



DMCJA Board of Governors Meeting
Sunday, June 2, 2019, 9:00 a.m. – 12:00 p.m.
Skamania Lodge (Spring Conference)
Stevenson, 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 Robert Grim
Judge Drew Ann Henke
Commissioner Rick Leo
Judge Samuel Meyer
Judge Charles Short
Judge Jeffrey Smith
Judge Laura Van Slyck

AOC Staff:

Vicky Cullinane
Sharon R. Harvey
Dory Nicpon
Dawn Marie Rubio (via phone)

Guests:

Judge Judy Jasprica, BJA
Judge Dan Johnson, BJA
Judge Kevin Ringus, BJA
Judge Mary Logan, BJA

Members Absent:

Judge Aimee Maurer

CALL TO ORDER

Judge Robertson, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum was present and called the DMCJA Board of Governors (Board) meeting to order. Attendees were asked to introduce themselves.

GENERAL BUSINESS

A. Minutes

The Board moved, seconded, and passed a vote to approve the Board Minutes for May 11, 2019, with the following correction:

Liaison Reports, B. Board for Judicial Administration (BJA), the statement that reads, "Ms. Nicpon further reported that SSB 5560, Concerning *medication* of disputes between elected officials . . ." should read, "Ms. Nicpon further reported that SSB 5560, Concerning **mediation** of disputes between elected officials"

Judge Finkle and Commissioner Leo abstained from voting because they were not present for the May 11, 2019 Board meeting.

Treasurer's Report

Judge Fassbender reported that the most recent Treasurer Report is for April 2019 because the May 2019 report was not available by the date of this Board meeting. The April report reveals a total of \$314,342 in DMCJA checking and savings accounts. M/S/P to accept Judge Fassbender's report.

Special Fund Report

Judge Gehlsen reported that the April 2019 Special Fund report is the most current report because the May 2019 report was not available by the date of this Board meeting. The April report reveals a total of \$50,652.46 in the Special Fund account with \$53.73 in earned interest. Judge Gehlsen further reported that only five DMCJA members have not paid their dues to date. M/S/P to accept Judge Gehlsen's report.

Legislative Report

Judge Meyer reported that he will provide a formal report during the DMCJA annual spring conference's Legislative Update Session on Wednesday, June 5, 2019.

Judicial Information System (JIS) Report

Vicky Cullinane reported on the status of the courts of limited jurisdiction case management system (CLJ-CMS) project. The CLJ-CMS Steering Committee received the analysis from Gartner on the three options they are considering for moving forward with the project, and discussed them at their May 2019 meeting. The committee continues to discuss the options, but has not yet made a decision on which option to pursue. They hope to have a decision on the direction soon. They want to be careful and deliberate in their choice because, unlike a local jurisdiction that decides to implement its own system, for the statewide system, there is no "Plan B" if there is a problem along the way, such as the vendor goes out of business, or fails to fully implement. The state system has to work for everyone in the entire state.

Administrative Office of the Courts (AOC)

Dawn Marie Rubio, Washington State Court Administrator, reported on the status of the judicial needs methodology that was discussed during the April DMCJA Board meeting. By way of background, the State Court Administrator is charged to "[e]xamine the need for new superior court and district court judge positions under an objective workload analysis," pursuant to RCW 2.56.030. Prior to 2005, a "weighted caseload" analysis method was used, and in 2005, that language was changed to reflect the "objective caseload" method. The methodology has not been revisited or updated since that time. Ms. Rubio stated that the AOC will take a deep dive into the methodology and bring its assessment of the current methodology, along with any recommendations to the Board for Judicial Administration during its October 2019 meeting. The AOC will continue to inform the Superior Court Judges' Association and DMCJA of the status of this judicial needs methodology project.

Board for Judicial Administration (BJA)

Judge Jasprica, DMCJA Representative for BJA, directed Board members to the March BJA minutes that are located in Board meeting materials. During the May BJA meeting, participants gathered in small groups to discuss (1) BJA recruitment, (2) BJA turnover rates, (3) BJA's vision, and (4) education training for new judges and BJA members. She further reported that the Judicial Leadership Summit will be held on August 12, 2019. The Summit will last approximately four hours with a reception at Chief Justice Mary Fairhurst's home following the event. The Summit will include leaders from the AOC and all court levels, who will meet to collaborate on judicial branch priorities. The outcomes of the Leadership Summit will be presented at the annual fall judicial conference. Judge Jasprica reported that two new DMJCA members will join the BJA at the end of the DMCJA annual spring conference.

BJA Committees

The Board was informed that there are four BJA Committees, namely, (1) Policy and Planning, (2) Legislative, (3) Education, and (4) Public Trust and Confidence. The BJA requests that the DMCJA Board discuss the issue of eliminating the automatic process of designated officers to serve on a BJA committee, and, in the alternative, allowing judges to join BJA committees of interest to them. Judge Jasprica, BJA Court Education Committee Chair, reported that the BJA formed a task force to obtain judicial education funding from the Legislature. She expressed that, although no funding was obtained, lessons were learned; such as, recruiting a Supreme Court Justice to speak with legislators about the topic. This tactic benefited the Interpreter Services Funding Task Force, which received the requested legislative funding. Judge Jasprica reported that

judicial education funds are scarce, hence, BJA Court Education Committee judicial reimbursements for conference lodging was reduced this year from \$60 to \$50.

Judge Ringus and Dory Nicpon, AOC Judicial and Legislative Relations Associate Director, reported on behalf of the BJA Legislative Committee. Ms. Nicpon reported that the Washington State Legislature passed 486 bills in 2019, and, AOC staff has transitioned from legislative analysis to legislative implementation. In order to illustrate the work of the AOC, Ms. Nicpon provided Board members with a five page excel spreadsheet that identifies, in part, the bill title, bill number, and which court level it will impact. AOC staff were assigned the task of preparing relevant bill summaries that will be disseminated to the court community. Ms. Nicpon further informed that the effective date of most bills is July 28, 2019. Judge Ringus requested that all BJA representatives meet with him and Dory Nicpon after the DMCJA votes for new BJA representatives on Tuesday, June 5, 2019.

Judge Robertson reported on the BJA Policy and Planning Committee. She informed that this committee is seeking court related project suggestions. All ideas should be sent to Jeanne Engler, AOC Staff for BJA, at jeanne.engerlt@courts.wa.gov.

Action

Correction of Conference Calls Line Item: Inadvertently States \$250 instead of \$750

M/S/P to revise DMCJA Conference Calls line item to reflect \$750 instead of \$250.

Discussion

A. Interpreter Services Funding Task Force – *Judge Andrea Beall*

Judge Andrea Beall, Puyallup Municipal Court, reported on the accomplishments of the Interpreter Services Funding Task Force. She informed that the group is charged with the following seven tasks, pursuant to the task force's Charter:

1. Identify and quantify the current demand for and costs of interpreter services statewide using empirical information and sound research methods.
2. Analyze state and local funding for interpreter services.
3. Review past budget proposals for interpreter services.
4. Identify current efforts used to meet the demand for interpreter services and best practices that would optimize use of resources to provide services.
5. Develop and submit a budget proposal for the 2019-21 biennium justified by quantitative empirical evidence.
6. Develop a legislative strategy to successfully obtain adequate state funding for interpreter services.
7. Provide a report to the BJA and the Interpreter Commission along with a budget proposal at a time that conforms with the 2019-21 legislative biennium.

Judge Beall reported that the Judiciary has unsuccessfully endeavored to receive state funding for court interpreter services for the past five years. In 2019, however, the Washington Legislature granted approximately \$2.1 million in funding for language access. Judge Beall informed that this money will be used

to boost the state Interpreter Reimbursement Program. Judge Beall discussed a two-year process. The first year, the program will work on updating the on-line reimbursement program, review and revise the current program as needed, and begin to reach out to new participant courts. The emphasis will be on rural and smaller courts for the first expansion of the program. The second year is when participant courts will begin to see the funds. All participant courts must have a Language Access Plan (LAP). Any court hoping to join the program should be sure to have a good LAP in place. Judge Beall then thanked Jeanne Englert, AOC Staff for the Interpreter Services Funding Task Force, for all of her service toward the project. Judge Beall expressed gratitude to Judge Ahlf, who appointed her to the Interpreter Commission when he was DMCJA President. Judge Beall informed that she has learned more about court interpreter services through her participation with the group. Her term on the Interpreter Commission ends in September 2020. Judge Beall is the DMCJA representative for both the Interpreter Services Funding Task Force and Interpreter Commission.

B. Board Meeting: Whether to Meet on July 12, 2019

The Board discussed whether to have a July Board meeting because this meeting is typically cancelled. Judge Meyer, who is set to become the DMCJA President, and, thus, Board Chair, informed that he is unavailable for the August DMCJA Board meeting. He stated that he will inform the Board in advance whether the July Board meeting will be cancelled.

C. DMCJA Budget

1. Audit Update

Ms. Harvey reported that Dino Traverso, LLP does not perform audits, however, Dino Traverso recommended the following companies to perform the service: (1) Fruci and Associates, (2) Brantley & Associates, and (3) Shannon & Associates. Fruci & Associates performed services for the DMCJA in 2015. The company will provide a proposal for the DMCJA. Brantley & Associates informed Ms. Harvey that the company is too busy to take on extra clients, however, offered to provide referrals. Shannon & Associates did not respond to emails or calls from Ms. Harvey.

2. Correction of Conference Calls Line Item: Inadvertently States \$250 instead of \$750

a. Adopted 2019-2020 Budget

b. Approved 2018 Board Retreat Minutes – excerpt regarding Conference Calls Increase to \$750

The Board discussed an inadvertent error regarding the DMCJA Conference Calls line item that includes two hundred fifty dollars (\$250). The amount should state seven hundred fifty dollars, which was approved in 2018. In May 2019, the Board subsequently approved to retain the 2018 budget. The Board moved, seconded, and approved moving this topic to an action item.

3. DMCMA Mandatory Education – Amend Approved Funding to 2020-2021

Judge Robertson reported that the mandatory education program is not ready to be implemented, thus, the twenty-thousand dollars allotted by the DMCJA is not yet needed, according to Margaret Yetter, former District and Municipal Court Management Association (DMCMA) President. The DMCJA and DMCMA are co-sponsoring a rule regarding mandatory education for court administrators and staff. The rule, however, has not yet been approved by the Supreme Court. The Board discussed the \$20,000 funding request, which is needed when the rule is approved and the program is developed. The Board by general consensus agreed to retain the funds under the DMCMA Mandatory Education line item and address the request at the next DMCJA Board Retreat in May 2020.

INFORMATION

The Board was provided the following information:

- A. 2019-2020 DMCJA Priorities
- B. 2019-2020 DMCJA Meeting Schedule
- C. 2019-2020 Lobbyist Contract

Judge Robertson offered thanks to the following DMCJA Board of Governors Officers, Members, and BJA Representatives for their outstanding service: (1) Judge Jennifer Fassbender, (2) Judge Scott Ahlf, (3) Judge Michael Finkle, (4) Judge Charles Short, (5) Judge Drew Ann Henke, (6) Judge Dan Johnson, and (7) Judge Judy Rae Jasprica. Each has served the balance of their terms in office.

OTHER BUSINESS

Judge Robertson reported that tribal court judges would like to join the DMCJA listserv. She informed that the Administrative Office of the Courts, which maintains DMCJA listservs, has some concerns regarding adding tribal court judges to the DMCJA listserv. These concerns will be provided for the July 12, 2019 DMCJA Board meeting.

The meeting adjourned at approximately 11:00 a.m.