



**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

NOVEMBER 13, 2020

**ZOOM VIDEO
CONFERENCE**

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2020-2021

DATE	TIME	MEETING LOCATION
Friday, July 10, 2020	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Aug. 14, 2020	12:30 – 3:30 p.m.	ZOOM Video Conference
Sunday, Sept. 13, 2020 Friday, Sept. 11, 2020	9:00 a.m. – 12:00 p.m. 12:30 – 3:30 p.m.	2020 Annual Judicial Conference, Spokane, WA ZOOM Video Conference
Friday, Oct. 9, 2020	12:30 – 3:30 p.m.	AOC SeaTac Office Center ZOOM Video Conference
Friday, Nov. 13, 2020	12:30 – 3:30 p.m.	AOC SeaTac Office Center ZOOM Video Conference
Friday, Dec. 4, 2020	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Jan. 8, 2021	12:30 – 3:30 p.m.	AOC SeaTac Office Center ZOOM Video Conference
Friday, Feb. 12, 2021	12:30 – 3:30 p.m.	AOC SeaTac Office Center ZOOM Video Conference
Friday, March 12, 2021	12:30 – 3:30 p.m.	AOC SeaTac Office Center ZOOM Video Conference
Friday, April 9, 2021	12:30 – 3:30 p.m.	AOC SeaTac Office Center ZOOM Video Conference
Friday, May 7, 2021 & Saturday, May 8, 2021	May 7: 12:00-5:00 p.m. May 8: 9:00-1:00 p.m.	2021 DMCJA Board Retreat, Location: TBD
May/June 2021 – TBD	9:00 a.m. – 12:00 p.m.	2021 DMCJA Spring Conference, Location: TBD

AOC Staff: Dory Nicpon

Updated: October 9, 2020



**DMCJA BOARD MEETING
FRIDAY, NOVEMBER 13, 2020
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE**

PRESIDENT MICHELLE GEHLSSEN

AGENDA		PAGE
Call to Order		
General Business		
A. Minutes for October 9, 2020		1-5
B. Treasurer’s Report		6-16
C. Special Fund Report		13-14
D. Standing Committee Reports		
1. Rules Committee – August 26, 2020 Minutes		17-18
2. Diversity Committee		
3. Legislative Committee		
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.		

<p>Discussion</p> <p>A. 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—Judge Jeffrey Smith</p> <ol style="list-style-type: none"> 1. DMCJA Education Committee Considerations – Judge Charles Short 2. Dues Considerations – Christina Huwe, Bookkeeper 3. 2020 DMCJA Dues Notice 4. DMCJA Profit and Loss Statement (2016-2020) 5. 2017 DMCJA Dues Notice re 33% Increase <p>B. Board D&O Insurance Status Update – Judge Jeffrey Smith</p> <p>C. Diversity Committee Action Plan Review – Judge Charles Short and Judge Karl Williams</p> <p>D. DMCJA Bylaws Amendment regarding Voting via Email</p> <p>E. DMCJA Bylaws Committee Report – Judge Kristian Hedine reporting on any advisable amendments related to Board diversity definitions and provisions</p> <p>F. DMCJA Board Statement regarding Racial Injustice and the Judiciary</p> <p>G. Plaque for Margaret Fisher (recently retired AOC staff for the Public Trust and Confidence Committee and youth court/civics initiatives) for presentment at the December 4 meeting</p> <p>H. Amicus Ad Hoc Committee Update (<i>Ladenburg v. Henke</i>) – Judge Sam Meyer</p> <p>I. Ethics Advisory Opinion 20-07</p>	<p>19</p> <p>20</p> <p>21-22</p> <p>23</p> <p>24-26</p> <p>27-49</p> <p>50-67</p> <p>68-69</p> <p>70-71</p>
<p>Information</p> <p>A. National Association of Women Judges: 2020 Conference Report from Judge Marilyn Paja.</p> <p>B. King County District Court (KCDC) went live with its new eCourt system. To view KCDC cases only, please visit the KCDC Portal at https://kcdc-efiling.kingcounty.gov/ecourt/.</p> <p>C. DMCJA members are invited to participate in guided breathing and stretching exercises over lunch on November 13 and 20, 2020; for more information, please contact Judge Claire Sussman at claire.sussman@piercecounywa.gov.</p> <p>D. Updated President’s Message is on DMCJA Webpage HERE.</p> <p>E. New DMCJA Appointments to External Committees:</p> <ol style="list-style-type: none"> 1. <u>Bench Bar Press Committee</u>: Judge Patrick Johnson, Spokane County District Court 2. <u>BJA Public Trust & Confidence Committee</u>: Judge Jessica Ness, Monroe Municipal Court 3. <u>Misdemeanant Probation Association</u>: Judge Lisa Leone, Des Moines & Normandy Park Municipal Courts <p>F. Coronavirus Aid, Relief, and Economic Security Act (CARES) Funding – Application for Reimbursement: before time or funds run out, apply for reimbursement of your court’s unbudgeted COVID-19 related expenditures, such as PPE, Plexiglas or signage, public communications, technology for remote hearings, etc.</p>	<p>72-75</p>

<p>G. BJA Innovating Justice Award: To nominate someone for this award, please use the attached Award Nomination Form. Nominations will be received on an ongoing basis and should be received by the following dates to be considered for the next selection process:</p> <ul style="list-style-type: none"> • January 4, 2021 • March 29, 2021 • June 1, 2021 	76
<p>Other Business</p> <p>A. The next DMCJA Board Meeting is scheduled for Friday, December 4, 2020, from 12:30 p.m. to 3:30 p.m., via Zoom video conference.</p>	
<p>Adjourn</p>	



DMCJA Board of Governors Meeting
Friday, October 9, 2020, 12:30 p.m. – 3:30 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
 Commissioner Rick Leo
 Judge Aimee Maurer
 Judge Samuel Meyer
 Judge Kevin Ringus
 Judge Charles Short
 Judge Jeffrey Smith
 Judge Laura Van Slyck
 Judge Karl Williams
 Commissioner Paul Wohl

Members Absent:

Judge Tyson Hill

Guests:

Judge Tam Bui, BJA Representative
 Judge Rebecca Robertson, BJA Representative
 Judge Mindy Walker, Bylaws Committee Member
 Stacie Scarpaci, MPA
 Patricia “Patti” Kohler, DMCMA

AOC Staff:

Dory Nicpon, Judicial and Legislative Relations
 Susan Goulet, Court Program Specialist
 J Benway, Legal Services
 Vicky Cullinane, Business Liaison

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 12:35 p.m. Susan Goulet shared that Sharon Harvey sends greetings to the Board.

GENERAL BUSINESS

A. Speedy Trial and Bench Warrants Announcement (Added Agenda Item)

Judge Gehlsen announced that at the most recent periodic call among regional presiding judges and the Chief Justice, the Chief Justice indicated that the Supreme Court will not be extending the “excluded period” for purposes of speedy trial calculations in its next pandemic-related order. The Chief Justice also shared that the new order will allow warrants to be issued on failures to appear (FTAs) but with parameters not yet specified. The new order should be published before October 15, 2020. DMCJA circulated a survey to presiding judges of courts of limited jurisdiction to gather feedback to inform the parameters the Supreme Court will set.

B. Minutes for September 11, 2020

The Board moved, seconded, and passed a vote (“M/S/P”) to approve the Board Meeting Minutes for September 11, 2020. Judge Laura Van Slyck abstained.

C. Treasurer’s Report

Judge Smith noted nothing extraordinary in the report. M/S/P to approve the Treasurer’s Report.

D. Special Fund Report

Commissioner Leo reported earned interest of \$14.02. M/S/P to approve the Special Fund Report.

E. Standing Committee Reports

1. Legislative Committee

Committee reported under discussion items.

2. Rules Committee

Judge Gehlsen noted the Rules Committee has no meetings or minutes to report.

3. Diversity Committee

Judge Williams reported that DMCJA submitted a draft of a survey of electronic home monitoring (EHM) options and how jurisdictions fund them to ensure availability to all rather than only those who can afford to pay for it. Judge Gehlsen commented that Kitsap County has cut funding for EHM, and she wonders whether CARES funding could be available for that. Judge Williams indicated that an option is to sentence to jail, in which case the individual may have CARES-subsidized EHM due to COVID. Judge Short reported that the Board requested an action plan related to the DMCJA's priority initiative regarding systemic racism, so the Committee formed a sub-committee to develop the action plan. Judge Gehlsen indicated a letter for review and possible signature by all Board members will be in the November materials. She asked whether the action plan will be ready by November. Judge Short indicated the Committee will expedite it. Judge Gehlsen spoke of an email that she received from Justice Mary Yu about the Minority and Justice Commission (MJC) offering to be a resource for avoiding duplicated efforts and a coordinated approach. After discussion, Judge Gehlsen referred Judge Short to the MJC as a resource.

F. Judicial Information Systems (JIS) Report

Vicky Cullinane reported that there is much work underway with pilot courts for the Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Project. Judge Gehlsen discussed the contents of a legislative toolkit under development regarding the CLJ-CMS and its upcoming dissemination.

LIAISON REPORTS

A. Board for Judicial Administration (BJA)

Judge Robertson reported that the BJA Court Security Task Force is reauthorizing but not going forward with a budget request at this time. Judge Bui reported that Chief Justice Stephens spoke about COVID-related recognition awards (local heroes) for members of the court community who have been taking on huge projects during the pandemic. Judge Ringus reported that the BJA formulated its agenda, including supporting Thurston County Superior Court in requesting a ninth judge if they secure a local funding commitment. He shared that the BJA Legislative Committee had also formed a work group to examine continuity for single judge courts, which resulted in recommended legislation and a proposed court rule amendment. A second work group examined the potential reintroduction of the Clean Slate Act, which developed and legislative action plan for the 2021 legislative session.

B. District and Municipal Court Management Association (DMCMA)

Ms. Kohler reported that DMCMA is developing implicit bias training with Commissioner Jonathan Lack, and new training related to change management throughout the month of October with the CLJ-CMS rollout ahead.

C. Misdemeanant Probation Association (MPA)

Ms. Scarpaci reported that the MPA hosted an academy attended by many new probation officers. Judge Gehlsen referenced that the DMCJA's request legislation related to coordinated probation supervision, and invited collaboration. Judge Ringus and Commissioner Wohl agreed to add MPA to the stakeholder list.

ACTION

1. Rules Amendment Request from DMCJA regarding GR 31 (Access to Court Records – Therapeutic Court Records)

M/S/P to request withdrawal of the proposal.

2. DMCJA 2021 Legislative Priorities: Recommendations to the Board

M/S/P to adopt the recommendations for the DMCJA Legislative Committee to 1) not take a position on the Clean Slate Act but engage with legislators on impacts; 2) reintroduce the probation bill draft; and 3) support legislation related to therapeutic alternatives.

3. Board D&O Insurance Status Update

M/S/P to purchase the three-year coverage for \$3,715, and to amend the budget consistent with the purchase.

4. Ladenburg v. Henke: Whether to submit an Amicus Brief

M/S/P to convene an ad hoc committee of Judges Meyer, Robertson, and Crawford-Willis to examine the issue and make recommendations to the Board.

DISCUSSION

A. Rules Amendment Request from DMCJA regarding CrRLJ 3.2.1 (Procedure Following Warrantless Arrest – Preliminary Hearing)

Judge Sam Meyer reported on a matter from Stevens County litigated approximately one year ago before the Supreme Court, for which the DMCJA submitted an amicus brief. He explained that when the ruling went against the district court position, the DMCJA submitted a rule proposal to eliminate the practice in Stevens County. The Supreme Court Rules Committee rejected the proposal. Judge Meyer spoke with Supreme Court Rules Committee Chair, Justice Charles Johnson, about the policy and implications. Justice Johnson suggested the proposal could be reintroduced if the practice spreads. Judge Meyer stated he does not recommend further action by the Board at this time.

B. Rules Amendment Request from DMCJA regarding GR 31 (Access to Court Records – Therapeutic Court Records)

Judge Gehlsen reported that DMCJA requested GR 31 amendments related to mental health records. Judge Goodwin was contacted by the Washington State Association of County Clerks (WSACC), who support the change but recommend the changes occur in GR 22 rather than GR 31. J Benway reported that Judge Eisenburg had originally proposed amendment of GR 22, and already had such a draft, which he has shared with the WSACC. The next deadline for submission is October 15, which may be unrealistic. There was discussion about how the proposal will still be posted on the web, but be dormant. Judge Gehlsen advised the Board that a GR 22 proposal might circulate for approval via email. M/S/P to move this to an action item.

C. Rules Amendment Proposal (Email) from SCJA regarding GR 26 (Mandatory Continuing Judicial Education – Adding an Annual Diversity, Equity and Inclusion Requirement)

Judge Gehlsen reported on a request received from the SCJA to add an annual education requirement related to diversity, equity, and inclusion. Judge Short discussed that there is not yet a specific proposal, and whether to characterize the training as ethics or regular credits is undetermined as yet. Judge Van Slyck spoke favorably of the concept but questioned the feasibility for judges, and suggested that the Board needs more details before acting. Judge Gehlsen indicated that she will contact SCJA to articulate support for the concept, as well as the concerns.

D. 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

This item was moved to the November meeting.

E. DMCJA 2021 Legislative Priorities: Recommendations to the Board – Judge Kevin Ringus

Judge Ringus reported that the DMCJA Legislative Committee received four proposals and reviewed three that didn't advance last year, and had extensive discussion with the SCJA regarding the sentencing court impacts of potential Clean Slate Act (CSA) legislation and a legislative engagement action plan for the CSA in 2021. Representative Goodman is willing to sponsor the DMCJA's coordinated probation bill proposal. Judge Ringus referenced DMCJA's priority of the CLJ-CMS Project. Commissioner Wohl referenced concerns among DMCJA membership about the proof of firearms surrender. Rather than seek specific legislation on that issue, the Committee is seeking to address it in legislation under development elsewhere related to protection orders. M/S/P to move this to an action item.

F. Advisory Notice by WSBA Council on Public Defense: Implementation of the Standards for Indigent Defense During the Coronavirus Emergency

Judge Gehlsen reported on the materials sent to Judge Scott Ahlf by the Council on Public Defense. Judge Ahlf asked about distribution of the information. Judge Gehlsen asked if the Board had any concerns sending the materials via the listserv. The Board expressed no concerns.

G. Board D&O Insurance Status Update – Judge Jeffrey Smith

Judge Smith reported that DMCJA received a quote from Propel Insurance (Traveler's), which was included in the packet. One million in coverage for \$1,303 per year premium. Judge Smith recommends the Board approve, and discussed payment options (installments, annual, or three-year prepaid for a discount of \$194). Judge Smith recommended prepaying for three years. There is an existing line item in the budget. Susan Goulet noted that \$1,500 is approved in the budget, so if prepayment is preferred, then the Board should consider allocating more funding for this expense. Judge Smith noted that there is significant positive balance projected for year-end, and raised the possibility of investing some of the surplus in an interest bearing option. Judge Gehlsen concurred with preferring the discounted, prepayment option. Judge Ringus noted the difference between calendar and fiscal years. Following discussion, M/S/P to move this to an action item.

Judge Robertson proposed establishment of a grant fund for courts in lieu of investing the year-end surplus. Judge Gehlsen referenced reduction of dues as an option to consider as well.

H. DMCJA Bylaws Committee Report – Judge Mindy Walker and J Benway reporting on advisable pandemic-related amendments

Judge Mindy Walker reported that there were a number of proposed changes for the bylaws associated with being able to conduct business without meeting in person, including addressing how ballots can be cast remotely when the conference does not occur in-person. Other proposed amendments concern conducting meetings virtually. J Benway reported that there is a conundrum that the bylaws may only be amended at the in-person conference. She discussed a possible provisional adoption until subsequent approval. Judge Gehlsen asked if the proposed changes address the possibility of when Spring Conference does not occur, and only email business is done. Ms. Benway indicated the changes proposed contemplate that the Board would convene remotely. The Board indicated that in addition to meeting remotely, an option to meet by email should also be available. Judge Ringus asked about what was done to facilitate the email vote in June 2020 when the in-person conference was cancelled. Judge Gehlsen set this for the November meeting so the Board can examine the email used to conduct a vote in June 2021. Judge Gehlsen also confirmed that the Bylaws Committee will report in November on any advisable amendments related to Board diversity.

I. Ladenburg v. Henke: Whether to submit an Amicus Brief

Judge Gehlsen referenced the Board materials. Judge Henke indicated that she is willing to answer any questions but she must recuse herself from the discussion and any vote regarding it. She subsequently left the meeting. Judge Gehlsen referred the Board to the Amicus Policy in the materials. There was discussion of whether the request meets the criteria for filing an amicus brief. There was discussion that the Board's options include examining GR 29, responding to the specific request, or convening an ad hoc committee. M/S/P to move this to an action item.

INFORMATION

Judge Gehlsen spoke of sending an invitation to the listserv for two breathing and stretching opportunities on November 13 and 20, 2020, and inviting the Board to join the first ten minutes of the session on November 13 prior to its meeting. Judge Gehlsen brought the following informational items to the Board's attention.

- A. The DMCJA President has appointed the DMCJA Nominating Committee. See Nominating Committee Roster [DMCJA Bylaws, Art. IX, Sec. 2(a)(2).]
- B. Comment Letter in Support of Proposed Amendment(s) to JISC Rule (JISCR) 13, Local Court Systems
- C. Coronavirus Aid, Relief, and Economic Security Act (CARES) Funding – [Application](#) for Reimbursement
- D. Resource Library published at pages 29-35 (with hyperlinks) in the Special Pandemic Edition of Full Court Press for resources related to: court operations; general coronavirus information; virtual courtrooms; jury trials; workplace considerations; access to courts/justice; pages of interest; family and specialty courts and dockets; staff and self care; messaging/communications; resources for the public; and “We MacGyvered It” (Friday Forum Webinars)
- E. New Resources on Court Interpreting from the Interpreter Commission
- F. CLJ-CMS Project Update from Project Steering Committee
- G. Updating future Meeting Schedule to reflect meeting via Zoom through the current term.

OTHER BUSINESS

Judge Gehlsen noted that the next DMCJA Board Meeting is scheduled for November 13, 2020, from 12:30 a.m. to 3:30 p.m., via Zoom video conference. The meeting was adjourned at 2:32 p.m.

Christina E Huwe
Pierce County Bookkeeping
1504 58th Way SE
Auburn, WA 98092
Phone (360) 710-5937
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SUMMARY OF REPORTS

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

For the Period Ending October 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 October 31, 2020

	Oct 31, 20
ASSETS	
Current Assets	
Checking/Savings	
Bank of America - Checking	10,197
Bank of America - Savings	194,013
Washington Federal	43,871
Total Checking/Savings	248,080
Total Current Assets	248,080
Fixed Assets	
Accumulated Depreciation	(703)
Computer Equipment	579
Total Fixed Assets	(124)
Other Assets	
Prepaid Expenses	37,333
Total Other Assets	37,333
TOTAL ASSETS	285,289
LIABILITIES & EQUITY	
Equity	
Unrestricted Earnings	17,513
Unrestricted Net Assets	305,296
Net Income	(37,520)
Total Equity	285,289
TOTAL LIABILITIES & EQUITY	285,289

Washington State District And Municipal Court Judges Assoc.
Statement of Activities
For the Four Months Ending October 31st, 2020

	<u>Jul 20</u>	<u>Aug 20</u>	<u>Sep 20</u>	<u>Oct 20</u>	<u>TOTAL</u>
Ordinary Income/Expense					
Income					
Interest Income	20	20	16	13	69
Total Income	<u>20</u>	<u>20</u>	<u>16</u>	<u>13</u>	<u>69</u>
Gross Profit	20	20	16	13	69
Expense					
Special Fund Expense	0	0	0	29	29
Prior Year Budget Expense	0	2,600	0	1,252	3,852
Board Meeting Expense	0	0	0	490	490
Bookkeeping Expense	0	536	318	318	1,172
Judicial Assistance Committee	0	0	1,200	0	1,200
Legislative Committee	0	0	0	735	735
Legislative Pro-Tem	245	0	245	0	490
Lobbyist Contract	8,667	4,667	6,667	8,667	28,667
President Expense	0	0	0	245	245
Professional Services	0	700	0	0	700
Treasurer Expense and Bonds	0	0	10	0	10
Total Expense	<u>8,912</u>	<u>8,503</u>	<u>8,440</u>	<u>11,736</u>	<u>37,589</u>
Net Ordinary income	<u>(8,891)</u>	<u>(8,482)</u>	<u>(8,424)</u>	<u>(11,722)</u>	<u>(37,520)</u>
Net Income	<u><u>(8,891)</u></u>	<u><u>(8,482)</u></u>	<u><u>(8,424)</u></u>	<u><u>(11,722)</u></u>	<u><u>(37,520)</u></u>

**Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
Bank of America - Checking, Period Ending 10/31/2020**

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						17,510.39
Cleared Transactions						
Checks and Payments - 8 items						
Check	09/29/2020		King County District ...	X	-244.90	-244.90
Check	10/01/2020		Melanie Stewart	X	-2,000.00	-2,244.90
Check	10/01/2020		King County District ...	X	-489.80	-2,734.70
Check	10/01/2020		King County District ...	X	-244.90	-2,979.60
Check	10/14/2020		Pierce County Book...	X	-318.00	-3,297.60
Check	10/21/2020		King County District ...	X	-489.80	-3,787.40
Check	10/21/2020		King County District ...	X	-244.90	-4,032.30
Check	10/30/2020		Melanie Stewart	X	-2,000.00	-6,032.30
Total Checks and Payments					-6,032.30	-6,032.30
Total Cleared Transactions					-6,032.30	-6,032.30
Cleared Balance					-6,032.30	11,478.09
Uncleared Transactions						
Checks and Payments - 1 item						
Check	10/26/2020		4imprint		-1,252.12	-1,252.12
Total Checks and Payments					-1,252.12	-1,252.12
Total Uncleared Transactions					-1,252.12	-1,252.12
Register Balance as of 10/31/2020					-7,284.42	10,225.97
Ending Balance					-7,284.42	10,225.97

**Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
Bank of America - Savings, Period Ending 10/31/2020**

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Cir</u>	<u>Amount</u>	<u>Balance</u>
Beginning Balance						194,010.98
Cleared Transactions						
Deposits and Credits - 1 item						
Deposit	10/31/2020			X	1.64	1.64
Total Deposits and Credits					1.64	1.64
Total Cleared Transactions					1.64	1.64
Cleared Balance					1.64	194,012.62
Register Balance as of 10/31/2020					1.64	194,012.62
Ending Balance					1.64	194,012.62

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
 July through October 2020

Type	Date	Num	Name	Memo	Amount	Balance
Bank of America - Checking						
Check	07/01/2020		Melanie Stewart	July Payment	(2,000.00)	(2,000.00)
Check	07/31/2020		Melanie Stewart	August invoice 4818	(2,000.00)	(4,000.00)
Check	07/31/2020		King County District Court	Judge Michelle Gehlsen 7-10-20	(244.90)	(4,244.90)
Check	08/14/2020		Pierce County Bookkeeping	June invoice 1000	(318.00)	(4,562.90)
Check	08/14/2020		Pierce County Bookkeeping	July invoice 1002	(218.00)	(4,780.90)
Check	08/20/2020		Dino W Traverso, PLLC	Invoice 19729 2019 Tax return	(700.00)	(5,480.90)
Check	08/20/2020		AOC	Conference Calls for June	(194.88)	(5,675.78)
Check	08/21/2020		Superior Court Judges Association	1/2 of unused balance	(2,405.00)	(8,080.78)
Check	09/01/2020		Melanie Stewart	September payment	(2,000.00)	(10,080.78)
Check	09/11/2020		Susanna Neil Kanther-Raz	July/Aug/Sept	(1,200.00)	(11,280.78)
Check	09/15/2020		Pierce County Bookkeeping	August Invoice 1020	(318.00)	(11,598.78)
Check	09/21/2020		Sharon Harvey	Corp License Renewal	(10.00)	(11,608.78)
Check	09/29/2020		King County District Court	Judge Valerie Bouffiuou 8/25/20	(244.90)	(11,853.68)
Check	10/01/2020		King County District Court	9/15/20 Pro Tem Judge Nguyen	(244.90)	(12,098.58)
Check	10/01/2020		King County District Court	9/11 Judge Powell / 9/11 Judge Walls	(489.80)	(12,588.38)
Check	10/01/2020		Melanie Stewart	October payment	(2,000.00)	(14,588.38)
Check	10/14/2020		Pierce County Bookkeeping	Invoice 1050 for September	(318.00)	(14,906.38)
Check	10/14/2020		AOC	Special fund expense	(29.45)	(14,935.83)
Check	10/21/2020		King County District Court	Pro Tem Valerie Bouffiuou 10-9-20 Pro Tem ...	(489.80)	(15,425.63)
Check	10/21/2020		King County District Court	9/22/20 Pro Tem Judge Gehlsen	(244.90)	(15,670.53)
Check	10/26/2020		4imprint	President Line item from 2019-2020 Budget	(1,252.12)	(16,922.65)
Check	10/30/2020		Melanie Stewart	November payment	(2,000.00)	(18,922.65)
Total Bank of America - Checking					(18,922.65)	(18,922.65)
Bank of America - Savings						
Deposit	07/31/2020			Interest	1.64	1.64
Deposit	08/31/2020			Interest	1.64	3.28
Deposit	09/30/2020			Interest	1.59	4.87
Deposit	10/31/2020			Interest	1.64	6.51
Total Bank of America - Savings					6.51	6.51
Washington Federal						
Deposit	07/31/2020			Interest	18.56	18.56
Deposit	08/31/2020			Interest	16.56	37.12
Deposit	09/30/2020			Interest	14.02	51.14
Deposit	10/31/2020			Interest	11.69	62.83
Total Washington Federal					62.83	62.83
Prepaid Expenses						
Genera ...	07/31/2020	CEH		1/12 of Contract	(4,666.66)	(4,666.66)
Genera ...	08/31/2020	CEH		1/12 of Contract	(4,666.66)	(9,333.32)
Genera ...	09/30/2020	CEH		1/12 of Contract	(4,666.66)	(13,999.98)
Genera ...	10/31/2020	CEH		1/12 of Contract	(4,666.66)	(18,666.64)
Total Prepaid Expenses					(18,666.64)	(18,666.64)
Interest Income						
Deposit	07/31/2020			Interest	(1.64)	(1.64)
Deposit	07/31/2020			Interest	(18.56)	(20.20)
Deposit	08/31/2020			Interest	(1.64)	(21.84)
Deposit	08/31/2020			Interest	(18.56)	(40.40)
Deposit	09/30/2020			Interest	(1.59)	(41.99)
Deposit	09/30/2020			Interest	(14.02)	(56.01)
Deposit	10/31/2020			Interest	(1.64)	(57.65)
Deposit	10/31/2020			Interest	(11.69)	(69.34)
Total Interest Income					(69.34)	(69.34)
Special Fund Expense						
Check	10/14/2020		AOC	Special fund expense	29.45	29.45
Total Special Fund Expense					29.45	29.45
Prior Year Budget Expense						
Check	08/20/2020		AOC	Conference Calls for June	194.88	194.88
Check	08/21/2020		Superior Court Judges Association	1/2 of unused balance	2,405.00	2,599.88
Check	10/26/2020		4imprint	President Line item from 2019-2020 Budget	1,252.12	3,852.00
Total Prior Year Budget Expense					3,852.00	3,852.00
Board Meeting Expense						
Check	10/01/2020		King County District Court	9/11 Judge Walls	244.90	244.90
Check	10/21/2020		King County District Court	Pro Tem Renee Walls 10-9-20	244.90	489.80
Total Board Meeting Expense					489.80	489.80

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
 July through October 2020

Type	Date	Num	Name	Memo	Amount	Balance
Bookkeeping Expense						
Check	08/14/2020		Pierce County Bookkeeping	June invoice 1000	318.00	318.00
Check	08/14/2020		Pierce County Bookkeeping	July invoice 1002	218.00	536.00
Check	09/15/2020		Pierce County Bookkeeping	August Invoice 1020	318.00	854.00
Check	10/14/2020		Pierce County Bookkeeping	Invoice 1050 for September	318.00	1,172.00
Total Bookkeeping Expense					1,172.00	1,172.00
Judicial Assistance Committee						
Check	09/11/2020		Susanna Neil Kanther-Raz	July/Aug/Sept	1,200.00	1,200.00
Total Judicial Assistance Committee					1,200.00	1,200.00
Legislative Committee						
Check	10/01/2020		King County District Court	9/15/20 Pro Tem Judge Nguyen	244.90	244.90
Check	10/01/2020		King County District Court	9/11 Judge Powell	244.90	489.80
Check	10/21/2020		King County District Court	9/22/20 Pro Tem Judge Gehlsen	244.90	734.70
Total Legislative Committee					734.70	734.70
Legislative Pro-Tem						
Check	07/31/2020		King County District Court	Judge Michelle Gehlsen 7-10-20	244.90	244.90
Check	09/29/2020		King County District Court	Judge Valerie Bouffiuou 8/25/20	244.90	489.80
Total Legislative Pro-Tem					489.80	489.80
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
Genera...	08/31/2020	CEH		1/12 of Contract	4,666.66	13,333.32
Check	09/01/2020		Melanie Stewart	September payment	2,000.00	15,333.32
Genera...	09/30/2020	CEH		1/12 of Contract	4,666.66	19,999.98
Check	10/01/2020		Melanie Stewart	October payment	2,000.00	21,999.98
Check	10/30/2020		Melanie Stewart	November payment	2,000.00	23,999.98
Genera...	10/31/2020	CEH		1/12 of Contract	4,666.66	28,666.64
Total Lobbyist Contract					28,666.64	28,666.64
President Expense						
Check	10/21/2020		King County District Court	Pro Tem Valerie Bouffiuou 10-9-20	244.90	244.90
Total President Expense					244.90	244.90
Professional Services						
Check	08/20/2020		Dino W Traverso, PLLC	Invoice 19729 2019 Tax return	700.00	700.00
Total Professional Services					700.00	700.00
Treasurer Expense and Bonds						
Check	09/21/2020		Sharon Harvey	Corp License Renewal	10.00	10.00
Total Treasurer Expense and Bonds					10.00	10.00
TOTAL					0.00	0.00



Statement of Account

PAGE 1 OF 2

Statement End Date October 31, 2020

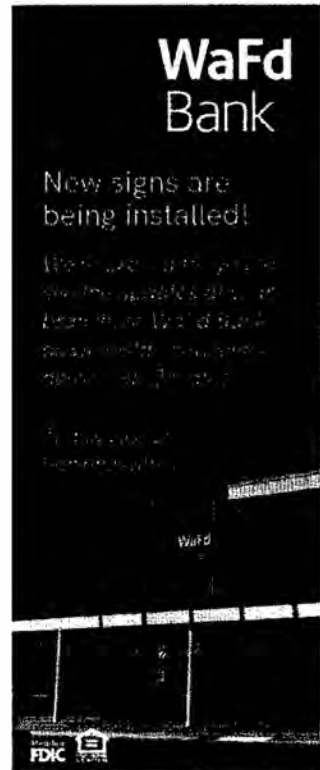
Statement Begin Date October 1, 2020

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' 8891
JUDGE MICHELLE K GEHLEN
10116 NE 183RD ST
BOTHELL, WA 98011-3416



*For questions or assistance with your account(s),
please call 800-324-9375, stop by your local branch,
or send a written request to our Client Care Center
at 9929 Evergreen Way, Everett WA 98204.*

Business Premium Money Market Summary - #

Annual Percentage Yield Earned for this Statement Period	0.314%
Interest Rate Effective 10/01/2020	0.350%
Interest Rate Effective 10/21/2020	0.250%
Interest Earned/Accrued this Cycle	\$11.69
Number of Days in this Cycle	31
Date Interest Posted	10-31-2020
Year-to-Date Interest Paid	\$233.82

Beginning Balance	\$43,859.29
Interest Earned This Period	+11.69
Deposits and Credits	+0.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$43,870.98

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

WF-01 (8/19)

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



Statement of Account

PAGE 2 OF 2

Statement End Date October 31, 2020
Statement Begin Date October 1, 2020
Account Number

For 24-hour telephone banking
1-877-431-1876

Interest Earned This Period

Date	Description	Amount
10-31	Credit Interest	11.69
Total Interest Earned This Period		11.69



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	\$490.00	\$29,510.00
Bookkeeping Expense	\$ 3,500.00	\$1,172.00	\$2,328.00
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) Committee*	\$ 16,000.00	\$1,200.00	\$14,800.00
Insurance	\$ 3,715.00		\$3,715.00
Judicial College Social Support	\$ 2,000.00		\$2,000.00
Judicial Community Outreach	\$ 4,000.00		\$4,000.00
Legislative Committee	\$ 4,000.00	\$735.00	\$3,265.00
Legislative Pro-Tem	\$ 2,500.00	\$490.00	\$2,010.00
Lobbyist Contract	\$ 80,000.00	\$66,000.00	\$14,000.00
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	\$245.00	\$4,755.00
Pro Tempore (committee chair approval)	\$ 10,000.00		\$10,000.00
Professional Services	\$ 5,000.00	\$700.00	\$4,300.00
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	\$ -	\$29.00	
Therapeutic Courts**	\$ 2,500.00		\$2,500.00
Treasurer Expense and Bonds	\$ 250.00	\$10.00	\$240.00

Trial Court Advocacy Board	\$	-	
Uniform Infraction Citation Committee	\$	1,000.00	\$1,000.00
Totals	\$	282,200.00	\$71,071.00 \$211,129.00
*Includes \$8,000 from the SCJA			
DMCJA\Board\Budget\2010-Present\2020-2021 Adopted		updated 10/31/20	



DMCJA Rules Committee Annual Meeting

Wednesday, August 26, 2020 (Noon – 1:00 p.m.)

Via Zoom

MEETING MINUTES

Members:

Chair, Judge Goodwin
Judge Antush
~~Judge Buttorff~~
~~Judge Campagna~~
~~Judge Eisenberg~~
Judge Finkle
~~Commissioner Hanlon~~
Judge Oaks
~~Judge Padula~~
~~Judge Paja~~
Judge Samuelson
Ms. Patti Kohler, DMCMA Liaison
~~Ms. Melanie Conn, DMCMA Liaison~~

AOC Staff:

Ms. J Benway
Vicky Cullinane

Judge Goodwin called the meeting to order at 12:04 p.m.

The Committee discussed the following items:

1. Welcome & Introductions

Judge Goodwin welcomed the Committee members in attendance.

2. Approve Minutes from the July 22, 2020 Meeting

It was motioned, seconded, and passed to approve the minutes from the July 22, 2020 Rules Committee meeting. The approved minutes will be provided to the DMCJA Board.

3. Discuss Potential Amendments to CrRLJ 3.4

Judge Goodwin stated that the DMCJA Board has requested that the Rules Committee review CrRLJ 3.4 for potential amendment in light of the COVID-19 public health crisis. The Committee discussed the addition of specific language to the rule to allow for video appearances. Judge Oaks stated that he would discuss potential changes with Judge Padula and bring back a proposal to the Committee. This item will be carried forward to the next meeting.

4. Discuss Potential Amendments to CRLJ 43

Judge Gehlsen, DMCJA Board President, requested that the DMCJA Rules Committee consider whether CRLJ 43 should be identical to CR 43. Judge Paja agreed to look at this issue but was unable to attend this meeting. This item will be continued to the next Committee meeting.

5. Discuss Potential Amendments to CRLJ 4 and CRLJ 5

Judge Goodwin stated that as part of the Committee's review of CRLJ Parts 1 and 2, the Committee had identified a potential amendment to CRLJ 4 to add the possibility of service by email, which the Board authorized the Committee to pursue. The Committee subsequently bifurcated its approach: Regarding CRLJ 4, Ms. Benway and Judge Goodwin will prepare a memo for the DMCJA Board with suggestions for further actions, including suggesting that the potentially large scope of the inquiry might benefit from greater stakeholder involvement, including members of the DMCJA Legislative Committee and other judicial officers. Regarding CRLJ 5, Judge Finkle agreed to send a listserve message to the DMCJA membership regarding how and whether various courts are using CRLJ 5. These items will be carried forward to the next Committee meeting.

6. Discuss Parts 3 and 4 of CRLJ

Judge Goodwin stated that with all the Rules Committee business and other matters, there was insufficient time to review CRLJ Parts 3 and 4. The Committee agreed to postpone review of these rules until the next meeting. Ms. Benway will revise the CRLJ review schedule.

7. Discuss Potential Model Electronic Filing Rule

Ms. Benway stated that this issue had arisen because many courts were adopting an electronic (e-)filing component as part of the CLJ CMS roll-out. GR 30 requires courts to adopt a local rule when implementing an e-filing system, so it had been suggested that a model local rule be available to courts to adopt. Ms. Cullinane of AOC has been tasked with drafting a model rule; Ms. Benway queried whether the Rules Committee was interested in assisting in this endeavor. The Committee is interested in this issue; Judge Oaks stated that Pierce County District Court and Tacoma Municipal Court were in an e-filing pilot project and would be developing their own rule. Ms. Cullinane stated that one challenge for a model rule is that each court may have different technological issues to address in the rule. Ms. Benway will work with Ms. Cullinane to bring a potential model rule back to the Committee. This item will be carried over to the next meeting.

8. Discuss Proposal to Amend JISC 13

The Washington State Supreme Court recently published for comment a requested to amend JISC 13 that was proposed by the Judicial Information System Committee; the deadline to comment is September 30, 2020. The Committee had concerns regarding the enforcement provisions of subsection (h) and the overall readability of the rule, regarding which Ms. Benway prepared a draft memo. The Committee reviewed and approved the revised memo provided by Ms. Benway. Ms. Benway will forward the Committee's recommendation to the DMCJA Board.

9. Other Business and Next Meeting Date

The next Committee meeting is scheduled for Wednesday, September 23, 2020 at noon, via zoom video conference. There being no further business, the meeting was adjourned at 12:58 p.m.

TO: DMCJA Board of Governors
FROM: Christina Huwe, Bookkeeper
RE: 2020-2021 Dues Considerations
DATE: September 8, 2020

The following are items to consider when thinking about dues for this year:

1. The Conference Incidental Fees line item makes up a little over 14% of the budget.
2. We had a cash flow of two hundred seventy-nine thousand dollars (\$279,000), which does not include the Special Fund account.
3. I must assume DMCJA will spend all the money that is in the budget, even though DMCJA typically does not and will likely not spend all of its money this year.
4. DMCJA needs to have cash flow in the account at the start of the budget year to hold the association over until the dues is received. The amount we spend until dues come in can reach close to one hundred thousand dollars (\$100,000).
5. Dues last year came in at a little over one hundred eighty-three thousand dollars (\$183,000).

I would think a 30% reduction in fees would work out well. That would give DMCJA a nice cash flow going into the next budget year. Please let me know if I can be of more help.

Sincerely,

/s/

Christina Huwe
DMCJA Bookkeeper



District and Municipal Court Judges' Association

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Vice-President

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Secretary/Treasurer

COMMISSIONER RICK LEO
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Past President

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JUDGE ROBERT W. GRIM
Okanogan County District Court
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JUDGE DREW ANN HENKE
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JUDGE TYSON R. HILL
Grant County District Court
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JUDGE AIMEE MAURER
Spokane County District Court
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JUDGE JEFFREY R. SMITH
Spokane County District Court
(509) 477-2959

JUDGE LAURA VAN SLYCK
Everett Municipal Court
(425) 257-8778

COMMISSIONER PAUL WOHL
Thurston County District

TO: District and Municipal Court Judges, Commissioners, and Magistrates
DMCJA Associate Members

FROM: Judge Samuel G. Meyer, President
Commissioner Rick Leo, Secretary-Treasurer

RE: 2020 DMCJA DUES

According to the Bylaws of the District and Municipal Court Judges' Association (DMCJA), annual dues will be assessed for members.

Payment of dues is prerequisite to participation in DMCJA governance and receipt of benefits associated with membership in good standing.

CHECK ONE

Judge

- ¾ to Full-time District or Municipal Court Judge \$1000
- ¼ to ¾ Time District or Municipal Court Judge \$500
- Less than ¼ Time District or Municipal Court Judge \$250

Commissioner/Magistrate (80 percent of the judge rate, based on FTE)

- ¾ to Full-time District or Municipal Court Comm./Magistrate \$800
- ¼ to ¾ Time District or Municipal Court Comm./Magistrate \$400
- Less than ¼ Time District or Municipal Court Comm./Magistrate \$200

Associate Member

- Associate Member (retired or former member only) \$25

Please provide the following information to ensure proper posting:

Name _____

Court _____

Address _____

To maintain your membership in good standing, please remit this form and your payment by February 18, 2020.

MAKE CHECK PAYABLE TO: "DMCJA"

Send to: Commissioner Rick Leo
Snohomish County District Court
Cascade Division
415 E Burke Ave
Arlington, WA 98223-1010

**Washington State District And Municipal Court Judges Assoc.
Profit & Loss**

July 2016 through June 2020

Accrual Basis

	Jul '16 - Jun 17	Jul '17 - Jun 18	Jul '18 - Jun 19	Jul '19 - Jun 20
Ordinary Income/Expense				
Income				
2017 Special Fund	5,425.00	100.00	0.00	0.00
Interest Income	128.09	133.83	533.33	542.70
Membership Revenue	179,550.00	177,950.00	181,775.00	183,425.00
Other Revenue	0.00	0.00	369.81	0.00
Total Income	<u>185,103.09</u>	<u>178,183.83</u>	<u>182,678.14</u>	<u>183,967.70</u>
Gross Profit	185,103.09	178,183.83	182,678.14	183,967.70
Expense				
Conference Incidental Fees 2020	0.00	0.00	0.00	-657.73
Council on Independent Courts	0.00	0.00	0.00	416.28
MPA Liaison	0.00	0.00	0.00	228.60
Special Fund Expense	0.00	0.00	451.25	7,252.77
Spring Conference 2019	0.00	0.00	35,400.00	0.00
Judicial College Program Support	1,500.00	1,500.00	0.00	0.00
Pro-Tem	11,910.18	0.00	0.00	0.00
Prior Year Budget Expense	5,848.85	6,606.21	8,712.83	14,292.52
Board Meeting Expense	33,164.39	20,991.30	21,088.52	8,109.32
Bookkeeping Expense	4,005.00	3,559.75	4,154.50	3,816.00
Conference Calls	125.87	605.78	750.04	664.12
Conference Planning Committee	2,474.15	3,589.01	2,508.61	0.00
Spring Conference 2018	38,025.00	34,800.00	0.00	0.00
Diversity Committee	1,781.46	86.34	1,500.00	82.66
DMCJA/SCJA Sentencing Alt.	1,020.45	290.60	933.20	0.00
DMCMA Liaison Committee	339.20	0.00	63.00	0.00
Education Committee	1,912.93	1,199.68	2,138.34	4,323.98
Educational Grants	1,398.31	1,000.00	3,382.77	1,830.58
16 - Education - PJ Conference	11,278.36	0.00	0.00	0.00
Education Security	287.20	0.00	1,900.80	0.00
Judicial Assistance Committee	4,821.03	6,101.03	6,029.74	-5,810.18
Judicial College Social Support	0.00	0.00	0.00	2,000.00
Judicial Community Outreach	341.20	1,600.00	1,600.00	1,600.00
Judicial Indep Fire Brigade	0.00	0.00	103.33	0.00
Legislative Committee	1,526.27	940.89	335.20	305.37
Legislative Pro-Tem	259.33	2,174.20	1,216.44	1,910.80
Lobbyist Contract	60,999.96	64,999.92	70,000.12	75,000.00
Long-Range Planning Committee	122.05	-100.55	469.03	1,084.39
MCA Liaison	443.20	220.44	0.00	0.00
Municipal/Dist. Ct Swearing-in	0.00	431.11	0.00	0.00
National Leadership Grants	2,635.00	5,777.89	2,099.00	0.00
President Expense	1,722.75	2,415.82	1,725.34	276.21
Pro Tempore (Chair Approval)	136.25	0.00	162.50	0.00
Professional Services	0.00	0.00	600.00	700.00
Public Outreach (ad hoc workgrp)	0.00	0.00	143.72	0.00
Rules Committee	270.50	0.00	0.00	0.00
SCJA Board Liaison	171.70	0.00	351.90	64.10
Therapeutic Courts Committee	0.00	0.00	199.94	0.00
Treasurer Expense and Bonds	54.00	161.85	72.06	70.45
Trial Court Advocacy Board	416.81	0.00	0.00	0.00
99 - Depreciation Expense	114.96	124.54	0.00	0.00
Bank Service Charges	46.00	-0.50	0.00	0.00
Interest Expense	0.00	18.23	0.00	0.00
Regional Courts	0.00	-84.00	0.00	0.00
Total Expense	<u>189,152.36</u>	<u>159,009.54</u>	<u>168,092.18</u>	<u>117,560.24</u>
Net Ordinary Income	-4,049.27	19,174.29	14,585.96	66,407.46
Net Income	<u><u>-4,049.27</u></u>	<u><u>19,174.29</u></u>	<u><u>14,585.96</u></u>	<u><u>66,407.46</u></u>

Washington State District And Municipal Court Judges Assoc.

Profit & Loss

Accrual Basis

July 2016 through June 2020

	TOTAL
Ordinary Income/Expense	
Income	
2017 Special Fund	5,525.00
Interest Income	1,337.95
Membership Revenue	722,700.00
Other Revenue	369.81
Total Income	729,932.76
Gross Profit	729,932.76
Expense	
Conference Incidental Fees 2020	-657.73
Council on Independent Courts	416.28
MPA Liaison	228.60
Special Fund Expense	7,704.02
Spring Conference 2019	35,400.00
Judicial College Program Support	3,000.00
Pro-Tem	11,910.18
Prior Year Budget Expense	35,460.41
Board Meeting Expense	83,353.53
Bookkeeping Expense	15,535.25
Conference Calls	2,145.81
Conference Planning Committee	8,571.77
Spring Conference 2018	72,825.00
Diversity Committee	3,450.46
DMCJA/SCJA Sentencing Alt.	2,244.25
DMCMA Liaison Committee	402.20
Education Committee	9,574.93
Educational Grants	7,611.66
16 - Education - PJ Conference	11,278.36
Education Security	2,188.00
Judicial Assistance Committee	11,141.62
Judicial College Social Support	2,000.00
Judicial Community Outreach	5,141.20
Judicial Indep Fire Brigade	103.33
Legislative Committee	3,107.73
Legislative Pro-Tem	5,560.77
Lobbyist Contract	271,000.00
Long-Range Planning Committee	1,574.92
MCA Liaison	663.64
Municipal/Dist. Ct Swearing-in	431.11
National Leadership Grants	10,511.89
President Expense	6,140.12
Pro Tempore (Chair Approval)	298.75
Professional Services	1,300.00
Public Outreach (ad hoc workgrp)	143.72
Rules Committee	270.50
SCJA Board Liaison	587.70
Therapeutic Courts Committee	199.94
Treasurer Expense and Bonds	358.36
Trial Court Advocacy Board	416.81
99 - Depreciation Expense	239.50
Bank Service Charges	45.50
Interest Expense	18.23
Regional Courts	-84.00
Total Expense	633,814.32
Net Ordinary Income	96,118.44
Net Income	96,118.44



WASHINGTON
COURTS

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(206) 684-7903

JUDGE DOUGLAS J. FAIR
Snohomish County District Court
(425) 744-6804

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

JUDGE MICHELLE K. GEHLEN
Bothell Municipal Court
(425) 487-5587

JUDGE MICHAEL J. LAMBO
Kirkland Municipal Court
(425) 587-3179

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

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

JUDGE DOUGLAS B. ROBINSON
Whitman County Dist. Court
(509) 397-5297

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

JUDGE TRACY A. STAAB
Spokane Municipal Court
(509) 625-4400

January 17, 2017

TO: DMCJA Membership
FROM: Judge G. Scott Marinella, President
Judge Rebecca C. Robertson, Secretary-Treasurer
RE: ASSOCIATION DUES AND SPECIAL ASSESSMENT

The 2017 District and Municipal Court Judges' Association (DMCJA) dues and Special Fund notices are enclosed. Dues are payable by **February 15, 2017**. Please remember that, to be a member in good standing, all DMCJA dues and assessments must be paid.

DMCJA General Dues will increase by 33% in 2017. This will be the first dues membership increase in eight years. The increase will provide the Association with the funds necessary to operate. The DMCJA is a statutorily-created, professional association of Washington State's limited jurisdiction court judicial officers. The Association is charged at RCW 3.70.040 with duties related to the operation and administration of limited jurisdiction courts.

The Association relies on dues and special fund assessments to carry out its statutory duties. Most activities are paid for out of Association dues. The special fund is used for expenses that cannot be paid out of government funds. In recent legislative sessions, Special Fund and BJA assessments were used to:

- Support a constitutional amendment to allow municipal court judges to be members of the Commission on Judicial Conduct;
- Support successful passage of E2SSB 5454, which has resulted in projected revenue to local government of \$11,600 per full-time elected judge per year; and
- Support passage of legislation to increase judicial retirement benefits.

Membership in good standing will be certified prior to the 2017 Spring Conference business meeting. As of May 1, 2017, any member who has not paid the Association dues and special fund assessment is not entitled to "any rights and privileges of active membership." (DMCJA Bylaws, Article IV, Section 3). Only those members who have paid dues will be allowed to run for Association office and/or vote. Standing will also be considered in making committee assignments and appointing representatives to outside groups. Annual Spring Conference incidental fees will also be paid for all DMCJA members in good standing.

The DMCJA encourages all its members to support the justice system by donating to the Campaign for Equal Justice/Law Fund and the Washington Judges Foundation. An information form is enclosed for your convenience.

Enclosures:
DMCJA Dues Notice
Special Fund Assessment Notice
Charitable Organizations Notice

N:\Programs & Organizations\DMCJA\Dues Notices\Dues Cover 2017.docx

Action Plan re: DMCJA's top priority, "Identifying & Eliminating Systemic Racism in our Justice System"

Increasing Fairness in the Justice System:

- 1) Collect and report race **data** at a statewide and local level, for every DMCJA court/jurisdiction.
 - a. Partner with the Washington State Center for Court Research, AOC, and Washington State Minority and Justice Commission to produce statewide reports and assist local courts with collecting, reviewing, and improving their data. This data can then be used to identify and address systemic problems.
 - b. Ensure that race and other demographics (gender, language, etc.) are captured and reflected in the new CLJ-CMS.
- 2) Expand programs that reduce the disparate impact of **court imposed financial obligations** to unaddressed costs that continue to be imposed on the indigent.
 - a. Courts in Washington have already begun to address the disparate impact of legal financial obligations. This must continue to be a priority. The LFO calculator is one example of a new program that has helped. Individual courts are using other innovative methods to address the issue, such as relicensing programs and waiving all discretionary financial obligations. Effective programs can be modeled by other jurisdictions.
 - b. Assess and report on methods to eliminate the disparate impact of court ordered Pretrial and Post-conviction services. EHM, Alcohol Monitoring, and Abusive Partner Intervention Programs are examples of services indigent defendants often are required to pay without any assistance.
 - c. Surveys and success stories from across the state should be collected and used to develop recommendations for courts to obtain funding to eliminate the disparate impact on the indigent.
- 3) Deploy **secret court shoppers** to assess procedural fairness in the courts.
 - a. The purpose for "secret court shoppers" is to provide the court feedback from a court-customer's perspective, analyzing and observing the court through a procedural justice lens. The focus would be as broad as possible to include all aspects of the courthouse experience, including contact with security, clerks, interpreters, probation, etc. The Center for Court Innovation partnered with Thurston County in deploying secret shoppers, and then put together a report for the court on ways that it can improve its services. Link to report - https://www.co.thurston.wa.us/distcrt/docs/TCDC_Report.pdf
 - b. Secret court shoppers could be deployed across the state, similar to what was done in Thurston County District Court.
- 4) **Prioritize education** aimed at addressing bias and systemic racism.
 - a. DMCJA has offered education on these topics on a regular basis. The DMCJA Education Committee shall continue to prioritize these topics with an eye towards collaboration and innovation. Several education sessions for the next year are already in the planning stage.
- 5) Explore methods to ensure diversity and appropriate representation in **jury pools**. Some work in this area has already occurred at both the local and state court levels. DMCJA in collaboration with the Minority & Justice Commission and other stakeholders need to outline appropriate next steps to further this work.
- 6) **Publicize local initiatives** from individual courts that target systemic racism, such as the "Race and Social Justice Initiative" from Seattle Municipal Court. These local initiatives deserve study and recognition and other courts can borrow innovative ideas.

Recruitment of a More Diverse Bench:

- 1) Support the **Pro Tem training** organized every 2 years by the DMCJA Diversity Committee and the WSBA.
 - a. Since 2008, the DMCJA Diversity Committee has partnered with the WSBA in putting on a Pro Tem Training every two years, specifically with the intent of increasing diversity in the judiciary.
 - b. A focus on recruitment to the minority bar associations has proved effective. In 2018, we saw the most diverse class of participants. We believe this success was due to the extra effort the Diversity Committee put into personally reaching out to the minority bar associations, and sending our judges to speak with their membership about the training.

- 2) Develop a **list of pro tems**, with a specific focus on recruitment of black, indigenous, people of color, and women. The list could be shared and used across jurisdictions.
 - a. Partner with organizations like the Washington Women Lawyers, Minority Bar Associations, Judicial Institute, Northwest Tribal Court Judges Association, and the National Association of Women Judges in these efforts.
 - b. Connect prospective pro tems with judicial mentors. Mentors can share tips, observation opportunities, open office hours, and other help.
 - c. An education program is planned for this spring focused on best practices in selecting and training pro tems, with an eye towards recruitment of the underrepresented.
- 3) Create a statewide **Diversity Clerkship program**.
 - a. Make a push statewide for law school clerkships. Perhaps similar to Color of Justice program. <https://www.nawj.org/catalog/community-outreach-programs/color-of-justice-program>
- 4) **Increase engagement** and visibility with **diverse attorneys and law students**:
 - a. Invite Minority Bar Associations to Board meetings on a rotating basis.
 - b. Invite student representatives from each law school to Board meetings on a rotating basis.
 - c. Host judge-attorney mixers after meetings with Minority Bar Associations.
 - d. Host an educational event or keynote speaker focused on issues of equity and racial justice, followed by a catered mixer after.
 - e. Host board meetings around different parts of the state with attorney mixers after, where local judges and attorneys are invited.

Community Outreach & Listening:

- 1) Create best practices and a **toolkit** for community listening sessions.
 - a. DMCJA should generate a toolkit for individual courts to use for their own community listening sessions.
- 2) Start an ongoing **Book club** with DMCJA members that will facilitate conversations with judges on topics such as “how to talk about race.”
 - a. Compile a list of books that address structural racism that are appropriate for a judicial audience.
 - b. Include films, videos, podcasts, and articles that can facilitate discussion.
 - c. Establish regular meetup times. Meetings can be by Zoom during the pandemic.
- 3) Begin DMCJA Board **listening sessions**.
 - a. The Board should meet in different community locations on occasion, rather than always in Seatac.
 - b. Community leaders can give talks on culture or history and food can be shared.
- 4) Promote DMCJA **volunteer opportunities**.
 - a. The Board could consider volunteer activities for appropriate community projects after meetings conclude.
 - b. A list of appropriate volunteer activities for DMCJA members could be shared.
 - c. Ethical considerations should always be a priority so it is done in an ethical fashion.
- 5) Sponsor **educational scholarships** with a particular focus on the underrepresented.
 - a. Consider sponsoring student educational scholarships as an organization.
 - b. Consider a member challenge to individually sponsor student scholarships.

Increasing diversity in DMCJA leadership:

- 1) Increase **member involvement** in DMCJA committees.
 - a. Member involvement currently is around 30%. Establish a goal of 50% member involvement in committees within 2 years.
 - b. Establish a no obligation “Try a Meeting” program where someone can attend a committee meeting without long-term obligation.
- 2) Create **incentives** to volunteer and **reduce barriers** that prevent involvement.

- a. Survey members for barriers that prevent their involvement.
 - b. Maintain and publicize adequate Pro Tem reimbursement for those who can't participate due to pro tem costs.
 - c. Consider other innovative incentives: such as participation in a special activity at conference, or dues incentives, or a complimentary meal or upgraded room, or a prize for the first person to sign up five new members.
- 3) DMCJA should **target promising members** in an intentional manner for volunteer spots. We should reach out personally whenever possible. Regional contacts can help with recruitment.
- a. Help with networking should be offered to those interested in volunteering in other state and national organizations. Member involvement in other organizations brings back innovative ideas that is beneficial to the DMCJA as a whole.

Goulet, Susan

From: Peterson, Susan
Sent: Friday, May 29, 2020 5:52 PM
To: 'PUBLICDMCJA@LISTSERV.COURTS.WA.GOV'
Cc: Harvey, Sharon
Subject: LAST CALL: DMCJA Board Elections - Please Respond by 12 Noon on June 1, 2020
Attachments: SLATE 20-21.pdf; Bios for Election 2020.pdf; bylaws19.pdf

Importance: High

The following message is sent on behalf of Judge Samuel G. Meyer, DMCJA President.

Dear Colleagues,

As you are aware, the DMCJA Spring Program and Annual Business Meeting will not take place in-person this year because of the seriousness of the Coronavirus (COVID-19) pandemic. However, there is still business to address and information to share with our members. For instance, the annual elections must occur. This year, the Board of Governors would like to conduct the annual election via email. In order to conduct the election in this manner, certain DMCJA bylaws must be suspended. For this reason, I am requesting that each member indicate your approval of this course of action by responding to this email **not later than 12 Noon on June 1, 2020**, and casting your votes as follows:

1. Do you approve of suspending DMCJA Bylaw, Article V, Section 3 (a) that requires the election of officers to be by ballot at the Spring Conference?
YES/NO
2. Do you approve of suspending DMCJA Bylaw, Article VIII, Section 2 that requires the election of Board of Judicial Administration ("BJA") representatives to be held at the Spring Conference?
YES/NO
3. Should the 2020 DMCJA Annual Business Meeting election take place electronically by email vote because of the cancellation of the in-person Spring Program and the statewide Coronavirus/COVID-19 health crisis?
YES/NO
4. If your response to Question #3 is YES, please provide your vote for the individuals nominated for open Board positions or the full slate of nominees (the 2020 Slate for Election and Candidate Biographies are attached):
 1. President-Elect
➤ Judge Charles Short, Okanogan County District Court
 2. Vice President
➤ Commissioner Rick Leo, Snohomish County District Court
 3. Secretary/Treasurer
➤ Judge Jeffrey Smith, Spokane County District Court
 4. Board Position #5: Full-Time Municipal Court
➤ Judge Anita Crawford-Willis, Seattle Municipal Court
➤ Judge Laura Van Slyck, Everett Municipal Court
 5. Board Position #6: Part-Time Municipal Court
➤ Judge Kevin Ringus, Fife Municipal Court

- Judge Mara Rozzano, Bothell Municipal Court
- 6. Board Position #7: Commissioner or Magistrate
 - Commissioner Paul Wohl, Thurston County District Court
- 7. BJA Representative Municipal Court Position
 - Judge Mary Logan, Spokane Municipal Court
 - Judge James Docter, Bremerton Municipal Court
- 8. BJA Representative Open Position #2
 - Judge Rebecca Robertson, Federal Way Municipal Court
 - Judge Douglas Fair, Snohomish County District Court

Please note, by responding to this email your vote will automatically be routed to Sharon Harvey (sharon.harvey@courts.wa.gov), DMCJA primary staff at AOC, who will tally votes. To avoid unnecessary email traffic, please do not “reply all” when responding.

Other materials, such as the annual Treasurer’s Report and Special Fund Report, will be provided by June 30, 2020. These are very challenging times, and we are hopeful that judicial officers and court staff are able to take steps to stay safe, healthy, and hopeful in adapting to the constant daily challenges we are facing.

Sincerely,

Judge Samuel G. Meyer
DMCJA President

TO: Judge Michelle Gehlsen, President, DMCJA Board
FROM: Judge Kristian Hedine, Chair, DMCJA Bylaws Committee
SUBJECT: Modification to Proposed Amendments to DMCJA Bylaws
DATE: October 30, 2020

For the last DMCJA Board meeting, the DMCJA Bylaws Committee proposed pandemic-related amendments to the Bylaws in response to a request from the DMCJA Board. At the October 9 Board meeting, the Board considered the amendments and requested that language be added to the proposed revisions allowing a vote by email option in addition to remote meetings. This revision reflects that request. Please let me know if you have any questions. I can be reached at (509) 524-2761 or by email at khedine@co.walla-walla.wa.us.

Thank you!

CC: DMCJA Bylaws Committee

Attachment: Proposed Amended Bylaws

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, unless the Conference is cancelled or held remotely as provided in Article VI,

Section 1, in which event the Voting provisions of Article VI, Section 4 apply.

- (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, Voting, 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. Any such written notice required by this Article may be given by mail or email. In addition to, or if necessary in lieu of, these meetings, the Association may meet remotely through the use of any appropriate website or application, or by electronic (e)mail, in the event of a public health crisis, natural disaster or other exigent circumstances that make the Annual Meeting impossible or inadvisable to be held in-person. The President with the consent of the majority of the Board of Governors may determine that any meeting of the Association shall be held remotely or by email as provided in this Article. If a meeting, including one of the Conferences, is held remotely or by email, it will have the same effect for purposes of these Bylaws as if it had been held in-person.

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 any special meeting shall be one-fourth of the active membership.

Section 4. Voting:

Voting by the members of the Association shall be done in person at the Annual Meeting or Special Meeting at which the members are able to be present when possible. In the event of a remote meeting of the members of the Association as provided in Section 1, voting shall be conducted by email or other electronic means.

Section 45. 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. Any written notice required by this Article may be given by mail or email. 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) The Board may meet remotely through the use of any appropriate website or application, or by electronic (e)mail, in the event of a public health crisis, natural disaster or other exigent circumstances that make meeting in-person impossible or inadvisable. The President with the consent of the majority of the Board of Governors may determine that any Board meeting shall be held remotely or by email as provided in this Article. If a meeting is held remotely or by email, it will have the same effect for purposes of these Bylaws as if it had been held in-person.
- (c) A quorum for a meeting of the Board of Governors shall be one-half of its members.
- (d) 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.
- (e) 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.

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(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.

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- (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.	
48 Executed this ____ day of _____, 20__.	

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TO: Judge Michelle Gehlsen, President, DMCJA Board
FROM: Judge Kristian Hedine, Chair, DMCJA Bylaws Committee
SUBJECT: Proposed Amendments to DMCJA Bylaws Requested by DMCJA Board
DATE: October 29, 2020

As you know, the DMCJA Board requested that the DMCJA Bylaws Committee review provisions of the DMCJA Bylaws pertaining to Board composition and the committee duties. The Bylaws Committee reviewed and discussed the Bylaws and recommends unanimously that the attached amended Bylaws be adopted. The specific revisions are intended to clarify the subsection authorizing Board expansion, Article VII, Section 1, and the duties of the Diversity Committee under Article X, Section 2. With regard to the question of whether terms such as “gender” and “minority” are appropriately used in the Bylaws, the Bylaws Committee respectfully suggests that the Diversity Committee be consulted in that regard.

I note that this version may need to be conformed to the version of amended Bylaws that were submitted to the Board earlier this year. Please let me know if you have any questions. I can be reached at (509) 524-2761 or by email at khedine@co.walla-walla.wa.us.

Thank you!

CC: DMCJA Bylaws Committee

Attachment: Proposed Amended Bylaws

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:

- (a) ¶Unless subsection (d) below is invoked, 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.
- (b) 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.
- (c) 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.
- (d) 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.
- (5) The Diversity Committee will submit oral or written reports to the President and the Board as appropriate or requested.

(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.

November 13, 2020

To Current and Future Members of the Judiciary, Justice Partners and Communities Served by Washington Courts:

“The judiciary should be leaders in the elimination of barriers to equal justice and set an example for others by its behavior.”¹ Recent events compel the District and Municipal Court Judges’ Association (DMCJA) to affirm its commitment to this principle and to reinvigorate its leadership in this area through new initiatives. Race-based disparate treatment by courts or denial of a judicial employment, service, or contracting opportunity is antithetical to justice. Judges must vigilantly prioritize and lead eradication of racism in the judiciary.

In 1993, the DMCJA created a Diversity Policy Statement that expresses a two-fold imperative that judges must ensure that persons of diverse backgrounds and experiences are treated with respect and understanding in their courtrooms, courthouses, and communities, and they must implement diversity participation in all aspects of their individual court operations. For its own operations, DMCJA’s Bylaws require diverse Board of Governors (Board) membership. See DMCJA Bylaws, Art. VII, Sec. 1.

As an Association, DMCJA bolsters its member judges’ effectuation of the imperatives in the DMCJA’s Diversity Policy Statement through action and resources. The DMCJA, and its member judges, lead the elimination of racism in the judiciary, including with the following actions:

- ❖ Diversifying Board membership most recently in 2016 and in 2020
- ❖ Voting as its first priority, *Identifying and Eliminating Systemic Racism in our Justice System*
- ❖ Tasking the DMCJA Diversity Committee with development of an action plan to implement the Association’s first priority. Earliest action items under consideration include:
 - Diversifying the Bench by expanding the Judicial Pro Tempore Training conducted in partnership with the Washington State Bar Association to broader, racially inclusive, audiences.

¹ Excerpt from the District and Municipal Court Judges’ Association’s Diversity Policy Statement (1993).

- Addressing factors that contribute to racial inequities in the court processes and outcomes, such as the cost of pre- and post- judgment services as a barrier for those defendants who are unable to afford them.
- Providing judges with tools and guidelines to use in their own recruitment and training of staff and judges pro tempore and court staff.
- ❖ Advocating for necessary technology resources to administer justice virtually through a public health crisis, and disseminating the guidance necessary for judges to ensure that all parties regardless of race, ethnicity, gender, English proficiency, disability, socio-economic concerns, or self-represented status have the opportunity to participate meaningfully.²

To earn and maintain public trust and confidence in a fair justice system, judges must conscientiously reason and act justly, and lead others in doing likewise. Racism in any manifestation is abhorrent and unjust. Judges must lead the eradication of racism from the judiciary. The DMCJA and its member judges commit to doing so.

Resolutely,

²See, e.g., Conference of Chief Justices/Conference of State Court Administrators, *Guiding Principles for Post-Pandemic Court Technology, A pandemic resource from CJI/COSCA*, NATIONAL CENTER FOR STATE COURTS, June 16, 2020, ncsc.org/pandemic.



State of Washington

Ethics Advisory Committee

Opinion 20-07

Question:

Our court would like to have local defense attorneys, who are in private practice and appear primarily in superior court, serve as pro tem judges in district court. The attorneys would preside over both civil and criminal matters. Criminal dockets would include: arraignments, criminal review dockets, probation violations, DWS reviews, and changes of plea. The attorneys would not preside over cases for which they or their firms represent/represented a defendant appearing in front of them.

1. Is there an ethical issue with a local defense attorney serving as a pro tem in this capacity?
2. Additionally, one of the local defense attorneys also has a contract with the County to represent defendants in one of our district court treatment courts. Does having a contract with the County present an ethical issue for this person to also serve as a pro tem? This person would not pro tem for the treatment court for which she has a contract.

Answer:

The questions posed ask whether there is an ethical problem with having attorneys who regularly appear in or have a contract to represent defendants in superior court to serve as pro tempore judges in the district court in the same county as the superior court.

A pro tempore judge is described in the Code of Judicial Conduct (CJC) as a "person who serves or expects to serve part-time as a judge on a regular or periodic basis in fewer than twelve cases or twelve dockets annually." (Terminology).

1. Criminal Defense Attorneys Serving as Pro Tempore Judges

There is no blanket prohibition on qualified criminal defense attorneys serving as pro tempore judges. See Opinion 91-23. However, issues related to the specific question presented could lead to potential conflicts and/or disqualifications that effectively diminish the value of the pro tempore judicial appointment.

Determining whether local criminal defense attorneys who primarily appear in front of the superior court could preside as pro tempore judges in the district court in the same county without violating the CJC would depend on a variety of factors. Opinion 09-02 provides some guidance. While Opinion 09-02 addressed the issue of whether a pro tem commissioner may appear as a lawyer in the same court in which the pro tem commissioner serves, the opinion is informative. The opinion presented a non-exhaustive list of factors to consider in determining whether pro tem judicial officers may appear in the same court on which they serve on a pro tem basis, which included: 1) the term of appointment, 2) frequency and nature of service, 3) and the type and nature of cases in which that person will be presiding over and which they are appearing on as an attorney, and 4) the extent to which the pro tempore judge would have communications with judges on the bench about disputed legal issues. Opinion 09-02 gave the example of when a part-time or pro tempore court commissioner should not participate—such as when there is a disputed legal issue similar to one which he or she is likely to hear as a judicial officer because it would call the affected pro tempore court commissioner's impartiality into question.

The district court could control some of the factors outlined in Opinion 09-02 at the time of the judge pro tempore appointment, such as the term, frequency and nature of service, and the extent to which the pro tempore judge would have communications with judges on the bench about disputed legal issues. However, the court cannot foresee the numerous potentially disqualifying legal issues that a criminal defense attorney serving as a pro tempore judge would encounter on any given criminal docket that includes arraignments, criminal review dockets, probation violations, DWS reviews, and changes of plea.

Although there is no blanket prohibition on criminal defense attorneys serving as pro tempore judges in district court, criminal defense attorneys may find it particularly difficult to avoid conflicts as the issues that may call the pro tempore judges' impartiality into question would likely appear in any criminal docket that includes arraignments, criminal reviews, probation violations, DWS reviews, and changes of plea. For example, given the dockets presented, a criminal defense attorney serving as pro tempore judge will likely encounter a case where the disputed legal issue is the same issue the pro tempore judge is involved in as a criminal defense attorney. Criminal defense attorneys, while serving as pro tempore judges on the dockets presented, also may likely encounter participants who they, or a member of their firm, has previously represented or had legal contact with (e.g., victims or witnesses).

A primary objective of the CJC is to promote the public's confidence in the independence, integrity, and impartiality of the judiciary, and to avoid impropriety and the appearance of impropriety. CJC 1.2. Given the question presented, because the criminal defense attorneys are expected to preside as pro tempore judges over matters of the same type in which they practice, there are a number of factors that could affect the public confidence in the impartiality of the judicial officer and project an appearance of impropriety. CJC 1.2. Also, depending on the population of the county, the scenario presented will likely lead to disqualification because the impartiality of the pro tempore judicial officer is reasonably questioned under CJC 2.11. In reviewing the factors outlined above, criminal defense attorneys that routinely practice in a county's superior court should not preside over criminal cases or proceedings in the same county's district court as pro tempore judges as it would undermine public confidence in the impartiality of the judiciary.¹

2. Serving As A Pro Tempore Judge While Having A Contract With The County

There is a prohibition on part-time judicial officers to have a contract with a governmental entity to provide nonjudicial legal services before the same level of court in the same city or county. Opinion 91-17 advised that contracting with a governmental entity on a short-term or long term

basis may create an appearance of a conflict of interest and prohibits a part-time judicial officer from contracting with a governmental entity to provide nonjudicial legal services before the same level of court in the same city or county.

The appearance of a conflict of interest is not minimized by the distinction of an attorney serving only as judge pro tempore instead of in a part-time² capacity. Therefore, a criminal defense attorney that has a contract with the County to represent defendants in the treatment court in the same district court that the attorney is anticipated to serve as a pro tempore judge would undermine public confidence in the impartiality of the judiciary. CJC 1.2.

¹ The committee recognizes the potential impact this opinion may have on the current practices of appointing pro tempore judges in some jurisdictions; however, the committee's focus remains on judicial conduct that promotes public confidence in the independence, integrity, and impartiality of the judiciary and that avoids impropriety and the appearance of impropriety.

² A part-time judge is a "person who serves part-time as a judge on a regular or periodic basis in excess of eleven cases or eleven dockets annually." Terminology.

Opinion 20-07

10/29/2020

To: District and Municipal Court Judges Association (DMCJA)
From: Judge Marilyn Paja, Co-Chair Gender & Justice Commission (GJC)
Kitsap County District Court
Date: October 30, 2020
Re: Attendance at 2020 NAWJ Annual Conference (Virtual)

It is with enthusiasm that I report back from the 2020 Annual Conference of the National Association of Women Judges (NAWJ). Originally scheduled for Nashville Tennessee and to celebrate the 100th Anniversary of the Right to Vote for (Some) Women, the worldwide COVID 19 pandemic changed the plans. Originally, I received funding from the Gender and Justice Commission (GJC) and the District & Municipal Court Judges (DMCJA) Leadership Grant Program to attend the in-person event. I declined that DMCJA Grant when the in-person event was cancelled. The Gender & Justice Commission paid the reduced registration fee (\$80). Thank you to the DMCJA for its continued support of national education programs through the Leadership Grant Program. I hope that world events allow me to apply again next year.

A report similar to this one has also been preented to the Gender and Justice Commission (GJC).

NAWJ leadership was able to convene the conference over a condensed time with a virtual presentation using ZOOM. Education topics were excellent, and some of the content might be able to be replicated here in Washington State.

Judge Karen Matson Donohue, King County Superior Court was inducted as the President of the NAWJ for 2020-21. (Judge Donohue served for many years on the Seattle Municipal Court, including as Presiding Judge of that court). Judge Donohue has announced her them for her Presidency, “Advancing Justice Like Never Before.” She has invited all NAWJ members to share ideas to ensure inclusivity within the organization. President Judge Donohue has already reached out to the Gender & Justice commission with an invitation to share our work for presentation to the NAWJ at future events. GJC Manager, Kelley Amburgey-Richardson, is working on that list of projects and ideas for collaboration in 2021 and beyond.

Justice Barbara Madson, Washington State Supreme Court and former chair of our GJC, was honored with the “Justice Joan Dempsey Klein Honoree of the Year Award”. Justice Klein was a founding member of the NAWJ in the 1970’s. The award is presented to a member who has assisted women judges to become more proficient in their profession, helped solve the legal, social and ethical problems associated with the judiciary, and worked to increase the number of women serving as judges. The award is well-deserved and comes with many accolades.

Education Events.

United Nations Steps to Stop Harassment of NGO Workers. Following administrative, board and committee meetings, the first full day of the Conference was spent with a virtual tour of the United Nations, and remarks from notable speakers around the world concerning issues effecting women during these times of COVID-19. Discussion was had about the steps the UN is taking to stop harassment of UN-affiliated employees and contractors, including pressure on individual countries to hold perpetrators of workplace harassment accountable. It's complicated. Barriers to the successful inclusion of women in several countries in Africa and South America included employment loss, increased domestic violence, and barriers to successful education for women and girls was included in the presentations.

Opportunities for change were also highlighted including a remarkable 2L law student woman of color, a "Dreamer", who spent a year in Africa working with a United Nations designated NGO to help facilitate entry into the USA and other countries of refuge for displaced persons. She spoke articulately about the challenges of being a woman including the circumstances of her own housing and harassment, and how that impacted her workplace success.

Celebration of the Nineteenth Amendment. The following day we had a dynamic presentation from a Tennessee judge (and enthusiastic amateur historian) and author Elaine Weiss about the Nineteenth Amendment and its parallels with current events. Ms. Weiss recounted the women's suffrage rights and the 19th Amendment, as detailed in her book *The Woman's Hour: The Great Fight to Win the Vote*. She presented a stark reminder of how the Constitution can be made to reflect modern life and "change with the times." The suffrage movement is a story about the limitations of our original constitution as it was written, excluding women, but also a story of how the Constitution is a living document, and that lesson resonates for today. The 19th Amendment was the largest extension of the franchise in history. The movement highlights how change can come about, and how it can be undermined. What does democracy mean? Who gets to participate in our government? Who has a voice?

Comparing the Reconstruction Era, the implementation of the Nineteenth Amendment was undermined, and its enforcement abandoned. In conversation with Nashville Conferences Chair, Judge Barbara Holmes, Ms. Weiss recounted the similarities between the abuse towards protestors she saw during the summer (2020), and that of the campaigning suffragettes at the beginning of the 20th century. And, then like now, voting rights were challenged and under threat. Judge Holmes highlighted the emotional, mental and physical strength of the suffragettes who encountered unconscionable abuse, as many do when they challenge prevailing traditions that upturn existing power balances.

Dean Chemerinsky Presentation on the US Supreme Court. Many judicial officers have heard Dean Erwin Chemerinsky lecture about the current state of the United States Supreme Court at past conferences. The timing here though, amid the Congressional appointment process of (now) Justice Amy Coney Barrett, was unique. Outlining cases in the pipeline, Dean Chemerinsky opined that the Court might play a part in upholding or upending voting rights will be important in the coming months.

He began his talk with observations from last term. The Supreme Court decided the fewest cases since – 53 – since 1862, early in the Civil War. The Court cancelled oral arguments for two months; the last time the Court did that was October 1919 during the Spanish Flu. This year, for the first time, the Court held oral arguments by telephone, and audio broadcasts were live.

Regarding jurisprudence, Chief Justice John Roberts voted in the majority 97% of the case; he dissented twice. Dean Chemerinsky: “The term defied easy ideological characterizations.” In Bostok v Clayton County, GA, 140 S.Ct. 1731 (2020), in a 6-3 decision, the Court held that Title XII prohibits discrimination includes protections for sexual orientation or gender identity. This is important because only about half of states have laws that prevent employment discrimination; the prohibition against this discrimination is now nationwide.

On abortion, Chief Justice Roberts repudiated the 5th U.S. Circuit Court of Appeals (which not only had disregarded the Supreme Court's earlier decision in the Texas case, but also disregarded the factual findings of the District Court judge in the Louisiana case). Dean Chemerinsky suggested this opinion was similar to the 5-4 decision upholding DACA. Department of Homeland Security v. University of California, 140 S.Ct. 1891 (2020). According to the speaker, this suggests a display of institutionalism ruling that precedents should be upheld.

Dean Chemerinsky speculated on other important questions: What might it mean if Judge Amy Coney Barrett replaces Justice Ruth Bader Ginsburg? Does the establishment clause apply to state and local governments? There could be six justices who could rule there is no separation between church and state, or religious exceptions. The public could turn from considering what may the government give religious institution to what must the government give religious institutions? Conservatives may have five votes to overrule Roe v Wade. It is possible women in need of abortions may have to travel to other states where it is legal. There may be five votes to overrule prohibitions against states disallowing same sex marriages. Considering her age, Justice Barrett could be on the Court for 20 or more years.

Dean Chemerinsky suggested that those interested in more progressive causes, civil rights advocates and plaintiff lawyers for example, might well turn to state courts and state constitutions, as well as to the political process for relief.

Break-out Discussion Sessions. Using ZOOM technology, all Conference participants were asked to participate in break-out rooms on a variety of topics, including Racial Bias, COVID in the Civil Court and Criminal Courts, the Judicial Leadership Pipeline, and the 19th Amendment. Judge Donohue attended the Racial Bias session. I attended the Judicial Leadership Pipeline session. NAWJ Board members hosted the various discussion groups, and notes of discussions were forwarded to the Board and education team members.

Thank you to the District and Municipal Court Judges Association. I thank the DMCJA for its continued support of its members to attend a variety of education and training events

throughout the country. My thanks also go to as my local court and the Gender and Justice Commission for encouraging attendance at national education events.

- *Marilyn*

**Washington Courts
Innovating Justice Award
Award Nomination Form**

Name of nominating individual or group:
Contact person:
Email:
Phone:

This individual or group has provided exceptional leadership responding to the COVID crisis and meets the nomination requirements as listed in the nomination and selection guidelines.

Please complete the following for your nominee.

Nominee's Name:
Nominee's Court:
Nominee's Contact information:

Nomination and Selection Information

- 1) Describe how the nominee promoted race equity and access to justice while responding to the crisis.
- 2) How did the nominee provide exceptional leadership and go above and beyond what was expected during the COVID crisis?
- 3) Describe the innovative and community driven court system responses your nominee was involved in. Please include whether these responses were local or statewide.
- 4) How did the court system responses significantly impact and resolve critical court system needs?
- 5) Please provide any additional details that you want the selection committee to know.

Please submit this nomination to Caroline Tawes at Caroline.Tawes@courts.wa.gov
Attach additional pages as needed to support the nomination.

Nominations will be received on an ongoing basis and should be received by the following dates to be considered for the next selection process:

November 6, 2020
January 4, 2021
March 29, 2021
June 1, 2021



**DMCJA BOARD MEETING
FRIDAY, NOVEMBER 13, 2020
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE**

PRESIDENT MICHELLE GEHLSSEN

SUPPLEMENTAL AGENDA

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Call to Order

General Business

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| A. Minutes for October 9, 2020 | 1-5 |
| B. Treasurer’s Report | 6-16 |
| C. Special Fund Report | 13-14 |
| D. Standing Committee Reports | |
| 1. Rules Committee – August 26, 2020 Minutes | 17-18 |
| 2. Diversity Committee | |
| 3. Legislative Committee | |
| 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.

<p>Discussion</p> <p>A. 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—Judge Jeffrey Smith</p> <ol style="list-style-type: none"> 1. DMCJA Education Committee Considerations – Judge Charles Short 2. Dues Considerations – Christina Huwe, Bookkeeper 3. 2020 DMCJA Dues Notice 4. DMCJA Profit and Loss Statement (2016-2020) 5. 2017 DMCJA Dues Notice re 33% Increase 6. Dues 30% and 50% Reduction Comparison – Christina Huwe, Bookkeeper <p>B. Board D&O Insurance Status Update – Judge Jeffrey Smith</p> <p>C. Diversity Committee Action Plan Review – Judge Charles Short and Judge Karl Williams</p> <p>D. DMCJA Bylaws Amendment regarding Voting via Email</p> <p>E. DMCJA Bylaws Committee Report – Judge Kristian Hedine reporting on any advisable amendments related to Board diversity definitions and provisions</p> <p>F. DMCJA Board Statement regarding Racial Injustice and the Judiciary</p> <p>G. Plaque for Margaret Fisher (recently retired AOC staff for the Public Trust and Confidence Committee and youth court/civics initiatives) for presentment at the December 4 meeting</p> <p>H. Amicus Ad Hoc Committee Update (<i>Ladenburg v. Henke</i>) – Judge Sam Meyer</p> <p>I. Ethics Advisory Opinion 20-07</p>	<p>19</p> <p>20</p> <p>21-22</p> <p>23</p> <p>X1</p> <p>24-26</p> <p>27-49</p> <p>50-67</p> <p>68-69</p> <p>70-71</p>
<p>Information</p> <p>A. National Association of Women Judges: 2020 Conference Report from Judge Marilyn Paja.</p> <p>B. King County District Court (KCDC) went live with its new eCourt system. To view KCDC cases only, please visit the KCDC Portal at https://kcdc-efiling.kingcounty.gov/ecourt/.</p> <p>C. DMCJA members are invited to participate in guided breathing and stretching exercises over lunch on November 13 and 20, 2020; for more information, please contact Judge Claire Sussman at claire.sussman@piercecounywa.gov.</p> <p>D. Updated President’s Message is on DMCJA Webpage HERE.</p> <p>E. New DMCJA Appointments to External Committees:</p> <ol style="list-style-type: none"> 1. <u>Bench Bar Press Committee</u>: Judge Patrick Johnson, Spokane County District Court 2. <u>BJA Public Trust & Confidence Committee</u>: Judge Jessica Ness, Monroe Municipal Court 3. <u>Misdemeanor Probation Association</u>: Judge Lisa Leone, Des Moines & Normandy Park Municipal Courts 	<p>72-75</p>

<p>F. Coronavirus Aid, Relief, and Economic Security Act (CARES) Funding – Application for Reimbursement: before time or funds run out, apply for reimbursement of your court’s unbudgeted COVID-19 related expenditures, such as PPE, Plexiglas or signage, public communications, technology for remote hearings, etc.</p> <p>G. BJA Innovating Justice Award: To nominate someone for this award, please use the attached Award Nomination Form. Nominations will be received on an ongoing basis and should be received by the following dates to be considered for the next selection process:</p> <ul style="list-style-type: none"> • January 4, 2021 • March 29, 2021 • June 1, 2021 	76
<p>Other Business</p> <p>A. The next DMCJA Board Meeting is scheduled for Friday, December 4, 2020, from 12:30 p.m. to 3:30 p.m., via Zoom video conference.</p>	
<p>Adjourn</p>	

Judge Smith,

Here are the numbers that you requested on the budget.

Assumptions:

1. The budget will be the same next year as this year.
2. The membership will be the same as last year. (183,175)
3. The membership dues that will be coming in will be covering the next budget.
4. The budget spent is close to the actual budget.

The budget this year, if the budget is spent, will be 171,129 (with the Conference Incidental Fees taken out)

We will have an excess of 100,000 (est.) left over after this budget is over.

30% reduction in dues

Membership dues would be 128,223.

At the end of the next budget, taking the same assumptions as above, we will end with an excess of 57,104.

50% reduction in dues

Membership dues would be 91,588.

At the end of the next budget, taking the same assumptions as this year, we will end with an excess of 20,459.

	Current dues	30% Deduction	50% Deduction
Full time Judge	1000	700	500
½ time Judge	500	350	250
¼ time Judge	250	175	125
Magistrate	800	560	400
Commissioner	800	560	400