



**DMCJA Board of Governors Meeting**  
Friday, December 8, 2017, 12:30 p.m. – 3:30 p.m.  
AOC SeaTac Office  
SeaTac, WA

## MEETING MINUTES

### Members Present:

Chair, Judge Scott Ahlf  
Judge Linda Coburn  
Judge Melanie Dane  
Judge Karen Donohue  
Judge Douglas Fair (by phone)  
Judge Michelle Gehlsen  
Judge G. Scott Marinella  
Judge Samuel Meyer (by phone)  
Judge Kevin Ringus (non-voting)  
Judge Douglas Robinson  
Judge Damon Shadid (by phone)  
Judge Charles Short (by phone)

### Guests:

Judge Blaine Gibson, SCJA (by phone)  
Ms. Cynthia Marr, DMCMA  
Judge Glenn Phillips  
Ms. Stacie Scarpaci, MPA  
Judge Kimberly Walden  
Loyd Willaford, Esq., WSAJ

### AOC Staff:

Ms. Vicky Cullinane  
Ms. Sharon R. Harvey  
Mr. Dirk Marler  
Ms. Susan Peterson

### Members Absent:

Judge Michael Finkle  
Judge Judy Jasprica (non-voting)  
Judge Dan B. Johnson (non-voting)  
Judge Michael Lambo  
Commissioner Rick Leo  
Judge Mary Logan (non-voting)  
Judge Rebecca Robertson

## CALL TO ORDER

Judge Ahlf, District and Municipal Court Judges' Association (DMCJA) President, called the DMCJA Board of Governors (Board) meeting to order at 12:33 p.m. and noted that a quorum was not present. He asked attendees to introduce themselves. Judge Ahlf noted a quorum was present at 1:05 p.m.

## GENERAL BUSINESS

Judge Ahlf requested that the Board discuss the CLJ-CMS Project Update at the beginning of the meeting.

### A. CLJ-CMS Project Update

Judge Phillips and Judge Walden reported on the status of the Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Project. Judge Phillips reported that the Judicial Information Systems Committee (JISC) approved the CLJ-CMS Project Steering Committee (Steering Committee) and the CLJ-CMS Contract Negotiating Team's recommendation to immediately terminate further contract negotiations with the Apparent Successful Vendor, Journal Technologies, Inc. (JTI) because the parties were unable to reach an agreement on numerous contract terms that are critical to the overall success and risk mitigation for the Project. The Contract Negotiating Team advised the Steering Committee of the contract terms at issue and the risks to the Administrative Office of the Courts (AOC) associated proposed contract. The Steering Committee asked the Contract Negotiating Team to send a final contract proposal to JTI. On November 20, 2017, the JISC approved the Project Steering Committee's recommendation to end the contract negotiation process because the Contract Negotiating Team only received minor concessions during the final

communication. Thus, the Project team failed to reach a contract agreement with JTI. On November 21, 2017, the AOC notified JTI of its decision to terminate contract negotiations.

Judge Walden reported that the Steering Committee will now pursue further discussions with the second ranked vendor, Tyler Technologies (Tyler). On November 30, 2017, the Steering Committee met to discuss the next steps for the Project. During this meeting, the Committee decided to pursue further discussions with Tyler to freely ask clarifying questions regarding their product's functionality, how it would meet the CLJ-CMS business requirements, to identify any perceived gaps in functionality, and to clarify any concerns. She informed preparations and scheduling are underway for an in-person meeting with Tyler in January 2018. This will likely be a two or three day meeting. Requests for proposal (RFP) evaluators (Tiers I and II) and Project Steering Committee Members are invited to participate in the meeting with Tyler. She informed this is an important first step as the Project Steering Committee continues to review and discuss all available options, and decide how best to move forward. She further informed that they understand the urgency and feel a need to keep moving forward to meet deadlines; at the same time, they want to end up with the best product. She further stated that the Steering Committee will ask the tough questions and give Tyler the opportunity to address all concerns.

Judge Walden expressed her appreciation for all the efforts of the AOC and the judges involved with the Project. Judge Phillips added that the Project team wants to do its due diligence before looking at other options and this review will not delay the Project for more than a couple of months.

Following this discussion, Judge Ahlf noted a quorum was present and addressed general DMCJA business.

#### B. Minutes

The Board moved, seconded, and passed a vote (M/S/P) to approve the Board Meeting Minutes for November 3, 2017, with one clerical correction to page 2, D. Standing Committee Reports, 2. *Public Outreach Committee*. The date of the annual legislative reception is January 18, 2018 and not January 18, 2017.

#### C. Treasurer's Report

M/S/P to approve the Treasurer's Report. Board members reviewed the Treasurer's Report located in the materials. Judge Gehlsen reported the 2018 dues notices went out to the membership and dues checks have started to come in.

#### D. Special Fund Report

M/S/P to approve the Special Fund Report. Board members reviewed the November 30, 2017 bank statement located in the materials. Judge Meyer reported that he took the transfer documents to Washington Federal Bank in order to be added to the Special Fund account.

#### E. Standing Committee Reports

##### 1. Legislative Committee

The Legislative Committee minutes for October 13, 2017 were provided for the Board's review. Judge Meyer, Legislative Committee Chair, reported that the DMCJA legislative agenda bills for the 2018 legislative session are drafted, and Ms. Melanie Stewart, DMCJA Lobbyist, is seeking bill sponsorship. On November 13, 2017, Judge Meyer and Ms. Stewart met with Senator Jamie Pederson, Senate Law and Justice Committee Chair, and Representative Laurie Jinkins, House Judiciary Committee Chair, and the legislators expressed some concerns about the length of the DMCJA agenda. In addition, Judge Meyer informed there is a DUI Workgroup meeting scheduled for December 14, 2017, and reported that momentum is increasing to address the recent Washington Supreme Court decision, *Blomstrom v. Tripp*, 402 P.3d 831 (2017) issue that invalidates the use of urinalysis as a pretrial condition for a DUI charge. He further reported there is some talk of addressing the issue by court rule; however, it is likely the issue will be addressed by legislation.

F. Trial Court Advocacy Board (TCAB) Update

Judge Marinella reported that the TCAB met on December 8, 2018 at 9:30 a.m. Tom Parker, SCJA Lobbyist, attended this meeting. The group discussed meeting with partners regarding obtaining adequate court funding via the promises of Senate Bill (SB) 5454, Relating to court operations. The original version of the bill provides that one half of salaries are paid by the state. The group also discussed methods for obtaining funding for courthouse security, such as a raise of the property tax lid. It was decided Judges Ahlf, Marinella, and Meyer will meet with Ms. Melanie Stewart to discuss and map out how to approach the Legislature regarding reinstating the original intent of SB 5454. Regarding Court Security, Judge Marinella reported some good information has come from the SCJA survey—including security issues and what they need to have in their courthouses. The DMCJA is in the process of obtaining the survey and circulating it among its members. He noted that some limited jurisdiction courts share courtrooms with superior courts, thus, the report may benefit some DMCJA members. It was also suggested it may be a good idea to look at previous DMCJA court security surveys.

The next TCAB meeting is scheduled for January 12, 2018.

G. Judicial Information Systems (JIS) Report

Ms. Cullinane reported on the Superior Court Case Management System (SC-CMS). She informed they have successfully completed the Go Live Event #6, which includes Clallam, Island, Jefferson, Kitsap, San Juan, Skagit, and Whatcom counties. She further informed the next Go Live Event #7 will be the largest implementation, and will take place in June 2018 in central and eastern Washington. Then Go Live Event #8 will take place in November 2018 and include Clark and Spokane Counties. Event #8 will conclude the SC-CMS Project.

Ms. Cullinane reported that the Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Court User Work Group (CUWG) is working very hard, and the three day meeting with Tyler Technologies in January 2018 will include vendor demonstrations. Ms. Cullinane did not provide more information regarding the CLJ-CMS Project because the topic was discussed previously during the meeting.

Judge Gehlsen inquired whether there is pro tempore coverage funding for judges participating as CLJ-CMS Project evaluators. Judge Meyer informed there is no funding allotted for vendor evaluators for 2017-2018. However, in 2016-2017 there was funding in the amount of \$15,000 for that purpose, but all of the money was not used. He further clarified that the \$10,000 allotted in the DMCJA 2017-2018 Adopted Budget for Pro Tempore coverage is not for Project evaluators but for judges participating on DMCJA committees, who receive approval from the committee chair. Thus, in order to provide pro tempore coverage funding for judges participating as CLJ-CMS Project evaluators, the Board must allocate the funds for 2017-2018. This topic will be added to the next Board agenda for discussion.

**LIAISON REPORTS**

A. Board for Judicial Administration (BJA)

Judge Ringus report the BJA and Court Management Council held a joint meeting on November 17, 2017. He further reported there will be no BJA meetings in December 2017 or January 2018. In addition, a strategy roundtable meeting is scheduled for December 18, 2017. He further reported that the joint legislative reception is January 18, 2018 at the Washington Temple of Justice.

B. District and Municipal Court Management Association (DMCMA)

Ms. Marr reported the DMCMA Board met on November 9, 2017. She informed Ms. Carla Weaver, Department of Licensing (DOL), gave a DRIVES update. The DOL is planning to go live on the three-day Labor Day weekend in September 2018. Ms. Marr further reported that several surveys are being sent out—including a user survey from DOL, an education survey, an interpreter survey, and a judicial needs survey—

and requested that Board members take the time to answer the surveys. In addition, she informed the DMCMA will provide copies of DMCMA Board meeting to the Board. Ms. Harvey is working with DMCMA Secretary Sonia Ramirez to obtain DMCMA Minutes.

C. Misdemeanant Probation Association (MPA)

Ms. Scarpaci reported the next MPA meeting is on February 12, 2018, in Ellensburg, Washington.

D. Superior Court Judges' Association (SCJA)

Judge Gibson reported the SCJA will soon send out their courthouse security survey results. He informed they expect it will be a very powerful tool, and that SCJA President Judge Sean O'Donnell expects to send the report out on Monday, December 11, 2017. Ms. Harvey reported she will send the SCJA report to the DMCJA membership when she received the final version of the SCJA Courthouse Security report.

E. Washington State Association for Justice (WSAJ)

Mr. Willafor reported the WSAJ Judicial Relations Committee has a meeting next week. He further reported that WSAJ Lobby Day is in January 2018. He explained that the WSAJ provides its members with sheets on topics to go to their legislators with, and the WSAJ is willing to support anything related to the judiciary. In addition, he informed he would be happy to pass along any requests for assistance to Mr. Larry Shannon, WSAJ's long-time Legislative Director.

Judge Marinella requested the status of courts of limited jurisdiction regarding civil issues that occurred with setting up calendars on civil matters. Mr. Willafor said he has asked for feedback and has not heard any more complaints, but he will continue to request feedback regarding the issue.

## **ACTION**

1. *Funding Request for Workgroup on Judicial Independence*

M/S/P to approve the Workgroup on Judicial Independence's (Workgroup's) request for eighteen hundred dollars (\$1800) for in-person meetings. The Board will transfer one thousand dollars (\$1,000) from the DMCJA Judicial Independence Fire Brigade line item and add eight hundred (\$800) to provide this funding.

## **DISCUSSION**

A. Funding Request for Workgroup on Judicial Independence

Judge Ahlf reported the Workgroup on Judicial Independence (Workgroup) has met two times by phone, and explained the goals of the Workgroup. He further reported there is good momentum on the Workgroup; however, Workgroup members agree it is very difficult to get anything done on the phone and think they can accomplish more if the meetings are in person. Therefore, the Workgroup is requesting that \$1,800 be allocated for in-person Workgroup meetings. Judge Ahlf provided a breakdown of the estimated costs for one in-person Workgroup meeting, which is approximately \$418.50. Further, he informed that there is \$1,000 already allocated for 2017-2018 under the Judicial Independence Fire Brigade line item, which will not be used this year and, therefore, could be used for the Workgroup. Thus, the Board would only need to allocate an additional \$800 for the Workgroup in-person meetings. M/S/P to move this topic to an action item.

B. Funding Request for BJA Public Trust and Confidence TVW Public Service Announcement

The Board discussed a funding request from the BJA Public Trust and Confidence Committee (Committee) to fund a BJA Public Trust and Confidence TVW Public Service Announcement. Board members requested more information, including the content of the service announcement. Judge Ringus informed the Committee would like each association to contribute \$500. Ms. Marr, DMCMA President, informed the DMCMA would also need more information and that the DMCMA may ask the DMCJA to assist them with the DMCMA's donation

because of the DMCMA's limited budget. The Board will invite the BJA Public Trust and Confidence Committee to present on this topic at a future Board meeting.

C. Survey Request for Judges Demographic from Brenden Higashi, Washington State University Ph.D. Candidate

The Board discussed a request it received from Washington State University Ph.D. Candidate Brenden Higashi to distribute a Judges Demographic Survey to the DMCJA membership. Board members had a few questions and concerns about the request, including what is the timeframe of the survey, how the survey will be kept confidential, and whether judges can respond to the survey without providing their contact information. Ms. Harvey will follow up with Mr. Higashi regarding these questions and report back to the Board.

**INFORMATION**

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

- A. DMCJA Board members are encouraged to submit Board agenda topics for monthly meetings.
- B. Board members are encouraged to apply for DMCJA representative positions. Available positions include:
  - 1. Presiding Judge & Administrator Education Committee (Co-Chair)
  - 2. Washington State Access to Justice Board (Liaison Position)
- C. Magistrate Faye Chess, Seattle Municipal Court, is the new DMCJA Representative on the Minority and Justice Commission.
- D. The Municipal Court Judges 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.
- E. City of Spokane Municipal Community Court is hosting the 4th Anniversary Therapeutic Courts Summit Program on December 13, 2017, from 8:30 a.m. to 11:30 a.m. The theme is "Therapeutic Courts: When Access to Care Meets Access to Justice." Continuing Legal Education (CLE) and Continuing Judicial Education (CJE) credits are available.
- F. National Council of Juvenile and Family Court Judges Report reveals Thurston County District Court shows no bias toward minorities and fairly represents all demographics of the county. The study is located at [co.thurston.wa.us/distcrt/docs/TCDC\\_Report.pdf](http://co.thurston.wa.us/distcrt/docs/TCDC_Report.pdf).

**OTHER BUSINESS**

The next DMCJA Board Meeting is scheduled for January 12, 2018, from 12:30 a.m. to 3:30 p.m., at the AOC Office in SeaTac, WA.

The meeting was adjourned at 2:04 p.m.