



**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

January 11, 2019

**AOC SEATAC OFFICE
SEATAC, WASHINGTON**

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2018-2019

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

AOC Staff: Sharon Harvey

Updated: October 30, 2018

Persons with a disability, who require accommodation, should notify Sharon Harvey at 360-705-5282 or sharon.harvey@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
FRIDAY, JANUARY 11, 2019
12:30 PM – 3:30 PM
AOC SEATAC OFFICE
SEATAC, WA

PRESIDENT REBECCA C. ROBERTSON

AGENDA

PAGE

Call to Order

General Business

- A. Minutes – December 14, 2018
- B. Treasurer’s Report
- C. Special Fund Report
- D. Standing Committee Reports
 - 1. Legislative Committee – *Judge Meyer*
- E. Judicial Information System (JIS) Report – *Ms. Cullinane*

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Liaison Reports

- A. Administrative Office of the Courts (**AOC**) – *Ms. Dawn Marie Rubio*
- 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**) – *Rachel Hamar, Esq.*
- G. Washington State Bar Association (**WSBA**) – *Kim E. Hunter, Esq.*

Discussion

- A. The New Hope Act, [House Bill 1041](#)
- B. Paid Family and Medical Leave Insurance Program – Payroll Deduction
- C. DMCJA National Leadership Grant Presentation – Judge Marilyn Paja

18-19

20-23

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Information

- A. Board members are encouraged to apply for DMCJA representative positions. Available positions include:
 - 1. JIS CLJ “CLUG” User Group
 - 2. Presiding Judge & Administrator Education Committee
- B. DMCJA Board members are encouraged to submit Board agenda topics for monthly meetings.
- C. A Legislative Reception sponsored by the BJA, SCJA, and DMCJA will be held on January 16, 2019, 5:30 p.m. to 8:00 p.m., at the Temple of Justice, Foyer, in Olympia, WA.
- D. DMCJA Support Letter for SCJA Proposed Amendments to Code of Judicial Conduct 2.9

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<p>E. Judge Jeffrey Goodwin, Snohomish County District Court, is the new DMCJA liaison for the WSBA Court Rules and Procedures Committee</p>	
<p>Other Business</p> <p>A. The next DMCJA Board Meeting is February 8, 2019, 12:30 p.m. to 3:30 p.m., at the AOC SeaTac Office, SeaTac, WA.</p>	
<p>Adjourn</p>	



DMCJA Board of Governors Meeting
Friday, December 14, 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
Judge Jennifer Fassbender
Judge Michael Finkle
Judge Michelle Gehlsen
Judge Drew Ann Henke
Judge Aimee Maurer (by phone)
Judge Samuel Meyer
Judge Damon Shadid
Judge Charles Short (by phone)
Judge Jeffrey Smith

Guests:

Mr. Clint Casebolt, Kitsap Co. Dist. Ct.
Mr. Sart Rowe, WSBA ATJ Board
Judge Jeffrey J. Jahns, Kitsap Co. Dist. Ct.
Ms. Rachel Hamar, WSAJ
Judge Kevin Ringus, BJA (non-voting)
Ms. Stacie Scarpaci, MPA

AOC Staff:

Ms. Vicky Cullinane
Ms. Sharon R. Harvey
Ms. Genie Paquin

Members Absent:

Commissioner Rick Leo
Judge Robert Grim

CALL TO ORDER

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

GENERAL BUSINESS

A. Minutes

Upon reaching a quorum, the Board moved, seconded, and passed a vote (M/S/P) to approve the Board Minutes for November 9, 2018, with following clerical corrections:

1. Amend *Discussion section, B. Washington State Court College & Mandatory Continuing Education (page 5)* to include, "**the DMCJA will co-sponsor the proposed rule**" in the following section:
"Ms. Yetter asked what she needed to do to move this rule forward and Judge Robertson expressed that either she or Ms. Yetter could send a GR 9 Coversheet with the proposed mandatory administrator education rule to the Supreme Court."
2. Amend *Discussion, Section A (p 5)* to read, "There are **118 district court judges**" instead of 206 district court judges because 206 is the total number of DMCJA members.

B. Treasurer's Report

M/S/P to approve the Treasurer's Report. The Treasurer's report was provided for the Board's review by Judge Fassbender. Judge Fassbender reported that dues notices were mailed out November 29, 2018 and are due February 15, 2019. She then informed that there is no Special Fund assessment this year. Board officers will meet at Washington Federal bank in March to add their names to the Special Fund account, which will allow Ms. Christina Huwe, DMCJA Bookkeeper, to receive the special fund report without being charged \$5.

C. Special Fund Report

M/S/P to approve the Special Fund Report. Judge Gehlsen, Special Fund Custodian, reported that the Special Fund Report Statement was provided for the Board's review. The Special Fund earned \$32.23 in interest through November 2018. Judge Gehlsen added that the Board moved the account to the business premium money market account, which has caused an exponential increase in interest from approximately \$4 monthly.

D. Standing Committee Reports

1. *Legislative Committee*

Judge Meyer reported that the Board approved all of the proposals brought by the DMCJA Legislative Committee, however, there were concerns regarding the "Notice of Disqualification" bill proposal. Thus, the Legislative Committee made revisions to the bill, which were provided to the Board in both electronic and hard copy form. Board members supported the revisions, which limited the duties of disqualified judges. Ms. Melanie Stewart, DMCJA Lobbyist, has been shopping DMCJA bills; some bills have been drafted by the Code Reviser's Office, and some have legislative sponsors. There is legislative support for DMCJA bills related to commissioners and small claims, which ran last year, and, Ms. Stewart is continuing to work with legislators to get sponsors on other DMCJA bills. Judge Meyer addressed concerns regarding the DMCJA Notice of Disqualification bill that was hotly debated at the November DMCJA Board meeting and recognized that this statute is different in Superior Courts than Courts of Limited Jurisdiction and the idea is to reconcile the two bills. Judge Meyer informed that further discussion with Ms. Melanie Stewart revealed that in order to get the bill passed, it must mirror the language of the Superior Court. If we go forward with the originally proposed bill, Judge Meyer suspects there will be questions from Judiciary Committees and a fair amount of opposition from the Defense Bar and within our Association as well. Hence, Judge Meyer brought this back to the Board to get additional input and direction for going forward. Judge Steve Warning, SCJA Legislative Committee Chair, and Judge Meyer had a phone conference to further discuss judicial disqualification issues. Judge Robertson added she would like to have the DMCJA Legislative and Rules Committee work together to see if there is some language that can be changed in the rule. Judge Meyer committed to go forward with mirroring the language to Superior Courts if he gets the support from the Board. He also reported that Ms. Stewart has meetings planned with some legislatures coming up and they will move forward with the Notice of Disqualification bill and other proposed DMCJA bills. The Board by general consensus approved the revised Notice of Disqualification bill, which was sent electronically to Board members and provided at the meeting.

2. *Rules Committee*

The Committee minutes for September 2018 are included in the meeting agenda packet.

3. *Diversity Committee*

The minutes for October 2018 are included in the supplemental materials packet.

E. Judicial Information Systems (JIS) Report

Ms. Cullinane reported on the courts of limited jurisdiction case management system project (CLJ-CMS). She stated that they had hoped to have the options analysis contract with Gartner finalized by now, but with the holidays, there have been some delays. Gartner now plans to start January 7, 2019, and the options analysis is expected to take about three months. Therefore, we should have some answers of what the options will look like before spring conferences and well before the 2019 DMCJA Spring Conference.

LIAISON REPORTS

A. Administrative Office of the Courts (AOC)

Callie Dietz, State Court Administrator, welcomed Ms. Dawn Marie Rubio as our new State Court Administrator. Ms. Rubio will official become the State Court Administrator on January 1, 2019, but has been shadowing Ms. Dietz since November 19, 2018. Ms. Dietz expressed that Ms. Rubio is doing a fabulous job and added that both Ms. Rubio and Chief Justice Mary Fairhurst will make a great leadership team. Ms. Rubio comes to us with a lot of experience most recently out of Utah with the AOC and before that the Illinois AOC

and Florida court system. She has worked on the road with the National Center for State Courts for all courts and has a law degree. Ms. Dietz then introduced Ms. Dory Nicpon, AOC's new Associate Director for Legislative Relations. Ms. Nicpon comes to us from the Washington Department of Licensing and prior to that, the Washington State Patrol and Staff for State Senate. Ms. Dietz is pleased and looking forward to the great team Ms. Nicpon and Ms. Rubio will make. Ms. Dietz further reported as an overall AOC report, that we are getting ready for the 2019 Legislative Session. She further discussed the Superior Court Case Management System Project (SC-CMS). Event A of the SC-CMS is complete; as of the end of the year it is done, although that does not mean we are done, we still have things to work on and fixes to make and a five year maintenance contract with Tyler Technologies to ensure things go well. There are still implementations to be made with Odyssey with yearly updates. She noted and added to Ms. Cullinane's JIS report that the CLJ-CMS is still the number one priority for the Judicial Information System Committee (JISC). Ms. Dietz voiced her concerns regarding our dwindling JIS account as this is the first year that we have had to ask for money from the General Fund. She reminded us that the Judicial Education program is getting ready for Judicial College in January 2019 and we have 72 judicial officers signed up as a result of the turnover on the bench. She asked the Board to refer to Mr. Dirk Marler's report in the materials packet regarding "Deferred Findings" and noted that the fee code will be used for fees imposed on December 17, 2018, and thereafter. In closing, Ms. Dietz mentioned something nationally that would be a resource locally where the Board she worked on developed a three minute video free of charge that is a really good resource for an introduction to civics clubs at schools and defendants. It is on the National Center website at www.ncsc.org/explainor. Lastly, the Court Management Council has developed a webinar to assist in training new staff to help explain the difference between legal advice and helpful information.

B. Nominating Committee

Judge Ahlf reported that the Committee has met and will send a message to the DMCJA requesting candidates for the following DMCJA positions: President Elect; Vice President; Secretary/Treasurer; Full-Time District, Part-time District Court; Full-time municipal Court. He informed that the Committee has a list of interested candidates but anticipates a greater pool of candidates after soliciting candidates to the DMCJA membership.

C. Board for Judicial Administration (BJA)

Judge Kevin Ringus reported that the BJA met in November 2018 and discussed the 2019 Legislative Session. The Interpreter Services Task Force and Court Education Funding Task Force are moving forward. The BJA Legislative Committee weekly conference calls will begin on January 14, 2019. Ms. Nicpon reported on the BJA priorities and provided two documents developed by AOC to support these priorities. One of the documents lists all the legislative priorities on one factual page, the other document provides two pages that feature two of the highest BJA priorities, namely, court interpreter funding and court education funding. She further explained that these documents are available to any of our justice partners that have opportunities to speak with legislators or act as an advocate for the Judiciary. Ms. Nicpon shared with the group that as a result of the Judicial Needs Estimate, which identified the need for two additional Superior Court Judges, one in Clark County, and the other in the Tri-Cities, which consist of Pend Oreille, Stevens and Ferry Counties.

Judge Robertson added that the BJA voted to create the Trial Court Security Taskforce (Task Force), which is co-sponsored with the SCJA, at the November BJA meeting. Judge Robertson will co-chair the Task Force with SCJA Judge Sean O'Donnell. The co-chairs are currently selecting Task Force members. The goal is for all trial courts to become compliant with GR 36, Trial Court Security, by 2025.

D. Misdemeanant Probation Association (MPA)

Ms. Scarpaci reported that that the next MPA meeting is January 28, 2019. One of the main topics on the agenda is working on revamping a letter that went out in 2006 by various King County judges regarding substance abuse treatment providers related to compliance reports and evaluations and the minimum expectations of them. Probation Departments have noticed a decrease in treatment providers as a result of the 2006 letter. Ms. Scarpaci will inform the Board of the status of the issue after the January MPA meeting.

E. Superior Court Judges' Association (SCJA)

Judge van Doorninck provided a written report that can be found in the meeting agenda packet.

F. Washington State Association for Justice (WSAJ)

Ms. Rachel Hamar reported on the WSAJ events and legislative agenda for 2019. The Annual Holly Ball is tonight in Seattle. There will be a judicial training for members on January 11, 2019. On January 29, 2019, the WSAJ membership will be in Olympia for Lobby Day. She explained that in the past the WSAJ legislative agenda has focused on expanding jurisdictional limits for civil purposes, but the 2019 Legislative agenda will focus on amendments to the wrongful death statute including adding a cause of action for parents of unmarried adults age 18 years and older.

ACTION

- A. Domestic Violence Perpetrator Treatment vs. Moral Reconciliation Therapy – Whether to Adopt Judge Linda Coburn's MRT Memo as the Official DMCJA Position

M/S/P to adopt Judge Coburn's moral reconciliation therapy (MRT) Memo as the official DMCJA position. Judge Robertson referred to the packet which includes the Department of Social and Human Services (DSHS) response that indicates their position is that MRT is the same as Domestic Violence Perpetrator Treatment (DVPT) and is, therefore, subject to certification by DSHS. Judge Robertson stated that she believes this is an infringement on judicial independence because DVPT is run through the Executive Branch whereas MRT is basically run through court probation departments via peer to peer counseling.

- B. M/S/P to endorse Kitsap County District Court's request to onboarding to the expedited data repository through data exchange.
- C. M/S/P to approve sixteen hundred dollars (\$1600) for the YMCA Youth & Government Program. This amount will be taken from the DMCJA Judicial Community Outreach line item.
- D. M/S/P to send a comment supporting SCJA proposed amendments to Code of Judicial Conduct (CJC) 2.9 regarding pretrial risk assessment evaluations.

DISCUSSION

- A. *Access to Justice (ATJ) Technology Principles – Mr. Sart Rowe*

Mr. Sart Rowe reported that it has been about 15 years since the Washington State Supreme Court adopted the original access to justice principles back in 2004. In the last few years we have identified that technology has changed a lot in the last 15 years and what the access to justice court has done over the past two years is to take a look at the original court order from 2004 to see what changes can be made, specifically to technology. Mr. Rowe noted that the current draft indicates final draft submitted to Washington Supreme Court on 8/7/2018, after the JISC meeting Chief Fairhurst suggested that we reach out to internal stakeholders and get more feedback, thus, this is not a final draft, and the comment period is opened back up for remarks and input, which gives us time to craft an improved draft that needs to be back to the WA Supreme Court in May 2019. We have plans to bring that draft to the February JISC meeting. There will be a public comment webinar on January 25, 2019 in conjunction with the State Bar.

Mr. Rowe further explained that the original order was written at about the 13th grade level and one of the biggest pieces of feedback was that it was difficult to understand the verbiage, therefore, the WSBA ATJ Board has modified the order to read at an eighth grade reading level having it accessible and in a neutral forum along with simplifying the language. There are additions regarding accountability and fairness, especially in technology and the associated algorithms, which are evaluated during implementation for equity, unfair

outcomes, and negative impacts. Openness, privacy and safety have expanded, especially as we move toward online information and records. He explained that there is a push to move forward with Plain Language Forms that should be considered moving forward as approximately 75 percent of people are, unrepresented, particularly in family law. What we are looking for are ways to improve this and what would make it more useful to the individuals who will implement this within the court system. Mr. Rowe will provide Ms. Harvey with the link for judges to submit their comments regarding the draft rule. Judge Ahlf added the outlook and concern over current uses of mandatory language and that the JISC was more in favor of policy versus a rule concept.

B. Information Technology Governance (ITG) Request: Kitsap County to Onboard to Expedited Data Repository Through Data Exchange.

Ms. Cullinane explained that ITG is the process in which the business owners, “customers” will have a key role in determining what are the most important projects for AOC to work on, rather than AOC making these decisions. AOC has limited resources, staff, and money so even if projects seem like priorities to the customers we may not get to work on it right away, but at least the priorities are identified by the customers. For example, the courts of limited jurisdiction’s (CLJ’s) most important project is the DISCIS replacement project for a new CLJ Case Management System. Similarly, Kitsap County is requesting their ITG go through this process which first needs DMCJA endorsement, then following this the information will go to AOC for analysis of roughly how much money or resources it will take to complete. Following this, the information will come back to the DMCJA Board for endorsement where if confirmed will be handed over to the Users Group who then as a whole will decide if this is something the group wants AOC to work on. The last step will send the request onto the Court Administrator or the CIO or JISC depending on the size and cost of the request. Finally, AOC will decide when it has the resources to work on the project. Ms. Cullinane and Judge Robertson discussed whether other CLJ’s were on the list with Data Exchange requests and discovered that Seattle Municipal Court was added. Judge Jahns concluded this discussion by adding specifics regarding Kitsap County. In 2009, Kitsap decided to start an electronic filing system. The initial goal was to have the documents on the internet for lawyers to view rather than having to come into the court to request paper files. Ms. Cullinane added that for AOC there is money attached and that the ITG process is married to the budget process. Additionally, she explained that a budget request is necessary and in the 2019-2021 budget, AOC requested money for onboarding an additional unidentified court, which was cut out of the initial request, therefore, there is not any money in the 2019-2021 budget for any additional court to join. Seattle Municipal Court is in this situation right now, as they have a contract and a vendor, but no financial resources. Here, the CLJ-CMS is a priority over Data Exchange requests.

C. YMCA Youth & Government Funding Request

The YMCA Youth & Government Program has requested a DMCJA contribution of sixteen hundred dollars (\$1600) or more. The Board discussed whether to contribute more than the \$1600 it typically provides to the group and determined that it would consider whether to increase the amount at the 2019 DMCJA Board retreat. M/S/P to move this topic to an action item.

D. Memo from Rules Committee regarding CJC 2.9 Proposal

There was robust discussion regarding the proposed amendments. For instance, one Board member voiced concerns about the proposed rule because it is not clear how each court operates, especially not knowing when the risk assessment is performed, and if the defendant is represented at arraignment with the courts “attorney for the day.” Board members also questioned whether the Static Risk Assessment Tool is used and what goes into that. Further, Board members questioned whether the rule specifically can protect the information collected. A Board member expressed that the rule will likely not prohibit legal action, primarily the

right to remain silent. Another Board member voiced concerns regarding risk assessments performed in the Therapeutic Courts and believes the rule is necessary. This Board member added that the superior courts likely use the Static Risk Tools to assess defendants. Another Board member added that the use of the static risk assessment provides for no contact with the defendant, thus, it is all done from the public records and, therefore, all communication with defendants is stopped for pre-trial release. A Board member supported the rule as pretrial interviews are important details for the bench setting bail. Another Board member added that Spokane District Court considers pretrial interviews and their pretrial services department does not include court employees, but that these interviews are critical for release decisions. M/S/P to move this topic to a discussion item.

INFORMATION

Judge Robertson informed Board participants of the following:

- A. Board members are encouraged to apply for DMCJA representative positions. Available positions include:
 1. JIS CLJ “CLUG” User Group
 2. Presiding Judge & Administrator Education Committee
 3. WSBA Court Rules and Procedures Committee
- B. DMCJA Board members are encouraged to submit Board agenda topics for monthly meetings.
- C. Thank you Ms. Callie Dietz for your service as Washington State Court Administrator from July 2012 to December 2018.
- D. On January 1, 2019, Ms. Dawn Marie Rubio will become the Washington State Court Administrator.
- E. Judge Claire Bradley, Kitsap County District Court, has been appointed and ratified to become the DMCJA Alternate Representative on the Commission on Judicial Conduct.
- F. Judge Jason Poydras, King County District Court, will serve as the DMCJA Liaison for the WSBA Access to Justice Board.
- G. 2018 DMCJA Annual Report
- H. Swearing-In Ceremony for District Court Judges – According to a recent DMCJA survey, 64% of members think the ceremony is a good idea; however, about 63% of members expressed that they *would not attend* if the ceremony is held for various reasons, such as absence from court, Olympia location, waste of government funds, superior court judges swear-in district court judges, etc. See survey results here: <https://www.surveymonkey.com/results/SM-JCCLGKN9V/>.

The Board by general consensus agreed not to sponsor a district court swearing-in ceremony based on survey results. Ms. Dietz received flowers from the DMCJA and a standing ovation for her service as State Court Administrator.

OTHER BUSINESS

- A. The next DMCJA Board Meeting is January 11, 2019, 12:30 p.m. to 3:30 p.m., at the AOC SeaTac Office, SeaTac, WA.

The meeting was adjourned at 2:54 p.m.

Christina E Huwe
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SUMMARY OF REPORTS

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

For the Period Ending December 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

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 December 31, 2018

	Dec 31, 18
ASSETS	
Current Assets	
Checking/Savings	
Bank of America - Checking	5,425
Bank of America - Savings	32,812
US Bank - Savings	70,766
Washington Federal	50,628
Total Checking/Savings	159,632
Total Current Assets	159,632
Fixed Assets	
Accumulated Depreciation	(703)
Computer Equipment	579
Total Fixed Assets	(124)
Other Assets	
Prepaid Expenses	23,000
Total Other Assets	23,000
TOTAL ASSETS	182,508
LIABILITIES & EQUITY	
Equity	
Unrestricted Earnings	(63,521)
Unrestricted Net Assets	305,296
Net Income	(59,267)
Total Equity	182,508
TOTAL LIABILITIES & EQUITY	182,508

Washington State District And Municipal Court Judges Assoc.

Statement of Activities

For the Six Months Ending December, 31st, 2018

	<u>Jul 18</u>	<u>Aug 18</u>	<u>Sep 18</u>	<u>Oct 18</u>	<u>Nov 18</u>	<u>Dec 18</u>	<u>TOTAL</u>
Ordinary Income/Expense							
Income							
Interest Income	5	5	5	1	1	1	18
Membership Revenue	500	0	0	0	0	0	500
Other Revenue	0	370	0	0	0	0	370
Total Income	<u>505</u>	<u>375</u>	<u>5</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>887</u>
Gross Profit	505	375	5	1	1	1	887
Expense							
Prior Year Budget Expense	2,635	(70)	4,493	1,655	0	0	8,713
Board Meeting Expense	1,222	916	1,003	2,138	722	1,213	7,215
Bookkeeping Expense	312	345	345	918	318	318	2,555
Conference Calls	0	0	6	82	0	74	162
DMCJA/SCJA Sentencing Alt.	0	0	0	0	0	612	612
DMCMA Liaison Committee	0	0	0	0	31	0	31
Education Committee	0	0	0	905	233	0	1,138
Educational Grants	0	0	0	1,000	0	0	1,000
Judicial Assistance Committee	19	0	1,066	(3,103)	2,508	617	1,107
Legislative Pro-Tem	195	0	0	0	0	0	195
Lobbyist Contract	5,833	5,833	5,833	5,833	5,833	5,833	35,000
National Leadership Grants	0	0	0	2,099	0	0	2,099
President Expense	0	38	0	0	80	0	118
Therapeutic Courts Committee	0	0	0	0	0	200	200
Treasurer Expense and Bonds	0	0	10	0	0	0	10
Total Expense	<u>10,216</u>	<u>7,062</u>	<u>12,756</u>	<u>11,528</u>	<u>9,725</u>	<u>8,867</u>	<u>60,154</u>
Net Ordinary Income	<u>(9,711)</u>	<u>(6,687)</u>	<u>(12,751)</u>	<u>(11,527)</u>	<u>(9,724)</u>	<u>(8,867)</u>	<u>(59,267)</u>
Net Income	<u><u>(9,711)</u></u>	<u><u>(6,687)</u></u>	<u><u>(12,751)</u></u>	<u><u>(11,527)</u></u>	<u><u>(9,724)</u></u>	<u><u>(8,867)</u></u>	<u><u>(59,267)</u></u>

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Bank of America - Checking, Period Ending 12/31/2018

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						5,539.06
Cleared Transactions						
Checks and Payments - 10 items						
Check	12/03/2018		Melanie Stewart	X	-2,000.00	-2,000.00
Transfer	12/04/2018			X	-79.86	-2,079.86
Check	12/07/2018		AOC	X	-2,523.72	-4,603.58
Check	12/07/2018		Pierce County Book...	X	-318.00	-4,921.58
Check	12/17/2018		Scott Ahlf	X	-54.50	-4,976.08
Check	12/17/2018		Samuel G. Meyer	X	-54.50	-5,030.58
Check	12/17/2018		Michelle Gehlsen	X	-30.52	-5,061.10
Check	12/17/2018		Kevin Ringus	X	-21.80	-5,082.90
Check	12/17/2018		Linda Coburn	X	-16.89	-5,099.79
Check	12/17/2018		Drew Henke	X	-14.17	-5,113.96
Total Checks and Payments					-5,113.96	-5,113.96
Deposits and Credits - 1 item						
Transfer	12/07/2018			X	5,000.00	5,000.00
Total Deposits and Credits					5,000.00	5,000.00
Total Cleared Transactions					-113.96	-113.96
Cleared Balance					-113.96	5,425.10
Register Balance as of 12/31/2018					-113.96	5,425.10
New Transactions						
Checks and Payments - 5 items						
Check	01/02/2019		Melanie Stewart		-2,000.00	-2,000.00
Check	01/02/2019		Washington YMCA ...		-1,600.00	-3,600.00
Check	01/02/2019		Ingallina's Box Lunch		-370.59	-3,970.59
Check	01/02/2019		Jennifer L. Fassben...		-15.51	-3,986.10
Check	01/04/2019		Jennifer L. Fassben...		-10.00	-3,996.10
Total Checks and Payments					-3,996.10	-3,996.10
Deposits and Credits - 2 items						
Transfer	01/02/2019			*	4,000.00	4,000.00
Deposit	01/04/2019				21,750.00	25,750.00
Total Deposits and Credits					25,750.00	25,750.00
Total New Transactions					21,753.90	21,753.90
Ending Balance					21,639.94	27,179.00

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01/04/19

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Bank of America - Savings, Period Ending 12/31/2018

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						37,811.69
Cleared Transactions						
Checks and Payments - 1 item						
Transfer	12/07/2018			X	-5,000.00	-5,000.00
Total Checks and Payments					-5,000.00	-5,000.00
Deposits and Credits - 1 item						
Deposit	12/31/2018			X	0.57	0.57
Total Deposits and Credits					0.57	0.57
Total Cleared Transactions					-4,999.43	-4,999.43
Cleared Balance					-4,999.43	32,812.26
Register Balance as of 12/31/2018					-4,999.43	32,812.26
Ending Balance					-4,999.43	32,812.26

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

Type	Date	Num	Name	Memo	Amount	Balance
Bank of America - Checking						
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	(19.82)	(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)
Check	09/05/2018		Melanie Stewart	September payment	(2,000.00)	(10,741.59)
Check	09/05/2018		AOC		(1,009.19)	(11,750.78)
Check	09/05/2018		4imprint		(1,312.05)	(13,062.83)
Check	09/05/2018		Judith Anderson		(16.00)	(13,078.83)
Check	09/06/2018		AOC		(3,181.27)	(16,260.10)
Check	09/07/2018		Pierce County Bookkeeping		(344.50)	(16,604.60)
Transfer	09/10/2018			Funds Transfer	10,000.00	(6,604.60)
Transfer	09/17/2018			Funds Transfer Credit Card payment	(10.00)	(6,614.60)
Check	09/17/2018		Susanna Neil Kanther-Raz		(1,050.00)	(7,664.60)
Check	10/02/2018		Kevin Ringus		(139.42)	(7,804.02)
Check	10/04/2018		Kevin Ringus		(36.00)	(7,840.02)
Check	10/04/2018		Administrative Office of the Courts	April, Invoice	(1,515.08)	(9,355.10)
Check	10/04/2018		Ingallina's Box Lunch	Memo:Ingallina's Box Lunch Bill Payment	(333.80)	(9,688.90)
Check	10/04/2018		Rebecca Robertson		(46.00)	(9,734.90)
Check	10/04/2018		Michael Finkle		(141.42)	(9,876.32)
Check	10/04/2018		Michelle Gehlsen		(141.42)	(10,017.74)
Check	10/04/2018		Linda Coburn		(141.42)	(10,159.16)
Check	10/12/2018		Dino W Traverso, PLLC		(600.00)	(10,759.16)
Check	10/12/2018		Pierce County Bookkeeping	September invoice 767	(318.00)	(11,077.16)
Check	10/12/2018		Dan B Johnson	9/23	(36.00)	(11,113.16)
Check	10/12/2018		City of Olympia	9/23 Board meeting	(105.42)	(11,218.58)
Deposit	10/12/2018			Deposit	7,000.00	(4,218.58)
Check	10/17/2018		Scott Ahlf		(36.00)	(4,254.58)
Check	10/17/2018		Judy Jasprica		(141.42)	(4,396.00)
Check	10/18/2018		Melanie Stewart	October payment	(2,000.00)	(6,396.00)
Check	10/19/2018		Ingallina's Box Lunch	Ingallina's Box Lunch Bill Payment	(270.82)	(6,666.82)
Check	10/19/2018		Jennifer L. Fassbender	9/23 board meeting	(136.91)	(6,803.73)
Check	10/19/2018		Bruce Weiss	JASP Meeting 10/5/18	(44.69)	(6,848.42)
Check	10/19/2018		Claire Sussman	JASP Meeting 10/5/18	(21.80)	(6,870.22)
Check	10/19/2018		Douglas Fair	JASP Meeting 10/5/18	(32.70)	(6,902.92)
Check	10/19/2018		Douglas B. Robinson	JASP Meeting 10/5/18	(473.62)	(7,376.54)
Check	10/19/2018		James Doctor	JASP Meeting 10/5/18	(64.95)	(7,441.49)
Check	10/19/2018		Mary C. Logan	JASP Meeting 10/5/18	(18.72)	(7,460.21)
Check	10/19/2018		Marybeth Dingley	JASP Meeting 10/5/18	(39.24)	(7,499.45)
Check	10/19/2018		Michael Finkle	JASP Meeting 10/5/18	(31.61)	(7,531.06)
Check	10/19/2018		Timothy Jenkins	JASP Meeting 10/5/18	(59.81)	(7,590.87)
Check	10/19/2018		Administrative Office of the Courts	10/2018 invoice	(827.06)	(8,417.93)
Check	10/19/2018		Marilyn Paja	NAWJ Annual Meeting	(2,099.00)	(10,516.93)
Check	10/19/2018		Chris Culp	JASP meeting 10/5/18	(304.80)	(10,821.73)
Check	10/19/2018		Jackie Shea-Brown	JASP meeting 10/5/18	(364.32)	(11,186.05)
Check	10/19/2018		Susan Woodard	JASP meeting 10/5/18	(340.02)	(11,526.07)
Check	10/19/2018		Jennifer L. Fassbender	10/12/18	(7.50)	(11,533.57)

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

Type	Date	Num	Name	Memo	Amount	Balance
Check	10/19/2018		Michael Finkle	Board meeting 10/12/18	(19.62)	(11,553.19)
Check	10/22/2018		G. Andrew H. Benjamin	Memo:G. Andrew H. Benjmin Bill Payment	(750.00)	(12,303.19)
Check	10/22/2018		Samuel G. Meyer		(54.50)	(12,357.69)
Check	10/22/2018		Charles Short		(374.54)	(12,732.23)
Check	10/24/2018		Douglas Fair	Ed. Comm meeting 10/18	(32.70)	(12,764.93)
Check	10/24/2018		James Doctor	Ed. Comm meeting 10/18	(64.95)	(12,829.88)
Check	10/24/2018		Roy Fore	Ed. Comm meeting 10/18	(166.77)	(12,996.65)
Check	10/24/2018		Timothy Jenkins	Ed. Comm meeting 10/18	(9.81)	(13,006.46)
Check	10/24/2018		Tom Verge	Ed. Comm meeting 10/18	(85.02)	(13,091.48)
Check	10/25/2018		Charles Short	10/18/18	(369.43)	(13,460.91)
Deposit	10/25/2018			Online Banking transfer from SAV 7604 Co...	5,000.00	(8,460.91)
Check	10/25/2018		Thurston County District Court	NAPCO Conference	(1,000.00)	(9,460.91)
Check	10/26/2018		Ingallina's Box Lunch	10/18/18	(176.66)	(9,637.57)
Check	10/29/2018		Susanna Neil Kanther-Raz	10/5/18 Training	(721.26)	(10,358.83)
Deposit	10/30/2018		Linda Coburn	RETURNED BILL PAYMENT FROM Linda ...	33.79	(10,325.04)
Check	10/30/2018		Linda Coburn	7/13/18 DMCJA Board Meeting	(33.79)	(10,358.83)
Check	11/01/2018		Melanie Stewart	November invoice	(2,000.00)	(12,358.83)
Check	11/05/2018		Susanna Neil Kanther-Raz	4th quarter, 2018	(900.00)	(13,258.83)
Check	11/05/2018		Michael Evans		(48.19)	(13,307.02)
Transfer	11/08/2018			Funds Transfer	5,000.00	(8,307.02)
Check	11/09/2018		Cave B	Deposit	(1,559.55)	(9,866.57)
Check	11/09/2018		Pierce County Bookkeeping	October services invoice 776	(318.00)	(10,184.57)
Check	11/16/2018		Samuel G. Meyer	Board meeting 11/9/18	(54.50)	(10,239.07)
Check	11/16/2018		Michelle Gehlsen	Board meeting 11/9/18	(30.52)	(10,269.59)
Check	11/16/2018		Rick Leo	Board meeting 11/9/18	(25.54)	(10,295.13)
Check	11/16/2018		Linda Coburn	Board meeting 11/9/18	(16.89)	(10,312.02)
Check	11/21/2018		Jeffery Smith	11-5-18 - 11-8-18	(233.00)	(10,545.02)
Check	11/21/2018		Jeffery Smith	11/9/18	(216.85)	(10,761.87)
Check	11/21/2018		Michelle Gehlsen	11/8/18	(30.52)	(10,792.39)
Check	11/21/2018		Michael Finkle	11/9/18	(21.80)	(10,814.19)
Check	11/21/2018		Jennifer L. Fassbender	11/9/18	(7.50)	(10,821.69)
Check	11/21/2018		Ingallina's Box Lunch	11/9/18 board meeting	(348.65)	(11,170.34)
Check	12/03/2018		Melanie Stewart	December services	(2,000.00)	(13,170.34)
Transfer	12/04/2018			Funds Transfer	(79.86)	(13,250.20)
Transfer	12/07/2018			Funds Transfer	5,000.00	(8,250.20)
Check	12/07/2018		Pierce County Bookkeeping		(318.00)	(8,568.20)
Check	12/07/2018		AOC	October charges MS111918-03	(2,523.72)	(11,091.92)
Check	12/17/2018		Drew Henke		(14.17)	(11,106.09)
Check	12/17/2018		Kevin Ringus		(21.80)	(11,127.89)
Check	12/17/2018		Linda Coburn		(16.89)	(11,144.78)
Check	12/17/2018		Michelle Gehlsen		(30.52)	(11,175.30)
Check	12/17/2018		Samuel G. Meyer		(54.50)	(11,229.80)
Check	12/17/2018		Scott Ahlf		(54.50)	(11,284.30)
Total Bank of America - Checking					(11,284.30)	(11,284.30)
Bank of America - Savings						
Deposit	07/31/2018			Interest	0.98	0.98
Deposit	08/31/2018			Interest	0.98	1.96
Transfer	09/10/2018			to general checking	(10,000.00)	(9,998.04)
Deposit	09/30/2018			Interest	0.84	(9,997.20)
Deposit	10/25/2018			Online Banking transfer from SAV 7604 Co...	(5,000.00)	(14,997.20)
Deposit	10/31/2018			Interest	0.79	(14,996.41)
Transfer	11/08/2018			Funds Transfer	(5,000.00)	(19,996.41)
Deposit	11/30/2018			Interest	0.64	(19,995.77)
Transfer	12/07/2018			Funds Transfer	(5,000.00)	(24,995.77)
Deposit	12/31/2018			Interest	0.57	(24,995.20)
Total Bank of America - Savings					(24,995.20)	(24,995.20)
Washington Federal						
Deposit	07/31/2018			Interest	4.30	4.30
Deposit	08/31/2018			Interest	4.30	8.60
Deposit	09/30/2018			Interest	4.16	12.76
Total Washington Federal					12.76	12.76
Prepaid Expenses						
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)
Genera...	09/17/2018	CEH		1/12 of Contract	(3,833.33)	(11,499.99)
Genera...	10/31/2018	CEH		1/12 of Contract	(3,833.33)	(15,333.32)
Genera...	11/30/2018	CEH		1/12 of Contract	(3,833.33)	(19,166.65)
Genera...	12/31/2018	CEH		1/12 of Contract	(3,833.33)	(22,999.98)
Total Prepaid Expenses					(22,999.98)	(22,999.98)

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

July through December 2018

Type	Date	Num	Name	Memo	Amount	Balance
Bank of America C. C.						
Credit ...	08/07/2018		Budd Bay Cafe Olympia		(38.13)	(38.13)
Transfer	08/13/2018			Funds Transfer	38.13	0.00
Credit ...	09/17/2018		Secretary of State		(10.00)	(10.00)
Transfer	09/17/2018			Funds Transfer	10.00	0.00
Credit ...	11/30/2018		1-800-Flowers.com		(79.86)	(79.86)
Transfer	12/04/2018			Funds Transfer	79.86	0.00
Total Bank of America C. C.					0.00	0.00
Interest Income						
Deposit	07/31/2018			Interest	(0.98)	(0.98)
Deposit	07/31/2018			Interest	(4.30)	(5.28)
Deposit	08/31/2018			Interest	(4.30)	(9.58)
Deposit	08/31/2018			Interest	(0.98)	(10.56)
Deposit	09/30/2018			Interest	(0.84)	(11.40)
Deposit	09/30/2018			Interest	(4.16)	(15.56)
Deposit	10/31/2018			Interest	(0.79)	(16.35)
Deposit	11/30/2018			Interest	(0.64)	(16.99)
Deposit	12/31/2018			Interest	(0.57)	(17.56)
Total Interest Income					(17.56)	(17.56)
Membership Revenue						
Deposit	07/23/2018		Thomas W. Cox	Garfield County	(500.00)	(500.00)
Total Membership Revenue					(500.00)	(500.00)
Other Revenue						
Deposit	08/15/2018			bank of america cash reward	(369.81)	(369.81)
Total Other Revenue					(369.81)	(369.81)
Prior Year Budget Expense						
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	06/15/2018		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
Check	09/05/2018		4imprint	President Expense	1,312.05	3,877.06
Check	09/06/2018		AOC	Board Meeting Expense	2,698.86	6,575.92
Check	09/06/2018		AOC	Conference Calls	76.65	6,652.57
Check	08/08/2018		AOC	Education Committee	81.15	6,733.72
Check	09/06/2018		AOC	Judicial Indep Fire Brigade	81.15	6,814.87
Check	09/06/2018		AOC	Legislative Committe	81.16	6,896.03
Check	09/06/2018		AOC	Rules Committee	81.15	6,977.18
Check	09/06/2018		AOC	Therapeutic Courts Committee	81.15	7,058.33
Check	10/02/2018		Kevin Ringus	board	139.42	7,197.75
Check	10/04/2018		Administrative Office of the Courts	Board	857.02	8,054.77
Check	10/04/2018		Administrative Office of the Courts	Long Range Planning Committee	581.20	8,635.97
Check	10/04/2018		Administrative Office of the Courts	conference Calls	76.86	8,712.83
Total Prior Year Budget Expense					8,712.83	8,712.83
Board Meeting Expense						
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	08/18/2018		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
Check	09/05/2018		AOC		1,003.03	3,141.07
Check	10/04/2018		Kevin Ringus		36.00	3,177.07
Check	10/04/2018		Ingallina's Box Lunch	Memo:Ingallina's Box Lunch Bill Payment	333.80	3,510.87

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

Type	Date	Num	Name	Memo	Amount	Balance
Check	10/04/2018		Rebecca Robertson	9/23/18	46.00	3,556.87
Check	10/04/2018		Michael Finkle	9/23/18	141.42	3,698.29
Check	10/04/2018		Michelle Gehlsen	9/23/18	141.42	3,839.71
Check	10/04/2018		Linda Coburn	9/23/18	141.42	3,981.13
Check	10/12/2018		Dan B Johnson	9/23	36.00	4,017.13
Check	10/12/2018		City of Olympia	9/23 Board meeting	105.42	4,122.55
Check	10/17/2018		Scott Ahlf		36.00	4,158.55
Check	10/17/2018		Judy Jasprica	9/23/18	141.42	4,299.97
Check	10/19/2018		Ingallina's Box Lunch	Ingallina's Box Lunch Bill Payment	270.82	4,570.79
Check	10/19/2018		Jennifer L. Fassbender	9/23/18	136.91	4,707.70
Check	10/19/2018		Administrative Office of the Courts	10/2018 invoice	115.62	4,823.32
Check	10/19/2018		Jennifer L. Fassbender	10/12/18	7.50	4,830.82
Check	10/19/2018		Michael Finkle	Board meeting 10/12/18	19.62	4,850.44
Check	10/22/2018		Samuel G. Meyer	Board Meeting	54.50	4,904.94
Check	10/22/2018		Charles Short		374.54	5,279.48
Deposit	10/30/2018		Linda Coburn	RETURNED BILL PAYMENT FROM Linda ...	(33.79)	5,245.69
Check	10/30/2018		Linda Coburn	replaced uncashed check	33.79	5,279.48
Check	11/16/2018		Samuel G. Meyer	Board meeting 11/9/18	54.50	5,333.98
Check	11/16/2018		Michelle Gehlsen	Board meeting 11/9/18	30.52	5,364.50
Check	11/16/2018		Rick Leo	Board meeting 11/9/18	25.54	5,390.04
Check	11/16/2018		Linda Coburn	Board meeting 11/9/18	16.89	5,406.93
Check	11/21/2018		Jeffery Smith	11/9/18	216.85	5,623.78
Check	11/21/2018		Michael Finkle	11/9/18	21.80	5,645.58
Check	11/21/2018		Jennifer L. Fassbender	11/9/18	7.50	5,653.08
Check	11/21/2018		Ingallina's Box Lunch	11/9/18 board meeting	348.65	6,001.73
Check	12/07/2018		AOC	October charges MS111918-03	1,020.92	7,022.65
Check	12/17/2018		Drew Henke	Board Meeting 12/14/18	14.17	7,036.82
Check	12/17/2018		Kevin Ringus	Board Meeting 12/14/18	21.80	7,058.62
Check	12/17/2018		Linda Coburn	Board Meeting 12/14/18	16.89	7,075.51
Check	12/17/2018		Michelle Gehlsen	Board Meeting 12/14/18	30.52	7,106.03
Check	12/17/2018		Samuel G. Meyer	Board Meeting 12/14/18	54.50	7,160.53
Check	12/17/2018		Scott Ahlf	Board Meeting 12/14/18	54.50	7,215.03
Total Board Meeting Expense					7,215.03	7,215.03
Bookkeeping Expense						
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
Check	09/07/2018		Pierce County Bookkeeping	Aug. Invoice 759	344.50	1,001.00
Check	10/12/2018		Dino W Traverso, PLLC	Tax return	600.00	1,601.00
Check	10/12/2018		Pierce County Bookkeeping	September invoice 767	318.00	1,919.00
Check	11/09/2018		Pierce County Bookkeeping	October services invoice 776	318.00	2,237.00
Check	12/07/2018		Pierce County Bookkeeping	November 2018 Invoice	318.00	2,555.00
Total Bookkeeping Expense					2,555.00	2,555.00
Conference Calls						
Check	09/05/2018		AOC		6.16	6.16
Check	10/19/2018		Administrative Office of the Courts	10/2018 invoice	81.73	87.89
Check	12/07/2018		AOC	October charges MS111918-03	73.85	161.74
Total Conference Calls					161.74	161.74
DMCJA/SCJA Sentencing Alt.						
Check	12/07/2018		AOC	October charges MS111918-03	611.80	611.80
Total DMCJA/SCJA Sentencing Alt.					611.80	611.80
DMCMA Liaison Committee						
Check	11/21/2018		Michelle Gehlsen	11/8/18	30.52	30.52
Total DMCMA Liaison Committee					30.52	30.52
Education Committee						
Check	10/24/2018		Douglas Fair	Ed. Comm meeting 10/18	32.70	32.70
Check	10/24/2018		James Doctor	Ed. Comm meeting 10/18	64.95	97.65
Check	10/24/2018		Roy Fore	Ed. Comm meeting 10/18	166.77	264.42
Check	10/24/2018		Timothy Jenkins	Ed. Comm meeting 10/18	9.81	274.23
Check	10/24/2018		Tom Verge	Ed. Comm meeting 10/18	85.02	359.25
Check	10/25/2018		Charles Short	10/18/18	369.43	728.68
Check	10/26/2018		Ingallina's Box Lunch	10/18/18	176.66	905.34
Check	11/21/2018		Jeffery Smith	11-5-18 - 11-8-18	233.00	1,138.34
Total Education Committee					1,138.34	1,138.34
Educational Grants						
Check	10/25/2018		Thurston County District Court	NAPCO Conference	1,000.00	1,000.00
Total Educational Grants					1,000.00	1,000.00

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

Type	Date	Num	Name	Memo	Amount	Balance
Judicial Assistance Committee						
Check	07/30/2018		Mary C. Logan	Judicial Assistance Committee	18.72	18.72
Check	09/05/2018		Judith Anderson	Certificate frame	16.00	34.72
Check	09/17/2018		Susanna Neil Kanther-Raz	3rd Qtr payment and Session	1,050.00	1,084.72
Deposit	10/12/2018			Deposit	(7,000.00)	(5,915.28)
Check	10/19/2018		Bruce Weiss	JASP Meeting 10/5/18	44.69	(5,870.59)
Check	10/19/2018		Claire Sussman	JASP Meeting 10/5/18	21.80	(5,848.79)
Check	10/19/2018		Douglas Fair	JASP Meeting 10/5/18	32.70	(5,816.09)
Check	10/19/2018		Douglas B. Robinson	JASP Meeting 10/5/18	473.62	(5,342.47)
Check	10/19/2018		James Doctor	JASP Meeting 10/5/18	64.95	(5,277.52)
Check	10/19/2018		Mary C. Logan	JASP Meeting 10/5/18	18.72	(5,258.80)
Check	10/19/2018		Marybeth Dingley	JASP Meeting 10/5/18	39.24	(5,219.56)
Check	10/19/2018		Michael Finkle	JASP Meeting 10/5/18	31.61	(5,187.95)
Check	10/19/2018		Timothy Jenkins	JASP Meeting 10/5/18	59.81	(5,128.14)
Check	10/19/2018		Administrative Office of the Courts	10/2018 invoice	629.71	(4,498.43)
Check	10/19/2018		Chris Culp	JASP meeting 10/5/18	304.80	(4,193.63)
Check	10/19/2018		Jackie Shea-Brown	JASP meeting 10/5/18	364.32	(3,829.31)
Check	10/19/2018		Susan Woodard	JASP meeting 10/5/18	340.02	(3,489.29)
Check	10/22/2018		G. Andrew H. Benjamin	10/5/18 Peer Counselor Training	750.00	(2,739.29)
Check	10/29/2018		Susanna Neil Kanther-Raz	10/5/18 Training	721.26	(2,018.03)
Check	11/05/2018		Susanna Neil Kanther-Raz	4th quarter, 2018	900.00	(1,118.03)
Check	11/05/2018		Michael Evans	10/05/2018 meeting	48.19	(1,069.84)
Check	11/09/2018		Cave B	Deposit	1,559.55	489.71
Check	12/07/2018		AOC	October charges MS111918-03	617.21	1,106.92
Total Judicial Assistance Committee					1,106.92	1,106.92
Legislative Pro-Tem						
Check	07/26/2018		City of Bothell	Legislative Pro-Tem	195.00	195.00
Total Legislative Pro-Tem					195.00	195.00
Lobbyist Contract						
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
Check	09/05/2018		Melanie Stewart	September payment	2,000.00	13,666.66
Genera...	09/17/2018	CEH		1/12 of Contract	3,833.33	17,499.99
Check	10/18/2018		Melanie Stewart	October payment	2,000.00	19,499.99
Genera...	10/31/2018	CEH		1/12 of Contract	3,833.33	23,333.32
Check	11/01/2018		Melanie Stewart	November invoice	2,000.00	25,333.32
Genera...	11/30/2018	CEH		1/12 of Contract	3,833.33	29,166.65
Check	12/03/2018		Melanie Stewart	December services	2,000.00	31,166.65
Genera...	12/31/2018	CEH		1/12 of Contract	3,833.33	34,999.98
Total Lobbyist Contract					34,999.98	34,999.98
National Leadership Grants						
Check	10/19/2018		Marilyn Paja	NAWJ Annual Meeting	2,099.00	2,099.00
Total National Leadership Grants					2,099.00	2,099.00
President Expense						
Credit ...	08/07/2018		Budd Bay Cafe Olympia		38.13	38.13
Credit ...	11/30/2018		1-800-Flowers.com	Retirement for Callie Dietz	79.86	117.99
Total President Expense					117.99	117.99
Therapeutic Courts Committee						
Check	12/07/2018		AOC	October charges MS111918-03	199.94	199.94
Total Therapeutic Courts Committee					199.94	199.94
Treasurer Expense and Bonds						
Credit ...	09/17/2018		Secretary of State	Corp renewai	10.00	10.00
Total Treasurer Expense and Bonds					10.00	10.00
TOTAL					0.00	0.00

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	\$7,215.00	\$22,785.00
Bookkeeping Expense	\$3,500.00	\$2,555.00	\$945.00
Bylaws Committee	\$250.00		\$250.00
Conference Calls	\$250.00	\$88.00	\$162.00
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	\$612.00	\$388.00
DMCMA Liaison	\$500.00	\$31.00	\$469.00
DOL Liaison Committee	\$200.00		\$200.00
Education Committee	\$14,500.00	\$1,138.00	\$13,362.00
Educational Security	\$2,500.00		\$2,500.00
Education-Grants	\$5,000.00	\$1,000.00	\$4,000.00
Judicial Assistance Committee*	\$14,000.00	\$8,107.00	\$5,893.00
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	\$58,000.00	\$12,000.00
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	\$2,100.00	\$2,900.00
Nominating Committee	\$400.00		\$400.00
President Expense	\$5,000.00	\$118.00	\$4,882.00
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	\$200.00	\$2,300.00
Treasurer Expense and Bonds	\$250.00	\$10.00	\$240.00
Trial Court Advocacy Board	\$500.00		\$500.00
Uniform Infraction Committee	\$1,000.00		\$1,000.00
TOTAL	\$241,700.00	\$81,369.00	\$160,331.00
TOTAL DEPOSITS MADE	\$7,500.00		
CREDIT CARD (balance owing)	\$0.00		

*Includes \$7,000 from the SCJA
Balance as of 12-31-2018

From: Tarra Simmons [mailto:tarra.simmons@defender.org]
Sent: Sunday, December 16, 2018 11:19 PM
To: Coburn, Linda <Linda.Coburn@edmondswa.gov>
Cc: Harvey, Sharon <Sharon.Harvey@courts.wa.gov>
Subject: Re: DMCJA Board Meeting

Thank you for the introduction, Judge Coburn!

Hi Sharon,

It is great to be connected to you.

Representatives Hansen & Irwin prefiled the bill (HB 1041, the New Hope Act). You may find a copy on the legislative website under prefiled bills.

The bill is important for District Court judges because currently people, even with 20+ years of rehabilitation, can only vacate one misdemeanor conviction. This limits people's ability to obtain housing, employment, professional licenses, ect... sometimes for life. The bill will expand judicial discretion by allowing a judge to determine whether a person has earned a second chance at life.

The bill has other considerations for Superior Courts. The SCJA is considering support of the bill. So far, the feedback I have heard is that they will support, along with WAPA, and a long list of other organizations. We worked hard to bring together a large and diverse coalition, and spent many hours to reach consensus.

I hope that DMCJA will consider supporting as well.

Thank you for your interest. I am available for any questions.

Best,

Tarra Simmons

On Sun, Dec 16, 2018 at 9:59 PM Coburn, Linda <Linda.Coburn@edmondswa.gov> wrote:

Sharon,

I'm introduce you and Tarra Simmons. She and Rep. Drew Hansen recently presented to the Minority Justice Commission about some proposed legislation: New Hope Act and LFO Reconsideration Day.

She mentioned that she was not sure who the contact person was for the DMCJA to see if they could get on the agenda and I told her I would send her some info. This email is my attempt to

connect her (copied on this email) with you.

(Tarra, Sharon is our policy analyst/lead staff person for the board. She is the best person to talk to regarding exploring your interest in presenting to the DMCJA. The current president is Judge Rebecca Robertson.)

I will leave it to Tarra to follow up from here directly with you.

Judge Linda W.Y. Coburn
Edmonds Municipal Court
250 Fifth Avenue North
Edmonds, WA 98020
Telephone: 425-771-0210
Fax: 425-771-0269
Email: Linda.Coburn@edmondswa.gov

Tarra Simmons

Skadden Fellow



[110 Prefontaine Place South, Suite 502](#)

Seattle WA 98104
[206-392-0050](tel:206-392-0050) ext #708

tarra.simmons@defender.org

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Tarra Simmons
Skadden Fellow



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tarra.simmons@defender.org

www.defender.org

From: Mahoney, Susan [<mailto:Susan.Mahoney@kingcounty.gov>]
Sent: Thursday, January 03, 2019 12:24 PM
To: Rebecca Robertson
Subject: PPL deductions

I was going to contact you today about this, but Mark beat me to it. The deductions start this month. It may be worth finding out how many elected judges have been told this will be deducted. I looked at the Act and it defines employee as a person employed by an employer. We are not employed by the Counties or Cities where we preside – we are elected. Unemployment security does not apply to us so why they think this does is a mystery. They do not specifically mention elected officials in the legislation. For example, we are entitled to pensions because it is specifically set forth in that title. We get sick leave if provided in the jurisdictions we serve because it is authorized by Title 3. There are several opinions – legal and AG – that seem to answer this question the State is currently asserting is vague. This is not a small amount of money over time so I hope the DMCJA will be able to consider this sooner rather than later if it is being widely applied.

Thanks.

Sent: Thursday, January 03, 2019 11:17 AM
To: Rebecca Robertson
Subject: FW: Paid Family and Medical Leave - Payroll Deduction

Here's what Mahoney had to say. The link to the legislation is highlighted below.

D. Mark Eide
Judge, South Div., MRJC 1-T
206-477-2050

From: Mahoney, Susan <Susan.Mahoney@kingcounty.gov>
Sent: Wednesday, January 2, 2019 5:13 PM
To: Tucker, Donna <Donna.Tucker@kingcounty.gov>; ZZGrp, DCJudges <ZZGrp_DCJudges@kingcounty.gov>
Subject: RE: Paid Family and Medical Leave - Payroll Deduction

As I have read over the language you provided, per the bill's definition of employee, it seems clear this does not apply to us either for inclusion for payment or in receipt of the benefit. The Act defines employee "as an individual in the employment of an employer" We are not employees of King County. We are elected officials. King County does not control our pay or the terms of our employment. We are eligible for our salary, 30 days paid leave, and sick leave benefits, if offered by the County in which we sit, because Title 3 authorizes it. We are entitled to pension benefits, including county contributions, because Title 41 specifically includes language regarding elected officials – the Chapter below does not include elected officials. We are not entitled to many other employee programs such as unemployment, the County's PPL, or FMLA because it has been determined we are not employees. We get life insurance and disability insurance through the county because they contract with third party companies and we pay premiums if we elect to access those benefits. County has also authorized the provision of health insurance to elected officials. The State's PPL program is being run and implemented similar to unemployment insurance paid by employees and employers. . Statutory interpretation would lead us to conclude it does not apply to us. I wonder if the elected legislators are

paying? I think Superior Court may also be questioning this because they received a similar notice from the State. Whether they object or not, we should. At a minimum we should ask for an AG opinion. The county should not be required to pay this for us either. While the legislation establishes a worthwhile goal, this is a good chunk of change for us to pay into a program we will never be entitled to use.

From: Tucker, Donna <Donna.Tucker@kingcounty.gov>
Sent: Wednesday, January 2, 2019 2:46 PM
To: ZZGrp, DCJudges <ZZGrp_DCJudges@kingcounty.gov>
Subject: RE: Paid Family and Medical Leave - Payroll Deduction

For those interested in the Elected Judges challenging deductions from our pay – I have attached the URL to the legislation as passed. I would recommend that a reading of the relevant passages would be in order.

<http://lawfilesexternal.wa.gov/biennium/2017-18/Pdf/Bills/Senate%20Passed%20Legislature/5975-S.PL.pdf>

Judge Tucker

From: O'Toole, Lisa <Lisa.O'Toole@kingcounty.gov>
Sent: Wednesday, January 2, 2019 2:29 PM
To: Mahoney, Susan <Susan.Mahoney@kingcounty.gov>
Cc: Tucker, Donna <Donna.Tucker@kingcounty.gov>
Subject: RE: Paid Family and Medical Leave - Payroll Deduction

I would agree that we'd should look into challenging this.

From: Mahoney, Susan <Susan.Mahoney@kingcounty.gov>
Sent: Thursday, December 27, 2018 5:13 PM
To: Tucker, Donna <Donna.Tucker@kingcounty.gov>; ZZGrp, DCJudges <ZZGrp_DCJudges@kingcounty.gov>
Subject: Re: Paid Family and Medical Leave - Payroll Deduction

Are we going to protest this?

From: Tucker, Donna
Sent: Wednesday, December 26, 2018 3:31:36 PM
To: ZZGrp, DCJudges
Subject: FW: Paid Family and Medical Leave - Payroll Deduction

See the message from the county about the deductions starting on January to comply with the house bill for the State Parental Leave Program.

Judge Tucker

From: Abrams, Whitney <Whitney.Abrams@kingcounty.gov>

Sent: Monday, December 24, 2018 11:07 AM

To: KCC - All Members (Email Group) <ZZCNCMEMBERS@kingcounty.gov>; Wilson, John <John.Wilson@kingcounty.gov>; Tucker, Donna <Donna.Tucker@kingcounty.gov>; Wise, Julie <Julie.Wise@kingcounty.gov>; Satterberg, Dan <Dan.Satterberg@kingcounty.gov>; mitzi.johankneckht@kingcounty.gov; Inveen, Laura <Laura.Inveen@kingcounty.gov>

Cc: Braddock, Shannon <Shannon.Braddock@kingcounty.gov>; Busch, Carolyn <Carolyn.Busch@kingcounty.gov>; Sherfey, Paul <Paul.Sherfey@kingcounty.gov>; Dams, Al <Al.Dams@kingcounty.gov>; Moore, Richard <Richard.Moore@kingcounty.gov>; Cole-Tindall, Patti <Patti.Cole-Tindall@kingcounty.gov>; Parkington-Thal, Heidi <Heidi.Parkington-Thal@kingcounty.gov>; Gill, Tina <Tina.Gill@kingcounty.gov>; Osborne, Jay <Jay.Osborne@kingcounty.gov>; Short, Mary Beth <MaryBeth.Short@kingcounty.gov>; Pruitt, Denise <Denise.Pruitt@kingcounty.gov>; Dively, Dwight <Dwight.Dively@kingcounty.gov>; Sixkiller, Casey <csixkiller@kingcounty.gov>; Smith, Rachel <Rachel.Smith@kingcounty.gov>

Subject: Paid Family and Medical Leave - Payroll Deduction

Dear Elected Official,

Greetings, I am writing to let you know about a payroll deduction that will take place at the beginning of the year. Our HR and payroll staff have been working quickly to implement and understand impacts (and required participants) of a new bill the Washington state legislature passed to create a mandatory statewide Paid Family and Medical Leave (PFML) insurance program. This bill will provide almost every Washington worker with partial wage replacement while on leave beginning January 1, 2020, to:

- Recover from a serious illness or injury;
- Bond with a new child (through birth, adoption, or foster placement);
- Take care of a seriously ill or injured family member; or
- Participate in certain military-connected events.

Under the state PFML, eligible employees are entitled to up to 12 weeks of family or medical leave, or a combination of the two up to 16 weeks annually. While on leave, you are entitled to partial wage replacement. This will be a percentage of your average weekly wage. It is up to 90% of your weekly wage, with a maximum benefit of \$1,000/week.

Starting January 1, 2020, eligible employees who have worked 820 hours for a Washington employer during the previous year will be able to apply for benefits (i.e., leave and partial wage replacement). The PFML program will be administered by the Employment Security Department (ESD), the same agency that manages unemployment benefits.

The program will be funded by premium payments beginning January 1, 2019. The premium is 0.4% of an employee's wages. Under the PFML employees are responsible for 63% of the premium deduction, and the county is responsible for the remaining 37%. For example, if you make \$100,000 annually, the total annual employee cost would be \$400, of which \$252 would be deducted from your paycheck per year, or about \$4.85 per week.

Beginning January 1, 2019, the County is required to start making payroll deductions for the program. The coverage of elected officials has been a matter of dispute; however, at this time ESD is stating that elected officials are required to participate. Therefore, this deduction will appear on your first paycheck of 2019.

There are some questions about your ability to access this benefit while you are an elected official; however, we are hoping in the coming months that ESD will make that more clear.

For more information, please visit paidleave.wa.gov/workers or email paidleave@esd.wa.gov, and refer to [this infographic](#). You can also contact your [Human Resources Manager](#).

Best-

Whitney Abrams
King County Chief People Officer

Kitsap County District Court
State of Washington



CLAIRE A. BRADLEY
JUDGE, DEPARTMENT 1

JEFFREY J. JAHNS
PRESIDING JUDGE, DEPARTMENT 2

614 DIVISION STREET
PORT ORCHARD, WA 98366
360-337-7109

MARILYN G. PAJA
JUDGE, DEPARTMENT 3

kitsapgov.com/dc KCDC@co.kitsap.wa.us

STEPHEN J. HOLMAN
JUDGE, DEPARTMENT 4

CLINT L. CASEBOLT
COURT ADMINISTRATOR

To: DMCJA President Judge Robertson
and DMCJA Board

cc: Judge Charles Short, DMCJA Education Chair

From: Judge Marilyn Paja

Regarding: Report to DMCJA re Leadership Grant Funding

Date: 31 December 2018

I write to express my thanks to the DMCJA Board for continuing support of limited jurisdiction court judges' participation in national judicial organizations. The DMCJA National Leadership Grant is unique to our organization. The Grant is so helpful by providing support for judges (including me and many others) to maintain active membership and leadership in organizations such as the National Association of Women Judges (NAWJ). We bring back information about issues facing judges from around the country. And in the case of the NAWJ, that includes issues from around the world – judges from over twenty countries were included in the educational opportunities at the conference I just attended.

In years past, with funding support from the DMCJA Leadership Grant, Judge James Riehl participated with the National Judicial College, the ABA Judicial Division, and with the DV National Consortium. Judge Eileen Kato moved into national leadership with the National Asian American Bar Association, the ABA and the National Judicial College. Each of these now retired limited jurisdiction judges from our state (and others perhaps whom I do not know) are still very active with these organizations. Judge Karen Donohue (formerly with Seattle Municipal Court and now on the King County Superior Court bench) has served in NAWJ leadership and is currently on the NAWJ national board as the Vice President of Publications.

With the benefit of financial assistance from the DMCJA Leadership Grant, I served on the national NAWJ Board as Vice President of Districts one year, served several terms as the District Director for Region 13 (made up of eight Western states), spent several terms as national Membership Chair or Co-Chair, and another year as Chair of the ADA Committee. For the 2018 year I am a resource member to the Membership Committee and remain an active member.

The Annual Conference of the NAWJ was held in October 2018 in San Antonio Texas. I was able to spend a few days in advance of the conference visiting Austin and San Antonio – really my first visit to the Lone Star State. I enjoyed sharing the occasional this year several other Washington state judicial officers who attended the NAWJ Annual Conference, including among them, Judge Helen Whitener from Pierce County Superior Court, Supreme Court Chief Justice Mary Fairhurst, Justice Susan Owens and Justice Barbara Madsen.

Over more than a decade other conference attendees and I have referred our Washington State judiciary to cutting-edge educational sessions that originated with the NAWJ (among these, immigration consequences to DV survivors, firearms consequences of DV, and judicial understanding of transgender issues which was presented at the Fall 2017 conference), DV cases and the Military, Trauma-Informed Courts, and “Girls in Trouble” (gender needs and inequities in the juvenile system)). The science behind adolescent brain development has been a frequent topic at the NAWJ conferences, which has also been expanded here in Washington presentations. (This is of particularly interesting to limited jurisdiction judges because our participants are so frequently men from age 18-30 – the age at which the brain fully matures for these individuals.)

The Gender & Justice Commission (where I serve as Vice Chair), is participating in the development of several upcoming educational programs first demonstrated at NAWJ conferences, most significantly for our own organization will be the “Neurobiology of Trauma”, which I believe is planned for the DMCJA Spring Conference 2019.

In October 2016, the NAWJ Conference was held in Seattle. Judge Karen Donohue (then Seattle Municipal Court Presiding Judge) and Judge Maggie Ross (Pierce County District Court) were co-chairs of the education committee. Honored by the participation of all five women members of the Washington Supreme Court, the conference was widely lauded for the educational topics and access to the courts within the city. (I participated in many planning meetings and chaired the social and activities committee. Chief Justice of the Judge Cindy Smith of the Suquamish Tribe hosted a well-attended visit to the Suquamish Museum and the Suquamish Tribal Court. Arriving by ferry, judges from across the country were wowed by the scenery and participation of tribal members and leaders.)

This year among several excellent topics presented during the NAWJ Annual Conference were: “A System in Crisis: Mental Health and the Justice System”, “Race, Gender, Sexuality and the Judiciary”, “Social Media and the Judiciary”, “Neuroscience of Judicial Decision Making”, “The Intersection of Popular Opinion and Judicial Decision-Making in the Federal Courts”.

I must note that, by and large, Washington state judicial education is top-notch -- in large part benefited by our AOC Education staff and the “Train-the-Trainer” Adult Education models that are utilized by most of our speakers. Sometimes the NAWJ programs are too much ‘talking heads’ from the podium. When imported to Washington, we only make these educational programs stronger.

Thank you for supporting the DMCJA Leadership Grant each year. And thank you particularly for including my requests for funding.



The Board for Judicial Administration,
Superior Court Judges' Association and
District and Municipal Court Judges' Association
cordially invite you to attend a

Legislative Reception

Temple of Justice • January 16, 2019 • 5:30 p.m. - 8:00 p.m.

RSVP by January 14 to: sondra.hahn@courts.wa.gov or (360) 705-5276



District and Municipal Court Judges' Association

December 24, 2018

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Okanogan County District Court
(509) 422-7170

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

SENT VIA EMAIL WITH HARD COPY TO FOLLOW

Honorable Charles W. Johnson
Supreme Court Rules Committee
c/o Clerk of the Supreme Court
Temple of Justice
PO Box 40929
Olympia, WA 98504-0929

RE: Support for Superior Court Judges' Association Amendment to CJC 2.9

Dear Justice Johnson and Members of the Rules Committee:

The District and Municipal Court Judges' Association (DMCJA) Board of Governors (Board) has reviewed the Superior Court Judges' Association's (SCJA's) proposed amendment to Code of Judicial Conduct (CJC) 2.9, which was published for comment by the Washington State Supreme Court with a comment deadline of December 24, 2018.

The DMCJA supports the proposed amendment.

This proposed change to CJC 2.9 would make it easier for court staff to gather information from a defendant for the sole purpose of setting appropriate release conditions tailored to a defendant's specific needs. This is especially helpful in Washington State's many therapeutic courts, and the practice of court conducted pre-trial release interviews will hopefully result in less defendants held on bail.

Please let me know if you have any questions regarding this comment.
Thank you.

Sincerely,

Judge Rebecca Robertson
DMCJA President

cc: Judge Jeffrey Goodwin, DMCJA Rules Committee Chair
Ms. Shannon Hinchcliffe, AOC
Ms. J Benway, AOC



DMCJA BOARD MEETING
FRIDAY, JANUARY 11, 2019
12:30 PM – 3:30 PM
AOC SEATAC OFFICE
SEATAC, WA

PRESIDENT REBECCA C. ROBERTSON

SUPPLEMENTAL AGENDA

PAGE

Call to Order

General Business

- A. Minutes – December 14, 2018
- B. Treasurer’s Report
- C. Special Fund Report
- D. Standing Committee Reports
 - 1. Legislative Committee – *Judge Meyer*
- E. Judicial Information System (JIS) Report – *Ms. Cullinane*

Liaison Reports

- A. Administrative Office of the Courts (**AOC**) – *Ms. Dawn Marie Rubio*
- 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**) – *Rachel Hamar, Esq.*
- G. Washington State Bar Association (**WSBA**) – *Kim E. Hunter, Esq.*

XI-X2

Discussion

- A. **The New Hope Act, [House Bill 1041](#) – *Tarra Simmons, Esquire***
 - a. New Hope Act Fact Sheet**
 - b. House Bill 1041**
- B. Paid Family and Medical Leave Insurance Program – Payroll Deduction
- C. DMCJA National Leadership Grant Presentation – *Judge Marilyn Paja*

X3-X4
X5-X16

Information

- A. Board members are encouraged to apply for DMCJA representative positions. Available positions include:
 - 1. JIS CLJ “CLUG” User Group
 - 2. Presiding Judge & Administrator Education Committee
- B. DMCJA Board members are encouraged to submit Board agenda topics for monthly meetings.

<p>C. A Legislative Reception sponsored by the BJA, SCJA, and DMCJA will be held on January 16, 2019, 5:30 p.m. to 8:00 p.m., at the Temple of Justice, Foyer, in Olympia, WA.</p> <p>D. DMCJA Support Letter for SCJA Proposed Amendments to Code of Judicial Conduct 2.9</p> <p>E. Judge Jeffrey Goodwin, Snohomish County District Court, is the new DMCJA liaison for the WSBA Court Rules and Procedures Committee</p>	
<p>Other Business</p> <p>A. The next DMCJA Board Meeting is February 8, 2019, 12:30 p.m. to 3:30 p.m., at the AOC SeaTac Office, SeaTac, WA.</p>	
<p>Adjourn</p>	



Superior Court Judges' Association

DMCJA Board Meeting Liaison Report January 11, 2019 Judge Kitty-Ann van Doorninck, SCJA President-Elect

(January 5, 2019 SCJA Board Meeting)

SCJA Rule Implementation and Proposed GR38

At this Spring Business Meeting the membership will vote on Superior Court Rulemaking as well as whether to advance the SCJA proposal on GR38 to the Supreme Court. The decision was made to proceed with a voter's pamphlet style approach and include relatively brief statements from both the proponents and the opponents. Judge Chushcoff will provide the proponents summary on the Superior Court Rulemaking, while Judge O'Donnell will provide a proponent summary on GR38. Judge Gibson will draft the opposition viewpoint on both issues. Regarding proposed GR 38, Judge Ramseyer noted that in her conversations with Judge Richard Jones, similar opposition and argument were faced in attempting to amend the Rules of Professional Conduct in the 1990's to prevent bias, and ultimately, along with now Chief Justice Fairhurst's support and his support, the rule passed.

Code of Judicial Conduct Rule 2.9 Amendment

Judge Gibson was contacted by Reiko Callner, the Executive Director of the Commission on Judicial Conduct. She believes the issues raised by Ethics Opinion 18-04 can be addressed by adoption of local rules in each county and the Commission does not support the proposed amendment as too broad. Judge Lanese also drafted a letter to Justice Johnson on behalf of several judges in Thurston County encouraging the Committee to decline to adopt the proposed amendment. The DMCJA is supportive of the amendment and submitted comment on December 24. Judge Gibson expressed his concern, along with others, that more clear direction is needed and it is unlikely a court will offer to be a test case and risk violating the ethics rules. Judge Ramseyer also noted that much of the focus and discussion around this issue has been on ramifications for juvenile court, but that there are many other areas that are impacted. The Board will leave the proposal as drafted and wait for the Supreme Court to make a decision.

Criminal Law and Rules Committee Proposed CrR3.4 Amendment

Judge Rogoff, on behalf of the SCJA Criminal Law and Rules Committee submitted a proposed change to CrR 3.4 for the Board's review and approval prior to forwarding to the Supreme Court Rules Committee. The proposed amendment allows expansion of some of the hearings judicial officers can conduct via videoconference. They propose that hearings on whether to shackle/unshackle defendants should be able to occur via videoconference, and in some jurisdictions having the hearing before a defendant is transported to court relieves a significant amount of logistical pressure on the court and the jail. Additions were made to address other types of uncontested hearings related to criminal competency. Judge O'Donnell expressed his support of the amendment and spoke of experiences with video conferencing in

King County. He specifically noted the need in cases where defendants are very compromised by their mental health conditions and transport is a traumatic experience both for the defendant and those in the courtroom. The issue of waiver of appearance at future hearings and trial was raised, and whether such motions could also be conducted by videoconference. Judge Gibson will convey this suggestion to Judge Rogoff and then submit the proposed rule amendment to the WSBA Rules Committee and the Supreme Court.

Judicial Caseload Study Funding Update

Ms. Intisar Surur and Ms. Andrea Valdez provided a written report for the Board along with their update. Dr. Carl McCurley found that the current methodology used to estimate judicial needs is outdated. Washington State is the only state in the nation that does not use a weighted case load formula for determining judicial needs. In Washington there is no information being systematically captured regarding the time it takes for different case types to be adjudicated. It is likely that certain case types, and certain court models, such as therapeutic courts, and problem solving courts, require more intense judicial resources. Ms. Andrea Valdez provided a brief description of the cost parameters obtained from the National Center for State Courts which falls between \$125,000 and \$150,000 and explained that it will be approximately a yearlong process. Members noted the added complexity of case types, as compared to several decades ago, as well as the increase in pro se litigants. It was also noted that there is no guarantee that the study would confirm or support current staffing levels but that a better understanding of time allotment for court management purposes is important. Ms. Surur and Ms. Valdez will continue to correspond with the National Center for State Courts and report back to the members once they have more information.

New Hope Act

Promote fairness, opportunity, and safety by supporting HB 1041

We believe that everyone deserves a second chance.

After a person pays their debt to society, they should have the opportunity to rebuild their life.

However, it is hard for people to successfully re-enter society and become contributing members of their community. Long after a person has completed their sentence, their criminal convictions can continue to punish them, denying them opportunities for housing, employment, education, and even volunteering at the child's school. The effects of incarceration are far reaching, negatively impacting families, communities, and the economy.

The New Hope Act will help change this.

Washington state has long allowed people with criminal convictions who have gone years without offending to "vacate" their charges, effectively erasing them from their record.

The New Hope Act (HB 1041) takes several important steps to reduce barriers and help people re-enter by:



-Improving the procedure for certifying sentence completion (i.e. obtaining a Certificate of Discharge);

-Promoting fairness by allowing multiple misdemeanors to be vacated, just as multiple felonies can be vacated;

-Allowing additional felony offenses to be vacated, within the discretion of the court, when rehabilitation has been demonstrated by a length period without any new offense.*



I am the mom of an 11 year old son and a student of Evergreen State College in Olympia, pursuing a Master's in Public Administration.

Seven years ago, I went to prison for drug-related charges. While inside, I worked hard to improve myself and was released early on good behavior.

After my release from prison, my son and I moved to Olympia. I enrolled in school and found a job and housing. While my son and I are doing okay, I still worry about how the criminal charges on my record might impact our futures. So many routine things in life require a background check. If I ever wanted to find a new apartment or a new job, I could easily be denied because of my history.

Right now, my background is holding me back from volunteering at my son's school. My son is autistic, and it would mean a world of difference for both of us if I were allowed to spend a few hours at his school with him each week.

If I could get my criminal charges vacated, I would have more peace of mind about housing and employment opportunities, and I would be able to play a more active role in my son's education. If the New Hope Act was passed, I could continue to focus on my future without worrying about my past.

-Carolina L., Olympia



People who have proven they can be law abiding members of society deserve a chance to start over.
Help us create a more just and vibrant Washington by supporting HB 1041.

*Felony convictions cannot be vacated if the offense was a violent offense, a crime against other persons, or a felony DUI. The New Hope Act amends this to allow a person to apply to vacate Assault in the second degree and Assault in the third degree when not committed against a law enforcement officer or peace officer, or Robbery in the second degree, so long as those offenses do not include a firearm, deadly weapon, or sexual motivation enhancement.

We believe in the importance of investing
in families and communities.
Help us make HB 1041 a reality.

HOUSE BILL 1041

State of Washington

66th Legislature

2019 Regular Session

By Representatives Hansen and Irwin

Prefiled 12/11/18.

1 AN ACT Relating to promoting successful reentry by modifying the
2 process for obtaining certificates of discharge and vacating
3 conviction records; amending RCW 9.94A.640; reenacting and amending
4 RCW 9.94A.637 and 9.96.060; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** This act may be known and cited as the new
7 hope act.

8 **Sec. 2.** RCW 9.94A.637 and 2009 c 325 s 3 and 2009 c 288 s 2 are
9 each reenacted and amended to read as follows:

10 (1) ~~((a))~~ When an offender has completed all requirements of the
11 sentence, including any and all of the restitution portion of his or
12 her legal financial obligations, and while under the custody ~~((and))~~
13 or supervision of the department, the secretary or the secretary's
14 designee shall notify the sentencing court, which shall discharge the
15 offender and provide the offender with a certificate of discharge by
16 issuing the certificate to the offender in person or by mailing the
17 certificate to the offender's last known address. A certificate of
18 discharge issued under this subsection (1) is effective on the date
19 the offender completed all conditions of his or her sentence, except
20 for payment of nonrestitution legal financial obligations.

1 ~~((b)(i))~~ (2)(a) When an offender has reached the end of his or
2 her supervision with the department and has completed all the
3 requirements of the sentence except his or her legal financial
4 obligations, the secretary's designee shall provide the county clerk
5 with a notice that the offender has completed all nonfinancial
6 requirements of the sentence. The notice must list the specific
7 sentence requirements that have been completed, so that it is clear
8 to the sentencing court that the offender is entitled to discharge
9 upon completion of the restitution portion of his or her legal
10 financial obligations of the sentence.

11 ~~((ii))~~ (b) When the department has provided the county clerk
12 with notice under (a) of this subsection showing that an offender has
13 completed all the requirements of the sentence and the offender
14 subsequently satisfies all of the restitution portion of the legal
15 financial obligations under the sentence, the county clerk shall
16 notify the sentencing court ~~(, including the notice from the~~
17 ~~department, which))~~ by promptly transmitting the notice of completion
18 of nonfinancial sentence requirements and notice of satisfaction of
19 the restitution portion of his or her legal financial obligations.
20 Upon receipt of the notices under this subsection (2)(b), the court
21 shall discharge the offender and provide the offender with a
22 certificate of discharge ((by issuing the certificate to the offender
23 in person or by mailing the certificate to the offender's last known
24 address)). A certificate of discharge issued under this subsection
25 (2) is effective on the date the offender completed all conditions of
26 his or her sentence, except for payment of nonrestitution legal
27 financial obligations.

28 ~~((c) When an offender who is subject to requirements of the~~
29 ~~sentence in addition to the payment of legal financial obligations~~
30 ~~either is not subject to supervision by the department or does not~~
31 ~~complete the requirements while under supervision of the department,~~
32 ~~it is the offender's responsibility to provide the court with~~
33 ~~verification of the completion of the sentence conditions other than~~
34 ~~the payment of legal financial obligations. When the offender~~
35 ~~satisfies all legal financial obligations under the sentence, the~~
36 ~~county clerk shall notify the sentencing court that the legal~~
37 ~~financial obligations have been satisfied. When the court has~~
38 ~~received both notification from the clerk and adequate verification~~
39 ~~from the offender that the sentence requirements have been completed,~~

1 the court shall discharge the offender and provide the offender
2 with))

3 (3) In the absence of a certificate of discharge issued under
4 subsection (1) or (2) of this section, the offender may file a motion
5 with the sentencing court for a certificate of discharge. The
6 sentencing court shall issue a certificate of discharge upon
7 verification of completion of all sentencing conditions, including
8 any and all of the restitution portion of the legal financial
9 obligations. A certificate of discharge issued under this subsection
10 (3) is effective on the date the offender completed all conditions of
11 his or her sentence, except for payment of nonrestitution legal
12 financial obligations.

13 (4) In the absence of a certificate of discharge issued under
14 subsection (1), (2), or (3) of this section, the offender may file a
15 motion with the sentencing court for a certificate of discharge and
16 file a declaration sworn under penalty of perjury that he or she has
17 completed all of the nonfinancial conditions of his or her sentence.
18 The filing of such a declaration creates a rebuttable presumption
19 that the offender completed all nonfinancial conditions of his or her
20 sentence. A certificate of discharge issued under this subsection (4)
21 is effective on the later of: (a) Five years after completion of
22 community custody, or if the offender was not required to serve
23 community custody, after the completion of full and partial
24 confinement; or (b) the date any and all of the restitution portion
25 of his or her legal financial obligations was satisfied.

26 (5) (a) The court may not require payment of nonrestitution legal
27 financial obligations as a condition of issuing a certificate of
28 discharge under this section, and the court shall issue a certificate
29 of discharge if the offender has completed all other conditions of
30 the sentence in accordance with the requirements of this section. The
31 court shall issue a certificate of discharge by issuing the
32 certificate to the offender in person or by mailing the certificate
33 to the offender's last known address.

34 ((+2)) (b) A certificate of discharge issued under this section
35 does not terminate an offender's obligation to pay nonrestitution
36 legal financial obligations. When issuing a certificate of discharge
37 to an offender with outstanding nonrestitution legal financial
38 obligations, the court shall issue an order requiring payment of such
39 obligations in accordance with the applicable statutory requirements
40 pertaining to such obligations.

1 ~~(6)(a)~~ ~~((For purposes of this subsection (2),~~) A no-contact
2 order is not a requirement of the offender's sentence. An offender
3 who has completed all requirements of the sentence, including any and
4 all of the restitution portion of his or her legal financial
5 obligations, is eligible for a certificate of discharge even if the
6 offender has an existing no-contact order that excludes or prohibits
7 the offender from having contact with a specified person or
8 ~~((business))~~ entity or coming within a set distance of any specified
9 location.

10 ~~((b))~~ In the case of an eligible offender who has a no-contact
11 order as part of the judgment and sentence, the offender may
12 ~~((petition))~~ file a motion with the sentencing court to issue a
13 certificate of discharge and a separate no-contact order ~~((by filing~~
14 ~~a petition in the sentencing court and))~~, which must include paying
15 the appropriate filing fee ~~((associated with the petition))~~ for the
16 separate no-contact order. This filing fee does not apply to an
17 offender seeking a certificate of discharge when the offender has a
18 no-contact order separate from the judgment and sentence.

19 ~~((i)(A) The court shall issue a certificate of discharge and a~~
20 ~~separate no-contact order under this subsection (2) if the court~~
21 ~~determines that the offender has completed all requirements of the~~
22 ~~sentence, including all legal financial obligations.))~~ The court
23 shall reissue the no-contact order separately under a new civil cause
24 number for the remaining term and under the same conditions as
25 contained in the judgment and sentence.

26 ~~((B))~~ (b) The clerk of the court shall send a copy of the new
27 no-contact order to the individuals or entities protected by the no-
28 contact order, along with an explanation of the reason for the
29 change, if there is an address available in the court file. If no
30 address is available, the clerk of the court shall forward a copy of
31 the order to the prosecutor, who shall send a copy of the no-contact
32 order with an explanation of the reason for the change to the last
33 known address of the protected individuals or entities.

34 ~~((ii) Whenever an order under this subsection (2) is issued,))~~
35 (c) The clerk of the court shall forward a copy of the order to the
36 appropriate law enforcement agency specified in the order on or
37 before the next judicial day. The clerk shall also include a cover
38 sheet that indicates the case number of the judgment and sentence
39 that has been discharged. Upon receipt of the copy of the order and
40 cover sheet, the law enforcement agency shall enter the order into

1 any computer-based criminal intelligence information system available
2 in this state used by law enforcement agencies to list outstanding
3 warrants. The order shall remain in this system until it expires. The
4 new order, and case number of the discharged judgment and sentence,
5 shall be linked in the criminal intelligence information system for
6 purposes of enforcing the no-contact order.

7 ~~((+iii))~~ (d) A separately issued no-contact order may be
8 enforced under chapter 26.50 RCW.

9 ~~((+iv))~~ (e) A separate no-contact order issued under this
10 subsection ~~((+2))~~ (6) is not a modification of the offender's
11 sentence.

12 ~~((+3))~~ (7) Every signed certificate and order of discharge shall
13 be filed with the county clerk of the sentencing county. In addition,
14 the court shall send to the department a copy of every signed
15 certificate and order of discharge for offender sentences under the
16 authority of the department. The county clerk shall enter into a
17 database maintained by the administrator for the courts the names of
18 all felons who have been issued certificates of discharge, the date
19 of discharge, and the date of conviction and offense.

20 ~~((+4))~~ (8) An offender who is not convicted of a violent offense
21 or a sex offense and is sentenced to a term involving community
22 supervision may be considered for a discharge of sentence by the
23 sentencing court prior to the completion of community supervision,
24 provided that the offender has completed at least one-half of the
25 term of community supervision and has met all other sentence
26 requirements.

27 ~~((+5))~~ (9) The discharge shall have the effect of restoring all
28 civil rights not already restored by RCW 29A.08.520, and the
29 certificate of discharge shall so state. Nothing in this section
30 prohibits the use of an offender's prior record for purposes of
31 determining sentences for later offenses as provided in this chapter.
32 Nothing in this section affects or prevents use of the offender's
33 prior conviction in a later criminal prosecution either as an element
34 of an offense or for impeachment purposes. A certificate of discharge
35 is not based on a finding of rehabilitation.

36 ~~((+6))~~ (10) Unless otherwise ordered by the sentencing court, a
37 certificate of discharge shall not terminate the offender's
38 obligation to comply with an order that excludes or prohibits the
39 offender from having contact with a specified person or coming within
40 a set distance of any specified location that was contained in the

1 judgment and sentence. An offender who violates such an order after a
2 certificate of discharge has been issued shall be subject to
3 prosecution according to the chapter under which the order was
4 originally issued.

5 ~~((7))~~ (11) Upon release from custody, the offender may apply to
6 the department for counseling and help in adjusting to the community.
7 This voluntary help may be provided for up to one year following the
8 release from custody.

9 **Sec. 3.** RCW 9.94A.640 and 2012 c 183 s 3 are each amended to
10 read as follows:

11 (1) Every offender who has been discharged under RCW 9.94A.637
12 may apply to the sentencing court for a vacation of the offender's
13 record of conviction. If the court finds the offender meets the tests
14 prescribed in subsection (2) of this section, the court may clear the
15 record of conviction by: (a) Permitting the offender to withdraw the
16 offender's plea of guilty and to enter a plea of not guilty; or (b)
17 if the offender has been convicted after a plea of not guilty, by the
18 court setting aside the verdict of guilty; and (c) by the court
19 dismissing the information or indictment against the offender.

20 (2) An offender may not have the record of conviction cleared if:

21 (a) There are any criminal charges against the offender pending
22 in any court of this state or another state, or in any federal court;

23 (b) The offense was a violent offense as defined in RCW
24 9.94A.030 ~~((7~~

25 ~~(c) the offense was a~~) or crime against persons as defined in
26 RCW 43.43.830, except the following offenses may be vacated if the
27 conviction did not include a firearm, deadly weapon, or sexual
28 motivation enhancement: (i) Assault in the second degree under RCW
29 9A.36.021; (ii) assault in the third degree under RCW 9A.36.031 when
30 not committed against a law enforcement officer or peace officer; and
31 (iii) robbery in the second degree under RCW 9A.56.210;

32 ~~((d))~~ (c) The offense is a class B felony and the offender has
33 been convicted of a new crime in this state, another state, or
34 federal court in the ten years prior to the application for vacation;

35 (d) The offense is a class C felony and the offender has been
36 convicted of a new crime in this state, another state, or federal
37 court ~~((since the date of the offender's discharge under RCW~~
38 9.94A.637)) in the five years prior to the application for vacation;

1 (e) The offense is a class B felony and less than ten years have
2 passed since the ((date the applicant was discharged under RCW
3 9.94A.637)) later of: (i) The applicant's release from community
4 custody; (ii) the applicant's release from full and partial
5 confinement; or (iii) the applicant's sentencing date;

6 (f) The offense was a class C felony, other than a class C felony
7 described in RCW 46.61.502(6) or 46.61.504(6), and less than five
8 years have passed since the ((date the applicant was discharged under
9 RCW 9.94A.637)) later of: (i) The applicant's release from community
10 custody; (ii) the applicant's release from full and partial
11 confinement; or (iii) the applicant's sentencing date; or

12 (g) The offense was a ((class C)) felony described in RCW
13 46.61.502((+6)) or 46.61.504((+6)).

14 (3) (a) Except as provided in (b) of this subsection, once the
15 court vacates a record of conviction under subsection (1) of this
16 section, the fact that the offender has been convicted of the offense
17 shall not be included in the offender's criminal history for purposes
18 of determining a sentence in any subsequent conviction, and the
19 offender shall be released from all penalties and disabilities
20 resulting from the offense. For all purposes, including responding to
21 questions on employment applications, an offender whose conviction
22 has been vacated may state that the offender has never been convicted
23 of that crime. A conviction that has been vacated under this section
24 may not be disseminated or disclosed by the state patrol or local law
25 enforcement agency to any person, except other criminal justice
26 enforcement agencies. Nothing in this section affects or prevents the
27 use of an offender's prior conviction in a later criminal
28 prosecution, and nothing in this section affects the requirements for
29 restoring a right to possess a firearm under RCW 9.41.040.

30 (b) A conviction vacated on or after the effective date of this
31 section qualifies as a prior conviction for the purpose of charging a
32 present offense occurring on or after the effective date of this
33 section where a prior conviction elevates the classification level of
34 the present offense.

35 **Sec. 4.** RCW 9.96.060 and 2017 c 336 s 2, 2017 c 272 s 9, and
36 2017 c 128 s 1 are each reenacted and amended to read as follows:

37 (1) Every person convicted of a misdemeanor or gross misdemeanor
38 offense who has completed all of the terms of the sentence for the
39 misdemeanor or gross misdemeanor offense, except for payment of

1 nonrestitution legal financial obligations, may apply to the
2 sentencing court for a vacation of the applicant's record of
3 conviction for the offense. If the court finds the applicant meets
4 the tests prescribed in subsection (2) of this section, the court may
5 in its discretion vacate the record of conviction by: (a)(i)
6 Permitting the applicant to withdraw the applicant's plea of guilty
7 and to enter a plea of not guilty; or (ii) if the applicant has been
8 convicted after a plea of not guilty, the court setting aside the
9 verdict of guilty; and (b) the court dismissing the information,
10 indictment, complaint, or citation against the applicant and vacating
11 the judgment and sentence.

12 (2) An applicant may not have the record of conviction for a
13 misdemeanor or gross misdemeanor offense vacated if any one of the
14 following is present:

15 (a) There are any criminal charges against the applicant pending
16 in any court of this state or another state, or in any federal court;

17 (b) The offense was a violent offense as defined in RCW 9.94A.030
18 or an attempt to commit a violent offense;

19 (c) The offense was a violation of RCW 46.61.502 (driving while
20 under the influence), 46.61.504 (actual physical control while under
21 the influence), 9.91.020 (operating a railroad, etc. while
22 intoxicated), or the offense is considered a "prior offense" under
23 RCW 46.61.5055 and the applicant has had a subsequent alcohol or drug
24 violation within ten years of the date of arrest for the prior
25 offense or less than ten years has elapsed since the date of the
26 arrest for the prior offense;

27 (d) The offense was any misdemeanor or gross misdemeanor
28 violation, including attempt, of chapter 9.68 RCW (obscenity and
29 pornography), chapter 9.68A RCW (sexual exploitation of children), or
30 chapter 9A.44 RCW (sex offenses), except for failure to register as a
31 sex offender under RCW 9A.44.132;

32 (e) The applicant was convicted of a misdemeanor or gross
33 misdemeanor offense as defined in RCW 10.99.020, or the court
34 determines after a review of the court file that the offense was
35 committed by one family member or household member against another,
36 or the court, after considering the damage to person or property that
37 resulted in the conviction, any prior convictions for crimes defined
38 in RCW 10.99.020, or for comparable offenses in another state or in
39 federal court, and the totality of the records under review by the
40 court regarding the conviction being considered for vacation,

1 determines that the offense involved domestic violence, and any one
2 of the following factors exist:

3 (i) The applicant has not provided written notification of the
4 vacation petition to the prosecuting attorney's office that
5 prosecuted the offense for which vacation is sought, or has not
6 provided that notification to the court;

7 (ii) The applicant has (~~previously had a conviction for domestic~~
8 ~~violence~~) two or more domestic violence convictions stemming from
9 different incidents. For purposes of this subsection, however, if the
10 current application is for more than one conviction that arose out of
11 a single incident, none of those convictions counts as a previous
12 conviction;

13 (iii) The applicant has signed an affidavit under penalty of
14 perjury affirming that the applicant has not previously had a
15 conviction for a domestic violence offense, and a criminal history
16 check reveals that the applicant has had such a conviction; or

17 (iv) Less than five years have elapsed since the person completed
18 the terms of the original conditions of the sentence, including (~~any~~
19 ~~financial obligations and~~) successful completion of any treatment
20 ordered as a condition of sentencing;

21 (f) For any offense other than those described in (e) of this
22 subsection, less than three years have passed since the person
23 completed the terms of the sentence(~~, including any financial~~
24 ~~obligations~~));

25 (g) The offender has been convicted of a new crime in this state,
26 another state, or federal court (~~since the date of conviction~~) in
27 the three years prior to the vacation application;

28 (~~The applicant has ever had the record of another conviction~~
29 ~~vacated; or~~

30 ~~(i))~~ The applicant is currently restrained(~~, or has been~~
31 ~~restrained within five years prior to the vacation application,~~) by
32 a domestic violence protection order, a no-contact order, an
33 antiharassment order, or a civil restraining order which restrains
34 one party from contacting the other party or was previously
35 restrained by such an order and was found to have committed one or
36 more violations of the order in the five years prior to the vacation
37 application; or

38 (i) The applicant has not completed payment of the restitution
39 portion of his or her legal financial obligations.

1 (3) An applicant is not required to satisfy all nonrestitution
2 legal financial obligations to vacate a conviction under this
3 section. However, vacating a conviction under this section does not
4 terminate an offender's obligation to pay nonrestitution legal
5 financial obligations. When vacating a conviction of an applicant
6 with outstanding nonrestitution legal financial obligations, the
7 court shall issue an order requiring payment of such obligations in
8 accordance with the applicable statutory requirements pertaining to
9 such obligations.

10 (4) Subject to RCW 9.96.070, every person convicted of
11 prostitution under RCW 9A.88.030 who committed the offense as a
12 result of being a victim of trafficking, RCW 9A.40.100, promoting
13 prostitution in the first degree, RCW 9A.88.070, promoting commercial
14 sexual abuse of a minor, RCW 9.68A.101, or trafficking in persons
15 under the trafficking victims protection act of 2000, 22 U.S.C. Sec.
16 7101 et seq. may apply to the sentencing court for vacation of the
17 applicant's record of conviction for the prostitution offense. An
18 applicant may not have the record of conviction for prostitution
19 vacated if any one of the following is present:

20 (a) There are any criminal charges against the applicant pending
21 in any court of this state or another state, or in any federal court,
22 for any crime other than prostitution; or

23 (b) The offender has been convicted of another crime, except
24 prostitution, in this state, another state, or federal court since
25 the date of conviction. The limitation in this subsection (~~((3))~~) (4)
26 (b) does not apply to convictions where the offender proves by a
27 preponderance of the evidence that he or she committed the crime as a
28 result of being a victim of trafficking, RCW 9A.40.100, promoting
29 prostitution in the first degree, RCW 9A.88.070, promoting commercial
30 sexual abuse of a minor, RCW 9.68A.101, or trafficking in persons
31 under the trafficking victims protection act of 2000, 22 U.S.C. Sec.
32 7101 et seq., according to the requirements provided in RCW 9.96.070
33 for each respective conviction.

34 (~~((4))~~) (5) Every person convicted prior to January 1, 1975, of
35 violating any statute or rule regarding the regulation of fishing
36 activities, including, but not limited to, RCW 75.08.260, 75.12.060,
37 75.12.070, 75.12.160, 77.16.020, 77.16.030, 77.16.040, 77.16.060, and
38 77.16.240 who claimed to be exercising a treaty Indian fishing right,
39 may apply to the sentencing court for vacation of the applicant's
40 record of the misdemeanor, gross misdemeanor, or felony conviction

1 for the offense. If the person is deceased, a member of the person's
2 family or an official representative of the tribe of which the person
3 was a member may apply to the court on behalf of the deceased person.
4 Notwithstanding the requirements of RCW 9.94A.640, the court shall
5 vacate the record of conviction if:

6 (a) The applicant is a member of a tribe that may exercise treaty
7 Indian fishing rights at the location where the offense occurred; and

8 (b) The state has been enjoined from taking enforcement action of
9 the statute or rule to the extent that it interferes with a treaty
10 Indian fishing right as determined under *United States v. Washington*,
11 384 F. Supp. 312 (W.D. Wash. 1974), or *Sohappy v. Smith*, 302 F. Supp.
12 899 (D. Oregon 1969), and any posttrial orders of those courts, or
13 any other state supreme court or federal court decision.

14 ~~((+5))~~ (6)(a) Except as provided in (c) of this subsection, once
15 the court vacates a record of conviction under this section, the
16 person shall be released from all penalties and disabilities
17 resulting from the offense and the fact that the person has been
18 convicted of the offense shall not be included in the person's
19 criminal history for purposes of determining a sentence in any
20 subsequent conviction. For all purposes, including responding to
21 questions on employment or housing applications, a person whose
22 conviction has been vacated under this section may state that he or
23 she has never been convicted of that crime. However, nothing in this
24 section affects the requirements for restoring a right to possess a
25 firearm under RCW 9.41.040. Except as provided in (b) of this
26 subsection, nothing in this section affects or prevents the use of an
27 offender's prior conviction in a later criminal prosecution.

28 (b) When a court vacates a record of domestic violence as defined
29 in RCW 10.99.020 under this section, the state may not use the
30 vacated conviction in a later criminal prosecution unless the
31 conviction was for: (i) Violating the provisions of a restraining
32 order, no-contact order, or protection order restraining or enjoining
33 the person or restraining the person from going on to the grounds of
34 or entering a residence, workplace, school, or day care, or
35 prohibiting the person from knowingly coming within, or knowingly
36 remaining within, a specified distance of a location (RCW 10.99.040,
37 10.99.050, 26.09.300, 26.10.220, ~~((26-26-138))~~ 26.26B.050, 26.44.063,
38 26.44.150, 26.50.060, 26.50.070, 26.50.130, 26.52.070, or 74.34.145);
39 or (ii) stalking (RCW 9A.46.110). A vacated conviction under this

1 section is not considered a conviction of such an offense for the
2 purposes of 27 C.F.R. 478.11.

3 ~~((6) All costs incurred by the court and probation services
4 shall be paid by the person making the motion to vacate the record
5 unless a determination is made pursuant to chapter 10.101 RCW that
6 the person making the motion is indigent, at the time the motion is
7 brought.))~~

8 (c) A conviction vacated on or after the effective date of this
9 section qualifies as a prior conviction for the purpose of charging a
10 present offense occurring on or after the effective date of this
11 section where a prior conviction elevates the classification level of
12 the present offense.

13 (7) The clerk of the court in which the vacation order is entered
14 shall immediately transmit the order vacating the conviction to the
15 Washington state patrol identification section and to the local
16 police agency, if any, which holds criminal history information for
17 the person who is the subject of the conviction. The Washington state
18 patrol and any such local police agency shall immediately update
19 their records to reflect the vacation of the conviction, and shall
20 transmit the order vacating the conviction to the federal bureau of
21 investigation. A conviction that has been vacated under this section
22 may not be disseminated or disclosed by the state patrol or local law
23 enforcement agency to any person, except other criminal justice
24 enforcement agencies.

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