



**DISTRICT AND MUNICIPAL  
COURT JUDGES' ASSOCIATION**

***BOARD MEETING***

**September 23, 2018**

**YAKIMA CONVENTION CENTER  
YAKIMA, WASHINGTON**

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

## 2018-2019

<i>DATE</i>	<i>TIME</i>	<i>MEETING LOCATION</i>
<b><i>Friday, July 13, 2018</i></b>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<b><i>Friday, Aug. 10, 2018</i></b>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<b><i>Sunday, Sept. 23, 2018</i></b>	9:00 a.m. – 12:00 p.m.	2018 Annual Judicial Conference, Yakima, WA
<b><i>Friday, Oct. 12, 2018</i></b>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<b><i>Friday, Nov. 9, 2018</i></b>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<b><i>Friday, Dec. 14, 2018</i></b>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<b><i>Friday, Jan. 11, 2019</i></b>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<b><i>Friday, Feb. 8, 2019</i></b>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<b><i>Friday, March 8, 2019</i></b>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<b><i>Friday, April 12, 2019</i></b>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<b><i>Friday, May 10, 2019 &amp; Saturday, May 11, 2019</i></b>	May 10: 12:00-5:00 p.m. May 11: 9:00-1:00 p.m.	2019 DMCJA Board Retreat, Location: TBD
<b><i>June 2, 2019</i></b>	9:00 a.m. – 12:00 p.m.	2019 DMCJA Spring Conference, Location: Skamania Lodge, Stevenson, WA

AOC Staff: Sharon Harvey

**Updated: September 6, 2018**

Persons with a disability, who require accommodation, should notify Susan Peterson at 360-705-5278 or [susan.peterson@courts.wa.gov](mailto: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.



**DMCJA BOARD MEETING**  
**SUNDAY, SEPTEMBER 23, 2018**  
**9:00 AM – 12:00 PM**  
**YAKIMA CONVENTION CENTER**  
**YAKIMA, WA**

**PRESIDENT REBECCA C. ROBERTSON**

**AGENDA**

**PAGE**

**Call to Order**

**General Business**

- |                                                                     |       |
|---------------------------------------------------------------------|-------|
| A. Minutes – August 10, 2018                                        | 1-6   |
| B. Treasurer’s Report                                               | 7-18  |
| C. Special Fund Report                                              | 19    |
| D. Standing Committee Reports                                       |       |
| 1. Legislative Committee – <i>Judge Meyer</i>                       |       |
| a. Meeting Minutes for November 17, 2017                            | 20-22 |
| E. Trial Court Advocacy Board (TCAB)                                |       |
| F. Judicial Information Systems (JIS) Report – <i>Ms. Cullinane</i> |       |

**Liaison Reports**

- |                                                                                                          |       |
|----------------------------------------------------------------------------------------------------------|-------|
| A. Administrative Office of the Courts ( <b>AOC</b> ) – <i>Ms. Callie Dietz</i>                          |       |
| B. Board for Judicial Administration ( <b>BJA</b> ) – <i>Judges Ringus, Jasprica, Logan, and Johnson</i> |       |
| C. District and Municipal Court Management Association ( <b>DMCMA</b> ) – <i>Ms. Margaret Yetter</i>     | 23-32 |
| D. Misdemeanant Probation Association ( <b>MPA</b> ) – <i>Ms. Stacie Scarpaci</i>                        |       |
| E. Superior Court Judges’ Association ( <b>SCJA</b> ) – <i>Judge Kitty-Ann van Doorninck</i>             |       |
| F. Washington State Association for Justice ( <b>WSAJ</b> ) – <i>Loyd James Willaford, Esq.</i>          |       |
| G. Washington State Bar Association ( <b>WSBA</b> ) – <i>Kim E. Hunter, Esq.</i>                         |       |

**Action**

- A. JIS Equipment Replacement

**Discussion**

- |                                                                                                |       |
|------------------------------------------------------------------------------------------------|-------|
| A. Washington Interpreter Services Funding Task Force Presentation – <i>Judge Andrea Beall</i> | 33-34 |
| B. Committee Satisfaction Survey Results – <i>Ms. Sharon Harvey</i>                            | 35-52 |
| C. Available DMCJA Representative Positions                                                    |       |
| D. Whether to Add Courts of Limited Jurisdiction to Amended Tribal Court Rule                  |       |
| 1. Proposed Rule Amendments to Superior Court Civil Rule 82.5                                  | 53-54 |
| E. JIS Equipment Replacement                                                                   | 55-56 |

<p><b>Information</b></p> <p>A. Board members are encouraged to apply for DMCJA representative positions. Available positions include:</p> <ol style="list-style-type: none"> <li>1. Annual Conference Planning Committee</li> <li>2. BJA Public Trust and Confidence Committee</li> <li>3. Commission on Judicial Conduct (CJC)</li> <li>4. JIS CLJ “CLUG” User Group</li> <li>5. Misdemeanant Probation Association (MPA) Liaison</li> <li>6. Presiding Judge &amp; Administrator Education Committee</li> <li>7. Washington State Access to Justice Board (Liaison Position)</li> <li>8. WSBA Court Rules and Procedures Committee</li> </ol> <p>B. Policy Analyst Project Ideas for 2018 are as follows:</p> <ol style="list-style-type: none"> <li>1. Committee Satisfaction Survey (July 2018)</li> <li>2. Courthouse Security Survey (August 2018)</li> <li>3. Judicial Independence Matters (Municipal Court Contracts)</li> </ol> <p>C. The Washington State Supreme Court Interpreter Commission voted to remove two politically related questions from the list of questions an appointing authority could consider asking a person who is a Limited-English Proficient speaker. See revised Bench Card for Courtroom Interpreting.</p> <p>D. The Washington State Supreme Court Minority and Justice Commission issued a Legal Financial Obligations (LFO) Bench Card for trial courts. Attached is the LFO Bench Card for courts of limited jurisdiction.</p> <p>E. The Pretrial Task Force will meet on October 1, 2018, from 9:00 a.m. to 12:00 p.m., at the AOC Office in SeaTac, WA.</p> <p>F. DMCJA Letter to DOL Director regarding Annual Joint DOL/DMCJA/DMCMA/AOC Meeting.</p>	<p>57-59</p> <p>60-61</p> <p>62-64</p>
<p><b>Other Business</b></p> <p>A. The next DMCJA Board Meeting is October 12, 2018, 12:30 p.m. to 3:30 p.m., at the AOC SeaTac Office, SeaTac, WA.</p>	
<p><b>Adjourn</b></p>	



**DMCJA Board of Governors Meeting**  
**Friday, August 10, 2018, 12:30 p.m. – 3:30 p.m.**  
**AOC SeaTac Office**  
**SeaTac, WA**

**MEETING MINUTES**

**Members Present:**

Chair, Judge Rebecca Robertson  
Judge Scott Ahlf  
Judge Linda Coburn (via phone)  
Judge Jennifer Fassbender  
Judge Michael Finkle  
Judge Michelle Gehlsen  
Judge Robert Grim  
Judge Drew Ann Henke  
Commissioner Rick Leo  
Judge Aimee Maurer (via phone)  
Judge Samuel Meyer  
Judge Damon Shadid  
Judge Charles Short (via phone)  
Judge Jeffrey R. Smith

**Guests:**

Judge David Steiner (via phone)  
Judge Donna Tucker  
Judge Dan B. Johnson, BJA  
Judge Kevin Ringus, BJA  
Ms. Stacie Scarpaci, MPA  
Ms. Margaret Yetter, DMCMA  
Lloyd Willaford, Esquire, WSAJ

**AOC Staff:**

Ms. J Benway (via phone)  
Ms. Vicky Cullinane  
Ms. Sharon R. Harvey  
Mr. Brady Horenstein  
Ms. Genie Paquin  
Mr. Ramsey Radwan

**CALL TO ORDER**

Judge Robertson, 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 1:00 p.m. Judge Robertson asked attendees to introduce themselves.

**GENERAL BUSINESS**

A. Minutes

The Board moved, seconded, and passed a vote (M/S/P) to approve the Board Meeting Minutes for July 13, 2018, with the following correction:

Correct General Business, Section E. Trial Court Advocacy Board (TCAB) Update, “A discussion ensued about the need for TCAB in light of recent support of trial courts from the **Supreme Court**” to read, “A discussion ensued about the need for TCAB in light of recent support of trial courts from the **Board for Judicial Administration.**” (Emphasis added.)

B. Treasurer’s Report

M/S/P to accept the Treasurer’s Report. Judge Gehlsen referred Board members to the Treasurer’s Report located in the Board meeting materials. Judge Gehlsen reported that she had assumed treasurer duties until Judge Fassbender, current Treasurer, was added to the Bank of America account. Judge Fassbender and other DMCJA Board officers were added to the Bank of America account immediately preceding the August Board meeting.

C. Special Fund Report

M/S/P to accept the Special Fund Report. Judge Gehlsen referred Board members to the Special Fund bank statement located in the supplemental agenda packet.

D. Standing Committee Reports

1. *Legislative Committee*

The Legislative Committee met on August 10, 2018 to discuss legislative proposals submitted by the DMCJA membership. Judge Meyer reported that Ms. Harvey sent a message to the association in July 2018 soliciting legislative ideas for the 2019 Legislative Session. The Committee will continue to discuss and review proposals, and in October 2018, submit selected proposed 2019 DMCJA legislation for Board approval. The Committee will meet again on September 14, 2018.

2. *Rules Committee*

Ms. Benway reported that the Rules Committee met on June 5, 2018. Committee Minutes are located in the Board agenda packet.

3. *Therapeutic Courts Committee*

Judge Finkle reported that the Committee met on August 1, 2018. The Committee is sponsoring a mini-colloquium at the 60<sup>th</sup> Annual Judicial College in Yakima, WA. Materials for the colloquium will soon be disseminated. Judge Finkle reported that, in an effort to harness the talent and passion of its members, the Committee is dividing its work this year into three subcommittees: (1) Education, chaired by Judge Laura Van Slyck; (2) Outreach and Judicial Resource Development, chaired by Judge Fred Gillings; and (3) Legislative Liaison, chaired by Judge Finkle. He further informed that the group tabled an issue regarding renaming the Committee from "Therapeutic Courts Committee" to "Innovative Courts Committee."

4. *Diversity Committee*

An informational brochure and agenda for the August 24-25, 2018 Attorney Training for Service as Pro Tem Judge in District and Municipal Court was provided in the materials. Scholarships were offered to encourage more diverse pro tempore candidates.

E. Trial Court Advocacy Board (TCAB) Update

Judge Robertson reported that TCAB has not met in recent months. The group plans to meet at the annual Fall Conference in Yakima, WA, to discuss joint projects and the future of TCAB.

F. Judicial Information Systems (JIS) Report

Ms. Cullinane provided a Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Project update. She reported that, since the CLJ-CMS Project was unable to move forward with either of the two vendors from the original RFP, the CLJ-CMS Project Steering Committee is currently looking at alternative options and investigating costs and risks of each. Options being considered include: (1) A best-of-breed solution, where individual components such as case management and document management are linked through data exchange, (2) Recoding JIS and adding missing functions, or (3) a hybrid of the first two. The Project Steering Committee plans to bring a consultant on board to help them analyze the alternatives. They expect the consultant to be on board by mid to late November 2018.

Further, Ms. Cullinane provided a Department of Licensing (DOL) DRIVES project update. She reported the DOL is on track to replace their existing legacy systems with a new system that will be implemented on September 4, 2018. Release notes regarding the project have been sent to courts. She mentioned that the abstract of driving record (ADR) will no longer display in JIS and will not batch print. Judges and administrators are encouraged to use the judicial access browser system (JABS) to obtain a defendant's criminal history information. Moreover, she reported that the King County Clerk's Office intends to go live with its new case management system on September 24, 2018. She informed that judicial officers may obtain information through the King County Clerk's public portal during the period when information is unavailable in JABS.

## LIAISON REPORTS

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

Mr. Horenstein, AOC Associate Director for Legislative and Judicial Relations, reported on the status of the Salary Commission report and Ms. Dietz' retirement in December 2018. He informed that the Salary Commission report is complete and will be presented to the Salary Commission in October 2018. Judge Robertson informed that each level of court will present during this time. New salaries and pension details will be revealed in September 2019. Further, he informed that the recruiting process for the State Court Administrator position is in progress. Judge Robertson informed that each level of court will participate in the selection process.

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

Judge Ringus and Judge Johnson reported on BJA related matters. Judge Ringus informed that the BJA Legislative Committee solicited requests for legislative initiatives and have received a few proposals to date. The BJA Legislative Committee will meet in the fall to discuss the legislative proposals. Judge Robertson added that the BJA Policy and Planning Committee is also requesting proposals related to judicial initiatives. She informed that the BJA is currently working on issues related to interpreter funding and trial court security. The next BJA meeting is September 21, 2018.

### C. District and Municipal Court Management Association (DMCMA)

Ms. Yetter reported that a flyer regarding the DMCMA Staff Conference has been distributed to the court community. The Conference is October 29-30, 2018, at the Great Wolf Lodge, in Grand Mound, WA.

### D. Misdemeanant Probation Association (MPA)

Ms. Scarpaci reported the MPA had its spring conference from April 30 to May 2, 2018. In addition, the MPA is planning the next spring conference, which is scheduled for May 6-9, 2018, in Walla Walla. She also reported the MPA Academy is scheduled for September 12-21, 2018, and encouraged members to let her know of any topics they would like presented at the Academy.

### E. Washington State Bar Association (WSBA)

Ms. Hunter, who was unavailable for the meeting, provided a written report, which is located in the Board supplemental agenda packet.

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

Mr. Willaford reported of recent interest to bring more civil cases to District Court, perhaps because of the increased jurisdiction limit of one hundred thousand dollars (\$100,000). Further, he informed that the annual WSAJ convention is September 28-29, 2018, in Seattle.

## ACTION

### A. M/S/P to approve the following recommendations by the Workgroup on Judicial Independence:

1. Approved Workgroup on Judicial Independence Final Report
2. Approved the name change of the Committee from the Judicial Independence Fire Brigade to the Council on Independent Courts (CIC)
3. Forwarded proposed GR 29 Amendments to the DMCJA Rules Committee for approval and their eventual return to the Board for later consideration
4. Approved the CIC Policy and Procedure Manual

5. Forwarded proposed DMCJA Bylaws amendments to the Bylaws Committee for approval and their eventual return to the Board for later consideration and possible consideration at the DMCJA Spring Conference
6. Disbanded the Workgroup on Judicial Independence and approved the Council on Independent Courts as a special committee (pending the proposed Bylaws change, which would designate the CIC as a standing committee).

## DISCUSSION

### A. Council on Independent Courts (CIC) Final Report

Judge Steiner, Workgroup on Judicial Independence (workgroup) Chair, reported on the status of the workgroup. In May 2017, the Board created a special committee, DMCJA Judicial Independence Fire Brigade, to address issues related to judicial independence. In October 2017, the Board decided that a workgroup may be more effective regarding the issue and voted to create the Workgroup on Judicial Independence to develop ideas and create a system of responses for judicial independence related matters. Judge Steiner reported that the workgroup met for approximately eight months, addressed various issues related to judicial independence in district and municipal courts, and, requests the Board approve the following recommendations:

#### 1. *Name Change of Committee from DMCJA Judicial Independence Fire Brigade to DMCJA Council on Independent Courts (CIC)*

Judge Steiner informed that the name, Judicial Independence Fire Brigade, is misleading because there are other groups with the name Fire Brigade. Thus, the workgroup selected the name, Council on Independent Courts to represent the purpose of the committee.

#### 2. *CIC Policy and Procedure Manual*

Judge Steiner reported that Judge Larsen drafted a working document to capture historical issues and actions for future judicial independence related matters. The workgroup requests that this policy and procedure manual not be included in the DMCJA bylaws but adopted by the Board. The workgroup wants the Board to approve this policy and procedure manual as a working blueprint for the Council on Independence Courts (CIC).

#### 3. *General Rule (GR) 29 Amendment*

Judge Steiner reported that the workgroup discussed developing a standard contract for municipal court judges but determined that it may not be an effective option. Thus, the workgroup settled on GR 29 amendments that include four basic provisions for the Judicial Services Contract. Proposed amendments to GR 29 are as follows:

- Amendment to GR 29, Sec. (k), which creates a Sec. (l) that sets forth provisions for a judicial services contract
- Creates Sec. (l) that sets forth the following provisions in a Judicial Services Contract:
  - Term of Office and Salary
  - Judicial Duties
  - Judicial Independence and Administration of the Court
  - Termination and Discipline

#### 4. *CIC to be added as a standing DMCJA Committee*

Judge Steiner informed that a DMCJA bylaw change is necessary for CIC to be considered a standing committee. Thus, the workgroup has proposed an amendment to Article X of the DMCJA Bylaws to

include CIC. Pursuant to DMCJA Board Operational Rules, the CIC may operate as a special committee until the DMCJA membership votes on the issue at the 2019 DMCJA Spring Conference.

The Board moved, seconded, and passed votes to move each Final Report recommendation to an action item.

**B. Need for Reimbursement Grants Calculation for House Bill 1783, Legal Financial Obligations – Mr. Ramsey Radwan, Judge Donna Tucker**

On June 7, 2018, a legal financial obligations (LFO) bill, Engrossed Second Substitute House Bill (E2SHB) 1783, became effective in Washington State. The Legislature appropriated \$1.9 million to assist courts in implementing this bill. Judge Donna Tucker, King County District Court, and Mr. Ramsey Radwan, AOC Management Services Division Director, reported on an issue regarding monies distributed to counties and cities related to the new LFO law. It was mentioned that loss of collections from each county is difficult to determine. Also, loss of interest in collecting fines and its impact on courts needs to be discussed. The Board decided, by general consensus, to request courts to provide information from their collection agency specifying the yearly interest received by the court on criminal LFO's for the years 2012-2017, in an effort to accurately calculate the financial losses district and municipal courts may experience as a result of the new LFO law. Ms. Harvey will work with Judge Robertson to draft this association request.

**C. Request for feedback regarding Limited License Legal Technician's (LLLTs) desire to add a new license practice area**

Judge Robertson reported that the LLLT Board requests feedback from the DMCJA Board regarding their proposal to develop a new LLLT license practice area, Consumer, Money, and Debt Law. The LLLT Board also encourages DMCJA Board members to comment on amendments to Admission and Practice Rules (APR) 28, which would enhance the scope of the LLLT domestic relations practice area. Judge Robertson requested Board members email comments regarding the proposed LLLT license practice area to either her or Ms. Harvey, who will forward it to the LLLT Board. By contrast, Board members may submit comments regarding APR 28 directly to the Clerk of the Supreme Court.

**INFORMATION**

Judge Robertson informed that the following DMCJA representative positions are available:

1. Commission on Judicial Conduct (CJC)
2. JIS CLJ "CLUG" User Group
3. Misdemeanant Probation Association (MPA) Liaison
4. Presiding Judge & Administrator Education Committee
5. Washington State Access to Justice Board (Liaison Position)
6. WSBA Court Rules and Procedures Committee
7. Crime Victim Certification Steering Committee (SHB 1022)

She reported that Judge Shadid has accepted a position on the Crime Victim Certification Steering Committee, thus, the position is no longer available. Judge Robertson then addressed the following policy projects:

- Survey on Committees that have DMCJA Representatives (July 2018)
- Courthouse Security Survey (September 2018)
- Judicial Independence Matters (Municipal Court Contracts)

Ms. Harvey and Judge Robertson will discuss the results of the Survey on Committees and present them at the September Board meeting.

**OTHER BUSINESS**

Judge Robertson reminded meeting attendees to validate their parking passes, which is a new parking requirement at the AOC SeaTac Office Center.

The next DMCJA Board Meeting is scheduled for September 23, 2018, from 9:00 a.m. to 12:00 p.m., at the Yakima Convention Center, in Yakima, WA.

The meeting was adjourned at 2:00 p.m.

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

**SUMMARY OF REPORTS**

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

For the Period Ending August 31st, 2018

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 Budget Balance
- Prior Year Budget Balance
- Special Fund Bank Statement

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 August 31, 2018

	Aug 31, 18
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Bank of America - Checking	7,884
Bank of America - Savings	57,809
US Bank - Savings	70,766
Washington Federal	50,624
<b>Total Checking/Savings</b>	187,084
<b>Total Current Assets</b>	187,084
<b>Fixed Assets</b>	
Accumulated Depreciation	(722)
Computer Equipment	579
<b>Total Fixed Assets</b>	(144)
<b>Other Assets</b>	
Prepaid Expenses	38,333
<b>Total Other Assets</b>	38,333
<b>TOTAL ASSETS</b>	<b>225,274</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Equity</b>	
Unrestricted Earnings	(63,605)
Unrestricted Net Assets	305,296
Net Income	(16,417)
<b>Total Equity</b>	225,274
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>225,274</b>

**Washington State District And Municipal Court Judges Assoc.**  
**Statement of Activities**  
**For the Two Months Ending August 31st, 2018**

	<u>Jul 18</u>	<u>Aug 18</u>	<u>TOTAL</u>
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
Interest Income	5	5	10
Membership Revenue	500	0	500
Other Revenue	0	370	370
<b>Total Income</b>	<u>505</u>	<u>375</u>	<u>880</u>
<b>Gross Profit</b>	505	375	880
<b>Expense</b>			
Prior Year Budget Expense	2,635	(70)	2,565
Board Meeting Expense	1,222	916	2,138
Bookkeeping Expense	312	345	657
Judicial Assistance Committee	19	0	19
Legislative Pro-Tem	195	0	195
Lobbyist Contract	5,833	5,833	11,667
President Expense	0	38	38
99 - Depreciation Expense	10	10	19
<b>Total Expense</b>	<u>10,226</u>	<u>7,071</u>	<u>17,297</u>
<b>Net Ordinary Income</b>	<u>(9,721)</u>	<u>(6,696)</u>	<u>(16,417)</u>
<b>Net Income</b>	<u>(9,721)</u>	<u>(6,696)</u>	<u>(16,417)</u>

## Washington State District And Municipal Court Judges Assoc.

09/10/18

## Reconciliation Detail

Bank of America - Checking, Period Ending 08/31/2018

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						13,488.01
<b>Cleared Transactions</b>						
<b>Checks and Payments - 17 items</b>						
Check	07/25/2018		Chelan County	X	-2,635.47	-2,635.47
Check	07/27/2018		Michael Finkle	X	-26.16	-2,661.63
Check	08/13/2018		Pierce County Book...	X	-344.50	-3,006.13
Transfer	08/13/2018			X	-38.13	-3,044.26
Check	08/16/2018		Judy Jasprica	X	-139.42	-3,183.68
Check	08/16/2018		Samuel G. Meyer	X	-54.50	-3,238.18
Check	08/16/2018		Scott Ahlf	X	-54.50	-3,292.68
Check	08/16/2018		Michelle Gehlsen	X	-28.34	-3,321.02
Check	08/16/2018		Drew Henke	X	-27.25	-3,348.27
Check	08/16/2018		Rick Leo	X	-26.09	-3,374.36
Check	08/16/2018		Kevin Ringus	X	-21.80	-3,396.16
Check	08/16/2018		Michael Finkle	X	-19.62	-3,415.78
Check	08/17/2018		Melanie Stewart	X	-2,000.00	-5,415.78
Check	08/21/2018		Dan B Johnson	X	-407.66	-5,823.44
Check	08/21/2018		Robert Grim	X	-115.46	-5,938.90
Check	08/21/2018		Jennifer L. Fassben...	X	-21.57	-5,960.47
Check	08/31/2018		Superior Court Judg...	X	-99.50	-6,059.97
<b>Total Checks and Payments</b>					<b>-6,059.97</b>	<b>-6,059.97</b>
<b>Deposits and Credits - 2 items</b>						
Deposit	08/15/2018			X	169.96	169.96
Deposit	08/15/2018			X	369.81	539.77
<b>Total Deposits and Credits</b>					<b>539.77</b>	<b>539.77</b>
<b>Total Cleared Transactions</b>					<b>-5,520.20</b>	<b>-5,520.20</b>
<b>Cleared Balance</b>					<b>-5,520.20</b>	<b>7,967.81</b>
<b>Uncleared Transactions</b>						
<b>Checks and Payments - 1 item</b>						
Check	02/11/2014	7276	Douglas Goelz		-84.00	-84.00
<b>Total Checks and Payments</b>					<b>-84.00</b>	<b>-84.00</b>
<b>Total Uncleared Transactions</b>					<b>-84.00</b>	<b>-84.00</b>
<b>Register Balance as of 08/31/2018</b>					<b>-5,604.20</b>	<b>7,883.81</b>
<b>New Transactions</b>						
<b>Checks and Payments - 6 items</b>						
Check	09/05/2018		Melanie Stewart		-2,000.00	-2,000.00
Check	09/05/2018		4imprint		-1,312.05	-3,312.05
Check	09/05/2018		AOC		-1,009.19	-4,321.24
Check	09/05/2018		Judith Anderson		-16.00	-4,337.24
Check	09/06/2018		AOC		-3,181.27	-7,518.51
Check	09/07/2018		Pierce County Book...		-344.50	-7,863.01
<b>Total Checks and Payments</b>					<b>-7,863.01</b>	<b>-7,863.01</b>
<b>Deposits and Credits - 1 item</b>						
Transfer	09/10/2018				10,000.00	10,000.00
<b>Total Deposits and Credits</b>					<b>10,000.00</b>	<b>10,000.00</b>
<b>Total New Transactions</b>					<b>2,136.99</b>	<b>2,136.99</b>
<b>Ending Balance</b>					<b>-3,467.21</b>	<b>10,020.80</b>

11:02 AM

09/10/18

# Washington State District And Municipal Court Judges Assoc.

## Reconciliation Detail

Bank of America C. C., Period Ending 08/11/2018

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						0.00
<b>Cleared Transactions</b>						
<b>Charges and Cash Advances - 1 item</b>						
Credit Card Charge	08/07/2018		Budd Bay Cafe Oly...	X	-38.13	-38.13
Total Charges and Cash Advances					-38.13	-38.13
<b>Payments and Credits - 1 item</b>						
Transfer	08/13/2018			X	38.13	38.13
Total Cleared Transactions					0.00	0.00
Cleared Balance					0.00	0.00
Register Balance as of 08/11/2018					0.00	0.00
<b>Ending Balance</b>					<b>0.00</b>	<b>0.00</b>

10:59 AM

09/10/18

Washington State District And Municipal Court Judges Assoc.  
**Reconciliation Detail**  
Bank of America - Savings, Period Ending 08/31/2018

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						57,808.44
<b>Cleared Transactions</b>						
<b>Deposits and Credits - 1 item</b>						
Deposit	08/31/2018			X	0.98	0.98
Total Deposits and Credits					0.98	0.98
Total Cleared Transactions					0.98	0.98
Cleared Balance					0.98	57,809.42
Register Balance as of 08/31/2018					0.98	57,809.42
<b>New Transactions</b>						
<b>Checks and Payments - 1 item</b>						
Transfer	09/10/2018				-10,000.00	-10,000.00
Total Checks and Payments					-10,000.00	-10,000.00
Total New Transactions					-10,000.00	-10,000.00
<b>Ending Balance</b>					<b>-9,999.02</b>	<b>47,809.42</b>

3:17 PM

09/10/18

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Washington Federal, Period Ending 08/31/2018

---

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						50,619.98
Cleared Transactions						
Deposits and Credits - 1 item						
Deposit	08/31/2018			X	4.30	4.30
Total Deposits and Credits					4.30	4.30
Total Cleared Transactions					4.30	4.30
Cleared Balance					4.30	50,624.28
Register Balance as of 08/31/2018					4.30	50,624.28
<b>Ending Balance</b>					<b>4.30</b>	<b>50,624.28</b>

---

**Washington State District And Municipal Court Judges Assoc.**  
**Transaction Detail by Account**  
 July through August 2018

Type	Date	Num	Name	Memo	Amount	Balance
<b>Bank of America - Checking</b>						
Check	07/17/2018		Pierce County Bookkeeping	Pierce County Bookkeeping Bill Payment	(312.00)	(312.00)
Deposit	07/23/2018			Thomas W. Cox	500.00	188.00
Check	07/25/2018		Chelan County	Memo:Chalan County Treasurer Bill Payment	(2,635.47)	(2,447.47)
Check	07/26/2018		Kevin Ringus	Board Meeting Expense	(21.80)	(2,469.27)
Check	07/26/2018		Rick Leo	Board Meeting Expense	(23.38)	(2,492.65)
Check	07/26/2018		Michelle Gehlsen	Board Meeting Expense	(30.52)	(2,523.17)
Check	07/26/2018		Drew Henke	Board Meeting Expense	(30.52)	(2,553.69)
Check	07/26/2018		Samuel G. Meyer	Board Meeting Expense	(54.50)	(2,608.19)
Check	07/26/2018		Scott Ahlf	Board Meeting Expense	(54.50)	(2,662.69)
Check	07/26/2018		City of Bothell	Legislative Pro-Tem	(195.00)	(2,857.69)
Check	07/26/2018		Charles Short	Board Meeting Expense	(260.51)	(3,118.20)
Check	07/26/2018		Robert Grim	Board Meeting Expense	(272.50)	(3,390.70)
Check	07/26/2018		Ingallina's Box Lunch	Ingallina's Box Lunch Bill Payment	(383.13)	(3,773.83)
Check	07/26/2018		Melanie Stewart	July Payment	(2,000.00)	(5,773.83)
Check	07/27/2018		Michelle Gehlsen	Board Meeting Expense	(30.52)	(5,804.35)
Check	07/27/2018		Michael Finkle	Board Meeting Expense	(26.16)	(5,830.51)
Check	07/30/2018		Mary C. Logan	Judicial Assistance Committee	(18.72)	(5,849.23)
Check	07/30/2018		Linda Coburn	Board Meeting Expense	(33.79)	(5,883.02)
Transfer	08/13/2018			Funds Transfer to Credit Card	(38.13)	(5,921.15)
Check	08/13/2018		Pierce County Bookkeeping	July bookkeeping	(344.50)	(6,265.65)
Deposit	08/15/2018			bank of america cash reward	369.81	(5,895.84)
Deposit	08/15/2018			Reimbursement from Rebecca Robertson	169.96	(5,725.88)
Check	08/16/2018		Judy Jasprica	Board Meeting Expense	(139.42)	(5,865.30)
Check	08/16/2018		Drew Henke	DMCJ Board Meeting 8/10/18	(27.25)	(5,892.55)
Check	08/16/2018		Kevin Ringus	DMCJ Board Meeting 8/10/18	(21.80)	(5,914.35)
Check	08/16/2018		Michael Finkle	DMCJ Board Meeting 8/10/18	(19.62)	(5,933.97)
Check	08/16/2018		Michelle Gehlsen	DMCJ Board Meeting 8/10/18	(28.34)	(5,962.31)
Check	08/16/2018		Rick Leo	DMCJ Board Meeting 8/10/18	(26.09)	(5,988.40)
Check	08/16/2018		Samuel G. Meyer	DMCJ Board Meeting 8/10/18	(54.50)	(6,042.90)
Check	08/16/2018		Scott Ahlf	DMCJ Board Meeting 8/10/18	(54.50)	(6,097.40)
Check	08/17/2018		Melanie Stewart	August payment	(2,000.00)	(8,097.40)
Check	08/21/2018		Jennifer L. Fassbender	DMCJ Board Meeting 8/10/18	(21.57)	(8,118.97)
Check	08/21/2018		Dan B Johnson	DMCJ Board Meeting 8/10/18	(407.66)	(8,526.63)
Check	08/21/2018		Robert Grim	DMCJ Board Meeting 8/10/18	(115.46)	(8,642.09)
Check	08/31/2018		Superior Court Judges Association	Prior Year	(99.50)	(8,741.59)
Total Bank of America - Checking					(8,741.59)	(8,741.59)
<b>Bank of America - Savings</b>						
Deposit	07/31/2018			Interest	0.98	0.98
Deposit	08/31/2018			Interest	0.98	1.96
Total Bank of America - Savings					1.96	1.96
<b>Washington Federal</b>						
Deposit	07/31/2018			Interest	4.30	4.30
Deposit	08/31/2018			Deposit	4.30	8.60
Total Washington Federal					8.60	8.60
<b>Accumulated Depreciation</b>						
Genera...	07/30/2018	CEH			(9.58)	(9.58)
Genera...	08/31/2018	CEH			(9.58)	(19.16)
Total Accumulated Depreciation					(19.16)	(19.16)
<b>Prepaid Expenses</b>						
Genera...	07/31/2018	CEH		1/12 of Contract	(3,833.33)	(3,833.33)
Genera...	08/15/2018	CEH		1/12 of Contract	(3,833.33)	(7,666.66)
Total Prepaid Expenses					(7,666.66)	(7,666.66)
<b>Bank of America C. C.</b>						
Credit ...	08/07/2018		Budd Bay Cafe Olympia		(38.13)	(38.13)
Transfer	08/13/2018			Funds Transfer	38.13	0.00
Total Bank of America C. C.					0.00	0.00
<b>Interest Income</b>						
Deposit	07/31/2018			Interest	(0.98)	(0.98)
Deposit	07/31/2018			Interest	(4.30)	(5.28)
Deposit	08/31/2018			Deposit	(4.30)	(9.58)
Deposit	08/31/2018			Interest	(0.98)	(10.56)
Total Interest Income					(10.56)	(10.56)
<b>Membership Revenue</b>						
Deposit	07/23/2018		Thomas W. Cox	Garfield County	(500.00)	(500.00)
Total Membership Revenue					(500.00)	(500.00)

**Washington State District And Municipal Court Judges Assoc.  
Transaction Detail by Account**

July through August 2018

Type	Date	Num	Name	Memo	Amount	Balance
<b>Other Revenue</b>						
Deposit	08/15/2018			bank of america cash reward	(369.81)	(369.81)
Total Other Revenue					(369.81)	(369.81)
<b>Prior Year Budget Expense</b>						
Check	07/25/2018		Chelan County	Education Security	2,500.00	2,500.00
Check	07/25/2018		Chelan County	Education Committee	135.47	2,635.47
Deposit	08/15/2018		Rebecca Robertson	reimbursement to the DMCJA for one night,...	(169.96)	2,465.51
Check	08/31/2018		Superior Court Judges Association	Prior Year	99.50	2,565.01
Total Prior Year Budget Expense					2,565.01	2,565.01
<b>Board Meeting Expense</b>						
Check	07/26/2018		Kevin Ringus	Board Meeting Expense	21.80	21.80
Check	07/26/2018		Rick Leo	Board Meeting Expense	23.38	45.18
Check	07/26/2018		Michelle Gehlsen	Board Meeting Expense	30.52	75.70
Check	07/26/2018		Drew Henke	Board Meeting Expense	30.52	106.22
Check	07/26/2018		Samuel G. Meyer	Board Meeting Expense	54.50	160.72
Check	07/26/2018		Scott Ahlf	Board Meeting Expense	54.50	215.22
Check	07/26/2018		Charles Short	Board Meeting Expense	260.51	475.73
Check	07/26/2018		Robert Grim	Board Meeting Expense	272.50	748.23
Check	07/26/2018		Ingallina's Box Lunch	Ingallina's Box Lunch Bill Payment	383.13	1,131.36
Check	07/27/2018		Michelle Gehlsen	Board Meeting Expense	30.52	1,161.88
Check	07/27/2018		Michael Finkle	Board Meeting Expense	26.16	1,188.04
Check	07/30/2018		Linda Coburn	Board Meeting Expense	33.79	1,221.83
Check	08/16/2018		Judy Jasprica	Board Meeting Expense	139.42	1,361.25
Check	08/16/2018		Drew Henke	DMCJ Board Meeting 8/10/18	27.25	1,388.50
Check	08/16/2018		Kevin Ringus	DMCJ Board Meeting 8/10/18	21.80	1,410.30
Check	08/16/2018		Michael Finkle	DMCJ Board Meeting 8/10/18	19.62	1,429.92
Check	08/16/2018		Michelle Gehlsen	DMCJ Board Meeting 8/10/18	28.34	1,458.26
Check	08/16/2018		Rick Leo	DMCJ Board Meeting 8/10/18	26.09	1,484.35
Check	08/16/2018		Samuel G. Meyer	DMCJ Board Meeting 8/10/18	54.50	1,538.85
Check	08/16/2018		Scott Ahlf	DMCJ Board Meeting 8/10/18	54.50	1,593.35
Check	08/21/2018		Jennifer L. Fassbender	DMCJ Board Meeting 8/10/18	21.57	1,614.92
Check	08/21/2018		Dan B Johnson	DMCJ Board Meeting 8/10/18	407.66	2,022.58
Check	08/21/2018		Robert Grim	DMCJ Board Meeting 8/10/18	115.46	2,138.04
Total Board Meeting Expense					2,138.04	2,138.04
<b>Bookkeeping Expense</b>						
Check	07/17/2018		Pierce County Bookkeeping	Pierce County Bookkeeping Bill Payment	312.00	312.00
Check	08/13/2018		Pierce County Bookkeeping	July bookkeeping	344.50	656.50
Total Bookkeeping Expense					656.50	656.50
<b>Judicial Assistance Committee</b>						
Check	07/30/2018		Mary C. Logan	Judicial Assistance Committee	18.72	18.72
Total Judicial Assistance Committee					18.72	18.72
<b>Legislative Pro-Tem</b>						
Check	07/26/2018		City of Bothell	Legislative Pro-Tem	195.00	195.00
Total Legislative Pro-Tem					195.00	195.00
<b>Lobbyist Contract</b>						
Check	07/26/2018		Melanie Stewart	July Payment	2,000.00	2,000.00
Genera...	07/31/2018	CEH		1/12 of Contract	3,833.33	5,833.33
Genera...	08/15/2018	CEH		1/12 of Contract	3,833.33	9,666.66
Check	08/17/2018		Melanie Stewart	August payment	2,000.00	11,666.66
Total Lobbyist Contract					11,666.66	11,666.66
<b>President Expense</b>						
Credit ...	08/07/2018		Budd Bay Cafe Olympia		38.13	38.13
Total President Expense					38.13	38.13
<b>99 - Depreciation Expense</b>						
Genera...	07/30/2018	CEH			9.58	9.58
Genera...	08/31/2018	CEH			9.58	19.16
Total 99 - Depreciation Expense					19.16	19.16
<b>TOTAL</b>					<b>0.00</b>	<b>0.00</b>

**Other current information not included in reports**

DMCJA 2018-2019 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	\$2,138.00	\$27,862.00
Bookkeeping Expense	\$3,500.00	\$656.00	\$2,844.00
Bylaws Committee	\$250.00		\$250.00
Conference Calls	\$250.00		\$250.00
Conference Planning Committee	\$4,000.00		\$4,000.00
Conference Incidental Fees For Members Spring Conference 2019	\$40,000.00		\$40,000.00
Diversity Committee	\$2,000.00		\$2,000.00
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	\$2,500.00		\$2,500.00
Education-Grants	\$5,000.00		\$5,000.00
Judicial Assistance Committee*	\$14,000.00	\$19.00	\$13,981.00
Judicial College Social Support	\$2,000.00		\$2,000.00
Judicial Community Outreach	\$4,000.00		\$4,000.00
Judicial Independence Fire Brigade	\$1,000.00		\$1,000.00
Legislative Committee	\$4,000.00		\$4,000.00
Legislative Pro-Tem	\$2,500.00	\$195.00	\$2,305.00
Lobbyist Contract	\$70,000.00	\$50,000.00	\$20,000.00
Lobbyist Expenses	\$1,500.00		\$1,500.00
Long-Range Planning Committee	\$750.00		\$750.00
MPA Liaison	\$1,000.00		\$1,000.00
Municipal/Dist. Ct Swearing-in 4 yrs. (12/2017)			\$0.00
National Leadership Grants	\$5,000.00		\$5,000.00
Nominating Committee	\$400.00		\$400.00
President Expense	\$5,000.00	\$38.00	\$4,962.00
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
Therapeutic Courts Committee	\$2,500.00		\$2,500.00
Treasurer Expense and Bonds	\$250.00		\$250.00
Trial Court Advocacy Board	\$500.00		\$500.00
Uniform Infraction Committee	\$1,000.00		\$1,000.00
<b>TOTAL</b>	<b>\$241,700.00</b>	<b>\$53,046.00</b>	<b>\$188,654.00</b>
<b>TOTAL DEPOSITS MADE</b>	<b>\$880.23</b>		
<b>CREDIT CARD (balance owing)</b>	<b>\$0.00</b>		

\*Includes \$7,000 from the SCJA  
Balance as of 8-30-2018

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	\$23,690.16	\$6,309.84
Bookkeeping Expense	\$3,500.00	\$3,560.00	-\$60.00
Bylaws Committee	\$250.00		\$250.00
Conference Calls	\$250.00	\$682.00	-\$432.00
Conference Planning Committee	\$4,000.00	\$3,589.00	\$411.00
Conference Incidental Fees For Members Spring Conference 2018	\$40,000.00	\$34,800.00	\$5,200.00
Diversity Committee	\$2,000.00	\$86.00	\$1,914.00
DMCJA/SCJA Sentencing Alternatives aka "Trial Ct Sentencing & Supervision Comm"	\$1,000.00	\$291.00	\$709.00
DMCMA Liaison	\$500.00		\$500.00
DOL Liaison Committee	\$200.00		\$200.00
Education Committee	\$14,500.00	\$1,416.00	\$13,084.00
Educational Security		\$2,500.00	-\$2,500.00
Education-Grants	\$5,000.00	\$1,000.00	\$4,000.00
Judicial Assistance Committee*	\$13,000.00	\$12,801.00	\$199.00
Judicial College Social Support	\$1,500.00	\$1,500.00	\$0.00
Judicial Community Outreach	\$4,000.00	\$1,600.00	\$2,400.00
Judicial Independence Fire Brigade	\$1,000.00	\$81.00	\$919.00
Legislative Committee	\$4,000.00	\$1,022.00	\$2,978.00
Legislative Pro-Tem	\$2,500.00	\$2,174.00	\$326.00
Lobbyist Contract	\$65,000.00	\$65,000.00	\$0.00
Lobbyist Expenses	\$1,500.00		\$1,500.00
Long-Range Planning Committee	\$750.00	-\$101.00	\$851.00
MCA Liaison	\$1,000.00	\$220.00	\$780.00
Municipal/Dist. Ct Swearing-in 4 yrs. (12/2017)	\$500.00	\$431.00	\$69.00
National Leadership Grants	\$5,000.00	\$5,778.00	-\$778.00
Nominating Committee	\$400.00		\$400.00
President Expense	\$5,000.00	\$3,728.00	\$1,272.00
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	\$81.00	\$419.00
SCJA Board Liaison	\$1,000.00	\$81.00	\$919.00
Treasurer Expense and Bonds	\$250.00	\$162.00	\$88.00
Therapeutic Courts Committee	\$1,000.00	\$81.00	\$919.00
Trial Court Advocacy Board	\$500.00		\$500.00
Uniform Infraction Committee	\$1,000.00		\$1,000.00
<b>TOTAL</b>	<b>\$231,700.00</b>	<b>\$166,253.16</b>	<b>\$65,446.84</b>
<b>TOTAL DEPOSITS MADE</b>	<b>\$178,143.00</b>		
<b>CREDIT CARD (balance owing)</b>	<b>\$0.00</b>		

\*Includes \$6,500 from the SCJA  
Balance as of 9-10-2018

# Washington Federal. invested here.

www.washingtonfederal.com

## Statement of Account

PAGE 1 OF 1

Statement Ending Date August 31, 2018

Last Statement Date August 1, 2018

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]

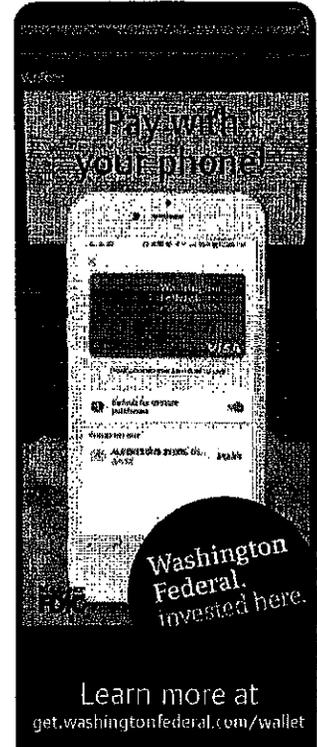
Annual Percentage Yield Earned for this Statement Period	0.100%
Interest Rate	0.100%
Year-to-Date Interest Paid	\$33.70

<b>Beginning Balance</b>	<b>\$50,619.98</b>
Interest Earned This Period	+4.30
Deposits and Credits	+0.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
<b>Ending Balance</b>	<b>\$50,624.28</b>

	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	4.30
<b>Total Interest Earned This Period</b>		<b>4.30</b>



WF 10-17

Visa may provide updated debit card information, including your expiration date and card number, with merchants that have an agreement for reoccurring payments. You may opt out of this service by calling 1-800-324-9375.



WASHINGTON  
COURTS

## DMCJA Legislative Committee Meeting FRIDAY, NOVEMBER 17, 2017

Via Teleconference  
8:00 a.m. to 9:00 a.m.

### MEETING MINUTES

#### Members:

Chair, Judge Samuel G. Meyer  
~~Judge Brett Buckley~~  
Judge Janet Garrow  
~~Judge Robert Grim~~  
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  
Jennefer Johnson, DMCMA Liaison  
Maryam Olson, DMCMA Liaison

#### AOC Staff:

Ms. J Benway  
Ms. Sharon Harvey

#### 1. CALL TO ORDER

Judge Meyer called the meeting to order at 8:02 a.m. The Committee members introduced themselves.

#### 2. GENERAL BUSINESS

A. Minutes: It was motioned, seconded and passed to approve the minutes for the October 13, 2017 meeting as presented.

B. Legislative Update: Judge Meyer stated that a democrat was elected state senator in the 45<sup>th</sup> District, so the Senate will have a democrat majority and the Senate Committee Chairs will change from republicans to democrats. Judge Meyer met with the new Chair of the Senate Law & Justice Committee, Senator Pedersen, as well as the returning Chair of the House Judiciary Committee, Representative Jinkins, regarding the DMCJA legislative agenda. Judge Meyer was told that it may be difficult to progress all of the DMCJA bills because it will be a short legislative session. Bills that were proposed last year will likely be pulled out of Committee rather than reintroduced.

C. Work Session Update for Small Claims: The Senate Law & Justice Committee held a Work Session in Spokane to discuss amending the small claims statutes to (1) raise the jurisdictional limit to \$10,000 and (2) convert the action to a district court case if an attorney appears. Judge Smith attended the Work Session and will report at a later meeting. Ms. Benway prepared information regarding the jurisdictional limits for small claims action in other states.

D. Work Session Update for *Blomstrom v. Tripp*: The Senate Law & Justice Committee held a Work Session on November 14 to discuss possible legislative responses to the recent Washington Supreme Court decision *Blomstrom v. Tripp*, which invalidated the use of urinalysis as a pretrial condition for a DUI charge. Judge Meyer stated that the proposals would address all three court levels; he has drafts that he will share with the Committee. The DMCJA supports the concept of legislation concerning *Blomstrom* but is not supporting a particular proposal at this time. Judge Harn stated her concern that the *Blomstrom* characterization of DUI as a non-violent crime will be addressed as well.

### **3. 2018 DMCJA PROPOSED LEGISLATION**

Judge Meyer stated that the DMCJA Board approved the 2018 DMCJA Legislative Agenda as recommended by the Committee. Those proposals include:

1. Discover Pass
2. DNA Samples
3. Commissioners to Solemnize Marriage
4. Small Claims
5. Powers of commissioners – Limitations
6. Interlocal Agreements for Probation Services
7. 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

Only a few issues remain for the Committee to discuss.

With regard to the 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 will provide additional language as requested.

### **4. INFORMATION**

- A. Legislative Committee Roster
- B. 2017-2018 DMCJA Legislative Committee Meeting Schedule  
The Committee was presented with a revised meeting schedule and roster.
- C. Fiscal Note (Judicial Impact Note) Team has open DMCJA positions

### **5. OTHER BUSINESS**

- A. Proposed Amendment to Judicial Officers – Disqualification, RCW 3.50.045(2), RCW 3.34.110(2) and RCW 35.20.175(2) – Judge Phillips  
Judge Phillips stated that there was confusion regarding how the statutes pertaining to disqualification of district court judges address rescission. He suggested proposing an amendment similar to that recently adopted for the comparable superior court judges' statute.

The Committee agreed that this was a worthy issue for a legislative proposal but that it would be a lower priority given the number of proposals already accepted by the DMCJA Board. Judge Phillips will draft proposed language for review by the Committee and Board.

B. Next Meeting: Friday, December 8, 2017, 8:00 a.m. to 9:00 a.m. via conference call.

C. The Joint Legislative Reception is Thursday, January 18, 2018, 5:30 p.m. to 8:00 p.m., in the Foyer of the Temple of Justice.

## **6. ADJOURN**

The meeting was adjourned at 8:40 a.m.

# DISTRICT AND MUNICIPAL COURT MANAGEMENT ASSOCIATION

May 10, 2018

Kilroy Building - SeaTac, Washington  
Board Meeting Minutes

## Officers Present:

1. Cynthia Marr, President
2. Margaret Yetter, President Elect
3. Dawn Williams, Vice President
4. Judy Ly, Treasurer

## Members & Attendees Present:

- |                              |                                        |                           |
|------------------------------|----------------------------------------|---------------------------|
| 5. Brad Alberts              | 19. Melody Guenther -<br>phone         | 32. Michelle Pardee - AOC |
| 6. Krissy Anderson - phone   | 20. Pam Haley - phone                  | 33. Melissa Patrick – MPA |
| 7. Ellen Attebery            | 21. Sally Jacobsen                     | 34. Michelle Petrich      |
| 8. Angie Autry - AOC         | 22. Jennefer Johnson                   | 35. Paulette Revoir       |
| 9. Elizabeth Baldwin         | 23. LaTricia Kinlow                    | 36. Patsy Robinson        |
| 10. LeAnne Benek             | 24. Amy Knutsen                        | 37. Kelly Rydberg         |
| 11. Tiffany Brooks – DOL     | 25. Patti Kohler                       | 38. Kathy Seymour – phone |
| 12. Jennifer Burnam - AOC    | 26. Diana MacKenzie                    | 39. Keith Wills           |
| 13. Lynne Campeau            | 27. Michael Malone                     | 40. Bonnie Woodrow        |
| 14. Melanie Conn             | 28. Uneek Maylor                       | 41. Kaaren Woods          |
| 15. Jennifer Creighton       | 29. Judge Sam Meyer –<br>DMCJA - phone |                           |
| 16. Vicky Cullinane – AOC    | 30. Maryam Olson                       |                           |
| 17. Amber Emery              | 31. Catherine Palermo                  |                           |
| 18. Tifini Fairbanks - phone |                                        |                           |

**Call to Order:** The meeting was called to order by President Cynthia Marr followed by welcome and introductions of members present and members appearing by phone.

**Adoption of Agenda:** Cynthia Marr asked if there were any changes or objections to the agenda. Hearing none, she adopted the agenda.

**Approval of Minutes:** A motion was made by Margaret Yetter to approve the November 2017, January 2018 and March 2018 minutes. Lynne Campeau seconded the motion. Motion carries.

**Treasurer Report:** The treasurer's report was submitted by Judy Ly. The checkbook balance is \$75,699.42. Cynthia Marr deemed treasurer's report approved.

## Liaison Reports:

**DMCJA Liaison:** Judge Meyer reported that the CLJ-CMS project is the top priority for DMCJA. He shared concerns regarding the 1783 LFO Bill and is mindful of impacts to court staff. Judge Linda Coburn from Edmonds will be giving a presentation at the DMCJA conference regarding the LFO bill. Judge Meyer will confer with AOC and DMCMA to make sure that information given at both conferences is the same.

**AOC JSD Liaison:** Michelle Pardee reported that Jennifer Burnam will be speaking about the 1783 LFO Bill. There will be an e-service answer for this and other bills impacting CLJ courts.

Angie Autry will be the new AOC Business Liaison for DMCMA and will attend board meetings. Michelle Pardee will continue working with the law tables as well as caseload data reports. Michelle Pardee, Carla Weaver, and Tiffany Brooks will be at the DMCMA conference for AOC/DOL updates.

**AOC ISD - CLJ-CMS:** Vicky Cullinane reported on the status of CLJ-CMS project. She gave an explanation of recent events and why no vendor was selected from the original RFP. Vicky stated that the Steering Committee is looking at three options. Option one would be to begin another RFP for single off-the-shelf system. This is unlikely a viable option. Option two is a best of breed approach, where separate systems link together with data exchange. Option three would be to modernize JIS by re-platforming the current legacy system and modernizing the system with added modules such as document management. Regardless of direction, any new RFP will utilize the same business requirements.

IT governance clean up and batch adding/deleting attorneys is completed. AOC is considering changing rules on how they do release notes so we know when tasks are complete. They are considering letting users know if they need to take an action or when something is ready for use. Look for an e-service answer.

**MPA (FKA: MCA):** Melissa Patrick reports that the Misdemeanant Corrections Association is now officially the Misdemeanant Probation Association or MPA. Their recent conference was held in Ocean Shores and they had a good turnout. The emphasis of the conference was on DV treatment changes. Next year will be in eastern Washington. Beginning in July, the new MPA liaison to DMCMA will be Eddy Zapien from Yakima County.

**DOL:** Tiffany Brooks reports DOL will have new multifactor authenticity (MFA) for added layer of security for DOL on-line users through WA Tech Solutions for all DOL on-line accounts. This will include a user name and password and an authentication code being sent via e-mail/text. Tiffany is unsure if it's a one-time verification at log-on or will be needed every time. She will provide more information. Carla Weaver will cover Drives changes at the DMCMA conference and will have brochures to hand out. Changes go into effective 9/4/18.

### **Standing Committee Reports**

**Conference/Education:** Margaret Yetter reported that the spring conference at Campbell's Resort in Lake Chelan is ready to go. There are 113 registered participants. Patti Kohler reported changes to Paint/Sip nights and openings for helicopter ride and winery tour. The committee is looking at Vancouver, WA for the 2019 spring conference. Margaret reminded members to send education topics to the committee. The fall Staff conference will be October 29-30, 2018 at the Great Wolf Lodge. Registration fees will be approximately \$75-\$100. Topics included so far will be Jan Harrison, Lenora Sneva, Gender/Justice and DOL/AOC updates. More info will be provided in July.

Dawn reported that the Spring Regional on Poverty Simulator sponsored by the Minority & Justice Commission was a great training. Due to the cancellation of four regions, the Association may want to redo this training at another conference. There was very positive feedback on training from those that attended. Trish Kinlow advised DMCMA to work with the Minority and Justice Commission to provide this training again and also work with AWC for citywide training.

**Technology:** Lynne Campeau reported that the association website needs to be updated. She will be discussing this further at the long-range planning meeting. Lynne also reports the tech committee needs help. Margaret will look for volunteers. She stated you must be a DMCMA member to serve on standing committees. Cynthia Marr states CLJ-CMS workgroup is meeting next Wednesday.

**Membership:** No report. Written report will be provided at conference.

**Legislative:** Kathy Seymour reported that Jennifer Burnam will be present at conference to address HB1783 and answer questions. Patrick Wells added two bills, HB2578 and HB1570, regarding housing surcharge which will be addressed. The legislative summary will be wrapped up soon and will go out on listserv.

**Long Range Planning:** Margaret Yetter reported on the retreat held on March 22<sup>nd</sup>, 2018. Members discussed the DMCMA 50<sup>th</sup> year anniversary, courts helping courts and mentor program. These will be discussed at the conference roundtable session. Courts helping courts and mentoring program is now the duty of the immediate past president. Paulette Revoir will be heading the program. Any education topics for future training/conferences can be sent to Education Committee co-chairs.

**Bylaws/Policy and Procedures:** Margaret Yetter states that there are a lot of openings on committees. Please let Margaret know if you are interested. Patti Kohler reported that the Rules Committee needs help as she has conflicts with other meetings and needs a backup. The committee list is online.

### State Committee Reports

**BJA:** Cynthia Marr reported that Judge Robertson is the chair of BJA Policy Planning Committee. They are working on prioritizing committee membership and projects as to use resources more efficiently.

**Court Management Council:** Margaret Yetter reported that their strategy for next year is mandated education for court administrators as well as an administrator's college. This would include the Association of County Clerks, Superior Court Administrators and Appellate Court Association. Lynne Campeau, Trish Kinlow and Margaret Yetter have been working on this since 2010, but there has never been funding. Lynne stated that the Institute for New Court Employees is very useful as clerks often already know the job before the training becomes available. She stated that a possible solution could be to have clerk trainings at regionals and line staff conferences and use the Institute for New Court Employees funding for a Court Administrator's College instead.

**CEC:** No report – meeting was cancelled.

**JISC/DDC:** Lynne Campeau reported there was a big meeting last month regarding JISC budget prioritization. The CLJ/CMS was voted as priority number one. AOC will be working on fixing DCXT to where AOC can internally do automatic updates. Vicky Cullinane states that while this project is noted as in progress, it depends on resources. But she will keep pushing for it. Vicky also reported that Barbara Miner from King County Superior Court at the last JISC committee meeting made an ad hoc request for up to \$800,000 for additional hours for Tyler Tech to do enhancements and it made it to the next biennium budget without an ITG request. She stated that when the timing is right, CLJ members may need to come to JISC meetings to advocate for the new CMS. Meetings are open to public. Contact Vicky to be added to the stakeholder list to get meeting information. Lynne and Paulette will let committee and membership know of important topics on JISC agenda.

Paulette reports AOC will provide prosecutors and public defenders access to print from JIS link RACF ID's. Three options include: JIS link user may or may not have access to print domain; JIS link user may or may not use print command in print domain; JIS link user may or may not print to a printer. Release notes will be out in the future for options. Any questions, contact Paulette.

**TCAB:** Judy Ly stated that the meeting was cancelled – no report.

**Gender and Justice Commission:** Trish Kinlow reported on the LFO symposium on June 6<sup>th</sup> at Seattle University Law School. They will be discussing impacts of LFO bill 1783. More information regarding the symposium will be sent to listserv. DMCMA is building a good relationship with the Commission and it would be good for DMCMA to send thank you letter to the Commission for support for education.

**Interpreter Commission:** Trish Kinlow reports all courts are required to have a Language Access Plan (LAP), even if you are not seeking funding reimbursement. Courts can do joint LAP's with other courts. Trish will share King County's template for use. The LAP was due April 30, 2018. Please try to get yours in by mid-June if you haven't already. Members have been trying to get funding for all courts, but it is not yet possible. Please participate in interpreter surveys when received. Bonnie Woodrow reported that the Interpreter Services Funding Task Force report is online. AWC needs to make it a priority for the next legislative session and identify what funding is needed. Courts should talk to their executive branch about AWC making this a priority.

**Pattern Forms:** Kathy Seymour states the following changes from 4/30/18 and 5/3/18 meetings:

- J&S changes – check box for indigency of defendant
- DUI sentencing grid change – criminal conviction fee to be waived if indigent.
- Additional language in firearm notice to include ineligibility to possess firearm if convicted of Harassment after 6/7/18
- NCO – expiration blank removed – must enter a date
- Discussed an option to release NCO upon early closure of case
- Update instructions for Order to Vacate – remove questions about criminal history on employment applications.

**SECTOR Workgroup:** Jennifer Creighton reported that all state agencies are using SECTOR. Funding goes down every year. WA TECH – WSP is the lead agency for short term funding. Need long-term funding because technology is getting older. There are vendors that have similar product. An RFI is going out 5/15/18 to see what is available. They will be meeting often for the next year.

**HB 1163 DV Workgroup:** Jennifer Creighton reported on the risk assessment and its use, as well as the DV perpetrator treatment reports due 6/30/18. There is debate in the community on mandatory arrest laws and the concern that the victim may not call 911. There was discussion regarding the LEA doing a Risk assessment, but they may not enough information at the time of the stop/arrest. They recommend a data repository for risk assessment information for all DV perps so the LEA has access at scene. Once the committee's report is complete, it will be sent out, likely in July.

**New Business:** Cynthia Marr introduces and welcomes Amber Emery, the new Administrator for Clark County District Court. Amber came from Multnomah County Circuit Court in Oregon. Her Deputy Administrator, Brad Alberts will attend conference.

**DMCMA Nominations/Appointments:** No new nominations or appointments.

**HB1783 LFO Discussion:** Jennifer Burnam reports on changes that will be coming as a result of the LFO bill.

- No interest on Criminal costs – except restitution. Does not apply to infractions.
- Not retroactive – all interest may be waived on past 6/8/18 cases – on defendant's motion – must submit specific criteria.
- Costs may be waived or may do community service
- Payment plans must be allowed – especially if indigent
- Payment must be in specific order;
  - 1 – RTN – Personal/Victim
  - 2 – RTN – Insurance Company
  - 3 – Crime Victim Assessment
  - 4 – Costs/Fees/Other/PO Fees
- For the RTN split out – no system changes at AOC. This must be done manually.
- Fail to pay must be willful and not indigence.
- Costs cannot be imposed if indigent:

- \$43 conv fee
- \$200 appeal filing fee
- \$100 DNA fee – 2<sup>nd</sup> time
- Cost of Incarceration
- Collection agency report to be changed to break out RTN vs NON RTN. AOC creating BIT report to run as of now showing what is in collection as RTN so we can send it to our collection agencies.
- Any additional reports needed by courts can be requested to AOC
- AOC creating e-service answer on LFO bill and \$1.9 million in grants for courts for lost revenue

Keith Wills requests for AOC to highlight effected cost fee codes that cannot be imposed due to indigence. AOC will do in manual. Trish Kinlow added that DSHS has a portal, once signed up, you can check to see if a person is receiving benefits to determine indigency. Any questions on LFO bill check e-service answers or contact Jennifer Burnam.

**Information:** Judges approve donation for public service announcement on TVW for DMCMA & DMCJA. Cynthia Marr will submit a thank you letter from DMCMA.

**Unfinished Business:** None

Respectfully submitted,  
Maryam Olson for Sonia Ramirez, Secretary

**DISTRICT AND MUNICIPAL COURT MANAGEMENT ASSOCIATION**

July 19, 2018  
Kilroy Building - SeaTac, Washington  
Board Meeting Minutes

**Officers Present:**

- |                                    |                                            |
|------------------------------------|--------------------------------------------|
| 1. Margaret Yetter, President      | 4. Patti Kohler, Vice President (by phone) |
| 2. Paulette Revoir, Past President | 5. Judy Ly, Treasurer                      |
| 3. Dawn Williams, President Elect  | 6. Maryam Olson, Secretary                 |

**Members & Attendees Present:**

1. Ellen Attebery	15. Melody Guenther - phone	29. Courtney White
2. Angie Autry – AOC	16. Amy Harte - phone	30. Keith Wills
3. Lauren Bjurstrom - phone	17. Lillian Hawkins	31. Bonnie Woodrow
4. Tiffany Brooks – DOL	18. Sally Jacobsen	32. Eddy Zapien - MPA
5. Lynne Campeau – phone	19. LaTricia Kinlow	
6. Krissy Chapman - phone	20. Amy Knutsen	
7. Stacy Colberg	21. Diana MacKenzie	
8. Melanie Conn	22. Uneek Maylor	
9. Vicky Cullinane – AOC - phone	23. Catherine Palermo	
10. Serena Daigle	24. Frankie Peters	
11. Telma deGroen	25. Michelle Petrich	
12. Tifini Fairbanks – phone	26. Patsy Robinson	
13. Yanna Filippidis	27. Kelly Rydberg	
14. Judge Michelle Gehlsen - DMCJA	28. Kathy Seymour	

**Call to Order:** The meeting was called to order by President Margaret Yetter followed by welcome and introductions of members present and members appearing by phone. Information was given on how to validate parking at AOC.

**Adoption of Agenda:** Margaret Yetter asked for changes to the agenda. No changes noted. Margaret deemed the agenda approved.

**Approval of Minutes:** Margaret Yetter asked for changes to the May 10, 2018 board meeting minutes. No changes or corrections. Margaret deemed minutes approved. She asked for changes to the May 21, 2018 annual business meeting minutes. No changes or corrections. Minutes will be presented for approval at the 2019 annual business meeting.

**Treasurer Report:** Written report submitted by Judy Ly. 2018-2019 Budget was presented. There is a new line item for Courts Helping Courts/Mentor Program, budget amount \$5,000. \$5,000 was reduced from the following accounts: Board meeting expenses, Scholarship, Travel and Website to create this new line item. Margaret Yetter asked for any changes. No changes or corrections. Trish Kinlow moved to approve the 2018-2019 budget. Patsy Robinson seconds the motion. The 2018-2019 budget is approved.

## Liaison Reports:

**DMCJA Liaison:** Judge Michelle Gehlsen, Bothell Municipal Court, is our new DMCJA Liaison. Judge Gehlsen thanked DMCMA for its hard work on behalf of the judiciary. DMCJA has created two new committees. The first is the Public Outreach Committee which focuses on judges educating executive branches of separation of powers. They would like to create a presentation by the Judges at the Assoc. of WA Cities, Counties, and Municipal Attorneys as well as a presentation at the Judicial conference. The second committee is the Counsel on Independent Courts which has to do with helping courts with issues with executive branches. Margaret asked if there will be representation by DMCMA. Judge Gehlsen will discuss that with DMCJA. Judges to reach out to if your court is having issues are: Judge Stiner, Committee Chair, Judge Larson, Judge Ahlf, Judge Portnoy, Judge Gehlsen, Judge Doctor and Judge Robertson.

**AOC CSD Liaison:** Angie Autry reports the AOC help lines will be short staffed due to vacations and site visits. Please be patient. AOC is moving along with the next step of CLJ/CMS project. Vicki Cullinane will provide more details.

**MPA:** Eddy Zapien, Yakima County, reports for MPA. The main focus of their last meeting was how can MPA tackle ignition interlock issues and bring to the Legislature for stricter IID laws. The next MPA conference is May 6-8, 2019 at the Marcus Whitman Hotel in Walla Walla. The next Probation Officer Academy is September 10-21, 2018. MPA produces a quarterly newsletter following each MPA board meeting. Eddy will forward the newsletter to Margaret to share with DMCMA. Eddy also shared that it is Probation/Parole Supervision Week.

**DOL:** Tiffany Brooks reports DRIVES is coming September 4<sup>th</sup>. DOL administrative office is reaching out to courts to update their custodian records list for those who certify ADRs. Kathy Strand will be reaching out to all the courts. If she has not contacted you, you can reach her at [kstrand@DOL.wa.gov](mailto:kstrand@DOL.wa.gov). Tiffany will be doing a lot of training soon so her responses may be delayed. Dawn Williams asks if the Inattentive Driving will show on the DOL record starting in September if cited as a City Code or RCW. Tiffany responds it will appear either way. Paulette Revoir thanks DOL for their frequent DRIVES e-mails/updates.

**Eastern WA Manager's Meeting:** Krissy Chapman reports as the liaison between DMCMA and this group. Paulette Revoir joined the committee by phone on June 8<sup>th</sup> and gave an update on the DMCMA conference. The managers are talking about an Emergency Response Plan. Spokane County has one, yet smaller towns do not. Last year AOC held a BIT training in Cheney. They would like more BIT training on the east side. Walla Walla is hosting a DV MRT training. Paulette appreciates being able to attend the meeting by phone and having a liaison report at the board meetings. Krissy will send a list of their meeting dates to Margaret. Trish Kinlow reports there is an MRT training in Snohomish County as well. Patsy Robinson reports the DV MRT training in Mason County has been cancelled due to lack of participants.

**AOC ISD/JISC:** Vicky Cullinane reports on CLJ/CMS project. The steering committee has a list of high-level components needed for the success of this project. They are currently working through the process to hire a consultant to review the options and report back to the steering committee. Options include 1) best of breed, get the best of each system, like probation, CMS, VRV as an example, and link them together or 2) modernize JIS. Angie Autry adds that another option is a combination of best of breed and modernizing JIS or other options unknown. Vicky continued to discuss the two options and thought it was important that perhaps the consultant could bring options that have not yet been thought of.

DRIVES changes – Release notes will be sent with screen shots showing the changes. A final release note in August will be sent detailing all the changes. This needs to be reviewed by all users prior to the September 4<sup>th</sup> release of DRIVES.

## Standing Committee Reports

**Conference:** Diane McKenzie reports on Annual Spring conference in Chelan. There were good ratings on all speakers. The issue of late check-in on Sunday and PowerPoint slides not easy to see were mentioned by participants. Diana has the complete conference evaluation packet, if you would like to see them please e-mail her. Dawn Williams added there was approximately \$2,100 overage in registration/incidental fees being held at AOC. It can be carried over and used for future conference. Margaret is suggesting we use it towards the staff conference this fall, to keep the registration fee low. Approximately \$1800 was collected from the silent auction. Fall Staff Conference is October 29-30 at the Great Wolf Lodge. All faculty have been confirmed. The flyer should be distributed early August. Registration fee will be \$100 and will include 1 night stay (Monday night) and lunch on Monday and Tuesday. We can only use approximately \$5,000 of the \$30,000 CEC funds for this conference in order for AOC to sign a contract for our annual conference in May 2019. We would like AOC staff to help with the annual management conference and our education committee will assist with the staff conference. We would like DMCMA to cover the 1 night lodging for the staff conference participants (approximately \$10,000 - \$12,000). Dawn Williams makes a motion for DMCMA to cover 1 night lodging for the staff conference participants (approximately \$10,000 - \$12,000). Patsy Robinson seconds motion. No objections. Motion passed. Margaret notes the hotel rate of \$124 is available for Sunday night for those wanting to arrive early. Participants are responsible for Sunday night lodging.

2019 Annual Management Conference: Possible location is Heathman Lodge in Vancouver, WA. We are still working on negotiations. Conference theme will be "Promoting public trust and confidence in the courts". Conference dates are May 19-22, 2019.

**Education:** Dawn Williams reports they are gathering ideas for the 2019 Spring Regionals and should have more information at the next meeting.

**Legislative:** Kathy Seymour and Maryam Olson report the first meeting is August 10, no report until then.

**Long Range Planning:** Dawn Williams reports the Long Range Planning Committee will meet following today's board meeting. Agenda items include: the DMCMA Connection and Courts Helping Courts. Paulette Revoir reports on Courts Helping Courts and the mentor program. She has received 6 mentee applicants and 3 mentor applicants. She encourages all to put in an application. A budget line item has been added to cover expenses associated with CHC/Mentoring Program. Tukwila and Renton are sending staff to Yakima to help with their OCourt conversion.

**Bylaws/Policy and Procedures:** Dawn Williams and Patti Kohler have no report at this time.

## State Committee Reports

**BJA:** Margaret Yetter reports. Justice Bobbe Bridge attended the last BJA meeting and provided information on the Washington State Supreme Court Commission on Children in Foster Care. Brady Horenstein, AOC, gave an update on the Washington Citizens Commission on Salaries Report. No action at this time.

**Court Management Council:** Margaret Yetter reports CMC has requested project ideas for the upcoming year. Margaret suggested the Court Administrator's College, yet it may not happen at this group level. DMCMA began this discussion in 2010. Funding supports an Institute for New Court Employees and Judicial College, yet no mandatory training for Court Administrators. Associations are leery that mandatory training may not be necessary. Margaret will continue to attend meetings and will talk to other court levels. There was discussion about incorporating mandatory training in conferences. Trish Kinlow is on the CEC education funding task force and reports that her group is starting to understand the importance of mandatory training. They will draft a letter to BJA strongly supporting a general rule similar to GR 26 of the necessity of court administrator training and the importance of it. Trish shared with the Judges the importance of training for their courts. This is a policy decision and it is not done by task force, yet they

recommend it to BJA. We would like each presiding judge to designate at least one person from their court that would attend this education. Judge Gehlsen states this is very important yet the funding needs to be there.

**CEC:** Margaret Yetter reports there was a retreat in 2016 with all the education committee representatives to see if the CEC is going in the right direction. There will be a follow-up to that retreat with all the CEC members and co-chairs of education committee to talk about curriculum development, learning styles, and facilitator choices. This will be a 2-3 day retreat. Uneek Maylor suggests in-house training on ICM classes. Training administrators to train. Trish Kinlow states ICM doesn't address local training needs.

**Technology:** Lynne Campeau reports 2 additional members have been added to the committee, Annalisa Mai and Cathy Palermo. The committee goal is to work on updating the website. They are meeting at the beginning of September with the goal to better the website, whether it's building or buying it. May need a budget amendment to pay for it.

**Membership:** Lynne Campeau reports they will start the membership push in the fall.

**JISC:** Short meeting in June. There was nothing on the agenda pertaining to CLJ courts. Superior Court CMS is rolling out Odyssey in the final counties. In November they will finish up in Spokane and Clark counties at which time the project will be complete.

**BJA Public Trust & Confidence:** Judy Ly has written report attached. Reports on Judges in the classroom and encourages all Judges to go to schools and speak. There are on-line programs available for Judges. September 17 is constitution day, encourage your judge to go to your local school to speak. Contact Margaret Fisher, AOC [Margaret.fisher@courts.wa.gov](mailto:Margaret.fisher@courts.wa.gov) for more information.

**Gender and Justice Commission:** The Commission was awarded a grant from SJI . The grant will be used for a Gender Bias Study. The Education Committee, chaired by Judge Melnick, is very proud of the work the Commission does with DMCMA in getting good education to large audiences. The Commission is interested in what topics DMCMA is interested in for sponsorship. Topics related to DV, sexual assault, or transgender issues are required for sponsorship.

**Interpreter Commission:** Courts must have a LAP registered, filed with AOC, and posted on your local court website. Cities and Counties may create a join LAP. Courts participating in the reimbursement program must have all information in the system by July 31st (for the reporting period of July 1, 2017 to June 30, 2018) to get funding. Reimbursement for all courts is the number one priority on the Supreme Court budget requests. Trish thanks everyone for completing the online surveys and ask to please continue to complete those surveys for funding.

**Minority and Justice Commission** – The Commission has designated \$1000 to DMCMA for educational purposes. Topics related to LFO's, people of color, jury diversity, and implicit bias issues are required for using this funding.

**Public Trust and Confidence PSA Committee** – The purpose of this committee is to put together a PSA to help court customers recognize the court as a safe place where they will be treated with dignity and respect. TVW will be producing the PSA.

**Pattern Forms:** Kathy Seymour reports all forms are updated and on the AOC website. The Guilty Plea form has some minor changes and will be out in a month.

**HB 1163 DV Workgroup:** No report. An e-mail was sent out on DV Workgroup. If you have any questions, contact Jennifer Creighton.

## **New Business**

**DMCMA Nominations/Appointments:** Margaret Yetter reports on the need for committee positions: CLJ Court User Group and CLJ Steering Committee needs people. Anyone interested should talk to Lynne Campeau. Tina Marusich is retiring at the end of this year. She is the alternate on the DMCJA rules committee. Patti Kohler states they meet by phone. She would like to see two people, but at a minimum, one alternate is needed. If anyone is interested, let Margaret know. Paulette Revoir would like to be replaced as MPA liaison, they meet quarterly. Michelle Petrich is interested to be the liaison. Margaret is the co-chair on the presiding judge/administrator committee and her term is expired, please let her know if you are interested in this committee.

**Swearing In of Regional Director Terri Cooper:** Terri Cooper not available

**Counterfeit Money FYI:** Margaret Yetter received an e-mail from Erin Wheeler regarding counterfeit money. If hairspray is sprayed on currency the counterfeit pens do not work. Judy Ly states Pierce County purchased a machine from Amazon that scans the money with a blue light to determine if it is counterfeit. If it shows as counterfeit, they have a procedure to contact the Secret Service to report it. Judy will share her procedures. Patti Kohler reports the most common counterfeit bill is \$5.

**Other:** Cynthia Marr sent a Thank You card to all members. The card was passed around.

**Adjourn:** Margaret Yetter adjourns the meeting.

Respectfully submitted, Maryam Olson, Secretary

## Background of the Interpreter Services Funding Task Force

The Board for Judicial Administration created the Interpreter Services Funding Task Force in July 2017 to analyze the demand and funding needs for interpreters in Washington State courts.

- The Task Force's diverse membership consists of a Supreme Court justice and judges from every level of court; and representatives from city and county associations, advocacy organizations, court management associations, the Office of Public Defense, the Minority and Justice Commission, and legislative and budget staff from the Administrative Office of the Courts.
- The Task Force implemented a Court Interpreter Funding Survey in December 2017. The survey information provided below contains overall survey results and specific information related to municipal and district courts. The full report can be found here: [http://www.courts.wa.gov/programs\\_orgs/pos\\_bja/?fa=pos\\_bja.interpreterServicesFunding](http://www.courts.wa.gov/programs_orgs/pos_bja/?fa=pos_bja.interpreterServicesFunding)

## Survey Key Findings

Fifty-nine municipal courts and 38 district courts responded to the survey (some district courts may have included municipal courts in their responses if they contract with those courts).

### **Over one-half of Washington State courts frequently use appropriately qualified interpreters.**

- Around 40% of municipal courts were more likely to use interpreters daily or weekly.
- Around 67% of district courts were more likely to use interpreters daily or weekly.
- Of the municipal/district courts more likely to use interpreter services, 67% use interpreters for criminal court cases, 51% for traffic court cases, 26% for domestic relations court cases and 25% for dependency/termination court cases.

### **Interpreter costs have increased over the last two years.**

- In 2016, courts that provided budget information spent approximately \$3,179,910 for interpreter services.
- Around 50% of courts exceeded their allocated interpreter budgets.

### **Jury trials, multi-day trials and rare language interpretation costs are unexpectedly expensive.**

- Some courts reported costs ranging from \$10,000 - \$14,000 for one hearing.

### **Compared to urban courts, small and rural courts report more difficulties accessing qualified interpreters.**

**Courts overall have difficulties finding qualified interpreters and interpreters for rarer languages.**

- While Spanish is the most interpreted language in Washington State, 36% of courts provided interpreter services for over ten different languages, with one court reporting interpreter services for 162 languages.
- More languages requiring interpreters mean more resources to locate and pay for services.

**Courts often experience delays in proceedings when interpreters are needed.**

- About 41% of municipal courts and 63% of district courts reported that this is true for their court.
- Delays can be costly for courts, cities, or counties if additional court administration, jail time, attorney meetings, etc. are required when a case is continued.

**The Reimbursement Program currently provides limited funds (\$610,500 annually) to only 20% of Washington State courts.**

- Without increased funding, no new courts have been able to apply for these funds since the program's inception in 2008.

**To meet increasing needs and costs, it is critical that courts have access to state funding to provide quality and timely interpreter services.**

The Task Force is requesting \$2.1 million for the state interpreter reimbursement program to allow more courts in all parts of the state to access funding. The priority in the first year will be to recruit small and rural courts into the program. Increased funding for the program will also support additional recruitment, testing and training for all languages with a focus on rarer language and certified interpreters.

**Help support this funding request by:**

- Reaching out to your local stakeholders and legislative representatives to support this effort.
- Asking your county/city executive and county commissioners/council members to make the Interpreter Reimbursement Program one of their legislative priorities. This money will go directly to your county or city to ameliorate the costs incurred from using interpreters in court matters.

*The Task Force will provide information to help with outreach prior to the start of the legislative session.*

**Questions? Contact [jeanne.englert@courts.wa.gov](mailto:jeanne.englert@courts.wa.gov)**

# DMCJA Committee Satisfaction Survey

## I. PURPOSE OF SURVEY

In July 2018, the District and Municipal Court Judges' Association (DMCJA) conducted a survey to determine (a) how to encourage more member involvement, and (b) whether current committees are both necessary and effective. The survey is part of a larger effort by the DMCJA Board of Governors (Board) to increase DMCJA member involvement, which is a top priority for the association. DMCJA-related committees are necessary to fulfil the DMCJA's statutory duties, which are as follows:

- (1) Continuously survey and study the operation of the courts served by its membership, the volume and condition of business and such courts, the methods of procedure therein, the work accomplished, and the character of the results;
- (2) Promulgate suggested rules for the administration of the courts of limited jurisdiction not inconsistent with the law or rules of the supreme court relating to such courts;
- (3) Report annually to the supreme court as well as the governor and the legislature on the condition of business in the courts of limited jurisdiction, including the association's recommendations as to needed changes in the organization.

See RCW 3.70.040. In recent years, member involvement with DMCJA-related groups has declined. The purpose of the survey is to determine what DMCJA policies will encourage member involvement and create necessary and effective DMCJA-related committees, taskforces, and workgroups.

## II. ANALYSIS

### A. Survey Results

DMCJA duties are carried out by committees. Thus, member involvement is crucial for the DMCJA. There are no universal best practices regarding how to increase member involvement; however, making new members feel welcome and optimizing an association's website are noted as effective actions to engage association members.<sup>1</sup> Each organization is different. For this reason, the DMCJA conducted a survey to determine the needs of its members and identify any reasons that may prevent members from getting involved with association committees. The survey consisted of six questions, which are as follows:

- (1) About how long have you been a DMCJA member?
- (2) Are you a member of any DMCJA standing committee? If so, which one?
- (3) Are you a DMCJA Liaison for any committee? If so, on what committee(s) are you a member?
- (4) Please indicate whether you agree or disagree with the following statements regarding the goals of the committee.
  - a. The Committee's goals are clear to me.
  - b. The goals are clearly stated in a charter.
  - c. The goals are incorporated into a plan.
  - d. The Committee is actively working on accomplishing its goals.
- (5) How many hours per month on average did you/do you spend on each of the following when doing work for this committee?

---

<sup>1</sup> Audra Hopkins, *5 Member Engagement Must-Haves for Your Association*, (January 24, 2018), <https://www.webscribble.com/blog/engagement/member-engagement-for-association>.

- a. preparing for meetings
- b. traveling to meetings
- c. attending meetings
- d. doing follow-up tasks

(6) Is there anything that prohibits you from participation on a committee?

Survey respondents have served an average of twelve years on the bench. The majority of survey respondents have not participated on a committee within the last two years. Additionally, the majority of respondents are not DMCJA liaisons for any external committee(s). The majority of DMCJA respondents participating on committees agreed that (a) committee goals are clear, (b) committee goals are clearly stated in a charter, (c) committee goals are incorporated into a plan, and (d) committees are actively working on accomplishing their goals. Regarding time spent for committees, the majority of respondents spend 1-2 hours preparing for committee meetings, 0 hours traveling to meetings, 3-6 hours attending meetings, and 1-2 hours performing follow-up tasks. Survey respondents listed several reasons that prohibit them from participating on a committee. The top reasons are as follows: (1) Lack of Time, (2) Pro Tempore Coverage Needed, (3) Technology, and (4) Personality Conflicts.

For more information regarding survey results, see attached *DMCJA Committee Satisfaction Survey Results*.

### *B. Proposed Solutions*

Courts of Limited Jurisdiction (CLJs) process approximately eighty-seven percent of Washington State's judicial caseload. Thus, district and municipal court judges are busy. Absence from the bench may cause conflict between the court and the DMCJA committee member, therefore, solutions are needed to allow DMCJA judges to help carry out the work of the association while also fulfilling their court obligations.

The survey results allow the association to identify specific reasons for the lack of member involvement. Thus, in order to eliminate barriers to participation, the following issues should be resolved.

#### *1. Lack of Time*

Survey results reveal that a lack of time is the number one reason many members do not join DMCJA-related committees. Policy changes may provide solutions for this issue. An example is consolidating committees. The Board should consider whether a DMCJA committee may be consolidated with an existing judicial committee charged with similar duties. The DMCJA has consolidated committees in the past. For instance, the Technology Committee was placed on hiatus to allow its members to join the Courts of Limited Jurisdiction Case Management System Project (Project). This action allowed DMCJA Technology Committee members to work with a major technology project impacting district and municipal courts. Judges did not have to attend multiple meetings but only Project meetings. Further, in 2017, the Trial Court Sentencing and Supervision Committee (TCSSC) was placed on hiatus and its members were encouraged to join the Pretrial Reform Task Force, which is currently discussing the same issues discussed at TCSSC meetings. The Board may consider reviewing DMCJA committees annually or biannually during its annual Board Retreat when it determines the amount of funding for committees. Included in this meeting should be a discussion of the following: (1) Whether the group is relevant now or should it be placed on hiatus; (2) Whether the group is duplicative because another group performs similar tasks; (3) Whether other groups are open to DMCJA members and will allow DMCJA voices to be heard. Hence, a discussion of necessity and effectiveness should be had either annually or biannually during

DMCJA Board Retreats. This may lessen time commitments for members interested in a particular subject matter.

## *2. Pro Tempore Funding Available for Committees*

In 2018, the DMCJA Board approved \$5,000 in pro tempore reimbursement for DMCJA members participating on DMCJA committees.<sup>2</sup> Thus, with DMCJA Committee Chair approval, a committee member may seek reimbursement for pro tempore coverage the member's court obtained while the judge participated in a DMCJA-related activity. The survey, however, revealed that many DMCJA members are unaware of this benefit. For this reason, I propose the following solutions:

- AOC Staff work with Committee Chairs to educate them on this benefit;
- Include on meeting agendas language that state the benefit; and
- Each year when Committee Sign-Up Sheets are sent to members, conduct a committee recruiting campaign (offering mentors for committee chairs and members, pro tempore benefit information, available meeting technology, etc.).

Knowledge of the pro tempore coverage reimbursement may not only encourage more member involvement but also in-person meetings for groups that would benefit from face time. At present, committee meetings are often held via conference call at noon because it is difficult for many judges to leave court at any other time. Knowledge of the reimbursement for pro tempore coverage may allow judges to enjoy their lunches and attend in-person meetings without costs to the court.

## *3. Technology*

Survey respondents requested Skype and videoconferencing for meetings. The Administrative Office of the Courts (AOC) has Skype and videoconferencing capabilities. In order to utilize this option, the district or municipal court must also have Skype or similar capabilities. As all courts may not have this technology, judges desiring this accommodation should work with their court, committee chair, and AOC Staff.

## *4. Personality Conflicts*

The survey revealed that personality conflicts with committee members lead many DMCJA members not to participate on DMCJA-related committees. Mentoring for committee chairs may eliminate committee personality conflicts. For instance, a chair may prevent a committee member from dominating a meeting by asking each attendee to express their views in two minutes or less. Also, meeting etiquette created by the committee or committee chair may be necessary. Prior chairs of committees may have solutions for new meeting leaders confronting issues in which a meeting participant causes other members to either not join the committee or not remain on the committee.

---

<sup>2</sup> DMCJA Committees include the following Standing Committees: Bylaws, Conference Planning, Diversity, DOL Liaison, Education, Judicial Assistance Services Program (JASP), Legislative, Long Range Planning, Nominating, Reserves, Rules, Technology; Special Committees include: Public Outreach and Council on Independent Courts (CIC)

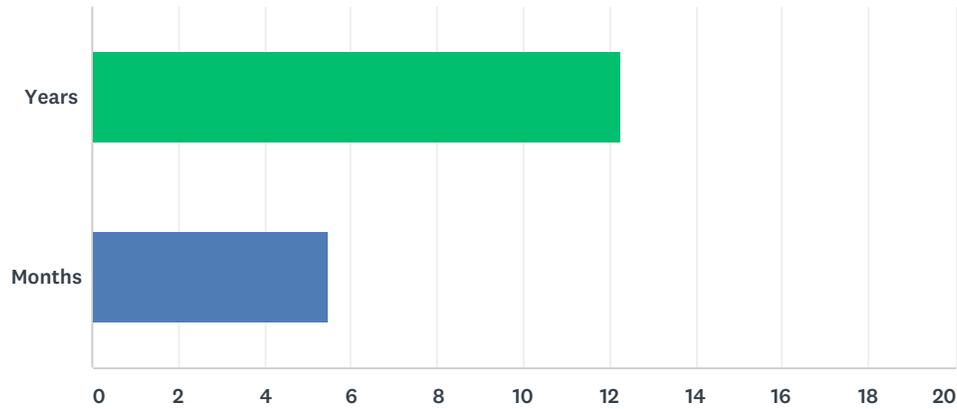
### III. RECOMMENDATIONS

Association duties are fulfilled through DMCJA-related committees. For this reason, solutions are needed to allow DMCJA judges to help carry out the duties of the association set forth in RCW 3.70.040, while also fulfilling court obligations. The DMCJA should, therefore, commit to making it as easy as possible for its members to join DMCJA-related groups. Thus, my recommendations to the Board are as follows:

- A. Discuss whether a committee is necessary and effective either annually or biannually during the DMCJA Board Retreat, which is a time when Board members determine how much funds to allocate to a committee. This agenda item may include discussions regarding how many members should exist for it to be considered a viable committee, whether the committee should be consolidated with another group, and whether the committee should be placed on hiatus.
- B. Approve a Committee Campaign in the spring when Committee Sign-Up Sheets are disseminated to DMCJA members (campaign may include mentoring opportunities for Committee chairs and members, advertising \$5,000 allocation of funds for Committee participation, etc.).

# Q1 About how long have you been a DMCJA member?

Answered: 31 Skipped: 0



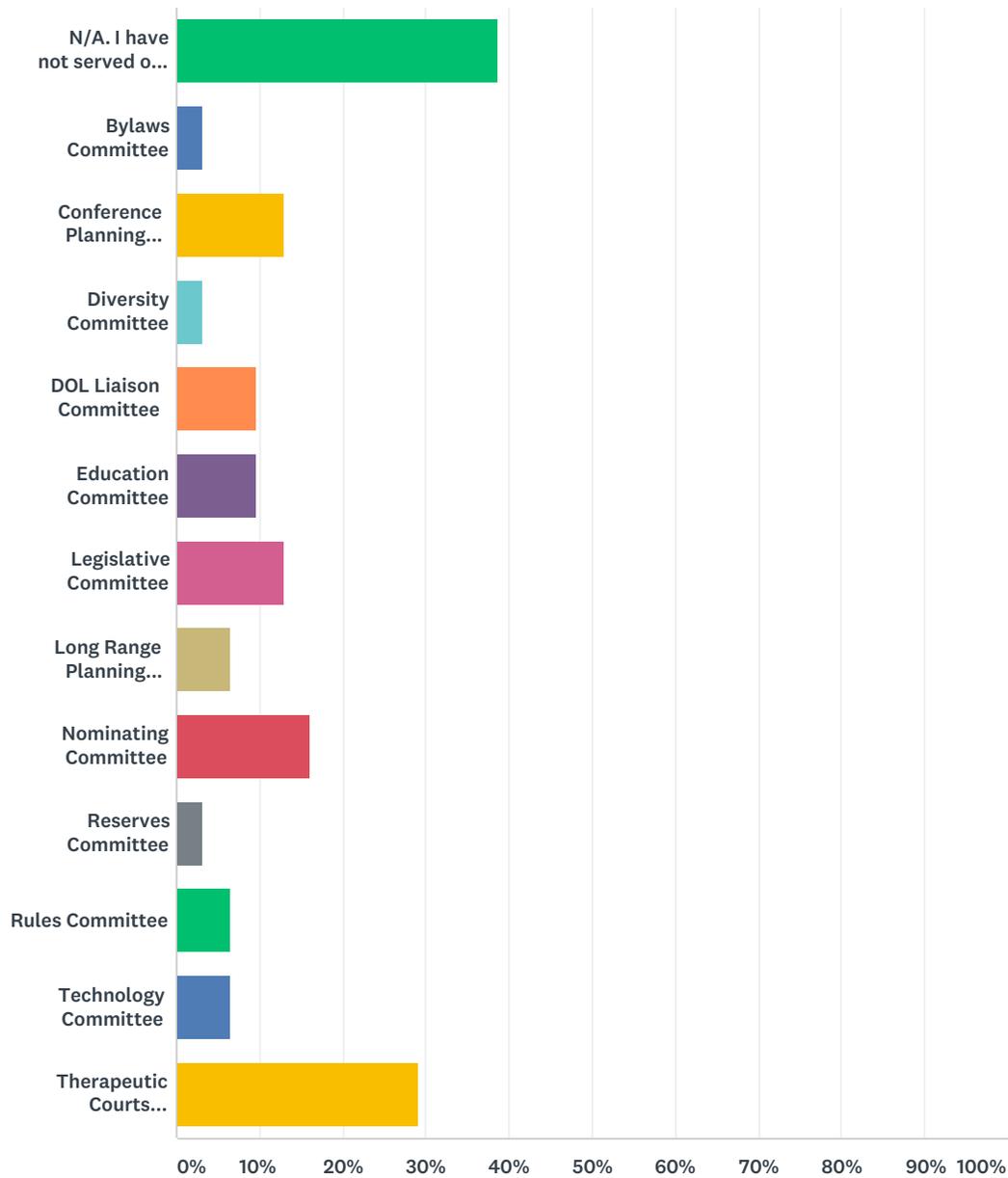
ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
Years	12	368	30
Months	5	104	19
Total Respondents: 31			

#	YEARS	DATE
1	3	7/19/2018 3:55 PM
2	30	7/19/2018 11:20 AM
3	9	7/18/2018 4:55 PM
4	19	7/18/2018 3:12 PM
5	8	7/18/2018 12:56 PM
6	20	7/13/2018 3:31 PM
7	3	7/13/2018 12:11 PM
8	9	7/13/2018 10:47 AM
9	3	7/12/2018 5:22 PM
10	5	7/12/2018 11:37 AM
11	10	7/12/2018 8:22 AM
12	17	7/11/2018 1:23 PM
13	39	7/11/2018 11:11 AM
14	15	7/11/2018 9:22 AM
15	1	7/11/2018 8:34 AM
16	3	7/11/2018 7:49 AM
17	23	7/10/2018 4:31 PM
18	8	7/10/2018 3:04 PM
19	14	7/10/2018 2:57 PM
20	14	7/10/2018 2:36 PM

21	6	7/10/2018 1:41 PM
22	8	7/10/2018 12:31 PM
23	27	7/10/2018 12:13 PM
24	5	7/10/2018 11:56 AM
25	12	7/10/2018 11:30 AM
26	9	7/10/2018 11:18 AM
27	7	7/10/2018 11:06 AM
28	5	7/10/2018 11:02 AM
29	36	7/10/2018 11:01 AM
30	0	7/10/2018 9:52 AM
#	MONTHS	DATE
1	7	7/19/2018 3:55 PM
2	7	7/18/2018 4:55 PM
3	6	7/18/2018 3:12 PM
4	11	7/18/2018 12:56 PM
5	6	7/13/2018 3:31 PM
6	8	7/13/2018 12:11 PM
7	4	7/13/2018 10:47 AM
8	1	7/12/2018 5:22 PM
9	3	7/12/2018 11:37 AM
10	4	7/12/2018 8:22 AM
11	7	7/11/2018 9:22 AM
12	6	7/11/2018 8:34 AM
13	1	7/10/2018 4:31 PM
14	2	7/10/2018 4:29 PM
15	4	7/10/2018 3:04 PM
16	7	7/10/2018 12:31 PM
17	7	7/10/2018 11:18 AM
18	8	7/10/2018 11:06 AM
19	5	7/10/2018 11:01 AM

## Q2 Are you a member of any DMCJA standing committee? If so, which one?

Answered: 31 Skipped: 0



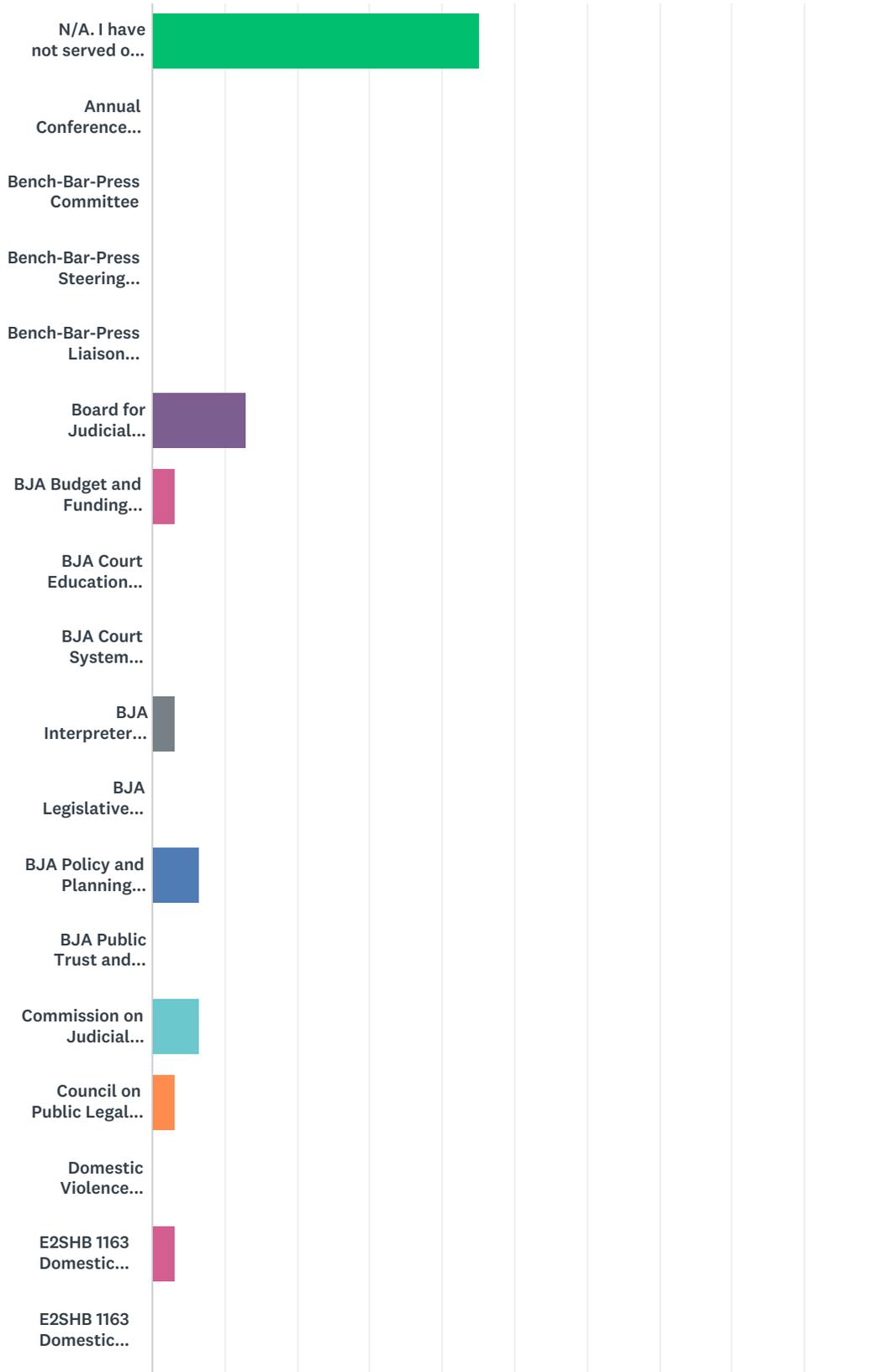
ANSWER CHOICES	RESPONSES	
N/A. I have not served on any of these committees in the past 24 months.	38.71%	12
Bylaws Committee	3.23%	1
Conference Planning Committee	12.90%	4
Diversity Committee	3.23%	1
DOL Liaison Committee	9.68%	3

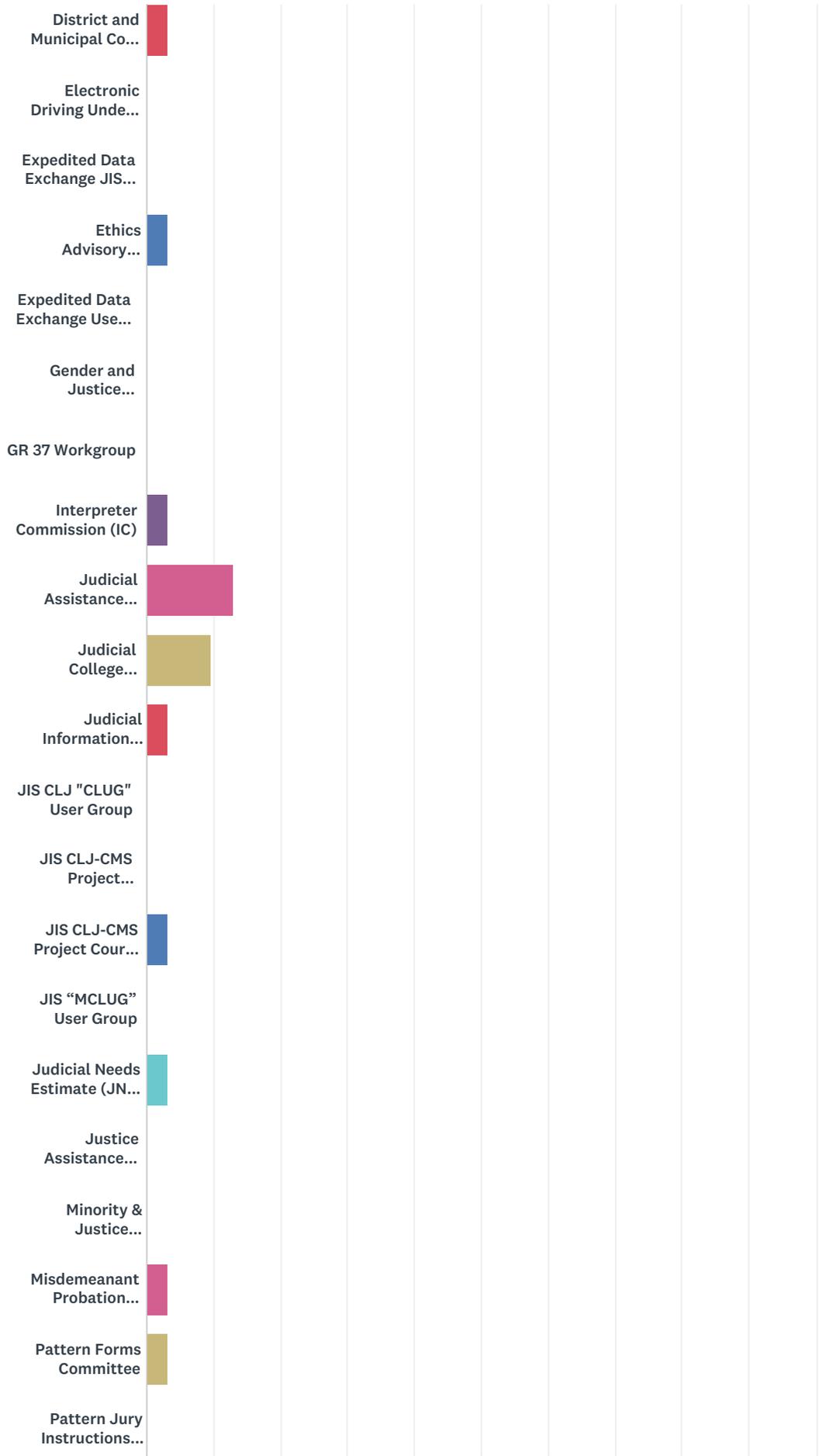
Education Committee	9.68%	3
Legislative Committee	12.90%	4
Long Range Planning Committee	6.45%	2
Nominating Committee	16.13%	5
Reserves Committee	3.23%	1
Rules Committee	6.45%	2
Technology Committee	6.45%	2
Therapeutic Courts Committee	29.03%	9
Total Respondents: 31		

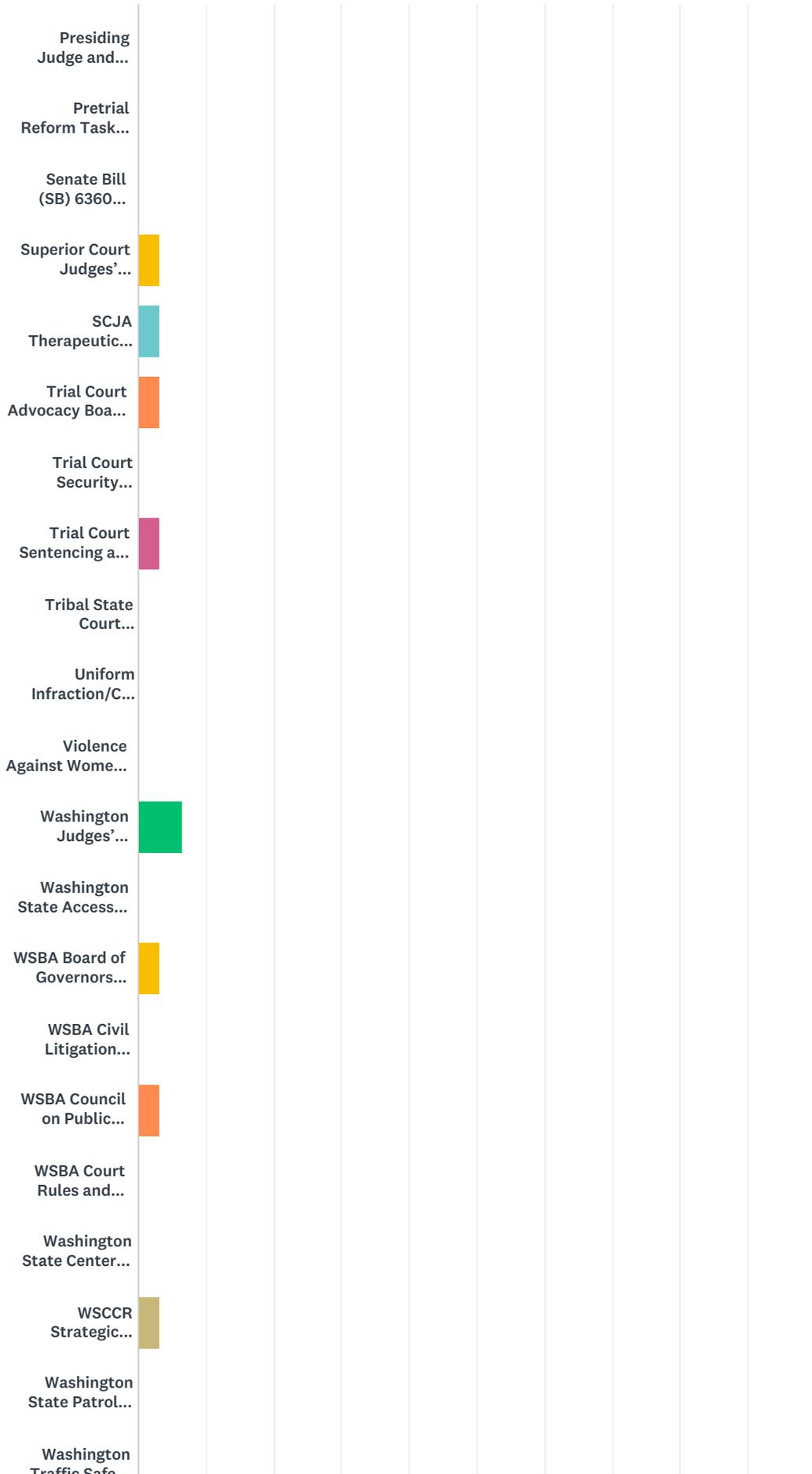
#	OTHER (PLEASE SPECIFY)	DATE
1	I am a peer counselor on the Judicial Assistance Committee.	7/19/2018 11:21 AM
2	Council on Independent Courts	7/12/2018 8:22 AM
3	no	7/11/2018 1:25 PM
4	bj	7/11/2018 7:49 AM

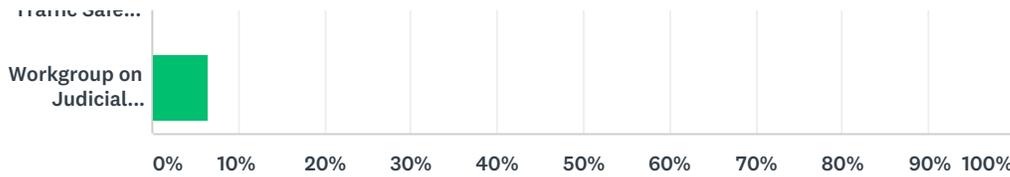
### Q3 Are you a DMCJA Liaison for any committee? If so, on what committee(s) are you a member?

Answered: 31 Skipped: 0









ANSWER CHOICES	RESPONSES	
N/A. I have not served on any of these committees in the past 24 months.	45.16%	14
Annual Conference Planning Committee	0.00%	0
Bench-Bar-Press Committee	0.00%	0
Bench-Bar-Press Steering Committee	0.00%	0
Bench-Bar-Press Liaison Subcommittee "Fire Brigade"	0.00%	0
Board for Judicial Administration (BJA)	12.90%	4
BJA Budget and Funding Committee	3.23%	1
BJA Court Education Committee	0.00%	0
BJA Court System Education Funding Task Force	0.00%	0
BJA Interpreter Services Task Force	3.23%	1
BJA Legislative Committee	0.00%	0
BJA Policy and Planning Committee	6.45%	2
BJA Public Trust and Confidence Comm.	0.00%	0
Commission on Judicial Conduct (CJC)	6.45%	2
Council on Public Legal Education	3.23%	1
Domestic Violence Perpetrator Treatment (DVPT) Advisory Comm.	0.00%	0
E2SHB 1163 Domestic Violence Perpetrator Treatment Workgroup	3.23%	1
E2SHB 1163 Domestic Violence Risk Assessment Workgroup	0.00%	0
District and Municipal Court Management Association	3.23%	1
Electronic Driving Under the Influence (eDUI) Court Stakeholder Project	0.00%	0
Expedited Data Exchange JIS Systems Changes Governance	0.00%	0
Ethics Advisory Committee	3.23%	1
Expedited Data Exchange User Advisory Group	0.00%	0
Gender and Justice Commission (GJC)	0.00%	0
GR 37 Workgroup	0.00%	0
Interpreter Commission (IC)	3.23%	1
Judicial Assistance Services Program (JASP)	12.90%	4
Judicial College Planning Committee/Dean	9.68%	3
Judicial Information System Committee (JISC)	3.23%	1

DMCJA Committee Satisfaction Survey

SurveyMonkey

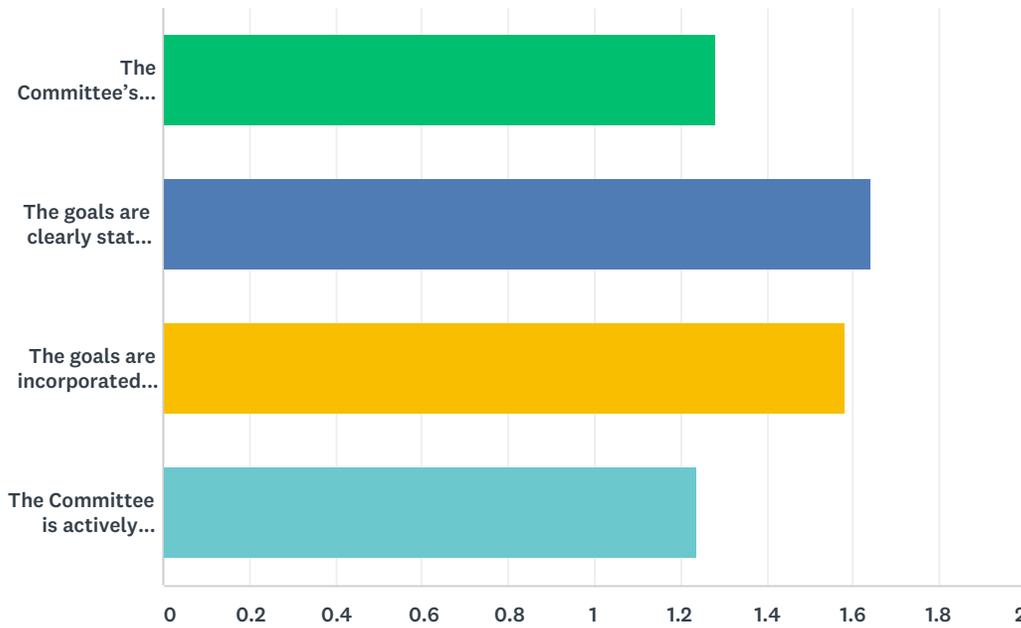
JIS CLJ "CLUG" User Group	0.00%	0
JIS CLJ-CMS Project Steering Committee	0.00%	0
JIS CLJ-CMS Project Court User Workgroup (CUWG)	3.23%	1
JIS "MCLUG" User Group	0.00%	0
Judicial Needs Estimate (JNE) Workgroup	3.23%	1
Justice Assistance Grant Advisory Committee	0.00%	0
Minority & Justice Commission (MJC)	0.00%	0
Misdemeanant Probation Association (MPA) Liaison	3.23%	1
Pattern Forms Committee	3.23%	1
Pattern Jury Instructions Committee (WPI)	0.00%	0
Presiding Judge and Administrator Education Committee	0.00%	0
Pretrial Reform Task Force	0.00%	0
Senate Bill (SB) 6360 Statewide Relicensing Workgroup	0.00%	0
Superior Court Judges' Association (SCJA)	3.23%	1
SCJA Therapeutic Courts Committee	3.23%	1
Trial Court Advocacy Board (TCAB)	3.23%	1
Trial Court Security Committee	0.00%	0
Trial Court Sentencing and Supervision Committee	3.23%	1
Tribal State Court Consortium	0.00%	0
Uniform Infraction/Citation Committee	0.00%	0
Violence Against Women Act (VAWA) Workgroup	0.00%	0
Washington Judges' Foundation Board	6.45%	2
Washington State Access to Justice Board Liaison Position	0.00%	0
WSBA Board of Governors Liaison	3.23%	1
	0.00%	0
WSBA Civil Litigation Rules Drafting Task Force		
WSBA Council on Public Defense	3.23%	1
WSBA Court Rules and Procedures Committee DMCJA Liaison	0.00%	0
Washington State Center for Court Research (WSCCR) Advisory Board	0.00%	0
WSCCR Strategic Oversight Committee	3.23%	1
Washington State Patrol (WSP) Electronic Driving Under the Influence (eDUI) Project, Warrants Requirements Subgroup	0.00%	0
Washington Traffic Safety Commission (WTSC)	0.00%	0
Workgroup on Judicial Independence	6.45%	2
Total Respondents: 31		

#	OTHER (PLEASE SPECIFY)	DATE
---	------------------------	------

1	Competency Forms Subcommittee within the Forms Committee	7/10/2018 3:06 PM
2	the group involved with communication and publicity with the legislators?	7/10/2018 11:23 AM
3	since I am going to retire I have limited my involvement	7/10/2018 11:03 AM

### Q4 Please indicate whether you agree or disagree with the following statements regarding the goals of the committee.

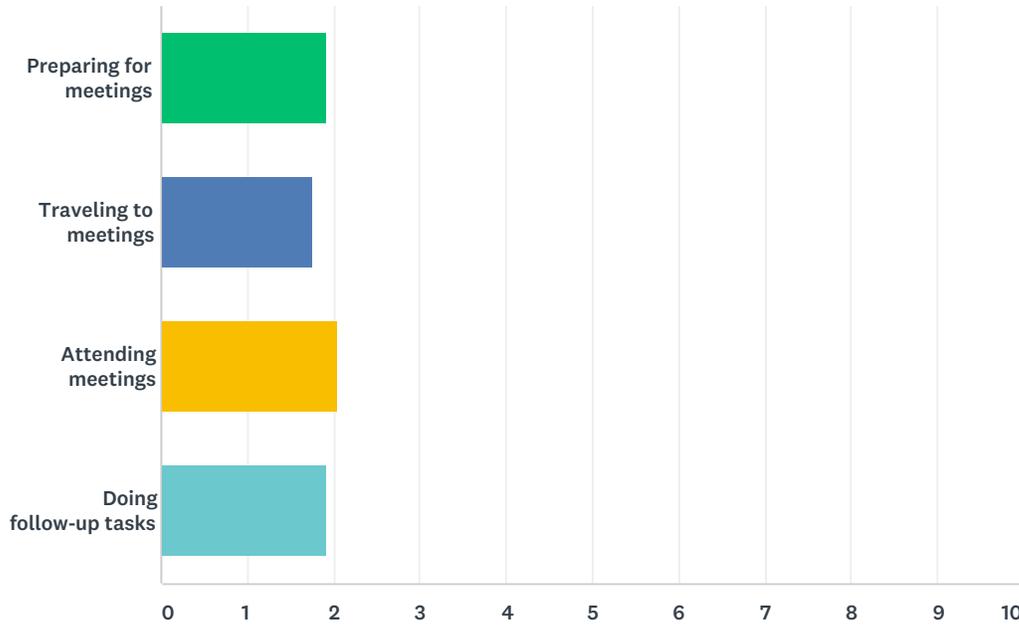
Answered: 30 Skipped: 1



	STRONGLY AGREE	SOMEWHAT AGREE	NEITHER AGREE NOR DISAGREE	SOMEWHAT DISAGREE	STRONGLY DISAGREE	N/A	TOTAL	WEIGHTED AVERAGE
The Committee's goals are clear to me	60.00% 18	23.33% 7	0.00% 0	0.00% 0	0.00% 0	16.67% 5	30	1.28
The goals are clearly stated in a charter	50.00% 15	16.67% 5	13.33% 4	3.33% 1	0.00% 0	16.67% 5	30	1.64
The goals are incorporated into a plan	46.67% 14	33.33% 10	3.33% 1	3.33% 1	0.00% 0	13.33% 4	30	1.58
The Committee is actively working on accomplishing its goals	66.67% 20	13.33% 4	3.33% 1	0.00% 0	0.00% 0	16.67% 5	30	1.24

### Q5 How many hours per month on average did you/do you spend on each of the following when doing work for this committee?

Answered: 28 Skipped: 3



	NONE	1-2 HOURS	3-6 HOURS	7-10 HOURS	11-15 HOURS	MORE THAN 16 HOURS	TOTAL	WEIGHTED AVERAGE
Preparing for meetings	14.29% 4	53.57% 15	25.00% 7	7.14% 2	0.00% 0	0.00% 0	28	1.93
Traveling to meetings	46.43% 13	17.86% 5	14.29% 4	21.43% 6	0.00% 0	0.00% 0	28	1.75
Attending meetings	10.71% 3	32.14% 9	46.43% 13	7.14% 2	3.57% 1	0.00% 0	28	2.04
Doing follow-up tasks	14.29% 4	60.71% 17	17.86% 5	7.14% 2	0.00% 0	0.00% 0	28	1.93

## Q6 Is there anything that prohibits you from participation on a committee?

Answered: 23 Skipped: 8

#	RESPONSES	DATE
1	Concern regarding time commitments for work on a committee.	7/19/2018 3:57 PM
2	No.	7/19/2018 11:22 AM
3	no other than time	7/18/2018 4:57 PM
4	getting time off the bench without having to burn pro tem time.	7/18/2018 3:15 PM
5	Conflict with hours working in private practice. (appointed part-time judge)	7/18/2018 12:59 PM
6	personality conflicts with other committee members	7/13/2018 3:35 PM
7	Teleconference times/days are sometimes difficult to make due to court obligations.	7/13/2018 12:12 PM
8	Time, childcare	7/12/2018 5:24 PM
9	No	7/12/2018 11:39 AM
10	Nope	7/11/2018 9:25 AM
11	The only real challenge is time which is true for all of us. The committees I have been involved with typically meet via phone call during the noon hour. My court calendars often run into the noon hour which can make meeting participation a challenge, but for me it is worth the challenge to be a part of the work of these committees.	7/11/2018 8:37 AM
12	No. I could do more if pro tem time was covered.	7/10/2018 4:34 PM
13	Time commitments for other parts of my job.	7/10/2018 3:09 PM
14	no	7/10/2018 3:00 PM
15	n/a	7/10/2018 2:37 PM
16	Only already having commitments to current committees	7/10/2018 1:43 PM
17	Travel. I wish we had better skype services or video conferencing.	7/10/2018 12:34 PM
18	Workload.	7/10/2018 11:58 AM
19	I love being on the committees and participating - I think the statewide work is critical	7/10/2018 11:25 AM
20	No	7/10/2018 11:14 AM
21	Only depending on when meetings are held and how often they are held	7/10/2018 11:05 AM
22	Yes	7/10/2018 11:04 AM
23	my day job	7/10/2018 9:53 AM

## Q7 Please provide any suggestions or recommendations that would make it more beneficial for you to join a committee.

Answered: 12 Skipped: 19

#	RESPONSES	DATE
1	Money for pro tem time while doing committee work.	7/19/2018 3:58 PM
2	provide pro tem time	7/18/2018 4:57 PM
3	Committee members actively recruiting and mentoring new members.	7/18/2018 3:16 PM
4	cannot think of any	7/13/2018 3:36 PM
5	I love the committees I am on, I just feel horrible when I can't make the meetings.	7/13/2018 12:13 PM
6	greater interest on my part	7/11/2018 9:25 AM
7	See answer above.	7/10/2018 4:34 PM
8	n/a	7/10/2018 1:43 PM
9	Video Conferencing	7/10/2018 12:34 PM
10	I have no such suggestions or recommendations - for me I have good support from my bench	7/10/2018 11:26 AM
11	some meeting via Skype would be wonderful	7/10/2018 11:05 AM
12	N/A	7/10/2018 11:04 AM

## **DRAFT RULE**

Rule 82.5(c)(2) The superior court may attempt to resolve any issues raised regarding an Indian tribal court money judgment by contacting the Indian tribal court judge who issued the judgment. The superior court shall follow the procedure for communicating with the Indian tribal court judge outlined in subsection (d) of this rule.

(the current rule's numbering convention would need to be updated)

Rule 82.5(d)

### Communication between superior court of any county of this state and Indian tribal court.

- (1) A superior court of any county of this state may communicate with any Indian tribal court concerning co-occurring proceedings before the respective courts to address issues identified by the superior court, the Indian tribal court, or the parties to the co-occurring proceedings. The parties shall provide to the respective courts the identity, contact information, and a case or docket number of the other court's proceedings to facilitate this communication.
- (2) The superior court may allow the parties to participate in the communication. If the parties are not able to participate in the communication, they must be given an opportunity to present facts and legal arguments before a decision by either court is made. The Indian tribal court's procedures and customs shall determine the parties' participation in the Indian tribal court proceedings.
- (3) Communication between the superior court and the Indian tribal court on schedules, calendars, court records, and similar matters may occur without informing the parties. The superior court need not make a record of the communication. The Indian tribal court's procedures shall determine whether and how a record is made.
- (4) Except as otherwise provided in subsection (3) of this rule, the superior court must make a record of the communication under this section. The Indian tribal court's procedures shall determine whether and how a record is made in their court. The parties must be informed promptly of the communication and granted access to the record.
- (5) For the purposes of this section, "record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
- (6) This rule does not apply to adult criminal matters except when a superior court or Indian tribal court have issued orders prohibiting contact between parties that have co-occurring proceedings. Superior courts and Indian tribal courts may communicate about the orders prohibiting contact as set forth in sections 1-5 above.

Rule drafting considerations based upon meeting minutes

- 1) The rule address civil cases only (e.g. civil, family, child support, custody, juvenile delinquency, ICWA, and various protection orders). Rule 81 provides that these rules govern all civil proceedings and all special proceedings except where inconstant to specific rules or statutes for special proceedings.
- 2) The rule would apply to discussions for more than jurisdictional issues.
- 3) Where possible provisions were added to other areas of Rule 82.5 based upon the content of the preexisting provisions.
- 4) The draft strives to be consistent with the naming conventions and grammatical style of the preexisting rule.



# DISTRICT AND MUNICIPAL COURT MANAGEMENT ASSOCIATION

**PRESIDENT Margaret Yetter**  
Kent Municipal Court  
1220 Central Avenue S  
Kent, WA 98032  
(253) 856-5735  
Fax (253) 856-6730  
[Myetter@kentwa.gov](mailto:Myetter@kentwa.gov)

**PRESIDENT ELECT Dawn Williams**  
Bremerton Municipal Court  
550 Park Avenue  
Bremerton, WA 98337  
(360) 473-5242  
Fax (360) 473-5262  
[Dawn.Williams@ci.bremerton.wa.us](mailto:Dawn.Williams@ci.bremerton.wa.us)

**VICE PRESIDENT Patti Kohler**  
King County District Court  
513 3<sup>rd</sup> Avenue W-1034  
Seattle, WA 98101  
(206)477-0482  
Fax (206)205-8840  
[Patricia.kohler@kingcounty.gov](mailto:Patricia.kohler@kingcounty.gov)

**SECRETARY Maryam Olson**  
Olympia Municipal Court  
900 Plum Street SE  
Olympia, WA 98501  
(360) 753-8312  
Fax (360) 753-8775  
[Molson@ci.olympia.wa.us](mailto:Molson@ci.olympia.wa.us)

**TREASURER Judy Ly**  
Pierce County District Court  
930 Tacoma Ave S Rm 239  
Tacoma, WA 98402  
(253) 798-2974  
Fax (253) 798-7603  
[Judy.ly@piercecounywa.gov](mailto:Judy.ly@piercecounywa.gov)

**PAST PRESIDENT Paulette Revoir**  
Lynnwood Municipal Court  
19321 44<sup>th</sup> Ave W  
Lynnwood, WA 98036  
(425) 670-5102  
Fax (425) 774-7039  
[Prevoir@lynnwoodWA.gov](mailto:Prevoir@lynnwoodWA.gov)

September 7, 2018

Chief Justice Mary E. Fairhurst  
P.O. Box 40929  
Olympia, WA 98504

Re: Equipment Replacement Project

Dear Chief Justice and Members of the JISC,

It has recently come to our attention that the AOC policy for reimbursement of computer equipment includes laptop computers for judges only. Courts are not given reimbursement for staff computers unless they are willing to buy desktops.

While researching the issue, the District and Municipal Court Management Association, (DMCMA) couldn't locate a policy that declared laptops ineligible for reimbursement. The JIS General Policies on equipment do not appear to specify the type of computer that is allowable. They only use the term, "Personal Computer". The relevant sections of the JIS General Policy are as follows:

**1.1.2** Subject to available funding, the AOC provides end-user equipment including personal computers and printers for court personnel and county clerks in JIS and non-JIS courts. The AOC does not provide equipment for users other than courts and county clerks.

**1.2.2.1** If a local court or county clerk's office prefers to purchase its replacement computer equipment rather than use that supplied by the JIS, the JIS will reimburse the court or county clerk for the actual cost of the equipment or a specified amount based on current market prices per device, whichever is less.

It is our belief that the definition of a personal computer is, just that, a computer that is designed to be used by one person. The definition does not differentiate between laptop and desktop.

The DMCMA would urge the JISC to consider updating the policy to allow reimbursement of laptops for court staff as well as judges.

We would ask that this reimbursement occur regardless if the computers are leased or purchased by the cities and counties. DMCMA is not suggesting additional funding for this program. We are asking that reimbursement be made in the current budgeted amount of \$790, which is the current amount allotted for staff computers, (\$675 computer and \$115 monitor).

Please contact me if you would like to discuss this matter further.

Sincerely,



Margaret Yetter  
DMCMA President  
Kent Municipal Court

Cc: Vonnie Diseth  
Ramsey Radwan  
Judge Rebecca Robertson  
Sharon Harvey  
Vicky Cullinane

The Supreme Court  
State of Washington

STEVEN C. GONZÁLEZ  
JUSTICE  
TEMPLE OF JUSTICE  
POST OFFICE BOX 40929  
OLYMPIA, WASHINGTON 98504-0929



(360) 357-2029  
FAX (360) 357-2103  
E-MAIL J\_S.GONZALEZ@COURTS.WA.GOV

Date: August 21, 2018

Re: Revisions to Interpreter Benchcard

Dear Colleagues,

The Washington State Supreme Court Interpreter Commission unanimously voted to remove two questions from the list of questions an appointing authority could consider asking of a person who is a Limited-English Proficient speaker. The nature of the questions, while used to determine one's English language fluency, carry politically sensitive undertones for many limited-English proficient persons given the current immigration policies and practices occurring at courthouses. In addition, for many immigrants, this country is their "country," thus making the questions ambiguous to people who have assimilated themselves and their families to this country.

Please replace the August 2017 version of the Court Interpreter Benchcard with the attached July 2018 version of the Benchcard. There will be a further changes to the Benchcard within the next several months as I have directed a workgroup to revise the Benchcard to make it more readily usable by our current and future members of the bench.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve González".

Justice Steve González

# Bench Card

## Courtroom Interpreting

### How do I determine whether a person needs an interpreter?

Presume a need for an interpreter when an attorney or litigant indicates a party or a witness requests one. If an interpreter is not requested, but it appears a party/witness has limited English proficiency, a judge should ask questions **on the record** to assess the need for an interpreter.

### Sample questions for determining the English proficiency of a person and the need for an interpreter:

(Avoid questions easily answered with yes or no replies.)

1. How did you come to court today?
2. How did you learn English, and what is most difficult about communicating in English?
3. Describe what you see in this courtroom.
4. What is the purpose of your court hearing today?
5. **You have the right to a court-appointed interpreter.** Tell the court the best way to communicate with you and to let you know what is being said.

*If the person has difficulty answering these simple questions, an interpreter is recommended. Presumably, a person unable to answer these questions is unable to communicate well in high-stress matters involving legal terminology.*

Also, **if the court cannot understand the person's spoken English**, consider using an interpreter. Request that the person speak in their native language, so that the interpreter can interpret into English.

**For trials and other long proceedings**, court administration should hire a team of two interpreters, who will alternate interpreting approximately every 20 minutes.

### When is the court required by law to provide and pay for an interpreter?

**Limited English Proficient (LEP) Persons:** If the court is a direct or indirect recipient of federal funding, interpreters must be provided to LEP parties and witnesses at court-expense in all case types, including parents/guardians of minor crime victims and juvenile defendants. 42 U.S.C.A. §2000d; 28 C.F.R. §§42.104, 42.203(e); 67 Fed. Reg. §41455; Lau v. Nichols, 414 U.S. 563 (1974)

If the court is not a direct or indirect recipient of federal funding, interpreters must be provided to LEP persons at court-expense in all proceedings other than civil proceedings with non-indigent parties. RCW §2.43.040

**Persons who are Deaf:** Courts shall furnish interpreter services, assistive listening devices, or other communication methods where necessary, to afford an individual with a disability an equal opportunity to participate in court services, programs or activities, 28 C.F.R. §35.160, unless the court can demonstrate that provision of such services "would result in a fundamental alteration in the nature of the service, program or activity, or in undue financial and administrative burdens." 28 C.F.R. §35.164

### Preference for Certified and Registered Language Interpreters

#### Foreign Language

(1) Courts must appoint an AOC court certified interpreter unless "good cause" is found and noted **on the record**: "good cause" = (a) certified interpreter is not reasonably available or (b) the list of certified interpreters does not include an interpreter in the needed language.

(2) Otherwise, the court must appoint an interpreter who is qualified on the record by the court to (a) interpret accurately; (b) is capable of communicating effectively for the court and the person; and (c) has read, understands and will abide by the code of ethics for language interpreters established by court rules (RCW §2.43.030(2)).

## Sign Language

Courts must request a qualified interpreter through DSHS-ODHH or through a community center for hearing impaired persons. (2) Courts must make a preliminary determination that the interpreter can interpret accurately. (RCW §2.42.130)

## Oath

The **Rules of Evidence** require an interpreter to be **qualified as an expert** and administered an **oath**. WA R. Evid. 604; see also RCW §2.42.050; §2.43.050. Court interpreters who are certified or registered by the AOC or DSHS-ODHH are required to submit a permanent signed, sworn oath to the AOC or DSHS-ODHH. Judges do not need to swear-in these interpreters if their names and credentials are stated on the record. RCW §2.43.050(3). However, non-credentialed “Qualified” interpreters must be administered an oath.

### **Sample qualification questions for interpreters NOT AOC certified or registered:**

1. What credentials do you have as an interpreter?
2. What is your native language? How did you learn \_\_\_\_\_?
3. Is your dialect compatible with Mr./Ms. \_\_\_\_\_?
4. Are there any cultural or community concerns between you and Mr./Ms. \_\_\_\_\_ that the court should be aware of?
5. What is your experience interpreting in court?
6. Have you ever interpreted for any of the people involved in this case?
7. Are you able to remain fair and impartial?
8. Are you familiar with the Code of Ethics for court interpreters? Please identify three of the primary tenets under GR 11.2.
9. To the parties: Does either party have any questions for the interpreter?

### **Interpreter oath for interpreters NOT AOC or DSHS-ODHH certified or registered:**

**Spoken Language:** Do you swear (affirm) that you will make a true interpretation to the person being examined of all the proceedings in the \_\_\_\_\_ language, and that you will repeat the statements of the person being examined to this court in the English language, to the best of your skill and judgment?

**Sign Language:** Do you swear (affirm) that you will make a true interpretation to the person being examined of all the proceedings in a manner which the person understands, and that you will repeat the statements of the person being examined to this court, to the best of your skill and judgment?

## **Clarifying the Interpreter’s Role**

So that all participants understand the interpreter’s role, consider reading the following language at the start of a court proceeding:

**To the speakers:** The interpreter can only interpret for one person at a time, so please do not speak or interrupt while someone is testifying or speaking. The interpreter can only interpret testimony that is spoken, so all responses must be verbal. You are reminded to speak at a slower but steady pace, and make eye contact occasionally with the interpreter to gauge whether your pace is appropriate. A slower pace is especially important when stating dates, numbers, figures or highly technical vocabulary.

**To the interpreter(s):** You are bound by the Code of Conduct for Court Interpreters, and you are expected to follow its provisions. You must interpret everything that is said in this courtroom, including this information. You are not allowed to engage in any conversation with the person(s) you are interpreting for. You are not allowed to give any legal advice, or express personal opinions about this matter. You are expected to maintain confidentiality, and not publicly discuss this case. If for some reason, you need to pause the proceedings so that you can refer to a dictionary or clarify a word, please raise your hand and speak up. Are there any questions?

### **Tips for communicating through interpreters:**

1. Instruct all participants to speak (or sign) one at a time, loudly and/or clearly.
2. Allow the interpreter to converse briefly with the non-English speaker for the limited purpose of ensuring the understanding of accents, dialect or pronunciation, or sign language differences.
3. Speak directly to the non-English speaking person. Do not ask the interpreter to independently explain/restate anything said by the party.
4. The interpreter must convey all questions, answers, and courtroom dialogue, and therefore, is constantly working. Advise the interpreter to notify the court when breaks are needed.
5. Allow the interpreter to review the court file prior to the hearing, to become familiar with names, dates, and technical vocabulary.
6. Monitor the interpreter so that side conversations are not held with the non-English speaking person.
7. Pause (give time for the interpreter to catch up).

**For additional assistance, please contact:  
AOC Court Interpreter Program at:  
360-705-5279 or review information at  
[www.courts.wa.gov/interpreters](http://www.courts.wa.gov/interpreters)**

# WA State Courts of Limited Jurisdiction (CLJs): 2018 Reference Guide on Legal Financial Obligations (LFOs) in Criminal Cases

*\*Disclaimer: Check statutory and case law cites to confirm law is current*

## Imposing LFOs at Sentencing

LFOs include restitution, fees, fines, assessments, and costs imposed as part of a criminal judgment upon conviction. In some cases, costs may be imposed for pretrial supervision. *RCW 10.01.160*. State law authorizes both mandatory and discretionary LFOs, and statutes may differ in setting standards for imposition and waiver.

## Mandatory LFOs in CLJs

- **DNA Collection Fee:** \$100, limited to specified crimes and imposed only once in a lifetime. *RCW 43.43.7541*.
- **Public Safety & Educational Assessments:** Two separate assessments, which together equal 105% of any fines, forfeitures, or penalties imposed. *RCW 3.62.090*. Note that, per statute, the PSEA is applied slightly differently for DUI/Physical control cases.
- **Offense-Specific Fines:** Some offenses carry additional mandatory penalties. *See, e.g., RCW 26.50.110* (\$15 mandatory fine for Violation of a DV Protection Order).

## Discretionary LFOs in CLJs:

- **Fines** are generally discretionary. *See RCW 3.62.010; 35.20.255*. Courts have the discretion to waive or suspend some “offense-specific” fines on a finding of indigence. *See, e.g., RCW 46.64.055(1)*.
- **Restitution** is permitted but not mandatory for non-felony offenses. *See RCW 9.92.060(2)(b); Seattle v. Fuller*, 177 Wn.2d 263 (2013).
- **Criminal Conviction Fee** of \$43 may not be imposed on indigent defendants. *RCW 3.62.085*.
- **DUI Fines, Fees and Costs** are all discretionary. *RCW 46.61.5055* specifies minimum fines that a court must impose as part of a DUI sentence “unless the court finds the offender to be indigent.” *See, e.g., RCW 46.51.5055(1)(a)(ii)*. The PSEA 1 of 70% is applicable to that fine; but the PSEA 2 of 35% is not. *RCW 3.62.090(1), (2)*. A court must impose a \$250 fee on a person originally arrested for DUI or physical control, but “[u]pon a verified petition by the person assessed the fee, the court may suspend payment of all or part of the fee if it finds that the person does not have the ability to pay.” *RCW 46.61.5054(1)*.
- **Criminal Justice Funding Penalty** of \$50 must be imposed on Title 46 crimes, but the court can waive or reduce that amount if the defendant is indigent. *RCW 46.64.055(1)*. The PSEA is applicable to the criminal justice funding penalty. *RCW 3.62.090(1), (2)*.

**Discretionary Costs in CLJs:** Costs may not be imposed if a defendant is indigent. *RCW 10.01.160(3)*. Even in the absence of a statutory finding of indigency, courts are required to inquire into a defendant’s ability to pay costs. Courts should “look to the comment in...GR 34 for

guidance” to determine a defendant’s ability to pay costs, even in the criminal setting. *State v. Blazina*, 182 Wn.2d 827, 839 (2015). A court should “seriously question a person’s ability to pay LFOs” if that person meets the GR 34 standard for indigence. *Id.* In determining the amount and method of payment for costs for defendants who are not indigent, the court shall consider the financial resources of the defendant and the nature of the burden that the payment of costs will impose. *RCW 10.01.160(3)*. This includes consideration of factors such as incarceration and a defendant’s other debts. *Blazina*, 182 Wn.2d at 839.

**Allowing Time to Pay:** The court must allow an indigent defendant to pay LFOs within a certain time or in installments. *RCW 10.01.170(1)*.

**Determining Indigence:** *RCW 10.101.010(3)(a)-(c)* defines indigence. A defendant is indigent if he or she:

- Currently receives benefits from TANF, aged, blind or disabled assistance, medical care services, pregnant woman assistance, SSI, federal poverty-related veteran’s benefits, refugee resettlement, Medicaid or food stamps; or
- Is involuntarily committed to a public mental health facility; or
- Has a net (or take-home) income at or below 125% of the federal poverty level (FPL), which for 2018 is:
  - \$15,175 for individuals
  - \$20,575 for a family of 2
  - \$25,975 for a family of 3
  - \$31,375 for a family of 4
  - \$36,775 for a family of 5
  - \$42,175 for a family of 6

For latest updates to the FPL, visit:

[opd.wa.gov/documents/00531-2018\\_PovertyRate.pdf](http://opd.wa.gov/documents/00531-2018_PovertyRate.pdf)

## Collection of LFOs

**Referral to Collection Agencies:** CLJs may use collection agencies under Chapter 19.16 RCW to collect LFOs. *RCW 3.02.045(1)*. No debt may be assigned to a collection agency unless 30 days have passed since the debtor was notified that the debt may be assigned to a collection agency. *RCW 19.16.500(2)*. Once assigned, the court may add a reasonable fee, payable by the debtor, to the outstanding debt for the collection agency fee incurred. A contingent fee of up to 50% of the first \$100,000 of the unpaid debt per account is presumptively reasonable. *Id.* Costs, fees, fines, forfeitures, and penalties imposed in CLJs for criminal offenses do not accrue interest. *RCW 3.62.020; 3.62.040; 35.20.220; 3.50.100*.

**Persons Receiving Social Security Disability:** Federal law prohibits courts from ordering defendants to pay LFOs if the person’s sole source of income is social security

disability benefits. *City of Richland v. Wakefield*, 186 Wn.2d 596 (2016); 42 U.S.C. § 407(a).

### Sanctions for Non-payment

**Issuing or Warrant for Non-payment:** A court must find that a defendant is willfully defaulting on required payments prior to issuing a warrant. “A defendant sentenced to pay any fine, penalty, assessment, fee, or costs who *willfully* defaults in the payment thereof or of any installment is in contempt of court as provided in chapter 7.21 RCW.” *RCW 10.01.180(1)* (emphasis added). The court may then issue a warrant of arrest for his or her appearance. *Id.*

**Willful Failure to Pay:** Before issuing sanctions, the court must find that a defendant “willfully refused to pay” LFOs. *Bearden v. Georgia*, 461 U.S. 660, 672 (1983). A failure to pay is willful if the defendant has the current ability to pay but refuses to do so. *RCW 10.01.180(3)(a)*. Mentally ill and homeless defendants cannot be held in willful contempt. *RCW 10.01.180(3)(c)*.

**Assistance of Counsel:** A defendant is entitled to assistance of counsel when facing a contempt proceeding that could result in incarceration, and counsel must be appointed if the defendant is indigent. *Smith v. Whatcom Cnty. Dist. Ct.*, 147 Wn.2d 98, 113 (2002).

**Factors the Court Must Consider before Sanctioning a Defendant for Non-payment:** A defendant may not be jailed for non-payment of a fine unless there is a finding, following a hearing on the record, that the failure to pay is willful. *RCW 10.01.180(3)(a)*. Any defendant who is indigent as defined by *RCW 10.101.010(3)(a)-(c)*, is presumed to be unable to pay. *RCW 10.01.180(3)(b)*. The court must inquire into a defendant’s ability to pay, and consider income, assets, basic living costs and other liabilities, including child support and other LFOs, as well as the defendant’s bona fide efforts to acquire additional resources (see sample questions). *Id.* The defendant may bear the burden of proving inability to pay, but the court still has a duty to inquire. *Smith*, 147 Wn.2d at 112.

**Alternatives to Incarceration for Non-payment:** Only if “no reasonable or effective alternatives are available,” should the court use its contempt power to incarcerate for non-payment. *Smith*, 147 Wn.2d at 113. *See also Bearden*, 461 U.S. at 672. As an alternative to incarceration, the court can reduce the amount of LFOs, modify its previous orders regarding payment of LFOs, or convert LFOs to community restitution at a rate of no less than the state minimum wage. *RCW 10.01.180(5)*.

### Post-Sentencing LFO Relief

**Interest Relief:** As of June 7, 2018, interest does not accrue on non-restitution LFOs. *RCW 10.82.090*. To address interest that accrued on non-restitution LFOs prior to that date, the defendant, upon release from total confinement, may petition the court for waiver of the non-restitution interest. The court shall grant this motion. *RCW 10.82.090(2)(a)* (“[t]he court shall waive all interest on the

portions of the legal financial obligations that are not restitution that accrued prior to the effective date of this section”) (emphasis added). The court may reduce interest on the restitution portion only if the principal has been paid in full. *RCW 10.82.090(2)(b)*.

**Remission of Discretionary Costs:** A defendant, after release from total confinement, may petition the court for remission of costs. *RCW 10.01.160(4)*. The defendant must show that he/she is not in “contumacious default” in payment of the costs and that the costs will impose “manifest hardship” on the defendant or his/her immediate family. *Id.* If so, the court may 1) remit all or part of the amount due in costs; 2) modify the method of payment under *RCW 10.01.170*, or 3) convert the costs to community restitution hours (if the jurisdiction operates such a program) at a rate of no less than the state minimum wage. **Manifest hardship** exists where the defendant is indigent as defined in *RCW 10.101.010(a) – (c)*. *Id.*

**Other Options for Conversion, Modification or Waiver:** If the court finds that a defendant is not in willful contempt for failing to pay LFOs, it may enter an order 1) allowing the defendant more time for payment; 2) reducing the amount of each installment; 3) revoking the LFOs in whole or in part; or 4) converting the LFOs to community restitution hours at a rate of no less than the state minimum wage. *RCW 10.01.180(5)*. If the defendant is indigent as defined in *RCW 10.101.010(3)(a) – (c)*, the court shall enter an order addressing the LFOs through one of the above-listed options. *Id.*

### Sample Questions: Determining Ability to Pay

- **Income:** What is your monthly take-home income before taxes? Do you receive any government benefits (SSI, disability benefits, TANF, food stamps, or veteran’s benefits)?
- **Employment History:** Are you working? When did you last work? What have you done to find work? Do you have any medical or other conditions that limit your ability to work? Have previous periods of incarceration limited your ability to work?
- **Monthly Expenses:** How much does your household spend on basic living costs, including housing and utilities, food, health care or medical costs, transportation, clothing, payment of LFOs/fines to other courts, child support, and other necessities?
- **Assets and Other Financial Resources:** Do you own property that you could use to pay LFOs? Do you have any credit or ability to borrow money?
- **Other Debts:** Do you have other debts, including other LFOs, healthcare/medical care/hospital costs, education loans?

Provided by the Washington State Supreme Court  
Minority and Justice Commission  
June 2018



WASHINGTON  
COURTS

# District and Municipal Court Judges' Association

## **President**

**JUDGE REBECCA C. ROBERTSON**  
Federal Way Municipal Court  
33325 8th Ave S  
Federal Way, WA 98003-6325  
(253) 835-3000

## **President-Elect**

**JUDGE SAMUEL G. MEYER**  
Thurston County District Court  
2000 Lakeridge Dr SW, Bldg 3  
PO Box 40947  
Olympia, WA 98504-0947  
(360) 786-5562

## **Vice-President**

**JUDGE MICHELLE K. GEHLSSEN**  
Bothell Municipal Court  
10116 NE 183rd St  
Bothell, WA 98011-3416  
(425) 487-5587

## **Secretary/Treasurer**

**JUDGE JENNIFER FASSBENDER**  
Airway Heights Municipal Court  
1208 S Lundstrom  
Airway Heights, WA 99001  
(509) 244-2773

## **Past President**

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

## **Board of Governors**

**JUDGE LINDA COBURN**  
Edmonds Municipal Court  
(425) 771-0210

**JUDGE MICHAEL FINKLE**  
King County District Court  
(206) 477-2121

**JUDGE ROBERT W. GRIM**  
Okanogan County District Court  
(509) 422-7170

**JUDGE DREW ANN HENKE**  
Tacoma Municipal Court  
(253) 591-5357

**COMMISSIONER RICK LEO**  
Snohomish County District Court  
(360) 435-7700

**JUDGE AIMEE MAURER**  
Spokane County District Court  
(509) 477-2961

**JUDGE SAMUEL G. MEYER**  
Thurston County District Court  
(360) 786-5562

**JUDGE DAMON G. SHADID**  
Seattle Municipal Court  
(206) 684-8709

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

**JUDGE JEFFREY R. SMITH**  
Spokane County District Court  
(509) 477-2959

August 27, 2018

Ms. Teresa Berntsen, Director  
Department of Licensing  
PO Box 9020  
Olympia, WA 98507-9020

RE: August 3, 2018, Annual DOL/AOC/DMCJA/DMCMA  
Joint Leadership Meeting

Dear Ms. Berntsen:

On behalf of the District and Municipal Court Judges' Association (DMCJA), I want to thank you and your staff for the positive and productive meeting that took place on Friday, August 3, 2018. As members of the court community, we are collectively committed to the accurate and timely reporting of offenses that impact drivers' records.

We are encouraged by the progress the organizations have made to be responsive to the concerns of the courts. By this letter, I would like to outline my understanding of the issues, the discussion, and the commitments for future actions.

## **Update on Issue from 2017**

Mr. Dirk Marler, Administrative Office of the Courts (AOC) Court Services Division Director, provided an update of the next step discussed at the July 25, 2017 Joint Leadership Meeting, which is as follows:

*Mr. Brad Benfield, Department of Licensing (DOL) Assistant Director, and Mr. Marler will continue their commitment to meet quarterly and share any relevant information with staff and court communities.*

Following the 2017 Joint Leadership meeting, Mr. Marler and Mr. Benfield continued to meet quarterly to share relevant information with staff and court communities. Information Services leadership from DOL and AOC also meet regularly.

STATE OF WASHINGTON

1206 Quince Street SE • P.O. Box 41170 • Olympia, WA 98504-1170  
360-753-3365 • 360-562-8869 Fax • www.courts.wa.gov

## **Agency Technology Projects, Constraints, and Related Issues**

### **I. DOL**

#### **DRIVES Project**

I am sure you are pleased that the DRIVES Project continues the move forward. The DOL participants reported on the DRIVES project, which is the Business Technology Modernization project that will modernize the DOL's legacy computer system. Here, the agency will go from a common business-oriented language (COBOL) system to a commercial off-the-shelf (COTS) system. The vendor for the system is FAST Enterprises. Also, DOL leaders reported that DOL has hired organizational change management individuals for the DRIVES Project to assist with communication and transition to the new system. The DOL has received funding to go live with the DRIVES Project on September 4, 2018. The period of testing will be September 5, 2018 to December 4, 2018. The DRIVES Project will also allow a masking of social security numbers on identification documents and new initiatives regarding voter registration and organ donors.

The AOC is working with DOL as they both implement new systems, namely DOL's DRIVES Project, and AOC's new court case management systems and data exchanges. Court leaders now understand that the abstract of driving record (ADR) function in the District and Municipal Court Information System (DISCIS) will be disabled and batch printing of the ADR will no longer be available. Also, regarding drivers' license and person function, twenty-five to fifty names may appear on a screen as opposed to a limited amount of names prior to the DRIVES implementation. The AOC will provide information to its court customers, and, has sent a communication regarding the new system. District and Municipal Court Management Association (DMCMA) leaders have also requested that AOC and DOL staff attend an October 30, 2018 DMCMA conference to demonstrate the functions of the new system.

### **II. AOC**

#### **Expedited Data Exchange (EDE) Project**

During the meeting, Ms. Callie Dietz, State Court Administrator, informed that the AOC is working on projects related to its forty-year-old legacy computer systems. The AOC has been active with four major system replacement projects, which include:

- (1) Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Project, which will replace DISCIS,
- (2) Expedited Data Exchange (EDE) that would allow sharing of statewide data among partner systems, beginning with the King County Clerk's Office, then King County District Court (KCDC),

- (3) Appellate Courts' new content management system, and
- (4) Superior Court Case Management System (SC-CMS) Project, which will be completed on December 31, 2018.

AOC leaders reported that the King County Clerk's Office and District Court have new case management systems and will officially depart from the Judicial Information System (JIS) in 2019. This will have an impact on statewide data. Thus, in order to retain data for statewide purposes, the AOC has created an enterprise data repository (EDR) for courts to retrieve King County trial court data and share statewide data with justice partners. The system will be available to DOL and the courts in October 2018. The EDR will display data differently than DISCIS. However, the judicial access browser system (JABS) will allow judges and administrators to view substantive events from King County trial courts.

**Other Issues, Concerns, or Opportunities**

**DOL Judicial Liaison**

The court community understands that Ms. Carla Weaver, DOL Judicial Liaison, has been assigned to the DOL DRIVES Project. Ms. Weaver has been a vital resource to courts of limited jurisdiction. She presents DOL updates at judicial and administrator conferences that are crucial for our courts. Each year, Ms. Weaver receives high presentation ratings and this year received the highest score of any presenter at the 2018 DMCJA Spring Conference. Her outreach to the courts is mutually beneficial. Courts are interested in fulfilling their obligations for timely and accurate reporting to DOL. In turn, DOL is better able to fulfill its public safety mission when courts better understand the requirements. For these reasons, our association would like Ms. Weaver to continue as the DOL Judicial Liaison for district and municipal courts.

Again, thank you for your continued support of this Joint Leadership Meeting. It is an important measure in maintaining excellent working relationships among all of the participating organizations.

Sincerely,



Judge Rebecca Robertson  
DMCJA President



**DMCJA BOARD MEETING  
SUNDAY, SEPTEMBER 23, 2018  
9:00 AM – 12:00 PM  
YAKIMA CONVENTION CENTER  
YAKIMA, WA**

**PRESIDENT REBECCA C. ROBERTSON**

**SUPPLEMENTAL AGENDA**

**PAGE**

**Call to Order**

**General Business**

- A. Minutes – August 10, 2018
- B. Treasurer's Report
- C. Special Fund Report
- D. Standing Committee Reports
  - 1. Legislative Committee – *Judge Meyer*
    - a. Meeting Minutes for November 17, 2017
- E. Trial Court Advocacy Board (TCAB)
- F. Judicial Information Systems (JIS) Report – *Ms. Cullinane*

**Liaison Reports**

- A. Administrative Office of the Courts (**AOC**) – *Ms. Callie Dietz*
- B. Board for Judicial Administration (**BJA**) – *Judges Ringus, Jasprica, Logan, and Johnson*
- C. District and Municipal Court Management Association (**DMCMA**) – *Ms. Margaret Yetter*
- D. Misdemeanant Probation Association (**MPA**) – *Ms. Stacie Scarpaci*
- E. Superior Court Judges' Association (**SCJA**) – *Judge Kitty-Ann van Doorninck*
- F. Washington State Association for Justice (**WSAJ**) – *Loyd James Willaford, Esq.*
- G. Washington State Bar Association (**WSBA**) – *Kim E. Hunter, Esq.*

**Action**

- A. JIS Equipment Replacement

**Discussion**

- A. Washington Interpreter Services Funding Task Force Presentation – *Judge Andrea Beall*
  - 1. **Revised Interpreter Handout Materials** **X1-X2**
- B. Committee Satisfaction Survey Results – *Ms. Sharon Harvey*
- C. Available DMCJA Representative Positions
- D. Whether to Add Courts of Limited Jurisdiction to Amended Tribal Court Rule
  - 1. Proposed Rule Amendments to Superior Court Civil Rule (CR) 82.5
  - 2. **Proposed Revised Rule with CR 82.5 (c)(2)** **X3-X4**
  - 3. **Proposed Revised Rule without CR 82.5 (c)(2)** **X5-X6**

<p>E. JIS Equipment Replacement</p> <p>F. <b>Misdemeanant Probation Association Funding Request</b></p> <p>G. <b>Council on Independent Courts – Executive Session</b></p>	<p><b>X7-X10</b></p>
<p><b>Information</b></p> <p>A. Board members are encouraged to apply for DMCJA representative positions. Available positions include:</p> <ol style="list-style-type: none"> <li>1. Annual Conference Planning Committee</li> <li>2. BJA Public Trust and Confidence Committee</li> <li>3. Commission on Judicial Conduct (CJC)</li> <li>4. JIS CLJ “CLUG” User Group</li> <li>5. Misdemeanant Probation Association (MPA) Liaison</li> <li>6. Presiding Judge &amp; Administrator Education Committee</li> <li>7. Washington State Access to Justice Board (Liaison Position)</li> <li>8. WSBA Court Rules and Procedures Committee</li> </ol> <p>B. Policy Analyst Project Ideas for 2018 are as follows:</p> <ol style="list-style-type: none"> <li>1. Committee Satisfaction Survey (July 2018)</li> <li>2. Courthouse Security Survey (August 2018)</li> <li>3. Judicial Independence Matters (Municipal Court Contracts)</li> </ol> <p>C. The Washington State Supreme Court Interpreter Commission voted to remove two politically related questions from the list of questions an appointing authority could consider asking a person who is a Limited-English Proficient speaker. See revised Bench Card for Courtroom Interpreting.</p> <p>D. The Washington State Supreme Court Minority and Justice Commission issued a Legal Financial Obligations (LFO) Bench Card for trial courts. Attached is the LFO Bench Card for courts of limited jurisdiction.</p> <p>E. The Pretrial Task Force will meet on October 1, 2018, from 9:00 a.m. to 12:00 p.m., at the AOC Office in SeaTac, WA.</p> <p>F. DMCJA Letter to DOL Director regarding Annual Joint DOL/DMCJA/DMCMA/AOC Meeting.</p> <p>G. <b>Constitution Day was held on September 17, 2018. Many DMCJA Judges participated in this event. For more information about Constitution Day, please visit the following website: <a href="http://www.courts.wa.gov/education/?fa=education.iitcStories">http://www.courts.wa.gov/education/?fa=education.iitcStories</a>.</b></p>	
<p><b>Other Business</b></p> <p>A. The next DMCJA Board Meeting is October 12, 2018, 12:30 p.m. to 3:30 p.m., at the AOC SeaTac Office, SeaTac, WA.</p>	
<p><b>Adjourn</b></p>	

## **Background of the Interpreter Services Funding Task Force**

The Board for Judicial Administration created the Interpreter Services Funding Task Force in July 2017 to analyze the demand and funding needs for interpreters in Washington State courts.

- The Task Force's diverse membership consists of a Supreme Court justice and judges from every level of court; and representatives from city and county associations, advocacy organizations, court management associations, the Office of Public Defense, the Minority and Justice Commission, and legislative and budget staff from the Administrative Office of the Courts.
- The Task Force implemented a Court Interpreter Funding Survey in December 2017. The survey information provided below contains overall survey results and specific information related to municipal and district courts. The full report can be found here: [http://www.courts.wa.gov/programs\\_orgs/pos\\_bja/?fa=pos\\_bja.interpreterServicesFunding](http://www.courts.wa.gov/programs_orgs/pos_bja/?fa=pos_bja.interpreterServicesFunding)

## **Survey Key Findings**

Fifty-nine municipal courts and 38 district courts responded to the survey (some district courts may have included municipal courts in their responses if they contract with those courts).

### **Over one-half of Washington State courts frequently use appropriately qualified interpreters.**

- Around 40% of municipal courts were more likely to use interpreters daily or weekly.
- Around 67% of district courts were more likely to use interpreters daily or weekly.
- Of the municipal/district courts more likely to use interpreter services, 67% use interpreters for criminal court cases, 51% for traffic court cases, and 26% for domestic relations court cases.

### **Interpreter costs have increased over the last two years.**

- In 2016, courts that provided budget information spent approximately \$3,179,910 for interpreter services.
- Around 50% of courts exceeded their allocated interpreter budgets.

### **Jury trials, multi-day trials and rare language interpretation costs are unexpectedly expensive.**

- Some courts reported costs ranging from \$10,000 - \$14,000 for one hearing.

### **Compared to urban courts, small and rural courts report more difficulties accessing qualified interpreters.**

**Courts overall have difficulties finding qualified interpreters and interpreters for rarer languages.**

- While Spanish is the most interpreted language in Washington State, 36% of courts provided interpreter services for over ten different languages, with one court reporting interpreter services for 162 languages.
- More languages requiring interpreters mean more resources to locate and pay for services.

**Courts often experience delays in proceedings when interpreters are needed.**

- About 41% of municipal courts and 63% of district courts reported that this is true for their court.
- Delays can be costly for courts, cities, or counties if additional court administration, jail time, attorney meetings, etc. are required when a case is continued.

**The Reimbursement Program currently provides limited funds (\$610,500 annually) to only 20% of Washington State courts.**

- Without increased funding, no new courts have been able to apply for these funds since the program's inception in 2008.

**To meet increasing needs and costs, it is critical that courts have access to state funding to provide quality and timely interpreter services.**

The Task Force is requesting \$2.1 million for the state interpreter reimbursement program to allow more courts in all parts of the state to access funding. The priority in the first year will be to recruit small and rural courts into the program. Increased funding for the program will also support additional recruitment, testing and training for all languages with a focus on rarer language and certified interpreters.

**Help support this funding request by:**

- Reaching out to your local stakeholders and legislative representatives to support this effort.
- Asking your county/city executive and county commissioners/council members to make the Interpreter Reimbursement Program one of their legislative priorities. This money will go directly to your county or city to ameliorate the costs incurred from using interpreters in court matters.

*The Task Force will provide information to help with outreach prior to the start of the legislative session.*

**Questions? Contact [jeanne.englert@courts.wa.gov](mailto:jeanne.englert@courts.wa.gov)**

RULE 82.5  
TRIBAL COURT JURISDICTION

(a) Indian Tribal Court; Exclusive Jurisdiction. Where an action is brought in the superior court of any county of this state, and where, under the Laws of the United States, exclusive jurisdiction over the matter in controversy has been granted or reserved to an Indian tribal court of a federally recognized Indian tribe, the superior court shall, upon motion of a party or upon its own motion, dismiss such action pursuant to CR 12(b)(1), unless transfer is required under federal law.

(b) Indian Tribal Court; Concurrent Jurisdiction. Where an action is brought in the superior court of any county of this state, and where, under the Laws of the United States, concurrent jurisdiction over the matter in controversy has been granted or reserved to an Indian tribal court of a federally recognized Indian tribe, the superior court may, if the interests of justice require, cause such action to be transferred to the appropriate Indian tribal court. In making such determination, the superior court shall consider, among other things, the nature of the action, the interests and identities of the parties, the convenience of the parties and witnesses, whether state or tribal law will apply to the matter in controversy, and the remedy available in such Indian tribal court.

(c) Enforcement of Indian Tribal Court Orders, Judgments or Decrees.

1) The superior courts of the State of Washington shall recognize, implement and enforce the orders, judgments and decrees of Indian tribal courts in matters in which either the exclusive or concurrent jurisdiction has been granted or reserved to an Indian tribal court of a federally recognized tribe under the Laws of the United States, unless the superior court finds the tribal court that rendered the order, judgment or decree (1) lacked jurisdiction over a party or the subject matter, (2) denied due process as provided by the Indian Civil Rights Act of 1968, or (3) does not reciprocally provide for recognition and implementation of orders, judgments and decrees of the superior courts of the State of Washington.

2) The superior court may attempt to resolve any issues raised regarding an Indian tribal court money judgment by contacting the Indian tribal court judge who issued the judgment. The superior court shall follow the procedure for communicating with the Indian tribal court judge outlined in subsection (d) of this rule.

(d) Communication between superior court of any county of this state and Indian tribal court.

1) A superior court of any county of this state may communicate with any Indian tribal court concerning judgments or co-occurring proceedings before the respective courts to address issues identified by the superior court, the Indian tribal court, or the parties to the co-occurring proceedings. The parties shall provide to the respective courts the identity, contact information, and a case or docket number of the other court's proceedings to facilitate this communication.

2) The superior court may allow the parties to participate in the communication. If the parties are not able to participate in the communication, they must be given an opportunity to present facts and legal arguments before a decision by either court is made. The Indian tribal court's procedures and customs shall determine the parties' participation in the Indian tribal court proceedings.

3) Communication between the superior court and the Indian tribal court on schedules, calendars, court records, and similar matters may occur without informing the parties. The superior court need not make a record of the communication. The Indian tribal court's procedures shall determine whether and how a record is made.

4) Except as otherwise provided in subsection (3) of this rule, the superior court must make a record of the communication under this section. The Indian tribal court's procedures shall determine whether and how a record is made in their court. The parties must be informed promptly of the communication and granted access to the record.

5) For the purposes of this section, "record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

6) This rule does not apply to adult criminal matters except when a superior court or Indian tribal court have issued orders prohibiting contact between parties that have co-occurring proceedings. Superior courts and Indian tribal courts may communicate about the orders prohibiting contact as set forth in sections 1-5 above.

RULE 82.5  
TRIBAL COURT JURISDICTION

(a) Indian Tribal Court; Exclusive Jurisdiction. Where an action is brought in the superior court of any county of this state, and where, under the Laws of the United States, exclusive jurisdiction over the matter in controversy has been granted or reserved to an Indian tribal court of a federally recognized Indian tribe, the superior court shall, upon motion of a party or upon its own motion, dismiss such action pursuant to CR 12(b)(1), unless transfer is required under federal law.

(b) Indian Tribal Court; Concurrent Jurisdiction. Where an action is brought in the superior court of any county of this state, and where, under the Laws of the United States, concurrent jurisdiction over the matter in controversy has been granted or reserved to an Indian tribal court of a federally recognized Indian tribe, the superior court may, if the interests of justice require, cause such action to be transferred to the appropriate Indian tribal court. In making such determination, the superior court shall consider, among other things, the nature of the action, the interests and identities of the parties, the convenience of the parties and witnesses, whether state or tribal law will apply to the matter in controversy, and the remedy available in such Indian tribal court.

(c) Enforcement of Indian Tribal Court Orders, Judgments or Decrees. The superior courts of the State of Washington shall recognize, implement and enforce the orders, judgments and decrees of Indian tribal courts in matters in which either the exclusive or concurrent jurisdiction has been granted or reserved to an Indian tribal court of a federally recognized tribe under the Laws of the United States, unless the superior court finds the tribal court that rendered the order, judgment or decree (1) lacked jurisdiction over a party or the subject matter, (2) denied due process as provided by the Indian Civil Rights Act of 1968, or (3) does not reciprocally provide for recognition and implementation of orders, judgments and decrees of the superior courts of the State of Washington.

(d) Communication between superior court of any county of this state and Indian tribal court.

1) A superior court of any county of this state may communicate with any Indian tribal court concerning judgments or co-occurring proceedings before the respective courts to address issues identified by the superior court, the Indian tribal court, or the parties to the co-occurring proceedings. The parties shall provide to the respective courts the identity, contact information, and a case or docket number of the other court's proceedings to facilitate this communication.

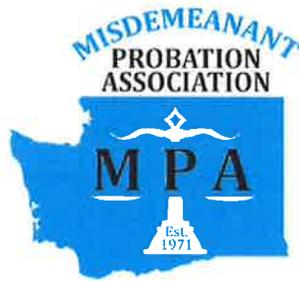
2) The superior court may allow the parties to participate in the communication. If the parties are not able to participate in the communication, they must be given an opportunity to present facts and legal arguments before a decision by either court is made. The Indian tribal court's procedures and customs shall determine the parties' participation in the Indian tribal court proceedings.

3) Communication between the superior court and the Indian tribal court on schedules, calendars, court records, and similar matters may occur without informing the parties. The superior court need not make a record of the communication. The Indian tribal court's procedures shall determine whether and how a record is made.

4) Except as otherwise provided in subsection (3) of this rule, the superior court must make a record of the communication under this section. The Indian tribal court's procedures shall determine whether and how a record is made in their court. The parties must be informed promptly of the communication and granted access to the record.

5) For the purposes of this section, "record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

6) This rule does not apply to adult criminal matters except when a superior court or Indian tribal court have issued orders prohibiting contact between parties that have co-occurring proceedings. Superior courts and Indian tribal courts may communicate about the orders prohibiting contact as set forth in sections 1-5 above.



To: District and Municipal Court Judges Association  
From: Washington State Misdemeanant Probation Association (MPA)  
Date: September 17, 2018  
Re: Funding Request for the 2019 MPA Annual Conference

---

We write on behalf of the Education and Training Committee for MPA. As co-chairs we are well into the planning process for our 2019 conference to be held at The Marcus Whitman in Walla Walla May 6-8. The vision of the 2019 conference is three-fold: 1) Back to the basics; 2) Addressing drug trends and their effects; 3) Thinking outside the box. We have attached our tentative agenda for the conference to illustrate these visions. The annual conference is often many of our members' only opportunity to receive training throughout the year and we listen to their feedback when addressing the agenda.

Our members have stated they need further education on emerging drug trends, synthetic drug usage and polysubstance abuse. To speak on these issues we have invited Keith Graves of Graves and Associates to headline our conference on Tuesday May 7. Keith Graves, is a nationally renowned Drug Recognition Expert, internationally sought after educator/speaker on drug trends, policing and enforcement and has appeared as an expert witness on synthetic drugs before the US Sentencing Commission. This past spring, Mr. Graves lead many sessions at the Washington Traffic Safety Commission Conference in Kennewick. Keith Graves is coming prepared to speak to your probation staff and others about the ins and outs butane hash, fentanyl, synthetic drugs and polysubstance use; the recognition signs of the different types of drugs and the evolution of drug manufacturing/sales. This training will allow probation staff to be parallel with our clients instead of trying to catch-up.

We are seeking funding to help cover this seminar. In addition to the conference attendees, this seminar will also be open to all Judges, Clerks, and Probation Staff that may be interested in a one-day training event. The total expense to have Mr. Graves come speak for 4-6 hours is \$2,400. We kindly invite your association to consider contributing to this cost and would respectfully request \$1,200. Your generous contribution would help offset the costs to our conference attendees and their jurisdictions by \$15 per conference registration. Furthermore, it would be our honor to list DMCJA as a contributing sponsor for our conference if you find yourself in the position to contribute.

We greatly appreciate your time in reviewing our request. Please contact Education/Training Co-Chairs Melissa Patrick ([mpatrick@desmoineswa.gov](mailto:mpatrick@desmoineswa.gov)) or Bryan Farrell ([bryan.farrell@clark.wa.gov](mailto:bryan.farrell@clark.wa.gov)) with any questions, comments or if additional information is needed.

Enclosures: 2019 MPA Conference Tentative Agenda  
Presenter Agreement with Graves and Associates, LLC

Times of Speakers Subject to Change  
Highlighted Areas-To be confirmed

**Monday May 6-Back to Basics**

Time	CEU's	Topic	Speaker
7:30-7:45a		Opening Remarks	Bryan, Chris, & Melissa
7:45-8:15a	.5	Opening Address	
8:15-8:45a	.5	AOC Update	Vicki Cullinane
8:45-10:15a	1.5	DOL Update-Drives	Carla Weaver (or rep)
10:15-10:30a		Snack Break/Giveaways	
10:30-11a	.5	All Hail-Updates from Around the State	Various Jurisdictions
11-12:30p		Working Lunch/ Business Meeting	Board of Directors
12:30-2:30p	2	Civics	Judge Rebecca Robertson Judge Kimberly Walden
2:30-2:45p		Snack Break	
2:45-4:15p	1.5	Compassion Fatigue	Rachael Stuth
4:15-4:30p		Closing Remarks/Giveaway	Bryan and Melissa
	6.5		

**Tuesday May 7-What's Drugs got to do with it?**

Time	CEU's	Topic	Speaker
7:30a		Opening Remarks/Giveaways	Melissa and Bryan
7:30-10a	2.5	Emerging Drug Trends	Keith Graves
10-10:15a		Snack Break-Giveaways	
10:15-12p	1.75	Emerging Drug Trends	Keith Graves
12-1p		Lunch/Awards	
1-2:30p	1.5	Drugged/Drunk Driving Statistics Update	WTSC
2:30-2:45p		Snack Break-Giveaways	
2:45-4:15p	1.5	Drug Recognition-DUI Stops	Michael Dunkele Shawn Hayes Justin Cripe
4:15-4:30p		Closing Remarks/Giveaways	Bryan and Melissa
	7.25		

**Wednesday May 8-Going Beyond the ordinary?**

Time	CEU's	Topic	Speaker
7:30a		Opening Remarks/Vendor Giveaways	Bryan & Melissa
7:30-9:30a	2	Pre-trial Services Pre-trial Supervision	Yakima County
9:30-10a		Closing Remarks, Survey Monkey Link, Certificate Link, Final Giveaways, 2020 Location Announcement!	Chris, Melissa and Bryan
	2	15.75 hours Total	

List of Speakers: Carla Weaver or Rep, Vicki Cullinane, Judge Rebecca Robertson, Judge Kimberly Walden, Rachael Stuth, Keith Graves, WTSC, DRE, Yakima County Pre-trial Services



**Graves and Associates, LLC.**

Presenter Agreement

Contract #19-001

This agreement entered into by and between the **Washington State Misdemeanant Probation Association & Graves and Associates LLC**, located in Eagle, Idaho.

1. The parties agree as follows:
  - a. GENERAL PURPOSE OF AGREEMENT: **Graves and Associates LLC** agrees to provide training for the **Washington State Misdemeanant Probation Association**.
  - b. Presenter agrees to provide requested information in time frame(s) requested.
2. TOPIC OF PRESENTATION/S & TIMES:
  - a. Current Drug Trends
    - i. May 7, 2019 (times to be determined)
3. ALLOCATION OF FUNDS: An all-inclusive fee of \$2,400 (includes speaker fee and travel expenses) will be paid to Graves and Associates LLC.
  - a. A 4% fee will be added if paid by credit card
  - b. It is also agreed that **Washington State Misdemeanant Probation Association** will pay a late fee of \$75.00 or 2% of the balance due, whichever is greater, on any account that is overdue 30 days or more (from the day services are rendered).
4. CANCELLATION POLICY: Unless otherwise specified, if **Washington State Misdemeanant Probation Association** cancels after Jan 1, 2019, but prior to the speaking date of May 7, 2019, a fee of \$1,700.00 will be due to Graves and Associates LLC.
5. TRAVEL ARRANGEMENTS: All travel will be made by Graves and Associates LLC.
6. RELEASE OF LIABILITY: The **Washington State Misdemeanant Probation Association** does hereby waive and release, indemnify, and forever discharges **Graves and Associates LLC**, and its agents, employees, officers, directors, affiliates, successors, members, and assigns, of and from any and all claims, demands, debts, contracts, expenses, causes of action, lawsuits, damages and liabilities, of every kind and nature, whether known or unknown, in law or equity, that they may have, arising from or in any way related to the services being provided to the **Washington State Misdemeanant Probation Association** by Graves and Associates provided that this waiver of liability does not apply to any acts of gross negligence, or intentional, willful or wanton misconduct.

Please complete and email to: [Kari@GravesAssociates.com](mailto:Kari@GravesAssociates.com)

**Washington State Misdemeanant Probation Association**

\_\_\_\_\_  
**Melissa Patrick**

\_\_\_\_\_  
**Date**

**Graves and Associates LLC**



\_\_\_\_\_  
**Keith Graves/President**

**June 1, 2018**

\_\_\_\_\_  
**Date**