointed and the municipal court is presided over by a part-time appointed judge, the judge need not be a resident of the city or of the county in which the municipal court is created.

[[2008 c 227 § 8](#); [1994 c 10 § 1](#).]

Compared to –

RCW 3.42.020

Powers of commissioners—Limitations.

Each district court commissioner shall have such power, authority, and jurisdiction in criminal and civil matters as the appointing judges possess and shall prescribe, except that when serving as a commissioner, the commissioner does not have authority to preside over trials in criminal matters, or jury trials in civil matters unless agreed to on the record by all parties.

[[2008 c 227 § 6](#); [1984 c 258 § 31](#); [1979 ex.s. c 136 § 16](#); [1961 c 299 § 32](#).]

[N.B., RCW §§ 3.42.010, 3.42.020 are essentially combined in RCW 3.50.075.]

Proposed change: Added text = green; deleted text – red.

RCW 3.50.075

Court commissioners—Appointment—Qualification—Limitations—Part-time judge.

(1) One or more court commissioners may be appointed by a judge of the municipal court.

(2) Each commissioner holds office at the pleasure of the appointing judge.

(3) A commissioner shall have such power, authority, and jurisdiction in criminal and civil matters as the appointing judges possess, and ~~authorized to hear or dispose of cases~~ must be a lawyer who is admitted to practice law in the state of Washington or a nonlawyer who has passed, by January 1, 2003, the qualifying examination for lay judges for courts of limited jurisdiction under RCW 3.34.060.

(4) On or after July 1, 2010, when serving as a commissioner, the commissioner does not have authority to preside over trials in criminal matters, or jury trials in civil matters unless agreed to on the record by all parties.

(5) A commissioner need not be a resident of the city or of the county in which the municipal court is created. When a court commissioner has not been appointed and the municipal court is presided over by a part-time appointed judge, the judge need not be a resident of the city or of the county in which the municipal court is created.

2018 Legislative Proposal

Proposer: Judge David Larson

Reviewer: Judge Brett Buckley

Proposal:

Allow courts to enter interlocal agreements for probation services.

(See comprehensive memo from Judge Larson, dated Aug.3,2017)

Advantages:

-Defendants with cases in multiple jurisdictions could be monitored by just one probation office. Beneficial to defendants and could reduce caseloads in non-supervising jurisdictions.

-Would allow defendants to potentially take advantage of specialty treatment courts not offered in the transferring jurisdiction.

Disadvantages:

-Probation officer liability. I have concerns that a probation officer taking actions pursuant to the directions of a judge from another jurisdiction will not enjoy the protection of judicial immunity for those actions.

-Some courts are already providing probation services for other courts since there is no statutory prohibition. Bringing this issue to the Legislature may lead to prohibition, the opposite of the intended result.

Recommendation:

I believe this is an idea worth pursuing. It would make things easier for defendants who already struggle to comply with court orders. It could increase access to specialty court services. It may result in some level of caseload reduction system wide. It is a good public service approach.

However, I don't think we should pursue it unless we are convinced that it will not expose our probation officers to increased liability risks. I have asked Judge Larson to provide research invalidating my concerns or propose language ameliorating the concerns.

Should the DMCJA go forward with the proposal I believe the amendments suggested by Judge Larson to RCW 10.64.120, 39.34.180 and 70.48.090 are appropriate.

From: David A. Larson
Sent: Wednesday, September 06, 2017 1:35 PM
To: Judge Brett Buckley
Cc: Judge Sam Meyer
Subject: RE: Interlocal Agreements for Probation Services

Brett: The underlined additions to [RCW 4.24.760](#) below would make it clear that the protections in the statute extend to interlocal agreements for probation services. Let me know if this satisfies your concerns. Thanks. Dave

Limited jurisdiction courts—Limitation on liability for inadequate supervision or monitoring—Definitions.

(1) A limited jurisdiction court that provides misdemeanor supervision services is not liable for civil damages based on the inadequate supervision or monitoring of a misdemeanor defendant or probationer unless the inadequate supervision or monitoring constitutes gross negligence.

(2) For the purposes of this section:

(a) "Limited jurisdiction court" means a district court or a municipal court, and anyone acting or operating at the direction of such court, including but not limited to its officers, employees, agents, contractors, ~~and~~ volunteers, and others acting pursuant to an interlocal agreement.

(b) "Misdemeanant supervision services" means preconviction or postconviction misdemeanor probation or supervision services, or the monitoring of a misdemeanor defendant's compliance with a preconviction or postconviction order of the court, including but not limited to community corrections programs, probation supervision, pretrial supervision, or pretrial release services, including such services conducted pursuant to an interlocal agreement.

(3) This section does not create any duty and shall not be construed to create a duty where none exists. Nothing in this section shall be construed to affect judicial immunity.

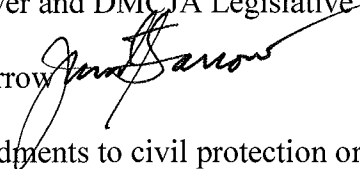
KING COUNTY DISTRICT COURT
East Division – Bellevue Courthouse

Judge Janet E. Garrow
Assistant Presiding Judge

1309-114th Ave SE
Bellevue, WA 98004
206-477-2100

Josie Jimenez
Court Manager

TO: Judge Sam Meyer and DMCJA Legislative Committee

FROM: Judge Janet Garrow 

SUBJECT: Proposed amendments to civil protection order statutes

DATE: September 5, 2017

Attached please find proposed amendments to civil protection order statutes involving Sexual Assault Protection Order, Stalking Order, Antiharassment Order and Domestic Violence Protection Order. The proposal does not include amendments to Extreme Risk Protection Orders (ERPOs) or Vulnerable Adult Protection Orders (VAPOs) because the District Court issues only the initial temporary order for the ERPO and the procedure differs from other civil protection orders. The Superior Court has exclusive jurisdiction over VAPOs and the procedure differs from other civil protection orders. The DMCJA should inquire of the SCJA regarding comments on these proposed amendments and whether other types of civil protection orders should be included in any future bill.

The purpose of the proposed amendments is to clarify that at the time of the hearing where both parties are present or appear through counsel, the court may grant a continuance of that hearing for “good cause”. The court may then reissue a temporary protection order lasting no more than 30 days and reschedule the hearing.

The reason for the proposed amendments is to remove an ambiguity in the existing statutes which appear to limit the court’s ability to reschedule the reissuance of a temporary order and the hearing beyond 14 days. The amendments give the parties and the court in these cases greater flexibility for scheduling these hearings. Due to the short window of time within which the initial hearing must be set, parties frequently seek a continuance of the hearing to prepare. Many times the parties or material witnesses are unavailable due to schedules. Sometimes these hearings need to be specially set to accommodate the parties and the court. Because it is important to keep these types of petitions on track, the proposed amendments allows only a continuance of up to thirty days. This would not preclude the court from granting an additional continuance, for good cause, but any continuance and temporary order could not exceed thirty days.

In addition to the minor revisions contained in the attachments to this page, a NEW SECTION would be added to the following protection order statutes, and the sections renumbered as needed.

RCW 7.90.120, Sexual Assault Protection Order

New section (2):

At the hearing, where all parties appear in person or through counsel, the court may grant a continuance for good cause, reissue a temporary order for protection not to exceed thirty days, and schedule a new hearing date.

RCW 7.92.120, Stalking Order

New section (5):

At the hearing, where all parties appear in person or through counsel, the court may grant a continuance for good cause, reissue a temporary order for protection not to exceed thirty days, and schedule a new hearing date.

RCW 10.14.080, Antiharassment Order

New section (3):

At the hearing, where all parties appear in person or through counsel, the court may grant a continuance for good cause, reissue a temporary order for protection not to exceed thirty days, and schedule a new hearing date.

RCW 26.50.070, Domestic Violence Protection Order

New section (5):

At the hearing, where all parties appear in person or through counsel, the court may grant a continuance for good cause, reissue a temporary order for protection not to exceed thirty days, and schedule a new hearing date.

SAPD

RCW 7.90.120**Ex parte orders—Duration.**

(1)(a) An ex parte temporary sexual assault protection order shall be effective for a fixed period not to exceed fourteen days. A full hearing, as provided in this chapter, shall be set for not later than fourteen days from the issuance of the ~~temporary order~~ ex parte or not later than twenty-four days if service by publication or service by mail is permitted. If the court permits service by publication or service by mail, the court shall also reissue the ex parte temporary protection order not to exceed another twenty-four days from the date of reissuing the ex parte protection order. Except as provided in RCW 7.90.050, 7.90.052, or 7.90.053, the respondent shall be personally served with a copy of the ex parte temporary sexual assault protection order along with a copy of the petition and notice of the date set for the hearing.

(b) Any ex parte temporary order issued under this section shall contain the date and time of issuance and the expiration date and shall be entered into a statewide judicial information system by the clerk of the court within one judicial day after issuance.

(2) Except as otherwise provided in this section or RCW 7.90.150, a final sexual assault protection order shall be effective for a fixed period of time or be permanent.

(3) Any sexual assault protection order which would expire on a court holiday shall instead expire at the close of the next court business day.

(4) The practice of dismissing or suspending a criminal prosecution in exchange for the issuance of a sexual assault protection order undermines the purposes of this chapter. This section shall not be construed as encouraging that practice.

[2017 c 233 § 1; 2013 c 74 § 3; 2006 c 138 § 13.]

Stalking

RCW 7.92.120

Ex parte temporary order for protection—Issuance.

(1) Where it appears from the petition and any additional evidence that the respondent has engaged in stalking conduct and that irreparable injury could result if an order is not issued immediately without prior notice, the court may grant an ex parte temporary order for protection, pending a full hearing and grant such injunctive relief as it deems proper, including the relief as specified under RCW 7.92.100 (2)(a) through (d) and (4).

(2) Irreparable injury under this section includes, but is not limited to, situations in which the respondent has recently threatened the petitioner with bodily injury or has engaged in acts of stalking conduct against the petitioner.

(3) The court shall hold an ex parte hearing in person or by telephone on the day the petition is filed or on the following judicial day.

(4) An ex parte temporary stalking protection order shall be effective for a fixed period not to exceed fourteen days or twenty-four days if the court has permitted service by publication or mail. The ~~ex parte~~ order may be reissued. A full hearing, as provided in this chapter, shall be set for not later than fourteen days from the issuance of the ~~temporary order~~ or not later than twenty-four days if service by publication or by mail is permitted. Unless the court has permitted service by publication or mail, the respondent shall be personally served with a copy of the ex parte order along with a copy of the petition and notice of the date set for the hearing.

(5) Any order issued under this section shall contain the date and time of issuance and the expiration date and shall be entered into a statewide judicial information system by the clerk of the court within one judicial day after issuance.

(6) If the court declines to issue an ex parte temporary stalking protection order, the court shall state the particular reasons for the court's denial. The court's denial of a motion for an ex parte temporary order shall be filed with the court.

(7) A knowing violation of a court order issued under this section is punishable under RCW 26.50.110.

[2013 c 84 § 12.]

*Antiharassment***RCW 10.14.080****Antiharassment protection orders—Ex parte temporary—Hearing—Longer term, renewal—Acts not prohibited.**

(1) Upon filing a petition for a civil antiharassment protection order under this chapter, the petitioner may obtain an ex parte temporary antiharassment protection order. An ex parte temporary antiharassment protection order may be granted with or without notice upon the filing of an affidavit which, to the satisfaction of the court, shows reasonable proof of unlawful harassment of the petitioner by the respondent and that great or irreparable harm will result to the petitioner if the temporary antiharassment protection order is not granted.

(2) An ex parte temporary antiharassment protection order shall be effective for a fixed period not to exceed fourteen days or twenty-four days if the court has permitted service by publication under RCW 10.14.085. The ex parte order may be reissued. A full hearing, as provided in this chapter, shall be set for not later than fourteen days from the issuance of the temporary order or not later than twenty-four days if service by publication is permitted. Except as provided in RCW 10.14.070 and 10.14.085, the respondent shall be personally served with a copy of the ex parte order along with a copy of the petition and notice of the date set for the hearing. The ex parte order and notice of hearing shall include at a minimum the date and time of the hearing set by the court to determine if the temporary order should be made effective for one year or more, and notice that if the respondent should fail to appear or otherwise not respond, an order for protection will be issued against the respondent pursuant to the provisions of this chapter, for a minimum of one year from the date of the hearing. The notice shall also include a brief statement of the provisions of the ex parte order and notify the respondent that a copy of the ex parte order and notice of hearing has been filed with the clerk of the court. *ex parte*

(3) At the hearing, if the court finds by a preponderance of the evidence that unlawful harassment exists, a civil antiharassment protection order shall issue prohibiting such unlawful harassment.

(4) An order issued under this chapter shall be effective for not more than one year unless the court finds that the respondent is likely to resume unlawful harassment of the petitioner when the order expires. If so, the court may enter an order for a fixed time exceeding one year or may enter a permanent antiharassment protection order. The court shall not enter an order that is effective for more than one year if the order restrains the respondent from contacting the respondent's minor children. This limitation is not applicable to civil antiharassment protection orders issued under chapter 26.09, 26.10, or 26.26 RCW. If the petitioner seeks relief for a period longer than one year on behalf of the respondent's minor children, the court shall advise the petitioner that the petitioner may apply for renewal of the order as provided in this chapter or if appropriate may seek relief pursuant to chapter 26.09 or 26.10 RCW.

(5) At any time within the three months before the expiration of the order, the petitioner may apply for a renewal of the order by filing a petition for renewal. The petition for renewal shall state the reasons why the petitioner seeks to renew the protection order. Upon receipt of the petition for renewal, the court shall order a hearing which shall be not later than fourteen days from the date of the order. Except as provided in RCW 10.14.085, personal service shall be made upon the respondent not less than five days before the hearing. If timely service cannot be made the court shall set a new hearing date and shall either require additional attempts at obtaining personal service or permit service by publication as provided by RCW 10.14.085. If the court permits service by publication, the court shall set the new hearing date

not later than twenty-four days from the date of the order. If the order expires because timely service cannot be made the court shall grant an ex parte order of protection as provided in this section. The court shall grant the petition for renewal unless the respondent proves by a preponderance of the evidence that the respondent will not resume harassment of the petitioner when the order expires. The court may renew the protection order for another fixed time period or may enter a permanent order as provided in subsection (4) of this section.

(6) The court, in granting an ex parte temporary antiharassment protection order or a civil antiharassment protection order, shall have broad discretion to grant such relief as the court deems proper, including an order:

- (a) Restraining the respondent from making any attempts to contact the petitioner;
- (b) Restraining the respondent from making any attempts to keep the petitioner under surveillance;
- (c) Requiring the respondent to stay a stated distance from the petitioner's residence and workplace; and
- (d) Considering the provisions of RCW 9.41.800.

(7) The court in granting an ex parte temporary antiharassment protection order or a civil antiharassment protection order, shall not prohibit the respondent from exercising constitutionally protected free speech. Nothing in this section prohibits the petitioner from utilizing other civil or criminal remedies to restrain conduct or communications not otherwise constitutionally protected.

(8) The court in granting an ex parte temporary antiharassment protection order or a civil antiharassment protection order, shall not prohibit the respondent from the use or enjoyment of real property to which the respondent has a cognizable claim unless that order is issued under chapter 26.09 RCW or under a separate action commenced with a summons and complaint to determine title or possession of real property.

(9) The court in granting an ex parte temporary antiharassment protection order or a civil antiharassment protection order, shall not limit the respondent's right to care, control, or custody of the respondent's minor child, unless that order is issued under chapter 13.32A, 26.09, 26.10, or 26.26 RCW.

(10) A petitioner may not obtain an ex parte temporary antiharassment protection order against a respondent if the petitioner has previously obtained two such ex parte orders against the same respondent but has failed to obtain the issuance of a civil antiharassment protection order unless good cause for such failure can be shown.

(11) The court order shall specify the date an order issued pursuant to subsections (4) and (5) of this section expires if any. The court order shall also state whether the court issued the protection order following personal service or service by publication and whether the court has approved service by publication of an order issued under this section.

[2011 c 307 § 3; 2001 c 311 § 1; 1995 c 246 § 36; 1994 sp.s. c 7 § 448; 1992 c 143 § 11; 1987 c 280 § 8.]

NOTES:

Severability—1995 c 246: See note following RCW 26.50.010.

Finding—Intent—Severability—1994 sp.s. c 7: See notes following RCW 43.70.540.

Effective date—1994 sp.s. c 7 §§ 401-410, 413-416, 418-437, and 439-460: See note following RCW 9.41.010.

RCW 26.50.070

DVPO

Ex parte temporary order for protection.

(1) Where an application under this section alleges that irreparable injury could result from domestic violence if an order is not issued immediately without prior notice to the respondent, the court may grant an ex parte temporary order for protection, pending a full hearing, and grant relief as the court deems proper, including an order:

(a) Restraining any party from committing acts of domestic violence;

(b) Restraining any party from going onto the grounds of or entering the dwelling that the parties share, from the residence, workplace, or school of the other, or from the day care or school of a child until further order of the court;

(c) Prohibiting any party from knowingly coming within, or knowingly remaining within, a specified distance from a specified location;

(d) Restraining any party from interfering with the other's custody of the minor children or from removing the children from the jurisdiction of the court;

(e) Restraining any party from having any contact with the victim of domestic violence or the victim's children or members of the victim's household;

(f) Considering the provisions of RCW 9.41.800; and

(g) Restraining the respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, location, or communication of a victim of domestic violence, the victim's children, or members of the victim's household. For the purposes of this subsection, "communication" includes both "wire communication" and "electronic communication" as defined in RCW 9.73.260.

(2) Irreparable injury under this section includes but is not limited to situations in which the respondent has recently threatened petitioner with bodily injury or has engaged in acts of domestic violence against the petitioner.

(3) The court shall hold an ex parte hearing in person or by telephone on the day the petition is filed or on the following judicial day.

(4) An ex parte temporary order for protection shall be effective for a fixed period not to exceed fourteen days or twenty-four days if the court has permitted service by publication under RCW 26.50.085 or by mail under RCW 26.50.123. The ex parte order may be reissued. A full hearing, as provided in this chapter, shall be set for not later than fourteen days from the issuance of the temporary order or not later than twenty-four days if service by publication or by mail is permitted. Except as provided in RCW 26.50.050, 26.50.085, and 26.50.123, the respondent shall be personally served with a copy of the ex parte order along with a copy of the petition and notice of the date set for the hearing.

(5) Any order issued under this section shall contain the date and time of issuance and the expiration date and shall be entered into a statewide judicial information system by the clerk of the court within one judicial day after issuance.

(6) If the court declines to issue an ex parte temporary order for protection the court shall state the particular reasons for the court's denial. The court's denial of a motion for an ex parte order of protection shall be filed with the court.

[2010 c 274 § 305; 2000 c 119 § 16; 1996 c 248 § 14; 1995 c 246 § 8; 1994 sp.s. c 7 § 458; 1992 c 143 § 3; 1989 c 411 § 2; 1984 c 263 § 8.]

NOTES:

Intent—2010 c 274: See note following RCW 10.31.100.

Application—2000 c 119: See note following RCW 26.50.021.

Severability—1995 c 246: See note following RCW 26.50.010.

Finding—Intent—Severability—1994 sp.s. c 7: See notes following RCW 43.70.540.

Effective date—1994 sp.s. c 7 §§ 401-410, 413-416, 418-437, and 439-460: See note following RCW 9.41.010.

Child abuse, temporary restraining order: RCW 26.44.063.

Orders prohibiting contact: RCW 10.99.040.

Temporary restraining order: RCW 26.09.060.

DMCJA Judicial Independence Issues and Responses

1. City threatens to close court
 - a. Reach out to judge to determine exact nature of conflict
 - b. Do neutral cost benefit analysis of contracting with other court
 - c. Obtain copy of proposed contract with another court
 - d. Enlist several judges to attend any hearing on the issue and outline need for judicial independence
 - e. Request that AOC and BJA contact City and ask for potential contract and number of judicial positions to determine if there are any conflicts with court rules, statutes, judicial independence principles.
 - f. Enlist other judges to support court/judicial independence
 - g. Create court rule/legislation which:
 - i) Does not allow termination of court without voter approval
 - ii) Does not allow termination of court at all
 - iii) Creates schematic which must be followed to terminate court
2. City/county does not maintain enough judicial officers as determined by judicial needs estimate
 - a. Contact AOC and BJA and request Chief send letter and set up meeting with City/County to discuss issue.
 - b. Write letter in support of meeting judicial needs estimate
 - c. Create court rule/legislation which dictates that Cities and Counties must comply with judicial needs assessment.
3. City proffers contract that conflicts with judicial independence
 - a. Contact AOC and BJA and request Chief send letter explaining issues in contract and provide model judicial contract.
 - b. Reach out to judge to assist in negotiating contract
 - c. Create court rule/legislation that dictates what must and must not be included in judicial contracts.
4. City attempts to tell judge how many fines to levy
 - a. Reach out to judge to provide support, mentorship
 - b. Request AOC/Chief send letter/contact exec. Or legis. Branch to discuss judicial independence issues.
 - c. Provide statutes and Blazina opinion to City.
5. City lists Court as a department under the executive or legislative branches
 - a. Reach out to judge to provide support, mentorship
 - b. Request AOC/BJA/Chief send letter/contact exec. Or legis. Branch to discuss judicial independence issues.

General Steps for DMCJA

1. Create and distribute model judicial services contract
2. Analyze proposed legislation and court rule regarding judicial independence
3. Gain support of other levels of court and BJA for our efforts regarding judicial independence
4. Send message to all judges that we are working on issue and are here to provide support.
5. Create a presentation for Municipal and County organizations' legislative and executive conferences regarding judicial independence.

Memorandum

To: DMCJA legislative Committee
From: Judge David Larson
RE: Amendments to RCW 3.50.810 and RCW 35.20.010 – Termination of Court at end of Judge’s Term
Date: September 10, 2013

In the late 1990’s and early 2000’s, several cities terminated their contracts with county district courts and formed their own municipal courts in compliance with existing state law. The law at the time allowed termination during the middle of the district court judges’ terms causing several issues of concern. The response was the adoption of SSB 5472 (see attached) which required a longer notice for termination and did not allow termination by a city until the end of the district court judge’s term of office.

Recent examples exist of cities either terminating courts or contemplating the termination of their court. In one case, the local municipal court judge retired and the city used pro tem judges until they signed a contract with the county. Another city is contemplating terminating the court due to the cost of remodeling the facility used for the court. In another case, the city talked about terminating its court as part of a package deal for a joint jail with the county. In yet another case, the city council decided not to terminate its court before a contested election of a controversial judge because the city attorney advised them that they could terminate the court if they did not like the outcome of the election. In the final case, a full-time judge elected by popular vote was replaced with district court judicial services by a vote of six members of the local city council.

It is important to preface the remarks to come that this is not about faulting one court for taking over the work of another court.¹ This is about finding the common thread that should influence the discussion of what we do about strengthening courts as a co-equal branch of government at all levels of court. With that said, it is necessary to reveal the nature of future potential attacks on judicial independence by reviewing the city’s motivation for terminating its court in the latter case.

In the latter case, the decision to approach the county for court services was motivated by the mayors and city council’s concern that the elected judge’s decisions and policies were causing high jail costs and other exposures to the city (see attached memo without exhibits submitted to a city council committee by the administration).² This scenario and

¹ In that regard, under the present statutory framework the new host court is as powerless to stop the increased workloads caused by the takeover as the other court is to stop the takeover.

² There are several legal arguments that could have been made that existing election laws and laws setting the terms of judges prohibited the action by the city council, but these issues were not litigated. It is not necessary at this juncture to go into detail on the relative merits of a challenge to the city council’s action. The proposed new sections are intended to clarify the law.

the other scenarios reveal the broad authority given to the executive and legislative branches of local government when it comes to determining the fate of courts within their jurisdiction. Right now, the executive and legislative branches have what they perceive to be unchecked power to terminate a court at any time for any reason.

Judicial independence is diluted when courts can be terminated at any time for any reason by as little as four votes of a city council during the judge's legislatively mandated (or voter mandated) term of office. Although case law supports the notion that the judge should be compensated to the end of his or her term of office, this it is not an issue about a judge being deprived of a salary. It is the authority the office holds that gives us our independence as a judiciary. The paycheck received after the court is terminated is of little importance if the powers granted by law are stripped from the judge mid-term by as little as four votes.

The proposal is to treat municipal courts and district courts the same when it comes to termination by making it clear that termination can only occur at the end of the judge's term of office. The following language could be added as a new section in RCW 3.50.810:

“A municipal court may only be terminated at the end of the judicial term of the judge or judges of that court. Provided, that in courts with elected municipal court judges the judicial term includes the time period between the date the office is designated for election pursuant to RCW 29A.24.010 to the end of the four-year term that is the subject of the upcoming election. Provided further, that in the case of a judge appointed in a part-time court pursuant to RCW 3.50.040, the term of office shall include the time period between the date the appointment is confirmed by the local legislative body to the end of the judge's four-year term of office as provided for in RCW 3.50.040.”

The following language could be added as a new section in RCW 35.20.010:

“A municipal court may only be terminated at the end of the judicial term of the judge or judges of that court. Provided, the judicial term includes the time period between the date the office is designated for election pursuant to RCW 29A.24.010 to the end of the four-year term that is the subject of the upcoming election.”

The proposed statutory changes are not a panacea, but they are a step in the right direction in preserving judicial independence and raising the esteem of the court as a co-equal branch of government.

Thanks.

Judge David A. Larson
Enc.

- (a) Decisions to consolidate court services under RCW 39.34.180 should always be motivated by the legitimate policy considerations. The purpose of this rule is to assure that the dignity of the courts as the third co-equal branch of government is preserved and protected in the implementation of RCW 39.34.180 by municipalities.
- (b) This rule applies to all new interlocal agreements under RCW 39.34.180 proposed after the effective date of this rule. This rule does not apply to the renewal of current interlocal agreements or to the renewal of agreements certified under this rule.
- (c) Any municipal corporation within this state that desires to enter into an interlocal agreement for court services with another municipal corporation under RCW 39.34.180 shall notify the Administrative Office of the Courts and the District and Municipal Court Judges Association of such intention prior to entering into negotiations for such services.
- (d) Municipalities that are proposed to be part of the interlocal agreement shall cooperate with and consider the advice and input of the designated representatives of the Administrative Office of the Courts and the District and Municipal Court Judges Association.
 - (1) The designated representatives of the Administrative Office of the Courts and the District and Municipal Court Judges Association shall be given access to all information requested from the parties to the proposed interlocal agreement.
 - (2) The designated representatives of the Administrative Office of the Courts and the District and Municipal Court Judges Association shall be given reasonable time at local public meetings to present their respective positions on the proposed interlocal agreement. "Reasonable time" includes a designated amount of time allotted on the meeting agenda at a regular meeting of the municipality that is sufficient to allow the issues to be presented fairly.
- (e) The Administrative Office of the Courts in cooperation with the District and Municipal Court Judges Association, Association of Washington Cities, and Association of Washington Counties shall develop a model interlocal agreement that shall be used as a template for interlocal agreements.
- (f) Certification – Access to the Judicial Information System and any state funding managed by the Administrative Office of the Courts will be denied unless the proposed arrangement for court services is certified by the Board of Judicial Administration upon the recommendation of the Administrative Office of the Courts and the District and Municipal Court Judges Association.
 - (1) Failure to comply with any part of this rule could be grounds to deny certification.
 - (2) Certification shall be denied if there is sufficient evidence that the proposed interlocal agreement is motivated by or results in an interference with judicial independence.

From: Linda Portnoy
Sent: Saturday, July 8, 2017 11:59 AM
To: Harvey, Sharon <Sharon.Harvey@courts.wa.gov>
Cc: Jeffrey Jahns
Subject: RE: [PUBLICDMCJA] DMCJA - CALL FOR IDEAS AND POTENTIAL LEGISLATION FOR THE 2018 LEGISLATIVE SESSION

Dear Sharon. I hope you are enjoying the summer. I would like the legislative committee to consider a package of legislation protecting municipal courts and their judges. I believe I sent some proposed legislation last year regarding removing a judge during their four year term. However, I did not hear back on that and I believe that type of legislation is not going to the heart of the matter in our state. I am cc'ing Judge Jahns because his recent legal paper on the peril of "buying and selling" courts contains some suggested legislation. I propose we put forward legislation that prohibits a city, with an established municipal court, from contracting out court services without a majority vote of the citizens. This would be legislation in Title 3.50. This legislation is in keeping with the law, which is that municipal courts are constitutionally created courts. They are not created by the legislature. The legislature has a limited grant of authority to create the limits of their authority (i.e., their jurisdiction). That authority cannot then be delegated further (In re Cloherty). Once city government believes they have the right to create and destroy municipal courts, the independence of the judiciary is in trouble. I am willing to draft some legislation, if so requested. The citizen vote would have to be done prior to the end of the four year term of the judge, so the legislation would need to specify when that must take place. The city council would be required to put a referendum on the ballot by a certain time as well. I am not sure how this type of thing works, but perhaps the way the state legislature puts laws on the state ballot...

Best regards,
Judge Portnoy



**DMCJA BOARD MEETING
FRIDAY, OCTOBER 13, 2017
12:30 PM – 3:30 PM
AOC SEATAC OFFICE
SEATAC, WA**

PRESIDENT SCOTT K. AHLF

SUPPLEMENTAL AGENDA

PAGE

Call to Order

General Business

- | | |
|---|----------------|
| A. Minutes – September 17, 2017 | 1-6 |
| B. Treasurer’s Report | X1-X13 |
| C. Special Fund Report | X14-X16 |
| D. Standing Committee Reports | |
| 1. Legislative Committee – <i>Judge Samuel Meyer</i> | |
| a. Meeting Minutes for August 18, 2017 | |
| 2. Rules Committee | 7-10 |
| a. Meeting Minutes for August 23, 2017 | |
| 3. Therapeutic Courts – <i>Judge Michael Finkle</i> | 11-12 |
| a. Therapeutic Courts Committee Survey Results | |
| E. Trial Court Advocacy Board (TCAB) | 13-14 |
| F. Judicial Information Systems (JIS) Report – <i>Ms. Vicky Cullinane</i> | |

Liaison Reports

- A. District and Municipal Court Management Association (**DMCMA**) – *Ms. Cynthia Marr*
- B. Misdemeanant Corrections Association (**MCA**) – *Ms. Stacie Scarpaci*
- C. Superior Court Judges’ Association (**SCJA**) – *Judge Blaine Gibson*
- D. Washington State Association for Justice (**WSAJ**) – *Loyd James Willaford, Esq.*
- E. Administrative Office of the Courts (**AOC**) – *Ms. Callie Dietz*
- F. Board for Judicial Administration (**BJA**) – *Judges Ringus, Jasprica, Logan, and Johnson*

Action

- | | |
|--|-------|
| A. DMCJA Spring Conference: Whether to Retain Security Officers – <i>Judge Charles Short</i> | 15 |
| B. 2018 Legislative Proposals – <i>Judge Samuel Meyer</i> | |
| 1. Discover Pass Bill (2SSB 5342; HB 1478) | 16-19 |
| 2. DNA Samples | 20-21 |
| 3. Commissioners to Solemnize Marriage (HB 1221) | 22 |
| 4. Small Claims (SB 5175; SHB 1196) | 23-31 |

<ul style="list-style-type: none"> 5. Powers of Commissioners 6. Interlocal Agreements for Probation Services 7. DVPO, SAPO, Extension of 14 Day Period for a Full Temporary Order Hearing 	<p>32-33 34-36 37-45</p>
<p>Discussion</p> <ul style="list-style-type: none"> A. Judicial Independence <ul style="list-style-type: none"> 1. DMCJA Judicial Independence Issues and Responses 2. General Rule (GR) 29 Educational Program 3. Proposed Legislation by Judge David Larson 4. Proposed Court Rule by Judge David Larson 5. Legislative Proposal Idea from Judge Linda Portnoy 6. Washington Municipal Courts Article by Judge Jeffrey Jahns (attached to meeting notice) 7. Court Funding Task Force Final Report (attached to meeting notice) 	<p>46-47 48-49 50 51</p>
<p>Information</p> <ul style="list-style-type: none"> A. 2017-2018 Nominating Committee Roster B. Board members are encouraged to apply for DMCJA representative positions. Available positions include: <ul style="list-style-type: none"> 1. Engrossed Second Substitute House Bill (E2SHB) 1163 - Domestic Violence Perpetrator Treatment Workgroup 2. Presiding Judge & Administrator Education Committee (Co-Chair) 3. BJA Court System Education Funding Task Force 4. Minority and Justice Commission C. DMCJA Board members are encouraged to submit Board agenda topics for monthly meetings. D. SB 6360 Statewide Relicensing Workgroup met on August 31, 2017 and September 15, 2017 to provide the Washington State Office of the Attorney General (OAG) with recommendations regarding a plan for the consolidation of traffic-based financial obligations. The OAG will provide a report to the Legislature, Washington Supreme Court, and Governor by December 1, 2017. E. The Municipal Court Judge Swearing-In Ceremony is December 11, 2017, from 9:30 a.m. to 12:00 p.m., in the Supreme Court Courtroom at the Temple of Justice in Olympia, Washington. F. DMCJA Follow-Up Letter regarding Request for Odyssey Portal Access 	<p>X17</p> <p>X18-X19</p>
<p>Other Business</p> <p>The next DMCJA Board Meeting is scheduled for November 3, 2017, 12:30 p.m. to 3:30 p.m., at the AOC SeaTac Office in SeaTac, WA. The Board will discuss whether to obtain a financial planner and view a presentation on the Forensic Competency Evaluation Videoconferencing Pilot Program.</p>	
<p>Adjourn</p>	
<p>Persons with a disability, who require accommodation, should notify Susan Peterson at 360-705-5278 or susan.peterson@courts.wa.gov to request or discuss accommodations. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.</p>	

Christina E Huwe
Pierce County Bookkeeping
1504 58th 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, 2017

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
- Current Budget Balance

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

PLEASE BE SURE TO KEEP FOR YOUR RECORDS

Washington State District And Municipal Court Judges Assoc.
Statement of Financial Position
As of September 30, 2017

	<u>Sep 30, 17</u>
ASSETS	
Current Assets	
Checking/Savings	
Bank of America - Checking	10,877
Bank of America - Savings	32,796
US Bank - Savings	70,752
Washington Federal	50,665
Total Checking/Savings	<u>165,089</u>
Total Current Assets	165,089
Fixed Assets	
Accumulated Depreciation	(607)
Computer Equipment	579
Total Fixed Assets	(29)
Other Assets	
Prepaid Expenses	30,792
Total Other Assets	<u>30,792</u>
TOTAL ASSETS	<u><u>195,853</u></u>
LIABILITIES & EQUITY	
Equity	195,853
TOTAL LIABILITIES & EQUITY	<u><u>195,853</u></u>

Washington State District And Municipal Court Judges Assoc.
Statement of Activities
For the Three Months Ending September 30th, 2017

	<u>Jul 17</u>	<u>Aug 17</u>	<u>Sep 17</u>	<u>TOTAL</u>
Ordinary Income/Expense				
Income				
2017 Special Fund	0	50	50	100
Interest Income	14	5	10	29
Total Income	<u>14</u>	<u>55</u>	<u>60</u>	<u>129</u>
Gross Profit	14	55	60	129
Expense				
Judicial College Program Support	0	0	1,500	1,500
Prior Year Budget Expense	2,458	3,488	661	6,606
Board Meeting Expense	0	435	2,004	2,439
Bookkeeping Expense	0	315	829	1,144
Conference Calls	0	0	37	37
Diversity Committee	0	86	0	86
Educational Grants	0	0	1,000	1,000
Judicial Assistance Committee	0	(6,200)	3,342	(2,858)
Legislative Committee	0	161	106	266
Lobbyist Contract	5,417	5,417	5,417	16,250
MCA Liaison	0	220	0	220
President Expense	0	0	208	208
99 - Depreciation Expense	10	10	10	29
Bank Service Charges	0	0	14	14
Interest Expense	18	0	0	18
Total Expense	<u>7,902</u>	<u>3,931</u>	<u>15,126</u>	<u>26,960</u>
Net Ordinary Income	<u>(7,888)</u>	<u>(3,876)</u>	<u>(15,067)</u>	<u>(26,831)</u>
Net Income	<u><u>(7,888)</u></u>	<u><u>(3,876)</u></u>	<u><u>(15,067)</u></u>	<u><u>(26,831)</u></u>

9:29 AM
10/06/17

**Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
Bank of America - Checking, Period Ending 09/30/2017**

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						13,127.04
Cleared Transactions						
Checks and Payments - 26 Items						
Check	08/31/2017	online	Susanna Neil Kanth...	X	-300.00	-300.00
Check	08/31/2017	online	Rebecca Robertson	X	-112.98	-412.98
Check	08/31/2017	online	Melanie Stewart	X	-53.50	-466.48
Check	09/01/2017	online	Judicial Conf. Regist...	X	-1,500.00	-1,966.48
Check	09/14/2017	online	Cave B	X	-2,163.61	-4,130.09
Check	09/14/2017	online	Melanie Stewart	X	-2,000.00	-6,130.09
Check	09/14/2017	online	Pierce County Book...	X	-303.75	-6,433.84
Check	09/15/2017	online	Kelli E. Osler	X	-1,000.00	-7,433.84
Check	09/15/2017	online	AOC	X	-958.08	-8,391.92
Check	09/15/2017	online	Charles Short	X	-256.80	-8,648.72
Check	09/15/2017	online	David Steiner	X	-83.04	-8,731.76
Check	09/15/2017	online	Scott Ahlf	X	-53.50	-8,785.26
Check	09/15/2017	online	Michelle Gehlsen	X	-29.96	-8,815.22
Check	09/15/2017	online	Rick Leo	X	-24.98	-8,840.20
Check	09/15/2017	online	Melanie Dane	X	-22.47	-8,862.67
Check	09/15/2017	online	Karen Donohue	X	-21.94	-8,884.61
Check	09/15/2017	online	Damon G. Shadid	X	-21.94	-8,906.55
Check	09/15/2017	online	Kevin Ringus	X	-21.40	-8,927.95
Check	09/15/2017	online	Michael Finkle	X	-17.66	-8,945.61
Check	09/15/2017	online	Douglas B. Robinson	X	-15.00	-8,960.61
Check	09/16/2017	online	David Steiner	X	-83.04	-9,043.65
Check	09/20/2017	online	Superior Court Judg...	X	-660.51	-9,704.16
Check	09/20/2017	online	Dino W Traverso, P...	X	-525.00	-10,229.16
Check	09/20/2017	online	Michelle Gehlsen	X	-87.74	-10,316.90
Check	09/29/2017	online	Samuel G. Meyer	X	-53.50	-10,370.40
Check	09/30/2017			X	-14.00	-10,384.40
Total Checks and Payments					-10,384.40	-10,384.40
Deposits and Credits - 2 Items						
General Journal	09/18/2017	CEH	Rebecca Robertson	X	112.98	112.98
Transfer	09/25/2017			X	10,000.00	10,112.98
Total Deposits and Credits					10,112.98	10,112.98
Total Cleared Transactions					-271.42	-271.42
Cleared Balance					-271.42	12,855.62

9:29 AM
10/06/17

Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
Bank of America - Checking, Period Ending 09/30/2017

Type	Date	Num	Name	Clr	Amount	Balance
Uncleared Transactions						
Checks and Payments - 4 Items						
Check	02/11/2014	7276	Douglas Goelz		-84.00	-84.00
Check	09/28/2017	online	Ingallina's Box Lunch		-105.99	-189.99
Check	09/29/2017	online	Barbara Barnes		-1,125.00	-1,314.99
Check	09/29/2017	online	Kimberly Walden		-42.10	-1,357.09
Total Checks and Payments					-1,357.09	-1,357.09
Total Uncleared Transactions					-1,357.09	-1,357.09
Register Balance as of 09/30/2017					-1,628.51	11,498.53
New Transactions						
Checks and Payments - 2 Items						
Check	10/03/2017	online	Judy Jasprica		-212.60	-212.60
Check	10/03/2017	online	Melanie Dane		-212.00	-424.60
Total Checks and Payments					-424.60	-424.60
Deposits and Credits - 1 Item						
General Journal	10/06/2017	CEH			14.00	14.00
Total Deposits and Credits					14.00	14.00
Total New Transactions					-410.60	-410.60
Ending Balance					-2,039.11	11,087.93

7:53 AM
10/06/17

Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
Bank of America - Savings, Period Ending 09/30/2017

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						42,794.84
Cleared Transactions						
Checks and Payments - 1 item						
Transfer	09/25/2017			X	-10,000.00	-10,000.00
Total Checks and Payments					-10,000.00	-10,000.00
Deposits and Credits - 1 item						
Deposit	09/30/2017			X	0.69	0.69
Total Deposits and Credits					0.69	0.69
Total Cleared Transactions					-9,999.31	-9,999.31
Cleared Balance					-9,999.31	32,795.53
Register Balance as of 09/30/2017					-9,999.31	32,795.53
Ending Balance					-9,999.31	32,795.53

5:34 PM
10/05/17

Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
US Bank - Savings, Period Ending 09/30/2017

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						70,747.47
Cleared Transactions						
Deposits and Credits - 1 Item						
Deposit	09/30/2017			X	4.65	4.65
Total Deposits and Credits					4.65	4.65
Total Cleared Transactions					4.65	4.65
Cleared Balance					4.65	70,752.12
Register Balance as of 09/30/2017					4.65	70,752.12
Ending Balance					<u>4.65</u>	<u>70,752.12</u>

4:16 PM
10/05/17

Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
Washington Federal, Period Ending 09/30/2017

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						50,610.51
Cleared Transactions						
Deposits and Credits - 3 items						
Deposit	09/29/2017			X	25.00	25.00
Deposit	09/29/2017			X	25.00	50.00
Deposit	09/30/2017			X	4.16	54.16
Total Deposits and Credits					54.16	54.16
Total Cleared Transactions					54.16	54.16
Cleared Balance					54.16	50,664.67
Register Balance as of 09/30/2017					54.16	50,664.67
Ending Balance					54.16	50,664.67

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
 July through September 2017

Type	Date	Num	Name	Memo	Amount	Balance
Bank of America - Checking						
Check	07/10/2017	online	Melanie Stewart		(2,000.00)	(2,000.00)
Check	07/10/2017	online	Pierce County Bookkeeping	LW3BG-3CWL5 June Invoice 615	(315.00)	(2,315.00)
Check	07/10/2017	online	AOC	LW3DF-ZQCW7 Invoice MS061917-02	(1,431.66)	(3,746.66)
Check	07/10/2017	online	Rebecca Robertson	LW3D6-GRHPN	(112.98)	(3,859.64)
Check	07/10/2017	online	G. Scott Marinella	LW3CV-WGPFQ	(181.92)	(4,041.56)
Check	07/30/2017	online	AOC	LY60X-MBGW	(416.26)	(4,457.82)
Check	08/01/2017	online	Kevin Ringus	LYCY7-W0P1G	(141.98)	(4,599.80)
Check	08/01/2017				(18.23)	(4,618.03)
Check	08/02/2017	online	Douglas B. Robinson	LYCYB-ZT8C1	(220.44)	(4,838.47)
Check	08/02/2017	online	Pierce County Bookkeeping	LYCYN-PB64H	(315.00)	(5,153.47)
Deposit	08/02/2017			Superior Court Judges Association	6,500.00	1,346.53
Check	08/16/2017	online	Pierce County Bookkeeping		(50.00)	1,296.53
Check	08/18/2017	online	Ingallina's Box Lunch		(352.44)	944.09
Check	08/18/2017	online	Melanie Stewart		(2,000.00)	(1,055.91)
Check	08/18/2017	online	Linda Coburn		(86.34)	(1,142.25)
Check	08/31/2017	online	Samuel G. Meyer		(53.50)	(1,195.75)
Check	08/31/2017	online	Scott Ahlf		(53.50)	(1,249.25)
Check	08/31/2017	online	AOC		(82.42)	(1,331.67)
Check	08/31/2017	online	AOC	Prior Year Budget Expense	(3,232.92)	(4,564.59)
Check	08/31/2017	online	Melanie Stewart	M1C02-39W8Z	(53.50)	(4,618.09)
Check	08/31/2017	online	Susanna Neil Kanther-Raz	M1C05-L7XQV	(300.00)	(4,918.09)
Check	08/31/2017	online	Rebecca Robertson	board meeting	(112.98)	(5,031.07)
Deposit	08/31/2017			Deposit	50.00	(4,981.07)
Check	09/01/2017	online	Judicial Conf. Registrar	M1C0X-CXFH3	(1,500.00)	(6,481.07)
Check	09/14/2017	online	Melanie Stewart	Invoice 4462 M25F2-8JLLH	(2,000.00)	(8,481.07)
Check	09/14/2017	online	Pierce County Bookkeeping	M25DX-Q5LTD	(303.75)	(8,784.82)
Check	09/14/2017	online	Cave B	M2SBS-1YND8	(2,163.61)	(10,948.43)
Check	09/15/2017	online	Kelli E. Osler	M2GYC03W9BR	(1,000.00)	(11,948.43)
Check	09/15/2017	online	Charles Short	M2GYX-05SCF	(256.80)	(12,205.23)
Check	09/15/2017	online	David Steiner	M2GYH-CLKRF	(83.04)	(12,288.27)
Check	09/15/2017	online	Scott Ahlf	M2GYX-08FTF	(53.50)	(12,341.77)
Check	09/15/2017	online	Michelle Gehlsen	M2H11-LLTCX	(29.96)	(12,371.73)
Check	09/15/2017	online	Rick Leo	M2H0T-MDDH9	(24.98)	(12,396.71)
Check	09/15/2017	online	Melanie Dane	M2H0X-QHNT1	(22.47)	(12,419.18)
Check	09/15/2017	online	Damon G. Shadid	M2H04-XTHFN	(21.94)	(12,441.12)
Check	09/15/2017	online	Karen Donohue	M2H0K-4RLQC	(21.94)	(12,463.06)
Check	09/15/2017	online	Kevin Ringus	M2H0M-MDZ81	(21.40)	(12,484.46)
Check	09/15/2017	online	Michael Finkle	M2H0F-L19ZH	(17.66)	(12,502.12)
Check	09/15/2017	online	Douglas B. Robinson	M2GYX-07H9Q	(15.00)	(12,517.12)
Check	09/15/2017	online	AOC	MS091117-02	(958.08)	(13,475.20)
Check	09/16/2017	online	David Steiner	M2GYK-KC992	(83.04)	(13,558.24)
Genera...	09/18/2017	CEH	Rebecca Robertson	reverse for duplicate request	112.98	(13,445.26)
Check	09/20/2017	online	Superior Court Judges Association	refund on last year budget M2SC2-C2DQ0	(660.51)	(14,105.77)
Check	09/20/2017	online	Dino W Traverso, PLLC	2016 corp taxes M2SBN-TXJVP	(525.00)	(14,630.77)
Check	09/20/2017	online	Michelle Gehlsen	M2SBT-7WJFH	(87.74)	(14,718.51)
Transfer	09/25/2017			Funds Transfer	10,000.00	(4,718.51)
Check	09/27/2017	online	Dan B Johnson	M48LF-7CPQ3	(196.60)	(4,915.11)
Check	09/27/2017	online	Michael Finkle	M48LF-7GPBD	(212.60)	(5,127.71)
Check	09/27/2017	online	Michelle Gehlsen	M48LF-7GVMN	(212.60)	(5,340.31)
Check	09/28/2017	online	Ingallina's Box Lunch	M43JQ-6Z92K	(105.99)	(5,446.30)
Check	09/29/2017	online	Barbara Barnes	M48MD-G377B	(1,125.00)	(6,571.30)
Check	09/29/2017	online	Samuel G. Meyer	M3Z4G-TZMTT	(53.50)	(6,624.80)
Check	09/29/2017	online	Kimberly Walden	M48M3-PPY7D	(42.10)	(6,666.90)
Check	09/30/2017			reversed on 10-6-17	(14.00)	(6,680.90)
Total Bank of America - Checking					(6,680.90)	(6,680.90)
Bank of America - Savings						
Deposit	07/31/2017			Interest	0.73	0.73
Deposit	08/31/2017			Interest	0.73	1.46
Transfer	09/25/2017			Funds Transfer	(10,000.00)	(9,998.54)
Deposit	09/30/2017			Interest	0.69	(9,997.85)
Total Bank of America - Savings					(9,997.85)	(9,997.85)
US Bank - Savings						
Deposit	07/30/2017			Deposit	4.62	4.62
Deposit	07/31/2017			Interest	4.65	9.27
Deposit	09/30/2017			Interest	4.65	13.92
Total US Bank - Savings					13.92	13.92

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
 July through September 2017

Type	Date	Num	Name	Memo	Amount	Balance
Washington Federal						
Deposit	07/31/2017			Interest	4.29	4.29
Deposit	08/30/2017			Deposit	50.00	54.29
Deposit	08/31/2017			Interest	4.29	58.58
Deposit	09/29/2017			Deposit	25.00	83.58
Deposit	09/29/2017			Deposit	25.00	108.58
Deposit	09/30/2017			Interest	4.16	112.74
Total Washington Federal					112.74	112.74
Accumulated Depreciation						
Genera...	07/31/2017	CEH			(9.58)	(9.58)
Genera...	08/30/2017	CEH			(9.58)	(19.16)
Genera...	09/30/2017	CEH			(9.58)	(28.74)
Total Accumulated Depreciation					(28.74)	(28.74)
Prepaid Expenses						
Genera...	07/31/2017	CEH		1/12 of Contract	(3,416.66)	(3,416.66)
Genera...	08/30/2017	CEH		1/12 of Contract	(3,416.66)	(6,833.32)
Genera...	09/30/2017	CEH		1/12 of Contract	(3,416.66)	(10,249.98)
Total Prepaid Expenses					(10,249.98)	(10,249.98)
Bank of America C. C.						
Credit ...	07/11/2017			Service Charge	(18.23)	(18.23)
Check	08/01/2017				18.23	0.00
Total Bank of America C. C.					0.00	0.00
2017 Special Fund						
Check	08/16/2017	online	Pierce County Bookkeeping	special dues that was put in BOA in error.	50.00	50.00
Deposit	08/30/2017	3002	Kevin P Kelly	Deposit	(25.00)	25.00
Deposit	08/30/2017	11595	Jeffrey Smith	Deposit	(25.00)	0.00
Deposit	08/31/2017			Deposit	(50.00)	(50.00)
Deposit	09/29/2017	3845	Heidi Heywood	Deposit	(25.00)	(75.00)
Deposit	09/29/2017	1728	Abigail Bartlett	Deposit	(25.00)	(100.00)
Total 2017 Special Fund					(100.00)	(100.00)
Interest Income						
Deposit	07/30/2017			Deposit	(4.62)	(4.62)
Deposit	07/31/2017			Interest	(0.73)	(5.35)
Deposit	07/31/2017			Interest	(4.29)	(9.64)
Deposit	07/31/2017			Interest	(4.65)	(14.29)
Deposit	08/31/2017			Interest	(0.73)	(15.02)
Deposit	08/31/2017			Interest	(4.29)	(19.31)
Deposit	09/30/2017			Interest	(4.16)	(23.47)
Deposit	09/30/2017			Interest	(4.65)	(28.12)
Deposit	09/30/2017			Interest	(0.69)	(28.81)
Total Interest Income					(28.81)	(28.81)
Judicial College Program Support						
Check	09/01/2017	online	Judicial Conf. Registrar	M1C0X-CXFH3	1,500.00	1,500.00
Total Judicial College Program Support					1,500.00	1,500.00
Prior Year Budget Expense						
Check	07/10/2017	online	Pierce County Bookkeeping	June Invoice 615	315.00	315.00
Check	07/10/2017	online	AOC	Invoice MS061917-02 Board	461.89	776.89
Check	07/10/2017	online	Rebecca Robertson	Board meeting	112.98	889.87
Check	07/10/2017	online	G. Scott Marinella	LW3CV-WGPFQ	181.92	1,071.79
Check	07/10/2017	online	AOC	Conference Calls	394.29	1,466.08
Check	07/10/2017	online	AOC	Trial Court Sentencing committee	281.80	1,747.88
Check	07/10/2017	online	AOC	Jasp	293.68	2,041.56
Check	07/30/2017	online	AOC	board	(201.48)	1,840.08
Check	07/30/2017	online	AOC	conference Calls	68.10	1,908.18
Check	07/30/2017	online	AOC	Diversity Committee	334.26	2,242.44
Check	07/30/2017	online	AOC	JASP	215.38	2,457.82
Check	08/01/2017	online	Kevin Ringus	Board meeting in Spokane	141.98	2,599.80
Check	08/31/2017	online	AOC	board	2,394.45	4,994.25
Check	08/31/2017	online	AOC	conference planning committee	293.77	5,288.02
Check	08/31/2017	online	AOC	Diversity Committee	84.84	5,372.86
Check	08/31/2017	online	AOC	JASP	348.88	5,721.74
Check	08/31/2017	online	AOC	Legislative Committee	110.98	5,832.72
Check	08/31/2017	online	Rebecca Robertson	board meeting	112.98	5,945.70
Check	09/20/2017	online	Superior Court Judges Association	refund on last year budget M2SC2-C2DQ0	660.51	6,606.21
Total Prior Year Budget Expense					6,606.21	6,606.21

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
 July through September 2017

Type	Date	Num	Name	Memo	Amount	Balance
Board Meeting Expense						
Check	08/18/2017	online	Ingallina's Box Lunch		352.44	352.44
Check	08/31/2017	online	AOC	Printing, postage and supplies	82.42	434.86
Check	09/15/2017	online	Charles Short	M2GYX-05SCF	256.80	691.66
Check	09/15/2017	online	Scott Ahlf	M2GYX-08FTF	53.50	745.16
Check	09/15/2017	online	Michelle Gehlsen	M2H11-LLTCX	29.96	775.12
Check	09/15/2017	online	Rick Leo	M2H0T-MDDH9	24.98	800.10
Check	09/15/2017	online	Melanie Dane	M2H0X-QHNT1	22.47	822.57
Check	09/15/2017	online	Damon G. Shadid	M2H04-XTHFN	21.94	844.51
Check	09/15/2017	online	Karen Donohue	M2H0K-4RLQC	21.94	866.45
Check	09/15/2017	online	Kevin Ringus	M2H0M-MDZ81	21.40	887.85
Check	09/15/2017	online	Michael Finkle	M2H0F-L19ZH	17.66	905.51
Check	09/15/2017	online	Douglas B. Robinson	M2GYX-07H9Q	15.00	920.51
Check	09/15/2017	online	AOC	MS091117-02	921.52	1,842.03
Genera...	09/18/2017	CEH	Rebecca Robertson	reverse for duplicate request	(112.98)	1,729.05
Check	09/20/2017	online	Michelle Gehlsen	M2SBT-7WJFH	87.74	1,816.79
Check	09/27/2017	online	Dan B Johnson	M48LF-7CPQ3	196.60	2,013.39
Check	09/27/2017	online	Michael Finkle	M48LF-7GPBD	212.60	2,225.99
Check	09/27/2017	online	Michelle Gehlsen	M48LF-7GVMN	212.60	2,438.59
Total Board Meeting Expense					2,438.59	2,438.59
Bookkeeping Expense						
Check	08/02/2017	online	Pierce County Bookkeeping	July Invoice	315.00	315.00
Check	09/14/2017	online	Pierce County Bookkeeping	M25DX-Q5LTD	303.75	618.75
Check	09/20/2017	online	Dino W Traverso, PLLC	2016 corp taxes M2SBN-TXJVP	525.00	1,143.75
Total Bookkeeping Expense					1,143.75	1,143.75
Conference Calls						
Check	09/15/2017	online	AOC	MS091117-02	36.56	36.56
Total Conference Calls					36.56	36.56
Diversity Committee						
Check	08/18/2017	online	Linda Coburn		86.34	86.34
Total Diversity Committee					86.34	86.34
Educational Grants						
Check	09/15/2017	online	Kelli E. Osler	M2GYC03W9BR	1,000.00	1,000.00
Total Educational Grants					1,000.00	1,000.00
Judicial Assistance Committee						
Deposit	08/02/2017		Superior Court Judges Association	Superior Court Judges Association	(6,500.00)	(6,500.00)
Check	08/31/2017	online	Susanna Neil Kanther-Raz	M1C05-L7XQV	300.00	(6,200.00)
Check	09/14/2017	online	Cave B	50% downpayment	2,163.61	(4,036.39)
Check	09/29/2017	online	Barbara Barnes	M48MD-G377B	1,125.00	(2,911.39)
Check	09/29/2017	online	Samuel G. Meyer	M3Z4G-TZMTT	53.50	(2,857.89)
Total Judicial Assistance Committee					(2,857.89)	(2,857.89)
Legislative Committee						
Check	08/31/2017	online	Samuel G. Meyer		53.50	53.50
Check	08/31/2017	online	Scott Ahlf		53.50	107.00
Check	08/31/2017	online	Melanie Stewart	M1C02-39W8Z	53.50	160.50
Check	09/28/2017	online	Ingallina's Box Lunch	M43JQ-6Z92K	105.99	266.49
Total Legislative Committee					266.49	266.49
Lobbyist Contract						
Check	07/10/2017	online	Melanie Stewart	July Invoice 4445	2,000.00	2,000.00
Genera...	07/31/2017	CEH		1/12 of Contract	3,416.66	5,416.66
Check	08/18/2017	online	Melanie Stewart		2,000.00	7,416.66
Genera...	08/30/2017	CEH		1/12 of Contract	3,416.66	10,833.32
Check	09/14/2017	online	Melanie Stewart	Invoice 4462 M25F2-8JLLH	2,000.00	12,833.32
Genera...	09/30/2017	CEH		1/12 of Contract	3,416.66	16,249.98
Total Lobbyist Contract					16,249.98	16,249.98
MCA Liaison						
Check	08/02/2017	online	Douglas B. Robinson	Meeting in Yakima	220.44	220.44
Total MCA Liaison					220.44	220.44
President Expense						
Check	09/15/2017	online	David Steiner	M2GYH-CLKRF	83.04	83.04
Check	09/16/2017	online	David Steiner	M2GYK-KC992	83.04	166.08
Check	09/29/2017	online	Kimberly Walden	M48M3-PPY7D	42.10	208.18
Total President Expense					208.18	208.18

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
 July through September 2017

Type	Date	Num	Name	Memo	Amount	Balance
99 - Depreciation Expense						
Genera...	07/31/2017	CEH			9.58	9.58
Genera...	08/30/2017	CEH			9.58	19.16
Genera...	09/30/2017	CEH			9.58	28.74
Total 99 - Depreciation Expense					28.74	28.74
Bank Service Charges						
Check	09/30/2017			Service Charge	14.00	14.00
Total Bank Service Charges					14.00	14.00
Interest Expense						
Credit ...	07/11/2017			Service Charge	18.23	18.23
Total Interest Expense					18.23	18.23
TOTAL					0.00	0.00

DMCJA 2017-2018 Adopted Budget			
ITEM COMMITTEE	Beginning Balance	Total Costs	Ending Balance
Access to Justice Liaison	\$100.00		\$100.00
Audit	\$2,000.00		\$2,000.00
Bar Association Liaison	\$1,500.00		\$1,500.00
Board Meeting Expense	\$30,000.00	\$2,439.00	\$27,561.00
Bookkeeping Expense	\$3,500.00	\$1,144.00	\$2,356.00
Bylaws Committee	\$250.00		\$250.00
Conference Calls	\$250.00	\$37.00	\$213.00
Conference Planning Committee	\$4,000.00		\$4,000.00
Conference Incidental Fees For Members Spring Conference 2018	\$40,000.00		\$40,000.00
Diversity Committee	\$2,000.00	\$86.00	\$1,914.00
DMCJA/SCJA Sentencing Alternatives aka "Trial Ct Sentencing & Supervision Comm"	\$1,000.00		\$1,000.00
DMCMA Liaison	\$500.00		\$500.00
DOL Liaison Committee	\$200.00		\$200.00
Education Committee	\$14,500.00		\$14,500.00
Educational Security			\$0.00
Education-Grants	\$5,000.00	\$1,000.00	\$4,000.00
Judicial Assistance Committee*	\$13,000.00	\$3,642.00	\$9,358.00
Judicial College Social Support	\$1,500.00	\$1,500.00	\$0.00
Judicial Community Outreach	\$4,000.00		\$4,000.00
Judicial Independence Fire Brigade	\$1,000.00		\$1,000.00
Legislative Committee	\$4,000.00	\$266.00	\$3,734.00
Legislative Pro-Tem	\$2,500.00		\$2,500.00
Lobbyist Contract	\$65,000.00	\$47,000.00	\$18,000.00
Lobbyist Expenses	\$1,500.00		\$1,500.00
Long-Range Planning Committee	\$750.00		\$750.00
MCA Liaison	\$1,000.00	\$220.00	\$780.00
Municipal/Dist. Ct Swearing-in 4 yrs. (12/2017)	\$500.00		\$500.00
National Leadership Grants	\$5,000.00		\$5,000.00
Nominating Committee	\$400.00		\$400.00
President Expense	\$5,000.00	\$208.00	\$4,792.00
Pro Tempore (committee chair approval)	\$10,000.00		\$10,000.00
Professional Services	\$5,000.00		\$5,000.00
Public Outreach (ad hoc workgroup)	\$2,500.00		\$2,500.00
Rules Committee	\$500.00		\$500.00
SCJA Board Liaison	\$1,000.00		\$1,000.00
Treasurer Expense and Bonds	\$250.00		\$250.00
Therapeutic Courts Committee	\$1,000.00		\$1,000.00
Trial Court Advocacy Board	\$500.00		\$500.00
Uniform Infraction Committee	\$1,000.00		\$1,000.00
TOTAL	\$231,700.00	\$57,542.00	\$174,158.00
TOTAL DEPOSITS MADE			
CREDIT CARD (balance owing)	\$0.00		

*includes \$6,500 from the SCJA
Balance as of 09-30-2017

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Statement of Account

PAGE 1 OF 1

Statement Ending Date July 31, 2017

Last Statement Date July 1, 2017

Account Number [REDACTED]

To report a lost or stolen card,
call 800-472-3272.

For 24-hour telephone banking,
call 877-431-1876.

WA STATE DIST & MUNICIPAL COURT JUDGES'
JUDGE SCOTT AHLF
PO BOX 1967
OLYMPIA, WA 98507-1967

For questions or assistance with your account(s),
please call us at 800-324-9375 or stop by your local branch.

Business Money Market Summary - [REDACTED]

Annual Percentage Yield Earned for this Statement Period	0.100%
Interest Rate	0.100%
Year-to-Date Interest Paid	\$28.39

Beginning Balance	\$50,551.93
Interest Earned This Period	+4.29
Deposits and Credits	+0.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$50,556.22

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

Interest Earned This Period

Date	Description	Amount
07-31	Credit Interest	4.29
Total Interest Earned This Period		4.29

"My daughter is having a destination wedding and we needed to rent a car. Through our travel discounts I booked a car for \$18 dollars a day. I compared that to going straight online with the same agency and it was \$47 a day. We saved \$87 on a three day rental!" - Shellie

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MEMBER FDIC
Insurance Provided by member FDIC. Insured



WF-01 (07/17)

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WA STATE DIST & MUNICIPAL COURT JUDGES'
JUDGE SCOTT AHLF
PO BOX 1967
OLYMPIA, WA 98507-1967

Statement of Account

PAGE 1 OF 1

Statement Ending Date August 31, 2017

Last Statement Date August 1, 2017

Account Number [REDACTED]

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call 877-431-1876.

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Business Money Market Summary - [REDACTED]

Annual Percentage Yield Earned for this Statement Period	0.100%
Interest Rate	0.100%
Year-to-Date Interest Paid	\$32.68

Beginning Balance	\$50,556.22
Interest Earned This Period	+4.29
Deposits and Credits	+50.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$50,610.51


	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

Interest Earned This Period

Date	Description	Amount
08-31	Credit Interest	4.29
Total Interest Earned This Period		4.29

Deposits and Credits


Date	Description	Amount
08-31	Deposit	50.00
Total Deposits and Credits		50.00



Beginning Sept 17 ACH & checks will post sooner.

As part of our efforts to continually improve we are going to real time posting. Credits and debits will post multiple times during the day, with new later postings between 2-3PM PST.

Also available, same day debit ACH. If you are interested in processing ACH transactions through online banking contact the Commercial Account Service Center at 877-423-9742.

 Equal Housing Lender
MEMBER FDIC
Insurance Products not FDIC insured

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Statement of Account

PAGE 1 OF 1

Statement Ending Date September 30, 2017

Last Statement Date September 1, 2017

Account Number [REDACTED]

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call 800-472-3272.

For 24-hour telephone banking,
call 877-431-1876.

WA STATE DIST & MUNICIPAL COURT JUDGES'
JUDGE SCOTT AHLF
PO BOX 1967
OLYMPIA, WA 98507-1967

For questions or assistance with your account(s),
please call us at 800-324-9375 or stop by your local branch.

Business Money Market Summary - [REDACTED]

Annual Percentage Yield Earned for this Statement Period	0.100%
Interest Rate	0.100%
Year-to-Date Interest Paid	\$36.84

Beginning Balance	\$50,610.51
Interest Earned This Period	+4.16
Deposits and Credits	+50.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$50,664.67

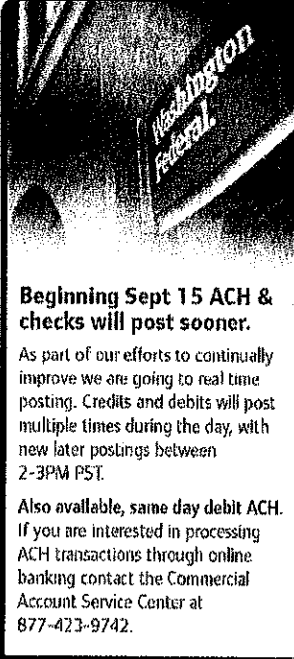
	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

Interest Earned This Period

Date	Description	Amount
09-30	Credit Interest	4.16
Total Interest Earned This Period		4.16

Deposits and Credits


Date	Description	Amount
09-13	Deposit	25.00
09-29	Deposit	25.00
Total Deposits and Credits		50.00



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2017-2018 District and Municipal Court Judges' Association Nominating Committee

Listserv Address: DMCJANC@listserv.courts.wa.gov

Members

Judge G. Scott Marinella, Chair
Columbia County District Court
535 Cameron St
Dayton, WA 99328-1279
509-382-4812
gsm.judge@gmail.com

Judge Steven R. Buzzard
Winlock Municipal Court
PO Box 59 (preferred address)
Centralia, WA 98531-0059
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Judge James N. Docter
Bremerton Municipal Court
550 Park Ave
Bremerton, WA 98337
360-473-5215
james.docter@ci.bremerton.wa.us

**Judge Willie J. Gregory
Diversity Chair Position**
Seattle Municipal Court
Seattle Justice Center
600 5th Ave
PO Box 34987
Seattle, WA 98124-4987
206-684-8711
willie.gregory@seattle.gov

Judge John Hart
Colfax Municipal Court
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Colfax, WA 99111-0229
509-397-3861
hartlaw@pullman.com

Judge Kristian E. Hedine
Walla Walla Co. District Court
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Walla Walla, WA 99362-1881
509-524-2760
khedine@co.walla-walla.wa.us

Judge Tyson R. Hill
Grant County District Court
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trhill@grantcountywa.gov

Judge Glenn M. Phillips
Kent Municipal Court
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253-856-5734
gphillips@kentwa.gov

VACANT
Northeast Washington

AOC Staff
Susan Peterson
Admin. Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
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Charges

1. The Nominating Committee shall annually select not more than two candidates for Vice-President, Secretary/Treasurer, President-Elect, and three Board member-at-large positions. The Board member-at-large positions shall be for three-year terms.
2. The report of the Nominating Committee shall be submitted to the Board at its March 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.
3. The Nominating Committee shall make nominations for other vacancies on the Board.

Budget

Budget: \$400

Updated 10/6/2017

N:\Programs & Organizations\DMCJA\Committees\17-18 COMMITTEE ROSTERS.doc



WASHINGTON
COURTS

District and Municipal Court Judges' Association

President

JUDGE SCOTT K. AHLF
Olympia Municipal Court
900 Plum St SE
PO Box 1967
Olympia, WA 98507-1967
(360) 753-8312

President-Elect

JUDGE REBECCA C. ROBERTSON
Federal Way Municipal Court
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(253) 835-3000

Vice-President

JUDGE SAMUEL G. MEYER
Thurston County District Court
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Secretary/Treasurer

JUDGE MICHELLE K. GEHLEN
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Bothell, WA 98011-3416
(425) 487-5587

Past President

JUDGE G. SCOTT MARINELLA
Columbia County District Court
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(509) 382-4812

Board of Governors

JUDGE LINDA COBURN
Edmonds Municipal Court
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JUDGE MELANIE DANE
Black Diamond Municipal Court
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JUDGE KAREN DONOHUE
Seattle Municipal Court
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JUDGE DOUGLAS J. FAIR
Snohomish County District Court
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JUDGE MICHAEL FINKLE
King County District Court
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JUDGE MICHAEL J. LAMBO
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Snohomish County District Court
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JUDGE SAMUEL G. MEYER
Thurston County District Court
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JUDGE DAMON G. SHADID
Seattle Municipal Court
(206) 684-8709

JUDGE CHARLES D. SHORT
Okanogan County District Court
(509) 422-7170

October 6, 2017

Ms. Barbara J. Christensen, President
Washington State Association of County Clerks
Clallam County Clerk's Office
223 E 4th St, Ste. 9
Port Angeles, WA 98362-3015

RE: DMCJA Odyssey Portal Access Request

Dear Ms. Christensen:

I am writing you on behalf of the District and Municipal Court Judges' Association (DMCJA) to request that you work with us to have the Administrative Office of the Courts (AOC) create a user profile in the Odyssey Portal which will provide district and municipal court judges with statewide access to all non-sealed documents. I understand that decisions about access will need to be made by the duly elected Clerks in each county, but as President I hope you will be able to convey our needs to the members of your Association as set out below.

District and municipal court judges make thousands of daily decisions that affect public safety, personal liberty, and property interests of the public. These judges conducted over 18,000 hearings last year involving civil protection orders—domestic violence, stalking, harassment, and sexual assault. We were involved in nearly 17,000 felony matters, thousands of domestic violence criminal proceedings, and made release decisions involving persons accused of driving under the influence and other serious matters affecting public safety.

Without ready access to the terms of existing no-contact and protection orders in superior court, judicial officers could be entering orders with conflicting terms. Without access to key information about criminal pleas, judgments and sentences in superior court, judicial officers could decide to release defendants they might not release if they had all of the information available about that defendant. In setting fines and penalties, or allowing defendants to enter payment plans, judicial officers should have access to any civil judgment or order the defendant may already have.

X18

STATE OF WASHINGTON

1206 Quince Street SE • P.O. Box 41170 • Olympia, WA 98504-1170
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Ms. Barbara J. Christensen, President
October 6, 2017
Page 2

There is information contained in superior court documents that is critical for accurate and efficient decision-making by district and municipal court judges. With Odyssey Portal now available, there is finally an efficient way for our judges to obtain instant access to documents from many counties in the state.

District and municipal court judges handle very large caseloads. With the pace of limited jurisdiction caseloads, judicial officers do not have the luxury of the time it would take to call superior court clerks and have them read them the terms of all relevant orders over the phone, nor do they have the time to wait hours for an e-mailed copy, or days for a paper copy of an order to be mailed to them. The integrity of judicial decision-making and the safety of Washington's citizens depends on judicial access to all available information in its most readily available format. For this reason, it is critical that Washington's district and municipal court judges have access to the electronic documents available through the Odyssey Portal. Time is of the essence.

We look forward to working with the county clerks and the Administrative Office of the Courts to promptly address this issue on a statewide basis.

Sincerely,



Judge Scott K. Ahlf
President, DMCJA
Olympia Municipal Court

cc: Ms. Callie Dietz, Washington State Court Administrator, AOC