



**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

AUGUST 14, 2020

**ZOOM VIDEO
CONFERENCE**

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2020-2021

<i>DATE</i>	<i>TIME</i>	<i>MEETING LOCATION</i>
<i>Friday, July 10, 2020</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Aug. 14, 2020</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Sunday, Sept. 13, 2020</i>	9:00 a.m. – 12:00 p.m.	2020 Annual Judicial Conference, Spokane, WA
<i>Friday, Oct. 9, 2020</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Nov. 13, 2020</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Dec. 4, 2020</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Jan. 8, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Feb. 12, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, March 12, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, April 9, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, May 7, 2021 & Saturday, May 8, 2021</i>	May 7: 12:00-5:00 p.m. May 8: 9:00-1:00 p.m.	2021 DMCJA Board Retreat, Location: TBD
<i>May/June 2021 – TBD</i>	9:00 a.m. – 12:00 p.m.	2021 DMCJA Spring Conference, Location: TBD

AOC Staff: Sharon Harvey

Updated: May 8, 2020



DMCJA BOARD MEETING
FRIDAY, AUGUST 14, 2020
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE

PRESIDENT MICHELLE GEHLSSEN

AGENDA		PAGE
Call to Order		
General Business		
A. Minutes for July 10, 2020		1-6
B. Treasurer’s Report		7-15
C. Special Fund Report		13
D. Standing Committee Reports		
1. Legislative Committee – Commissioner Paul Wohl and Judge Kevin Ringus		
E. Judicial Information System (“JIS”) Report – Vicky Cullinane		
Liaison Reports		
A. Administrative Office of the Courts (AOC) – Dawn Marie Rubio, State Court Administrator		
B. Board for Judicial Administration (BJA) – Judge Mary Logan, Judge Dan Johnson, Judge Tam Bui, and Judge Rebecca Robertson		
C. District and Municipal Court Management Association (DMCMA) – Patricia Kohler, President		
D. Misdemeanant Probation Association (MPA) – Stacie Scarpaci, Representative		
E. Superior Court Judges’ Association (SCJA) – Judge David Estudillo, President-Elect		
F. Washington State Association for Justice (WSAJ) – Sean Bennet Malcolm, Esq.		
G. Washington State Bar Association (WSBA) – Kim E. Hunter, Esq.		
Discussion		
A. CLJ-CMS Project Presentation – Judge Kimberly Walden		
B. Request for DMCJA Bylaws Committee to Review Bylaws and Recommend Changes regarding the Coronavirus (“COVID-19”) public health emergency.		16-31
C. Whether to assess Dues for 2020-2021 in light of cancellation of 2020 DMCJA Spring Conference because of the Coronavirus (COVID-19) public health emergency.		
D. Whether to meet on Sunday, September 13, 2020, from 9:00 a.m. to 12:00 p.m. since the Annual Fall Conference is cancelled.		32

<p>E. DMCJA Board of Governors Insurance Status Update</p> <p>1. Whether to Purchase with Public/Private Funds - Memorandum by Sharon R. Harvey</p>	<p>33-35</p>
<p>Information</p> <p>A. The 2020 Annual Judicial Conference is cancelled because of the ongoing COVID-19 pandemic.</p> <p>B. For your reference, please see the Education Committee Virtual Spring Conference Evaluation Summary.</p> <p>C. The Washington State Resumption of Jury Trials Workgroup has provided guidance regarding jury trials during the Coronavirus (“COVID-19”) public health emergency, which may be found here.</p> <p>D. The Washington State Supreme Court issued an open letter regarding systemic racism that has been disseminated to the legal community. The Gender and Justice Commission issued a letter of support of this action.</p> <p>E. For the latest news about the Washington State Judiciary, read the Full Court Press.</p> <p>F. The BJA will assess dues for 2020-2021. For more information, please see flyer located in agenda packet.</p> <p>G. Education webinars on <i>Maintaining Judicial Independence in Tough Times</i> and <i>Meditation</i> may be viewed on Inside Courts here.</p>	<p>36-37</p> <p>38</p>
<p>Other Business</p> <p>A. The next DMCJA Board Meeting is scheduled for Sunday, September 13, 2020, from 9:00 a.m. to 12:00 p.m. This is subject to change as a result of the cancellation of the Annual Judicial Conference.</p>	
<p>Adjourn</p>	



DMCJA Board of Governors Meeting
Friday, July 10, 2020, 12:00 p.m. – 1:00 p.m.
ZOOM VIDEO CONFERENCE

MEETING MINUTES

Members Present:

Chair, Judge Michelle Gehlsen
Judge Anita Crawford-Willis
Judge Thomas Cox
Judge Robert Grim
Judge Drew Ann Henke
Judge Tyson Hill
Judge Aimee Maurer
Judge Samuel Meyer
Judge Kevin Ringus
Judge Charles Short
Judge Jeffrey Smith
Judge Laura Van Slyck
Commissioner Paul Wohl

Guests:

Judge Scott Ahlf, JISC Representative
Sean Bennet Malcolm, Esq., WSAJ
Judge Mary Logan, BJA Representative
Judge Tam Bui, BJA Representative
Judge Jeffrey Goodwin, Rules Committee
Judge Timothy Jenkins, JASP
Dr. Susanna Kanther-Raz, JASP
Stacie Scarpaci, MPA

Administrative Office of the Courts (AOC)

Sharon R. Harvey, DMCJA Primary Staff
Susan (Peterson) Goulet
J Benway
Vicky Cullinane

Members Absent:

Commissioner Rick Leo

CALL TO ORDER

Judge Michelle Gehlsen, District and Municipal Court Judges' Association ("DMCJA") President, noted a quorum and called the DMCJA Board of Governors ("Board") meeting to order at 12:33 p.m. Judge Gehlsen welcomed new and returning Board members.

GENERAL BUSINESS

A. Minutes for May 8, 2020 and June 15, 2020

The Board moved, seconded, and passed a vote ("M/S/P") to approve Minutes for May 8, 2020 and June 15, 2020.

B. Treasurer's Report

M/S/P to accept the Treasurer's Report. Judge Smith, DMCJA Treasurer, directed Board members to review the Treasurer's Report in meeting materials. He expressed that the report is prepared by Christina Huwe, DMCJA Bookkeeper. Judge Smith reported that the association is saving a tremendous amount of money because there are no travel expenses during the Coronavirus ("COVID-19") public health emergency. He further reported on the status of an audit. In 2019, the Board voted to obtain a limited audit for a period of five years, namely, 2015-2020. Judge Smith informed that Dino Traverso, DMCJA Accountant, recommended Fruci & Associates to perform the audit. Therefore, Judge Smith spoke with Kory Kolterman, Fruci & Associates, via zoom video conference to initiate the audit. Judge Smith confirmed with the Board that the audit selected is in the range of seventy-five hundred dollars (\$7500) and ten thousand dollars (\$10,000). The Board has allotted up to \$10,000 for a five year limited agreed upon procedure ("AUP"). Kory Kolterman recommends a full scope review for nine thousand (\$9000). The Board agreed by general consensus with the recommendation. Judge Smith stated that a final audit report is expected in October 2020.

C. Special Fund Report

Judge Gehlsen reported that there is approximately forty-four thousand dollars (\$44,000) in the Special Fund. She informed that Commissioner Leo, DMCJA Special Fund Custodian, is unable to attend this meeting, therefore, acceptance of the report is deferred to the next Board meeting.

D. Standing Committee Reports

1. Education Committee – Judge Charles Short

Judge Short, DMCJA Education Committee Chair, reported that the virtual Spring Conference, which consisted of educational webinars for DMCJA members, received positive reviews. According to evaluation results, shorter sixty minute online trainings are more preferred than longer ones. Further, other organizations are taking a look at how best to present educational webinars. Judge Short gave huge accolades to Phil Zitzelman, AOC Court Education Professional, who had an instrumental role in putting these education webinars together while also working on weekly Friday Forums, which are webinars to assist trial courts during the Coronavirus (“COVID-19”) pandemic. Judge Short reported that Judge Linda Portnoy will present a meditation session on July 31, 2020 at noon. Judge Short added that the DMCJA Education Committee is contemplating an education session on systemic racism that involves an update on racial relations in Ferguson, Missouri.

2. Legislative Committee – Commissioner Paul Wohl and Judge Kevin Ringus

Commissioner Paul Wohl and Judge Kevin Ringus, DMCJA Legislative Committee Co-Chairs, reported that a solicitation for legislative proposals or fixes in the law for the 2021 Legislative Session has been sent to DMCJA members. DMCJA legislative proposals obtained from this solicitation will be discussed at the August 7, 2020 committee meeting. The committee plans to propose reintroducing previous DMCJA legislation that failed to pass the Legislature, such as *Interlocal Agreement for Probation*, [House Bill \(“HB”\) 2605](#) (2018 Legislative Session) and *Affidavit of Prejudice (Notice of Disqualification)*, [HB 1305](#).

Judge Ringus, Board for Judicial Administration (“BJA”) Chair, reported on the status of [HB 2793](#), *Vacating criminal records*, which is also known as the “Clean Slate Act.” The bill passed the 2020 Legislature but was vetoed by the governor because funds were not available to implement the bill as a result of economic impacts of the Coronavirus (“COVID-19”) pandemic. Judge Ringus reported the bill is likely to be reintroduced in 2021. BJA has concerns the bill will financially impact Washington courts and not produce the desired result of vacating massive convictions. The BJA has prepared a memorandum regarding the bill’s judicial impact, which Judge Ringus will send to Board members for their review today. Judge Ringus further reported that the BJA has formed a Clean Slate Act workgroup to address issues related to the bill. Judge Ringus reported that there may not be a Special Session this summer, however, the BJA Legislative Committee would like for judges to educate legislators on the judicial impacts of Clean Slate Act implementation, which will be a challenge for Washington State’s non-unified court system. Judge Ringus further reported that the BJA Legislative Committee has also formed the Single Judge Work Group to address a proposed statutory amendment to permit a judge in a single judge court to pre-designate a Presiding Judge Pro Tempore to serve when the judge is unable to serve on the bench because of death, incapacity, or resignation. The workgroup will contemplate the request.

Judge Gehlsen recognized Judge Meyer, who served as DMCJA Legislative Committee Chair for nearly a decade, and, reported that Melanie Stewart, DMCJA Lobbyist, is scheduling meetings with DMCJA Committee leaders and key legislators. Judge Gehlsen encouraged DMCJA Board members who have relationships with legislators to inform her or DMCJA Legislative Committee co-chairs.

3. Rules Committee Minutes for February 26, 2020 and April 22, 2020

Judge Gehlsen informed that DMCJA Rules Committee Minutes for February 26, 2020 and April 22, 2020 are located in meeting materials.

E. Judicial Information System (“JIS”) Report – Vicky Cullinane

Vicky Cullinane, AOC JIS Business Liaison, reported on the status of the Courts of Limited Jurisdiction Case Management System (“CLJ-CMS”) Project. She informed that the Project is close to signing a contract with Tyler Technology. There is a draft schedule in place and the Project team is busy working behind the scenes on items such as e-filing communications with stakeholders and in depth work with the pilot courts. Vicky Cullinane is working with the AOC’s legislative liaison to perform a legislative outreach for legislative funding of the Project. This may be challenging this year because of the economic impact of the COVID-19 pandemic. Therefore, it is important to inform legislators of how important this system is for limited jurisdiction courts and how much revenue these courts generate for the JIS account and court system. Vicky Cullinane encouraged judges to reach out to their local legislators and invite them to their courts to show them the current computer system. She reported that e-filing is planned to be implemented within a year from contract signing, making e-filing mandatory for attorneys will require courts to adopt local rules, and the project will provide a model rule to assist with that process.

F. JISC Update – Judge Scott Ahlf, DMCJA JISC Representative, discussion on reduction of reimbursement for technology equipment replacement.

Judge Ahlf, DMCJA Liaison for the Judicial Information System Committee (“JISC”), reported on a dilemma regarding external equipment replacement monies for courts, which is now underfunded because of other key priorities for which funds were used. Judge Ahlf asked Vicky Cullinane, AOC Staff for the JISC, whether she had any additional information to add. Ms. Cullinane informed that the JISC is the governing body for court information technology. She informed that the issue arose because there is not enough money to fund everything on the JISC list of priorities. The thought was to provide external equipment replacement to smaller courts first, which caused funds to run out before assisting larger courts. Judge Ahlf requested Board members to provide any thoughts regarding the issue to him, Vicky Cullinane, or Ramsey Radwan. There is a workgroup that will look at the future biennia regarding such issues. The JISC will meet in August 2020 to discuss the distribution of funds for external equipment replacement this biennium.

LIAISON REPORTS

A. Administrative Office of the Courts (**AOC**) – Dawn Marie Rubio, State Court Administrator

1. CARES Act Funding Update

Judge Gehlsen reported that AOC received \$11.8 million in Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding for distribution throughout Washington Courts and Clerks’ Offices. For details, please see pages X26-X39 in the Supplemental Agenda packet.

B. Board for Judicial Administration (**BJA**) – Judge Mary Logan, Judge Dan Johnson, Judge Tam Bui, and Judge Rebecca Robertson

Judge Logan, who serves on the BJA Budget and Funding Committee, reported on the process for submitting budget proposals through the BJA. Judge Logan informed that the process slightly changed when former Chief Justice Mary Fairhurst allowed people to sit in and view budget packages presented to the Washington State Supreme Court, which was a benefit for those who would seek budget package approval. For more information about the BJA Budget and Funding Committee, please visit the web page [here](#). Judge Bui reported that the BJA Court Education Committee (“CEC”) is developing a strategic plan for online education and considering refashioning the Judicial College curriculum. For more information on the CEC, visit the web link [here](#).

C. District and Municipal Court Management Association (**DMCMA**) – Patricia Kohler, President
Patricia “Patti” Kohler, DMCMA Liaison, reported that DMCMA is working with the AOC to host regional trainings for court staff. These trainings were scheduled for April 2020 and October 2020. Courts are now developing innovative ways to conduct jury trials during the COVID-19 public health emergency, which requires social distancing. Judge Gehlsen thanked Patti Kohler for her years of excellent service in the Judiciary.

D. Misdemeanant Probation Association (**MPA**) – Stacie Scarpaci, Representative
Stacie Scarpaci, MPA liaison, reported that the MPA annual conference was cancelled this year because of the seriousness of the COVID-19 public health emergency. The MPA has rebooked the Heathman Lodge in Vancouver, Washington in order to hold its annual conference there in 2022. Stacie Scarpaci informed that presenters have been secured for next year’s annual conference. She further informed that letters went to providers in the Greenbook for substance abuse disorders. The next MPA meeting is July 27, 2020.

E. Superior Court Judges’ Association (**SCJA**) – Judge David Estudillo, President-Elect
Judge Estudillo, SCJA liaison, reported that the SCJA has created task forces to address systemic racism and unlawful detainer. Judge Estudillo informed that unlawful detainer has produced an influx of cases. The SCJA will host three webinars in July that will provide beneficial information about best practices for unlawful detainer actions. The unlawful detainer workgroup has gathered best practices regarding initial actions. Judge Estudillo further reported that the Washington Citizens’ Commission on Salaries for Elected Officials will hold its first meeting in October, and, the group is set to meet every month thereafter. Judge Estudillo informed that the SCJA is also addressing issues regarding service of process, such as, service by email.

F. Washington State Association for Justice (**WSAJ**) – Sean Bennet Malcolm, Esq.
Judge Gehlsen commended Sean Malcolm Bennet, Esq., WSAJ liaison, for being the first person to join the meeting. The liaison expressed that WSAJ is supportive of eService and will continue to monitor different changes related to civil litigation.

G. Washington State Bar Association (**WSBA**) – Kim E. Hunter, Esq.
Judge Gehlsen informed that Kim Hunter, Esq., WSBA liaison, is unable to attend today’s meeting.

ACTION

1. Board Position #1, Full-Time District Court – Request for Ratification of Appointment
M/S/P to ratify Judge Gehlsen’s appointment of Judge Karl Williams, Pierce County District Court, to fill Board Position #1.

2. DMCJA Reserves Committee Recommendations for the Board
M/S/P to approve the following recommendations of the DMCJA Reserves Committee: (1) Board should not request from its members a Special Fund assessment for 2020-2021; (2) Board should maintain the Special Fund account at the Washington Federal Bank; and (3) Special Fund Custodian should continue to decide whether the recommendations fit the Fund’s daily needs.

3. Appreciation Gift for Melanie Stewart, Esq., DMCJA Lobbyist
M/S/P to approve the purchase of a purse for Melanie Stewart, DMCJA Lobbyist, in the amount of up to three hundred dollars (\$300.00) to be taken from the DMCJA Special Fund account.

4. DMCJA Rules Committee Seeks Board Concurrence – to Amend Civil Rules for Courts of Limited Jurisdiction, (“CRLJ”) 4, Process
M/S/P to approve of the DMCJA Rules Committee considering whether to amend CRLJ 4, *Process*, to include service by email.

DISCUSSION

A. Welcome to New Members: Board of Governors Orientation
Judge Gehlsen welcomed new Board members and encouraged them to read their reference materials. She introduced Sharon Harvey, AOC Court Association Coordinator, who serves as primary support for the Board. Sharon Harvey introduced Susan (Peterson) Goulet, AOC, who assists with Board duties.

B. Judicial Assistance Services Program (“JASP”) Presentation – Judge Timothy Jenkins and Dr. Susanna Kanther Raz.

Judge Timothy Jenkins, JASP Chair, and Dr. Susanna Kanther-Raz, Licensed Clinical Health Psychologist, presented on the services and benefits of JASP, which serves judges from all court levels. During this thirty-minute presentation presenters informed that JASP services are purely confidential. Dr. Kanther-Raz does not make psychiatry referrals but has a concierge-like service for therapy. She performs psychotherapy and has a system that ensures privacy. Presenters informed that peer counselors, who are state judges, are trained to assist those referred to the program. Stress has been identified as the primary reason judges seek JASP’s services. For more information about JASP, Dr. Susanna Kanther-Raz’s services, and peer counselors, please select the web link [here](#).

C. Board Dinner: Whether to have a gathering with the new Board

Judge Gehlsen reported that this issue will be deferred to a future Board meeting because the COVID-19 pandemic limits social gatherings.

D. Board Position #1, Full-Time District Court – Request for Ratification of Appointment

Judge Gehlsen reported that she has appointed Judge Karl Williams, Pierce County District Court, to serve as Board Member, Position 1, and seeks Board ratification of the appointment. Judges Ringus and Henke expressed that Judge Williams would be an asset to the Board. Judge Ringus informed that Judge Williams has served as a pro tempore judge for twenty-two years. M/S/P to make request to ratify appointment an action item.

E. DMCJA Reserves Committee Recommendations for the Board

Judge Gehlsen, DMCJA Reserves Committee Chair, reported that the committee met on Sunday, May 31, 2020, and decided by general consensus to request the Board approve the following recommendations: (1) Board should not request from its members a Special Fund assessment for 2020-2021; (2) Board should maintain the Special Fund account at the Washington Federal Bank; and (3) Special Fund Custodian should continue to decide whether the recommendations fit the Fund’s daily needs. Therefore, the Custodian should look at options in order to best maximize returns and make recommendations to the Board of Governors. M/S/P to make an action item.

F. Appreciation Gift for Melanie Stewart, Esq., DMCJA Lobbyist

Judge Gehlsen requested Board approval to purchase a purse for Melanie Stewart in the amount of three hundred dollars. The Special Fund Policy requires Board approval for a President’s gift purchase that exceeds one hundred dollars. Judge Gehlsen informed that it is customary for the DMCJA to purchase a purse for Melanie Stewart annually to show appreciation for her invaluable service to the association. M/S/P to make an action item.

**G. New DMCJA Priority, *Identifying and Eliminating Systemic Racism in Our Justice System*:
DMCJA Diversity Committee to Develop an Action Plan to Address the Issue**

The Board tasked the DMCJA Diversity Committee with creating a plan of action for the DMCJA’s first priority, *Identifying and Eliminating Systemic Racism in our Justice System*. Judge Charles Short reported that the committee has endeavored to increase diversity on the bench through its biennial pro tempore trainings in which the committee reaches out to minority bar associations to encourage members to take the training and become pro tempore judges. Upon completion of the training, a pro tem list is disseminated to state courts. Judge Short requested the Board elevate this list by encouraging DMCJA members to use it. The idea is to have these pro tem judges seek election or become appointed to the bench, which will lead to more judicial diversity. Judge Short reported that the committee brainstormed ideas to achieve the priority, such as (a) hosting an education program on what systemic racism looks like, (b) creating a resource toolkit for judges, (c) identifying data and research to develop best practices, (d) identify practices with legal financial obligations and electronic home monitoring that disproportionately impact people of color, (e) form a book club, and (f) pattern Seattle’s *Race and Social Justice Initiative*, which is an effort to end institutionalized racism and race-based disparities in city government. Judge Short informed that this is an ongoing issue for the committee. Judge

Gehlsen suggested forming a workgroup to address these issues, and, supports a toolkit to assist judges. Judge Gehlsen reported that Judge Willie Gregory, DMCJA Diversity Committee Chair, suggested that members speak with and listen to people of color in order to identify and eliminate systemic racism in our justice system.

H. DMCJA Board of Governors Insurance

This topic will be deferred to the next Board meeting. Judge Gehlsen reported that the DMCJA approved obtaining Directors and Officers (“D&O”) Insurance for the Board. Judge Gehlsen informed that she will work with the SCJA to determine which insurance company it uses for its D&O insurance. She added that Sharon Harvey has written an informative memorandum regarding whether funds for this insurance should be taken from the DMCJA Special Fund or its public funds.

I. DMCJA Rules Committee Seeks Board Concurrence to Amend Civil Rules for Courts of Limited Jurisdiction, (“CRLJ”) 4, Process

Judge Goodwin, DMCJA Rules Committee Chair, reported that the committee plans to review all CRLJs this year. The committee is interested in exploring whether an amendment to CRLJ 4, Process, to allow service by email, may be warranted given the current public health crisis. Such an amendment is more likely to get notice to people than service by publication. The committee has discussed both amending the rule and providing a local rule option. Judge Goodwin expressed that he is before the Board to determine whether the Board agrees that this is an amendment the committee should consider. Judge Ringus inquired whether the committee has contemplated the issue of read receipt or email delivery receipt. Judge Cox expressed that few people respond to letters sent by the Clerk’s Office in Grant County. M/S/P to make an action item whether the Board is supportive of the committee taking a look at the issue.

INFORMATION

Judge Gehlsen shared the following information with Board meeting participants:

- A. The Washington State Resumption of Jury Trials Workgroup has provided guidance regarding jury trials during the Coronavirus (“COVID-19”) public health emergency, which may be found [here](#).
- B. Chief Justice Debra Stephens’ letter dated June 15, 2020 regarding judicial independence.
- C. The Washington State Supreme Court issued an [open letter](#) regarding systemic racism that has been disseminated to the legal community. The Gender and Justice Commission issued a [letter of support](#) of this action.
- D. Presiding Judge and Administrator Team Education will host a webinar regarding COVID-19 related budget shortfalls and judicial independence on Friday, July 24, 2020 at noon. For more information, please contact Pam Dittman, AOC Court Education Professional, at Pam.Dittman@courts.wa.gov.

OTHER BUSINESS

The next DMCJA Board Meeting is August 14, 2020, from 12:30 p.m. to 3:30 p.m., via zoom video conference.

ADJOURN at 2:43 p.m.

Christina E Huwe
Pierce County Bookkeeping
1504 58th Way SE
Auburn, WA 98092
Phone (360) 710-5937
E-Mail: piercecountybookkeeping@outlook.com

SUMMARY OF REPORTS

WASHINGTON STATE
DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION

For the Period Ending July 31st, 2020

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)
- Special Fund Bank Statement
- Current Budget Balance

Please contact me if you have any questions regarding the attached.

PLEASE BE SURE TO KEEP FOR YOUR RECORDS

Washington State District And Municipal Court Judges Assoc.
Statement of Financial Position
As of July 31, 2020

	Jul 31, 20
ASSETS	
Current Assets	
Checking/Savings	
Bank of America - Checking	24,874
Bank of America - Savings	194,008
Washington Federal	43,808
Total Checking/Savings	262,690
Total Current Assets	262,690
Fixed Assets	
Accumulated Depreciation	(703)
Computer Equipment	579
Total Fixed Assets	(124)
Other Assets	
Prepaid Expenses	51,333
Total Other Assets	51,333
TOTAL ASSETS	313,899
LIABILITIES & EQUITY	
Equity	313,899
TOTAL LIABILITIES & EQUITY	313,899

Washington State District And Municipal Court Judges Assoc.
Statement of Activities
For the Month Ending July 31, 2020

	<u>TOTAL</u>
Ordinary Income/Expense	
Income	
Interest Income	20
Total Income	<u>20</u>
Gross Profit	20
Expense	
Lobbyist Contract	8,667
Pro Tempore (Chair Approval)	<u>245</u>
Total Expense	<u>8,912</u>
Net Ordinary Income	<u>(8,891)</u>
Net Income	<u><u>(8,891)</u></u>

**Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail**

Bank of America - Checking, Period Ending 07/31/2020

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						29,665.47
Cleared Transactions						
Checks and Payments - 3 items						
Check	06/30/2020		4imprint	X	-546.30	-546.30
Check	07/01/2020		Melanie Stewart	X	-2,000.00	-2,546.30
Check	07/31/2020		Melanie Stewart	X	-2,000.00	-4,546.30
Total Checks and Payments					-4,546.30	-4,546.30
Total Cleared Transactions					-4,546.30	-4,546.30
Cleared Balance					-4,546.30	25,119.17
Uncleared Transactions						
Checks and Payments - 1 item						
Check	07/31/2020		King County District ...		-244.90	-244.90
Total Checks and Payments					-244.90	-244.90
Total Uncleared Transactions					-244.90	-244.90
Register Balance as of 07/31/2020					-4,791.20	24,874.27
Ending Balance					-4,791.20	24,874.27

Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
Bank of America - Savings, Period Ending 07/31/2020

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						194,006.11
Cleared Transactions						
Deposits and Credits - 1 item						
Deposit	07/31/2020			X	1.64	1.64
Total Deposits and Credits					1.64	1.64
Total Cleared Transactions					1.64	1.64
Cleared Balance					1.64	194,007.75
Register Balance as of 07/31/2020					1.64	194,007.75
Ending Balance					1.64	194,007.75

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

July 2020

Type	Date	Num	Name	Memo	Amount	Balance
Bank of America - Checking						
Check	07/01/2020		Melanie Stewart		(2,000.00)	(2,000.00)
Check	07/31/2020		Melanie Stewart		(2,000.00)	(4,000.00)
Check	07/31/2020		King County District Court		(244.90)	(4,244.90)
Total Bank of America - Checking					(4,244.90)	(4,244.90)
Bank of America - Savings						
Deposit	07/31/2020			Interest	1.64	1.64
Total Bank of America - Savings					1.64	1.64
Washington Federal						
Deposit	07/31/2020			Interest	18.56	18.56
Total Washington Federal					18.56	18.56
Prepaid Expenses						
Genera...	07/31/2020	CEH		1/12 of Contract	(4,666.66)	(4,666.66)
Total Prepaid Expenses					(4,666.66)	(4,666.66)
Interest Income						
Deposit	07/31/2020			Interest	(1.64)	(1.64)
Deposit	07/31/2020			Interest	(18.56)	(20.20)
Total Interest Income					(20.20)	(20.20)
Lobbyist Contract						
Check	07/01/2020		Melanie Stewart	July Payment	2,000.00	2,000.00
Genera...	07/31/2020	CEH		1/12 of Contract	4,666.66	6,666.66
Check	07/31/2020		Melanie Stewart	August invoice 4818	2,000.00	8,666.66
Total Lobbyist Contract					8,666.66	8,666.66
Pro Tempore (Chair Approval)						
Check	07/31/2020		King County District Court	Judge Michelle Gehlsen 7-10-20	244.90	244.90
Total Pro Tempore (Chair Approval)					244.90	244.90
TOTAL					0.00	0.00



Statement of Account

PAGE 1 OF 1

Statement End Date July 31, 2020

Statement Begin Date July 1, 2020

Account Number

To report a lost or stolen card,
call 800-324-9375.

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

WA STATE DIST & MUNICIPAL COURT JUDGES' 8990
JUDGE MICHELLE K GEHLEN
10116 NE 183RD ST
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Business Premium Money Market Summary - #

Annual Percentage Yield Earned for this Statement Period	0.500%
Interest Rate Effective 07/01/2020	0.500%
Interest Earned/Accrued this Cycle	\$18.56
Number of Days in this Cycle	31
Date Interest Posted	07-31-2020
Year-to-Date Interest Paid	\$189.55

Beginning Balance	\$43,808.15
Interest Earned This Period	+18.56
Deposits and Credits	+0.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$43,826.71

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

Interest Earned This Period

Date	Description	Amount
07-31	Credit Interest	18.56
Total Interest Earned This Period		18.56

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DMCJA 2020-2021 Adopted Budget

Item/Committee			
Access to Justice Liaison	\$ 100.00		\$100.00
Audit (every 3 years)	\$ 10,000.00		\$10,000.00
Bar Association Liaison	\$ 1,500.00		\$1,500.00
Board Meeting Expense	\$ 30,000.00		\$30,000.00
Bookkeeping Expense	\$ 3,500.00		\$3,500.00
Bylaws Committee	\$ 250.00		\$250.00
Conference Calls	\$ 750.00		\$750.00
Conference Planning Committee	\$ 4,000.00		\$4,000.00
Conference <u>Incidental</u> Fees For Members for	\$ 40,000.00		\$40,000.00
Council on Independent Courts (CIC)	\$ 1,000.00		\$1,000.00
Diversity Committee	\$ 2,000.00		\$2,000.00
DMCJA/SCJA Sentencing Alternatives aka	\$ -		
DMCMA Liaison	\$ 500.00		\$500.00
DMCMA Mandatory Education	\$ 20,000.00		\$20,000.00
DOL Liaison Committee	\$ 200.00		\$200.00
Education Committee	\$ 14,500.00		\$14,500.00
Education - Security	\$ 2,500.00		\$2,500.00
Educational Grants	\$ 5,000.00		\$5,000.00
Judicial Assistance Service Program (JASP)	\$ 16,000.00		\$16,000.00
Insurance	\$ 1,500.00		\$1,500.00
Judicial College Social Support	\$ 2,000.00		\$2,000.00
Judicial Community Outreach	\$ 4,000.00		\$4,000.00
Legislative Committee	\$ 4,000.00		\$4,000.00
Legislative Pro-Tem	\$ 2,500.00	\$245.00	\$2,255.00
Lobbyist Contract	\$ 80,000.00	\$60,000.00	\$20,000.00
Lobbyist Expenses	\$ 1,500.00		\$1,500.00
Long-Range Planning Committee	\$ 750.00		\$750.00
MPA Liaison	\$ 1,000.00		\$1,000.00
Municipal/District Court Swearing In - Every 4	\$ -		
National Leadership Grants	\$ 5,000.00		\$5,000.00
Nominating Committee	\$ 400.00		\$400.00
President Expense	\$ 5,000.00		\$5,000.00
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
Special Fund	\$ -		
Therapeutic Courts**	\$ 2,500.00		\$2,500.00
Treasurer Expense and Bonds	\$ 250.00		\$250.00

Trial Court Advocacy Board	\$	-		
Uniform Infraction Citation Committee	\$	1,000.00		\$1,000.00
Totals	\$	282,200.00	\$60,245.00	\$221,955.00
*Includes \$8,000 from the SCJA				
DMCJA\Board\Budget\2010-Present\2020-2021 Adopted				

updated 08/01/20

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION BYLAWS

(ADOPTED 1978 ANNUAL MEETING)
(AMENDED 1979 ANNUAL MEETING)
(AMENDED 1981 ANNUAL MEETING)
(AMENDED 1983 ANNUAL MEETING) SPRING
(AMENDED 1983 ANNUAL MEETING) FALL
(AMENDED 1984 ANNUAL MEETING) FALL
(AMENDED 1985 ANNUAL MEETING) SPRING
(AMENDED 1988 ANNUAL MEETING) SPRING
(AMENDED 1991 ANNUAL MEETING) FALL
(AMENDED 1993 ANNUAL MEETING) SPRING
(AMENDED 1994 ANNUAL MEETING) SPRING
(AMENDED 1995 ANNUAL MEETING) SPRING
(AMENDED 1996 ANNUAL MEETING) FALL
(AMENDED 1998 ANNUAL MEETING) SPRING
(AMENDED 2000 ANNUAL MEETING) SPRING
(AMENDED 2001 ANNUAL MEETING) SPRING
(AMENDED 2002 ANNUAL MEETING) SPRING
(AMENDED 2003 ANNUAL MEETING) SPRING
(AMENDED 2006 ANNUAL MEETING) SPRING
(AMENDED 2008 ANNUAL MEETING) SPRING
(AMENDED 2009 ANNUAL MEETING) SPRING
(AMENDED 2010 ANNUAL MEETING) SPRING
(AMENDED 2011 ANNUAL MEETING) SPRING
(AMENDED 2013 ANNUAL MEETING) SPRING
(AMENDED 2014 ANNUAL MEETING) SPRING
(AMENDED 2015 ANNUAL MEETING) SPRING
(AMENDED 2016 ANNUAL MEETING) SPRING
(AMENDED 2017 ANNUAL MEETING) SPRING
(AMENDED 2018 ANNUAL MEETING) SPRING
(AMENDED 2019 ANNUAL MEETING) SPRING

ARTICLE I - Name

The name of this Association shall be the WASHINGTON STATE DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION.

ARTICLE II - Purpose

The purpose of the District and Municipal Court Judges' Association shall be:

- (1) To improve the administration of justice in the courts of limited jurisdiction and to recommend and support proposals to that end;

- (2) To continuously survey and study the operation of the courts served by its membership, the volume and condition of business of such courts, the methods of procedure therein, the work accomplished, and the character of the results;
- (3) To promulgate suggested rules for the administration of the courts of limited jurisdiction not inconsistent with the laws or rules of the Supreme Court relating to such courts.

ARTICLE III - Membership

Section 1. Eligibility for Membership:

(a) Active Membership:

All duly elected or appointed and qualified judges, commissioners, magistrates and General Rule 8 judicial officers of courts of limited jurisdiction in the state of Washington shall be eligible to active membership in the Association upon payment of regular dues and assessments.

(b) Associate Membership:

Any former active member of the Association who is no longer serving as a judge, commissioner, or judicial officer of a court of limited jurisdiction may become an associate member of this Association by payment of annual dues set by the Board. Such member shall be entitled to free distribution of the Association Newsletter and may attend workshops, seminars, and conventions on payment of proper registration fees, but shall have no right to vote.

Section 2. Diversity in All Activities Mandated:

(a) Policy Statement:

The Association actively seeks diversity of member participation in all aspects of its operations. Association offices, committees and activities shall be representative of members with a diversity of age, gender, ethnic background, experience, geographic balance and past service to the board.

(b) Specific Applications:

The President shall apply the Association's policy of diversity in all appointments made by the President. The Nominating Committee shall apply the Association's policy of diversity in selecting its slate of candidates.

- (c) Support Efforts to Increase the Diversity of Membership in the Judiciary:

The Board of Governors shall support and encourage legal and judicial associations such as the Washington State Bar Association, the Washington State Minority and Justice Commission, the Washington State Gender and Justice Commission, and the minority bar associations in their effort to provide opportunities for appointment and/or election of individuals of diversity to the judiciary.

ARTICLE IV - Dues

Section 1. Amount of Dues:

The annual membership dues of the Association for the calendar year shall be set by the Board.

Section 2. Method of Payment:

All dues shall be paid by February 15th of each year. If dues are not paid by said date, a demand for their payment shall be made to the judge.

Judges sitting in more than one court are responsible for ensuring that full dues are paid. The judge is responsible for apportionment of payments between courts in which the judge sits.

Section 3. Delinquency:

After May 1, a non-paying member shall not be a member in good standing or entitled to any rights or privileges of active membership and shall be so notified in writing by the Secretary-Treasurer.

Section 4. Application of Dues:

Application of dues is dependent upon whether the dues are paid by the judge personally or by a governmental entity. If paid by the judge, the dues are associated with the judge and if the judge is replaced mid-term, the successor judge must also pay dues. If paid by a governmental entity, then the dues are associated with the position and if a judge is replaced mid-term, the dues shall be applied to the successor judge. The judge should clarify when the payment is made if the judge is paying personally or the governmental entity is paying the dues.

ARTICLE V - Officers

Section 1. Designated:

The elective officers of the Association shall be a President, a President-Elect, a Vice President, a Secretary-Treasurer, and nine members-at-large of the Board of Governors. All officers must be members in good standing in the Association to be eligible to hold office. The President, President-Elect, Vice President, Secretary-Treasurer and Immediate Past-President shall be members of the Board of Governors. Additionally, the Chair of the Legislative Committee shall serve as an ex-officio, non-voting member of the Board of Governors.

Section 2. Duties of Officers:

- (a) The President shall be the official representative of the Association. The President shall preside at all meetings of the Association and shall call special meetings as provided by Article VI, Section 2. The President shall appoint the Chair of all committees except the Nominating Committee. The President shall perform all other duties incident and pertaining to the office of President.
- (b) The President-Elect shall perform such duties as may be delegated by the President and shall be an *ex officio* member of the Board for Judicial Administration. The President-Elect shall automatically accede to the office of President on the 1st day of June, or at the conclusion of the Annual Meeting, whichever last occurs, of the year following his/her election to the office of President-Elect unless a petition shall be filed with the Secretary-Treasurer of the Association not less than thirty (30) days prior to the regular scheduled Spring Conference. Such petition shall request election to the office of President at the Spring Conference and must be signed by not less than twenty-five percent (25%) of the eligible membership. Upon filing of such a petition, an election to the office of President will be held at the Spring Conference. The President-Elect shall preside at meetings and perform the duties of the President in the absence or disability of the President.
- (c) The Vice-President shall perform such duties as may be delegated by the President and shall Chair the Long Range Planning Committee. The Vice-President shall preside at meetings and perform the duties of the President-Elect in the absence or disability of the President or President-Elect.

The Vice-President shall also serve as the Special Fund Custodian. It shall be the Special Fund Custodian's duty to receipt Special Fund contributions, timely deposit all receipts and pay invoices as approved by the Board and to make other expenditures that are authorized by the "Special Fund Policies and Use Criteria." The

Special Fund Custodian shall report to the Board and DMCJA membership as required by the “Special Fund Policies and Use Criteria.” The Special Fund Custodian is responsible for managing the Special Fund account in accordance with the “Special Fund Policies and Use Criteria.” If sound principles of money management require the “Special Fund Policies and Use Criteria” to be amended, the Special Fund Custodian shall make such recommendations to the Board.

- (d) The Secretary-Treasurer shall keep a full and complete record of the meetings of the Association and the Board of Governors. The Secretary-Treasurer shall keep a copy of the Bylaws of the Association and have them available for reference at all meetings of the Association and the Board of Governors. The Secretary-Treasurer shall give written notice of the Annual Meeting and such special meetings as may be called to all members in good standing of the Association. Such written notice may be given by mail or email. The Secretary-Treasurer shall be responsible for collecting all dues and shall receive all money due the Association. The Secretary-Treasurer shall pay all bills according to procedures established by the Board of Governors. The Secretary-Treasurer shall keep an accurate account of all money received and disbursed and shall provide a written financial statement to each member by the Annual Meeting State Judicial Conference and to each member of the Board of Governors by the Annual Meeting State Judicial Conference and such other Board meetings as may be called. The Secretary-Treasurer shall be bonded in favor of the Association in the principal sum of not less than \$35,000 by a recognized bonding company, the premium to be paid by the Association. The Secretary-Treasurer's Annual Report shall be reviewed by the Auditing Committee to be appointed by the President.

Section 3. Election of Officers:

Election of all officers and members-at-large of the Board of Governors shall be held at the Spring Conference. Terms of office shall commence on June 1, of each year or at the conclusion of the Annual Meeting, whichever last occurs.

- (a) The election shall be by ballot at the Spring Conference.
- (b) All Officers and Board members shall serve until their successors are elected and installed.
- (c) An Officer or Board member shall not serve more than one term in the same office consecutively, however, an Officer or Board member may serve an unexpired term, less than a full term, and then serve a consecutive term.

- (d) A member may not hold more than one elected office within the Association at the same time.

Section 4. Vacancies:

All vacancies in office except that in the office of President shall be filled by a member of the Association appointed by the President with ratification of the Board of Governors. A vacancy in the Presidency shall be filled by the President-Elect until the next regular session.

ARTICLE VI - Meetings and Quorum

Section 1. Association Meetings:

The Association shall meet annually in the state of Washington at a date, time and place to be determined by the Board of Governors. This meeting shall be known as the Annual Meeting and will be held at Spring Conference. An additional membership meeting will be held in conjunction with the Washington Judicial Conference. Written notice of the Annual Meeting shall be sent to all members in good standing by the Secretary-Treasurer at least 30 days in advance.

Section 2. Special Meetings:

The President with the consent of a majority of the Board of Governors may call a special meeting, provided that written notice of the date, time and place, and business to be brought before the special meeting shall be sent to all members of the Association.

Section 3. Quorum:

A quorum for the Annual Meeting of the Association shall be one-sixth of the active membership. A quorum for the special meeting shall be one-fourth of the active membership.

Section 4. Executive Session:

- (a) Upon a majority vote, the Board of Governors may call an executive session to discuss matters involving security, appointment to open positions, potential litigation or other matters deemed confidential. A motion to enter executive session shall set forth the general purpose of the executive session, which shall be included in the general minutes.
- (b) No active member of the Association present at a Board of Governors' meeting shall be excluded from attending an executive session.

- (c) Administrative Office of the Courts staff may be present during an executive session at the discretion of the President or Board member acting on the President's behalf.

ARTICLE VII - Board of Governors

Section 1. Membership:

There shall be fourteen members of the DMCJA Board of Governors elected from the membership at large, of whom five (5) shall be officers, and nine (9) shall be board members and shall be designated as board positions one (1) through nine (9). Board membership shall at all times include at least three municipal court judges of whom one is part-time, three district court judges of whom one is part-time, and one commissioner or magistrate, and positions one (1) through seven (7) shall be designated respectively. Positions eight (8) and nine (9) shall be open positions.

If any position designated one (1) through six (6) is not filled because there is no candidate for the position, then that position shall be filled by a qualified candidate by appointment by the President with ratification of the Board of Governors at the first Board meeting following the annual election.

If the position designated seven (7) is not filled because there is no candidate for the position, then the President shall appoint a qualified commissioner or magistrate willing to accept the position, with ratification of the Board of Governors at the first Board meeting following the annual election. If no qualified commissioner or magistrate accepts appointment to the position, then the position shall be considered an open position for that term and any qualified judicial officer may be appointed by the President with ratification of the Board of Governors at the first Board meeting following the annual election.

If after any annual election there is not at least one member of the Board of Governors from a minority group and one member from each gender, the Board of Governors shall be increased to include such additional member or members by appointment by the President with ratification of the Board of Governors at the first Board meeting following the annual election. The additional member or members so elected shall serve for a three-year term.

Section 2. Vacancies:

All vacancies in office shall be filled by a member of the Association appointed by the President with ratification of the Board of Governors.

Section 3. Meetings:

- (a) The Board of Governors shall meet at the call of the President, during the Annual Meeting, and at such other times as the President or a majority of the Board of Governors may deem necessary provided written notice is given to all members of the Board at least 10 days in advance. The Association may reimburse the Board of Governors their necessary travel expenses to attend any Board meeting, except in connection with the Annual Meeting.
- (b) A quorum for a meeting of the Board of Governors shall be one-half of its members.
- (c) The Board of Governors shall provide for at least on an annual basis, an audit of the books, records and accounts maintained by the Treasurer and the audit shall review the Treasurer's Annual Report.
- (d) If a Board member fails to attend three (3) consecutive Board meetings or fails to attend 60% of the Board meetings for the year, the President shall place a motion before the Board to remove said Board member. Prior to any vote on the motion, the Board member shall be given an opportunity to respond to the motion. The deliberations shall be held during an executive session unless the Board member at issue requests that they be held during a regular meeting. The final vote shall be taken during the regular meeting at the close of the deliberations. Replacement of a removed Board member shall be done in accordance with DMCJA Bylaws pertaining to filling of vacant Board positions.

ARTICLE VIII - Board for Judicial Administration

Section 1. BJA Representative:

The Association shall be represented on the Board for Judicial Administration (BJA) by the Association President and by four members, as follows: One (1) municipal court judge, one (1) district court judge and two (2) members at large. Selection shall be by vote of the membership as with other Association officers. The Association President position shall be for the period of the Association Presidency. The President-Elect shall be an *ex officio* member of the BJA during their term as President-Elect. All other positions shall be for a term of four years—provided that the terms of members which begin on July 1, 2017, shall be for less than a full term, two years, and shall thereafter be for a term of four years. Representatives shall not serve more than two four year terms consecutively. A representative may serve an unexpired term, less than a full term, and then serve two consecutive terms.

Selection of BJA representatives shall be based on demonstrated commitment to improving the courts and should reflect ethnic, gender, geographic and caseload differences.

Section 2. Election of Representatives:

Election of all representatives shall be held at the Spring Conference. Terms of office shall commence on July 1, of the year in which elected, or at the conclusion of the Annual Meeting, whichever last occurs.

Section 3. Vacancies:

All vacancies in office shall be filled by a member of the Association appointed by the President with ratification of the Board of Governors.

ARTICLE IX - Commission on Judicial Conduct

Section 1. Commission on Judicial Conduct Representatives:

The Association shall be represented on the Commission on Judicial Conduct (CJC) by a member and alternate who are limited jurisdiction court judges.

Section 2. Election of Representatives:

The Nominating Committee shall select not more than two limited jurisdiction court judges as candidates for each open position, and shall submit the names of the nominees for election at the next Spring Conference. Election of representatives shall be held at the Spring Conference. Terms of office are for four years and shall commence on June 1, of the year in which elected, or at the conclusion of the Annual Meeting, whichever last occurs. Elections shall be held pursuant to the terms of RCW 2.64.020.

Section 3. Vacancies:

All vacancies in office shall be filled by a member of the Association appointed by the President with ratification of the Board of Governors.

ARTICLE X - Committees

Section 1. Membership of Committees:

There shall be thirteen (13) standing committees and other such committees as may be authorized by the Association and by the

President. The standing committees shall be the Nominating Committee, Bylaws Committee, Conference Committee, Legislative Committee, Court Rules Committee, Education Committee, Long Range Planning Committee, Diversity Committee, DOL Liaison Committee, Technology Committee, Therapeutic Courts Committee, Council on Independent Courts, and Judicial Assistance Services Program. Committee Chairs shall submit written annual reports to the members at the Association's Annual Meeting. In selecting members for the Association's committees, the President should make every effort to assign a member to the member's first preferred committee, even if such assignment increases the committee's size.

Section 2. Committee Functions:

- (a) Nominating Committee:
 - (1) The Nominating Committee shall serve for one year and shall consist of not less than six members with at least one member from each of the following five geographic areas: northeastern, southeastern, northwestern, southwestern, and central Washington, and one member-at-large.
 - (2) At the Board meeting in October, the President will appoint the members of the Nominating Committee. The Immediate Past-President will Chair the Nominating Committee. The Chair of the Diversity Committee shall be a member of the Nominating Committee. No more than one member of the Nominating Committee may be a member of the present Board of Governors.
 - (3) The Nominating Committee shall select a slate of candidates from members in good standing. It will select not more than two candidates for Vice-President, Secretary-Treasurer, and President-Elect who shall serve one year, and three Board members-at-large, who shall serve on the Board for three years. The Committee shall also select not less than two (2) candidates to serve as a representative to the Board for Judicial Administration for a four (4) year term.
 - (4) The Nominating Committee, after soliciting suggestions of nominees and after securing the consent of the nominees to serve, shall submit its report to the Board at its March business meeting. The names of the nominees will be published in the written notice of the Spring Conference and in the Minutes of the Board's March meeting. Nominations for all offices except President may be made by the members, at the Spring Conference.

(b) Education Committee:

- (1) The Education Committee shall develop and administer a mentor program for new judges, commissioners, and judicial officers. Efforts should be made to contact new judges, commissioners, and judicial officers immediately upon their commencement of service and to select mentor judges, commissioners, and judicial officers geographically proximate to the judge they advise.
- (2) The Education Committee shall develop educational programs for the Association's Spring Conference and such other educational seminars as may become available consistent with policies of the Board for Court Education (BCE).
- (3) The Education Committee shall administer the Continuing Judicial Education requirement as contained in these Bylaws.
- (4) The Education Committee shall consist of twelve members. Terms of the members shall be three years, and be staggered so that four new members shall be appointed each year. All DMCJA representatives on BCE shall be ex officio members of the Education Committee.
- (5) The incoming President shall appoint a member of the Committee as Chair of the Committee for a term of one year.

(c) Long Range Planning Committee:

- (1) The Long Range Planning Committee shall consist of four (4) district court members and four (4) municipal court members. Part-time and full-time courts shall be represented. In making appointments, the President shall take into consideration the Associations' diversity policy. The President shall have the discretion to appoint other members with institutional memory or expertise as needed to address specific issues. The Chair of the Long Range Planning Committee shall be the current Vice-President.
- (2) The Long Range Planning Committee will consider issues relating to long range planning and review processes.
- (3) The Long Range Planning Committee shall conduct an annual review of such issues.

- (d) Diversity Policy Implementation Committee:
 - (1) The Diversity Committee will consider issues relating to diversity and shall recommend to the Board of Governors ways to promote the implementation of the current Diversity Policy Statement adopted by the Association.
 - (2) In promoting the Diversity Policy Statement, the Diversity Committee should strive to coordinate activities with the Washington State Bar Association, the Washington State Minority and Justice Commission, the Washington State Gender and Justice Commission, the minority bar associations and any legal or judicial associations or committees with the stated goals of encouraging diversity in the judiciary.
 - (3) Terms of the members shall be two years, and be staggered to insure a slower rate of turnover on the committee and greater continuity in the planning process.
 - (4) The Chair of the Diversity Committee shall also be a member of the Nominating Committee.
- (e) Judicial Assistance Services Program (JASP) Committee:
 - (1) The JASP will be a joint committee with the Superior Court Judges' Association to offer confidential assistance for judges with personal problems.
 - (2) Membership shall be as outlined in the committee bylaws with member duties including training as Peer Counselors.
- (f) DOL Liaison Committee:
 - (1) Serve as liaison with Department of Licensing (DOL) bringing all DOL matters of concern to DMCJA and, conversely, bringing matters of DMCJA concern to the DOL through their designated representative.
- (g) Technology Committee:
 - (1) The Technology Committee will develop and recommend policy regarding the delivery of automated information systems to district and municipal courts; monitor and report on proposed amendments to the JISCR Rules; and monitor state laws and recommend legislative changes to laws governing the judicial system's automated information

system, and other state systems, that affect the operation of the judicial branch's systems.

(2) Maintain liaison with the Judicial Information System Committee (JISC), function as the DMCJA Endorsing Group within the JIS IT Governance Structure, and respond to and advise the JISC on data dissemination policy and issues involving district and municipal courts and their judicial officers.

(3) Oversee the DMCJA website.

(h) Therapeutic Courts Committee:

(1) The Therapeutic Courts Committee will examine and evaluate the types of therapeutic/problem-solving courts which currently exist in the courts of limited jurisdiction and coordinate and liaison with internal and external committees, workgroups, and therapeutic court stakeholders.

(2) Work to ensure consistency in therapeutic models and standardize practices according to validated research.

(3) Determine and request meaningful data to evaluate courts and programs and coordinate a performance monitoring role with the Administrative Office of the Courts.

(4) Make recommendations to the Board of Governors regarding therapeutic courts advocacy, policy, legislation, and funding.

(i) Legislative Committee:

(1) The Legislative Committee will evaluate and recommend responses to proposed legislation affecting courts of limited jurisdiction.

(2) The Legislative Committee will recommend to the Board legislation to improve the delivery of services and administration of justice in district and municipal courts.

(3) The Legislative Committee will develop and maintain efforts towards communication with legislators and state agencies.

(4) The Legislative Committee will recommend terms of employment of the Association's lobbyist and direct the lobbying effort.

(5) The Legislative Committee will provide or arrange for oral or written testimony to the Legislature as needed.

- (6) The Legislative Committee will submit a written report at the Spring conference.
 - (7) The Legislative Committee will submit oral or written reports to the President and the Board as appropriate or requested.
- (j) Court Rules Committee:
- (1) The Rules Committee will review existing court rules and recommend changes.
 - (2) The Rules Committee will evaluate and report on proposed rules and amendments:
 - (a) published for comment by the Washington State Supreme Court;
 - (b) requested by DMCJA members; or
 - (c) originating from non-DMCJA entities and referred by the DMCJA Board.
 - (3) The Rules Committee will assist DMCJA members with development of Local Rules.
 - (4) The Rules Committee will submit a written report to the DMCJA President and Board monthly.
- (k) Council on Independent Courts (CIC):
- (1) The DMCJA President shall endeavor to appoint both district and municipal court judges to the CIC.
 - (2) The CIC will provide a knowledge base of laws and principles on the importance of independent courts of limited jurisdiction.
 - (3) The CIC will provide advice and counsel to all three branches of local government on issues affecting independent courts of limited jurisdiction.
 - (4) The CIC will respond to threats to independent courts of limited jurisdiction within the bounds of its powers and responsibilities.
 - (5) The CIC will provide recommendations to the board of the DMCJA on further actions needed in response to threats to independent courts of limited jurisdiction.

- (6) The CIC shall maintain a Policy and Procedure Manual outlining appropriate responses to court independence challenges. The Manual and any amendments must receive Board of Governors approval.
- (7) The DMCJA President shall be an ex officio member of the CIC.

ARTICLE XI - Amendments

These Bylaws may be amended at any annual or special meeting of the Association by a two-thirds vote of the voting members registered and present at such meeting, a quorum being present, provided that written notice of the proposed amendment shall have been mailed or emailed 30 days prior to the meeting to all members of the Association in good standing.

ARTICLE XII - Rules of Order

Robert's Rules of Order, Revised, or such other rules of order as may be adopted by the Board upon due consideration, shall govern this Association in all parliamentary procedure in which they are applicable and in which they are not inconsistent with these Bylaws. Such rules of order shall be made readily available to all members of the Association.

ARTICLE XIII - Vote by Proxy

Section 1. Authorize Vote by Proxy:

Where election is required by these bylaws, members who are unable to vote in person may vote by proxy, consistent with this Article.

Section 2. Members in Good Standing:

Voting member and proxy must be members of the DMCJA in good standing as prescribed in Article IV of these bylaws.

Section 3. Form, Timing and Limitations:

Proxy votes are allowed for the limited purpose of allowing members to vote who are not able to attend the Annual Meeting, or specially set meeting at which an election is held. Voting members shall submit their voting authority to a proxy in writing, on a form prescribed by the DMCJA Board, not less than 15 days prior to the scheduled election. The authority shall clearly identify the member and proxy, authorize the proxy to cast the

absent member's vote, and be signed by the member assigning the proxy. A member may not grant voting authority to more than one proxy in a given election. Proxy authority may not be limited to specified offices, Bylaws amendment(s), or other issue upon which a vote may be held.

Section 4. Secretary/Treasurer Responsibility:

Proxies shall be received by the Secretary-Treasurer not less than 10 days before the scheduled vote. Ballots equal to the submitted proxy authority shall be provided to the proxy by the Secretary-Treasurer upon receipt of a properly executed proxy.


Section 5. Proxy Revocation:

Proxies may be revoked in writing by the assigning party. Revocations must clearly identify the party assigning the right to vote, the proxy, and clearly state that voting authority is being revoked. Revocations must be received by the Secretary-Treasurer not less than 10 days before the scheduled vote. The assigning party must provide a copy of the revocation to the proxy.

Section 6. Restriction on Solicitation or Reassignment:

Members may not solicit proxy authorizations and may not reassign proxy voting authority.

Section 7. Proxy Form:

	DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION
WASHINGTON COURTS	
PROXY AUTHORIZATION	
I, _____, a member in good standing of the District and Municipal Court Judges' Association (DMCJA) certify that I am unable to attend the DMCJA membership meeting scheduled for the _____ day of _____, 2005 and do hereby authorize _____, a member in good standing of the DMCJA, to exercise my right to vote as a member of the Association, consistent with Article _____, Section _____ of DMCJA Bylaws.	
Executed this _____ day of _____, 20____.	
_____ DMCJA Member	
DMCJA Bylaws require that proxy authorizations must be executed not less than 15 days before the scheduled election and must be received by the DMCJA Secretary-Treasurer not less than 10 days before the scheduled election.	

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2020-2021

<i>DATE</i>	<i>TIME</i>	<i>MEETING LOCATION</i>
<i>Friday, July 10, 2020</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Aug. 14, 2020</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Sunday, Sept. 13, 2020</i>	9:00 a.m. – 12:00 p.m.	2020 Annual Judicial Conference, Spokane, WA
<i>Friday, Oct. 9, 2020</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Nov. 13, 2020</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Dec. 4, 2020</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Jan. 8, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Feb. 12, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, March 12, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, April 9, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, May 7, 2021 & Saturday, May 8, 2021</i>	May 7: 12:00-5:00 p.m. May 8: 9:00-1:00 p.m.	2021 DMCJA Board Retreat, Location: TBD
<i>May/June 2021 – TBD</i>	9:00 a.m. – 12:00 p.m.	2021 DMCJA Spring Conference, Location: TBD

AOC Staff: Sharon Harvey

Updated: May 8, 2020

MEMORANDUM

TO: Judge Michelle Gehlsen, DMCJA President
FROM: Sharon R. Harvey
DATE: July 7, 2020
RE: D&O Insurance Purchase for DMCJA Board of Governors

ISSUE

Whether to purchase Directors and Officers (“D&O”) insurance with monies from the District and Municipal Court Judges’ Association (“DMCJA”) public account or its private account, which is known as the Special Fund.

BRIEF ANSWER

Either account is appropriate. Funds may be expended from the public account because D&O insurance is viewed as a cost of doing business. In contrast, the private account may be used because Special Fund money is for lawsuits, amicus briefs and arguments. If the DMCJA would like to pattern the Superior Court Judges’ Association (“SCJA”), it will purchase the D&O insurance from its public account.

BACKGROUND

On May 8, 2020, Judge Michelle Gehlsen, DMCJA President, suggested that the DMCJA Board of Governors (“Board”) purchase D&O insurance during the annual Board Retreat. Judge Gehlsen informed the Board that the SCJA has D&O insurance. The SCJA funds this insurance through its public account as it is a cost of doing business. During the Board Retreat, the DMCJA Board agreed to create a line item in its public account in the amount of fifteen hundred dollars (\$1500.00).

On May 31, 2020, the DMCJA Reserves Committee further discussed the D&O insurance and requested that Sharon Harvey, AOC Primary Staff for the DMCJA, research said insurance to determine whether it should be purchased from Special Fund monies or public DMCJA funds.

ANALYSIS

D&O insurance is governed by Revised Code of Washington (“RCW”) [23B.08.580](#), *Insurance*, which states:

A corporation may purchase and maintain insurance on behalf of an individual who is or was a director, officer, employee, or agent of the corporation, or who, while a director, officer, employee, or agent of the corporation, is or was serving at the request of the corporation as a

director, officer, partner, trustee, employee, or agent of another foreign or domestic corporation, partnership, joint venture, trust, employee benefit plan, or other enterprise, against liability asserted against or incurred by the individual in that capacity or arising from the individual's status as a director, officer, employee, or agent, whether or not the corporation would have power to indemnify the individual against the same liability under [RCW 23B.08.510](#) or [23B.08.520](#).

D&O insurance may protect DMCJA directors and officers from personal liability when the corporation cannot, or will not, indemnify them.¹ [RCW 23B.08.500](#) (4) defines liability as “the obligation to pay a judgment, settlement, penalty, fine, including an excise tax assessed with respect to an employee benefit plan, or reasonable expenses incurred with respect to a proceeding.” Further, the term, proceeding, is defined as “any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative and whether formal or informal,” pursuant to RCW 23B.08.500 (7). Here, the DMCJA must have a Board of Directors, pursuant to [RCW 23B.08.010](#), therefore, one may argue that purchasing this insurance is a cost of doing business for the DMCJA, which is a non-profit corporation.

DMCJA Policies and Procedures – Amicus Requests

The DMCJA plans to purchase this insurance to address lawsuits. In June 2006, the DMCJA created an Amicus Policy.² The policy states in relevant part:

From time to time, issues arise in the context of lawsuits that extend beyond the parties to the case and impact courts of limited jurisdiction generally. The DMCJA Board on its own initiative or at the request of any member in good standing may wish to participate in appellate review of issues before an appellate court. Rules of Appellate Procedure (RAP) Rule 10.6 *et. seq.* provides for non-party participation in limited circumstances.

The DMCJA Amicus Policy also states that “[f]unding for amicus participation may be from regular funds of the DMCJA or the DMCJA Special Fund, as appropriate, and shall be approved by the Board prior to any action being undertaken on the DMCJA’s behalf in pursuit of participation.” Hence, according to the Amicus Policy, funding to participate in such action may be taken from either the public or private DMCJA account.

DMCJA Special Fund Policy

On November 12, 2010, the DMCJA Board amended its Special Fund Policy, which was originally adopted on September 27, 2006.³ Here, the Special Fund Policy was both adopted and amended after the DMCJA Amicus Policy was created. The DMCJA Special Fund policy states, in relevant part, Special Fund “expenditures shall be made only for initiatives that benefit a substantial segment of the DMCJA membership. Such expenditures may include, but are not limited to . . . lobbying expenses, amicus briefs and arguments.” Here, it is likely that the D&O insurance will be used to indemnify Board members from issues regarding Special Fund activities related to lawsuit arguments and amicus briefs. Hence, the association may want to use Special Fund monies to purchase the D&O insurance. Also, the Special Fund

¹ See *Soho Plaza Corp. v. Nationwide Mut. Ins. Co.*, 244 A.D. 2d 184, 185, 664 N.Y.S. 2d 23, 24 (1st Dep’t 1997). As Washington State law is scant on the subject, laws from other states are often consulted.

² A complete copy of the DMCJA Amicus Policy is attached with this memorandum.

³ A complete copy of the DMCJA Special Fund Policy is attached with this memorandum.

Policy was adopted after the Amicus Policy, which strongly suggests that funds for amicus briefs and lawsuits are best taken from the Special Fund account.

CONCLUSION

The DMCJA may purchase D&O insurance for its Board members, pursuant to corporate law. Many corporations have this insurance to protect its directors and officers. The SCJA has this insurance and considers it a cost of doing business. This insurance is a line item in the SCJA's public account. Similarly, the DMCJA may purchase the insurance from its fifteen hundred dollars (\$1500) line item in its public fund account. In contrast, purchasing this insurance from Special Fund monies will comply with the DMCJA Special Fund Policy which requires that amicus briefs and arguments are to be taken from the Special Fund or private account. As this insurance is available in case an issue arises, the DMCJA may want to pattern the SCJA and purchase D&O insurance from a line item in its public account.



District and Municipal Court Judges' Spring Program
May 31-June 5, 2020
Overall Program Evaluation

Please take a moment to provide some overall information regarding this program. The information provided is utilized by the planning committee. Thank You.

5= excellent; 4= good; 3= average; 2= below average; 1= poor

Questions	Rating
How well was the conference organized/coordinated?	4.87
Rate your experience registering and accessing the webinar	4.96
Rate your learning experience.	4.35
Overall Rating	4.73

For future planning, what would be the ideal time for a webinar?

60 minutes	73.91%
75 minutes	13.04%
90 minutes	13.04%

What would be your interest in participating in webinars as part of future Spring Programs?

I enjoyed the online programming, and wish to see it continue.	8.70%
I would like to see a hybrid of an in-person and online program.	60.87%
I would prefer that the program only be held in-person.	21.74%

Please suggest future education topics:

- Bond forfeiture issues Public defender contracts/compliance with points and the court's role
Specific DUI issues not a general discussion of the statute.
- Systemic racism
- Anything practical, nuts and bolts that keeps us sharp and aware and keeps the various monitoring agencies (governmentally appointed or self-appointed) at bay.
- Crawford issues, issues arising in DUI trials.
- A review of bail procedures and guidance on how to determine whether to release certain defendants pretrial.
- Evidence always, especially if Jack Nevin is available. Use him as long as you can. 2 hours' time could be spent on all changes on legislative update. Problem is you don't know that until later in the legislative year. More time on debt collection.
- Immigration and ethics, contempt procedure when/how to use, proportional sentencing.
- Focus on Addiction & Recovery -- maybe a mega seminar for most of a couple of days -- after all most of the cases that we do involve these issues
- Issues re: bail bonds LFO Calculator guide
- The science of decision making, i.e. effect of low blood sugar, hidden bias, etc.
- I appreciate the practicality of this year's presentation. Very practical and helpful.

Overall Comments/Ideas for Improvement:

- I favor the sessions focusing on practical tips, law updates, information that can be summarized in a bench sheet, and resolutions to issues other judges have encountered on the bench.
- The organizers did a great job!!
- The convenience of zoom cannot be denied -- and we probably save the taxpayers a few hundred thousand \$\$, but there is no substitute for face to face interaction and communication and exchange of ideas.
- The program was great. Well organized and great speakers.
- If we are doing webinars, speakers need to slow down and keep the materials up longer. It's hard to take notes without the written materials in front of me.
- I think it was hard to improve on this year's seminar.
- In person conferences are preferred but video availability for those who cannot afford to attend may also be helpful.
- well done on line webinar
- It would help if speakers would slow down, especially on these webinars where we don't have paper materials in front of us.
- Phil did an exceptional job of keeping things on task and moving and organized. I've attended more Zoom, GoToWebinar, Teams and WebEx gatherings in the past 60 days than I could have ever imagined and can honestly say that for the volume of gatherings Phil hosted, the number of attendees participating and the range of tech savviness (or lack of it for guys like me), Phil's Zoom meetings all went off without a hitch. He deserves a raise -- or at least a pat on the back.
- Built-in interactive features during the presentation is suggested such as polling the participants with certain topic-related questions. It was effective to incorporate questions from participants during the presentation.



July 24, 2020

Dear Colleagues,

In 1987, the Board for Judicial Administration (BJA) established a business account funded with dues paid by judges from their personal funds. The account was established to pay expenses for which the use of public funds was not appropriate. Your contributions support the legislative efforts of the BJA which benefits the judiciary as a whole and seeks improvements that affect all court levels.

These funds primarily support 1) Salary Commission travel expenses for representative staff and judges; and 2) lobbying expenses such as refreshments, materials, and travel to support BJA-sponsored lobbying activities and legislative meetings and dues/registrations for lobbying events (staff time and travel are not paid from this account).

The dues are collected every two years; the most recent collection occurred in 2018.

BJA dues by court level and position are as follows:

- Supreme Court Justice \$55.00
- Court of Appeals Judge \$55.00
- Superior Court Judge \$55.00
- Court of Limited Jurisdiction Judge (full-time) \$55.00
- Courts of Limited Jurisdiction Judge (part-time) \$30.00

On behalf of the Board for Judicial Administration, we hope you will continue to support the Board's efforts. You will receive an emailed PayPal request for dues that can be paid through an existing PayPal account or as a guest. The request will be called BJA Business Account money request.

Please direct any questions to your BJA representative or Jeanne Englert at 360.705.5207.

Sincerely,

Chief Justice Debra Stephens, Chair
Board for Judicial Administration

Judge Greg Gonzales, Member Chair
Board for Judicial Administration



DMCJA BOARD MEETING
FRIDAY, AUGUST 14, 2020
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE

PRESIDENT MICHELLE GEHLSSEN

SUPPLEMENTAL AGENDA

PAGE

Call to Order

General Business

- A. Minutes for July 10, 2020
- B. Treasurer’s Report
- C. Special Fund Report
- D. Standing Committee Reports
 - 1. Legislative Committee – Commissioner Paul Wohl and Judge Kevin Ringus
- E. Judicial Information System (“JIS”) Report – Vicky Cullinane

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Liaison Reports

- A. Administrative Office of the Courts (**AOC**) – Dawn Marie Rubio, State Court Administrator
- B. Board for Judicial Administration (**BJA**) – Judge Mary Logan, Judge Dan Johnson, Judge Tam Bui, and Judge Rebecca Robertson
- C. District and Municipal Court Management Association (**DMCMA**) – Patricia Kohler, President
- D. Misdemeanant Probation Association (**MPA**) – Stacie Scarpaci, Representative
- E. Superior Court Judges’ Association (**SCJA**) – Judge David Estudillo, President-Elect
- F. Washington State Association for Justice (**WSAJ**) – Sean Bennet Malcolm, Esq.
- G. Washington State Bar Association (**WSBA**) – Kim E. Hunter, Esq.

Discussion

- A. CLJ-CMS Project Presentation – Judge Kimberly Walden
- B. Request for DMCJA Bylaws Committee to Review Bylaws and Recommend Changes regarding the Coronavirus (“COVID-19”) public health emergency.
- C. Whether to assess Dues for 2020-2021 in light of cancellation of 2020 DMCJA Spring Conference because of the Coronavirus (COVID-19) public health emergency.
- D. Whether to meet on Sunday, September 13, 2020, from 9:00 a.m. to 12:00 p.m. since the Annual Fall Conference is cancelled.

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<p>E. DMCJA Board of Governors Insurance Status Update</p> <p>1. Whether to Purchase with Public/Private Funds - Memorandum by Sharon R. Harvey</p> <p>F. DMCJA Letter Expressing Commitment to Racial Justice</p> <p>1. SCJA Racial Justice Commitment Letter</p>	<p>33-35</p> <p>X1-X3</p>
<p>Information</p> <p>A. The 2020 Annual Judicial Conference is cancelled because of the ongoing COVID-19 pandemic.</p> <p>B. For your reference, please see the Education Committee Virtual Spring Conference Evaluation Summary.</p> <p>C. The Washington State Resumption of Jury Trials Workgroup has provided guidance regarding jury trials during the Coronavirus (“COVID-19”) public health emergency, which may be found here.</p> <p>D. The Washington State Supreme Court issued an open letter regarding systemic racism that has been disseminated to the legal community. The Gender and Justice Commission issued a letter of support of this action.</p> <p>E. For the latest news about the Washington State Judiciary, read the Full Court Press.</p> <p>F. The BJA will assess dues for 2020-2021. For more information, please see flyer located in agenda packet.</p> <p>G. Education webinars on <i>Maintaining Judicial Independence in Tough Times</i> and <i>Meditation</i> may be viewed on Inside Courts here.</p>	<p>36-37</p> <p>38</p>
<p>Other Business</p> <p>A. The next DMCJA Board Meeting is scheduled for Sunday, September 13, 2020, from 9:00 a.m. to 12:00 p.m. This is subject to change as a result of the cancellation of the Annual Judicial Conference.</p>	
<p>Adjourn</p>	



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August 11, 2020

Dear Colleagues,

I write on behalf of the Superior Court Judges' Association (SCJA) to join our Supreme Court, professional partners, and others across the justice system who have come forward to forcefully denounce structural racism embedded in our society. As judicial officers, we have sworn an oath to uphold the liberties and protections guaranteed by our state and federal constitutions, to enforce "equal justice under law." On a case-by-case, decision-by-decision basis, we strive to do so. Yet we know that laws, practices, and customs designed to oppress people of color have been adopted and compounded over decades to create a society that is structurally unjust. Doors swing open or close tightly, based only on the color of one's skin. There can be no equal justice under law if there is no equal opportunity under law.

The inequities in our society have come into painful focus in the past few months: a global pandemic has ravaged our country, especially in communities of color where it is exacerbated by generational poverty and limited health care resources. And the graphic, shocking, and unjustifiable killing of George Floyd over \$20 has become a tipping point in what we as a nation are willing to tolerate by devaluing the lives of people of color. Now is a rare opportunity to take bold action to educate ourselves about the implicit effects of racism and to dismantle the explicit mechanisms that perpetuate it.

The justice system, courts, and judges must take affirmative action to reimagine and reconstruct our laws, practices, and customs in the wake of a pandemic that requires innovation to protect the health and safety of all who access the courts. At the same time, our creativity and commitment must change the attitudes, procedures, and leadership that has allowed systemic racism to embed itself in our society since the country's founding. Tinkering around the edges will not suffice. We have both the opportunity and the responsibility to think big.

SCJA held its annual long-range planning meeting the weekend protests raged after George Floyd's death. The officers and trustees affirmed our long-range plan, and voted its top priority to identify concrete actions it can take to promote racial justice within SCJA and throughout our courts.

Accordingly, an ad hoc group, chaired by Judge Veronica Alicea-Galván and myself, has met several times to generate a list of tangible, achievable activities SCJA can accomplish to deconstruct structural racism and reconstruct a more just court system. Some of the activities are internally focused on SCJA; others are externally focused on Washington's justice system. All activities require the involvement and collaboration of many, including you.

Currently, the following activities are being pursued for implementation:

Internally Focused:

- Each SCJA committee will identify and complete at least one activity per year that addresses structural racism within the scope of its responsibility.
- The SCJA Education Committee will solicit/develop educational programs on structural racism within the judicial system and the impact on the public we serve. A program on these topics will be included in each SCJA Spring Conference. Additional opportunities for educational programs also may be offered.
- SCJA will host a panel discussion that includes members of Washington's Supreme Court, Executive Director of the Commission on Judicial Conduct, and others to explore the relationships and boundaries between judicial ethics, the Code of Judicial Conduct, and a judge's responsibility to ensure "equal justice under law." It will explore the "policy" vs. "administration of justice" divide.
- Recruit judges of color to the bench and to leadership roles within our courts and SCJA.

Externally Focused:

- Work in collaboration with the Supreme Court, AOC, Commissions, and court stakeholders to convene a Statewide Commission to review court policies and procedures through a racial justice lens and to recommend systemic changes. This effort would include roundtable discussions with professional stakeholders and colleagues, such as Minority Bar Associations, Tribal Courts, Trial Lawyers, PAO, DPD, Court Clerks, and so on. It also would require engaging in listening sessions with community members and court users to understand their experience with racism within the courts and to generate ideas for systemic change.
- Produce podcasts, "Judging Justice," in which each episode identifies and discusses Washington law and legal precedent that has perpetuated institutional racism over the years.

This is not a finite list; it is a starting point to ensure that concrete actions are taken. As former Chief Justice Mary Fairhurst might say, some of these projects are Big Hairy Audacious Goals. Large or small, each task requires independent thinking and hard work. If you would like to help in any capacity, please contact Crissy Anderson at crissy.anderson@wa.courts.gov. Let her know if there is a specific activity in which you

are interested, if you are willing to take a leadership role, and if you have additional ideas for the Board's consideration.

We will keep you apprised of progress, which we hope will be apparent over time. Whether you are able or willing to participate in these activities, your dedication to our courts and equal justice under law is much appreciated. While difficult, it is, indeed, an honor to be on the front lines of justice. Thank you for your service.

Sincerely,



Judge Judith H. Ramseyer, President
On behalf of the Officers and Trustees of the SCJA

cc: Chief Justice Debra Stephens, Supreme Court
Justice Charles W. Johnson
Justice Barbara Madsen, Commission on Children in Foster Care Co-Chair
Justice Susan Owens
Justice Steven C. González, Interpreter Commission Co-Chair
Justice Sheryl Gordon McCloud, Gender and Justice Commission Co-Chair
Justice Mary Yu, Minority and Justice Commission Co-Chair
Justice Raquel Montoya-Lewis
Justice G. Helen Whitener, Minority and Justice Commission Co-Chair
Judge Bradley Maxa, Court of Appeals Presiding Chief
Judge Lori K. Smith, Tribal State Court Consortium Co-Chair
Judge Cindy K. Smith, Tribal State Court Consortium Co-Chair
Judge Gregory Gonzales, Board for Judicial Administration Co-Chair
Judge Michelle Gehlsen, DMCJA President
Ms. Dawn Marie Rubio, AOC
Ms. Crissy Anderson, AOC