



**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

DECEMBER 4, 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, DECEMBER 4, 2020
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE

PRESIDENT MICHELLE GEHLSSEN

AGENDA

PAGE

Call to Order

Break Out Sessions

- A. Discussion Questions (break out rooms; pick a spokesperson to report back to the group) – Judge Mary Logan
 - 1. Please share the greatest obstacle that you have overcome in your job during this time.
 - 2. What can you do for yourself AND your court staff to commit to self-care.

General Business

- B. Minutes for November 13, 2020
- C. Treasurer’s Report
- D. Special Fund Report
- E. Standing Committee Reports
 - 1. Rules Committee – no meetings or minutes to report
 - 2. Diversity Committee
 - 3. Legislative Committee
- F. Judicial Information System (“JIS”) Report – Vicky Cullinane

1-6

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. CLJ-CMS Project Team Update – Cat Robinson, AOC Project Manager; Dexter Mejia, AOC Court Business Office Manager; and Vicky Cullinane, AOC Business Liaison</p> <p>B. CLJ-CMS and JIS Funding (Update on DMCJA Public Outreach Committee Materials)</p> <p>C. DMCMA Education Proposal</p> <p>D. Ad Hoc Committee Examining Ethics Advisory Opinion 20-07 (Update) – Judge Sam Meyer</p> <p>E. Dues Surplus and Investment Options</p> <p>F. Diversity Committee Action Plan – Board Approval</p>	<p>7-9</p> <p>10-12</p> <p>13-14</p> <p>15-17</p>
<p>Information</p> <p>A. DMCJA Racial Justice Commitment Letter</p> <p>B. 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>C. Examples of emergency administrative orders from Olympia Municipal Court, Spokane County District Court and Snohomish County District Court</p> <p>D. <i>“My COVID-19 Story and Judicial Assistance Services Program (JASP),”</i> by Judge Christopher Culp, Okanogan Superior Court</p> <p>E. 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 	<p>18-20</p> <p>21-36</p> <p>37-39</p>
<p>Other Business</p> <p>A. The next DMCJA Board Meeting is scheduled for Friday, January 8, 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, November 13, 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 Drew Ann Henke
Commissioner Rick Leo
Judge Samuel Meyer
Judge Kevin Ringus
Judge Charles Short
Judge Jeffrey Smith
Judge Laura Van Slyck
Judge Karl Williams
Commissioner Paul Wohl

Guests:

Judge Rebecca Robertson, BJA Representative
Judge David Estudillo, SCJA
Judge Kristian Hedine, Bylaws Committee Chair
Stacie Scarpaci, MPA
Christina Huwe, DMCJA Bookkeeper

AOC Staff:

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

Members Absent:

Judge Thomas Cox
Judge Robert Grim
Judge Tyson Hill
Judge Aimee Maurer

CALL TO ORDER

Judge Gehlsen, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum was present and called the DMCJA Board of Governors (Board) meeting to order at 12:34 p.m. Judge Gehlsen made the following announcements:

On the regularly occurring call among the Chief Justice and regional presiding judges, there was discussion of the new Chief Justice to be sworn in on January 11, 2021. On February 1, 2020, certain court rule amendments take effect, including for Criminal Rules for Courts of Limited Jurisdiction (CrRLJ) 3.4 regarding in-person proceedings, General Rule (GR) 29 regarding presiding judges, and Infraction Rules for Courts of Limited Jurisdiction (IRLJ) 1.3. Chief Justice Debra Stephens discussed that she has been asked whether additional emergency orders will be issued. She indicated that is unlikely, as current orders give guidance for presiding judges to meet local needs appropriately.

Judge Gehlsen acknowledged that the upcoming year is an election/appointment year, so the Council on Independent Courts (CIC) is endeavoring to be proactive. She asked Board members to remind DMCJA members of the CIC if applicable.

Judge Gehlsen asked whether members had any concerns. Judge Smith shared that Spokane has discussed whether there will be service reductions related to COVID-19, and since the infection numbers are significant, Spokane may be scaling back in coming days.

Judge Gehlsen introduced the new AOC Court Program Specialist who will support the DMCJA, Michelle Gulden.

GENERAL BUSINESS

A. Minutes

The Board moved, seconded, and passed a vote (M/S/P) to approve the Board Meeting Minutes for October 9, 2020.

B. Treasurer's Report

Judge Smith reported that he would be leading a dues discussion later in the meeting, but there is nothing significant to report for the Treasurer's Report. Judge Gehlsen referenced reconciliation of president's expenses between AOC and DMCJA. M/S/P to approve the Treasurer's Report.

C. Special Fund Report

Commissioner Leo reported \$11.69 in earned interest and offered to answer questions. Judge Gehlsen referenced prior investment discussions, and that the issue could be discussed further in December. M/S/P to approve the Special Fund Report.

D. Standing Committee Reports

1. Rules Committee

J Benway reported there were materials for review and offered to answer questions.

2. Legislative Committee

Commissioner Wohl reported that there have been meetings with several legislators, including Senators Linda Wilson and Manka Dhingra, and Representative My-Linh Thai, to discuss the DMCJA's legislative priorities and the processes to expect during the legislative session. Participation in legislative committee testimony may be easier this session since one does not have to drive to Olympia; they can just logon remotely. So the Legislative Committee may be asking for more judges' willingness to testify. Judge Ringus thanked J Benway for supporting the Legislative Committee during staff transitions. Judge Gehlsen asked Judge Robertson to speak about discussions with Representative Thai about the courthouse security funding request. Judge Robertson reported on the discussion at the BJA, and whether to withdraw the proposal, or withdraw it for now but continue the dialogue with legislators. Judge Smith spoke about the recent Ethics Advisory Committee opinion regarding judges having firearms in the courtroom, and the relevant statute, which includes an exception for certain individuals whom a sheriff has commissioned. Judge Meyer spoke about this as a discussion among DMCJA legislative members in a prior year.

E. Judicial Information Systems (JIS) Report

Ms. Cullinane reported that the CLJ-CMS Project has been working with Tyler, including on e-filing, a website, and training, particularly for users. Next month will include gap fit analysis, which is the first step in configuring the system for Washington. In addition, Ms. Cullinane reported that King County District Court went live with integration to the electronic data repository on November 2, 2020.

LIAISON REPORTS

A. Administrative Office of the Courts AOC

Ms. Rubio could not join the meeting. Judge Gehlsen mentioned administration of the CARES funding and directed Board members to the Information section of the agenda.

B. Board for Judicial Administration (BJA)

Judge Robertson reported that the next BJA meeting is next week, and referenced that change may accompany the change in Chief Justice. Judge Ringus reported on BJA Legislative Committee activities and continuing engagement with Thurston County Superior Court for a ninth judge.

C. District and Municipal Court Management Association (DMCMA)

Ms. Kohler could not join the meeting. Judge Gehlsen indicated that Ms. Kohler outreached to municipal courts that have not yet applied for CARES funding. Judge Smith spoke about CARES funding directly received by a local county as compared to a local city.

D. Misdemeanant Probation Association (MPA)

Ms. Scarpaci stated she has nothing new to report.

E. Superior Court Judges' Association (SCJA)

Judge Estudillo reported that there are many legislative discussions underway. The SCJA is discussing the implementation of the Uniform Guardianship Act and possible request to delay its effective date. The SCJA is also working on text messaging alerts through Odyssey. The vendor has to "turn it on"; reprogramming for which was funded in the last budget. The SCJA is working on bill drafts regarding administrative procedures act (APA) appeals, and adjusting interest on restitution to allow judicial discretion to reduce the interest. The SCJA is monitoring protection order statutory reorganization work, and has collaborated on a pre-filing eviction resolution pilot program. There is information about the pilot program on the Washington Courts website. It will pilot in six counties. Racial justice activities within the SCJA include report back from each committee regarding an action item the committee will execute over the next year. The SCJA submitted a nominee for the BJA Innovating Justice award: Chief Justice Debra Stephens. Judge Gehlsen reported that the DMCJA joined the SCJA in nominating the Chief Justice and discussed the work that Chief Justice Stephens has done during the pandemic.

ACTION

1. 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

M/S/P to make a one-time 30% reduction in the membership dues for the 2021 notice.

2. DMCJA Bylaws Amendment regarding Voting via Email

M/S/P to send to the membership to vote whether to incorporate the changes regarding conducting business remotely or via email.

3. DMCJA Bylaws Committee Report – Judge Kristian Hedine reporting on any advisable amendments related to Board diversity definitions and provisions

M/S/P to refer the bylaws provision related to Board diversity (Article VII, Section 1) to the Diversity Committee for recommendations regarding advisable amendments.

4. DMCJA Board Statement regarding Racial Injustice and the Judiciary

M/S/P to circulate an email to Board members and BJA liaisons today or Monday inquiring about their permission to sign and requesting their .JPEG signature by close of business on Monday, if they wish to sign.

5. 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

M/S/P to honor Ms. Fisher with a plaque, and authorize purchase of the plaque for up to \$200 from the President's Expense fund.

6. Amicus Ad Hoc Committee Update (Ladenburg v. Henke)

M/S/P for the Board to adopt the recommendation of the Committee (i.e., not get involved, not file an amicus, not take any action).

7. Ethics Advisory Opinion (EAC) 20-07

M/S/P to convene an Ad Hoc Committee composed of Judges Meyer, Crawford-Willis, and such other judicial officers as Judge Meyer contacts to review potential actions responsive to EAC Opinion 20-07 for the Board and report back at the December 4 meeting.

DISCUSSION

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 Smith discussed that one of the consequences of the COVID-19 pandemic and being unable to convene in-person meetings or events is that the DMCJA has an extraordinary dues surplus. So, the question becomes should DMCJA reduce dues? Judge Smith indicated that the Board will likely not nearly spend its allotments for Board expenses, conference, and education, and he explained two tiers of potential reduction. Judge Short reported that there will likely not be any in-person conference and associated travel or lodging costs in 2021, but there may be speaker fees for remote speakers. Judge Smith discussed the supplemental materials memorandum prepared by Ms. Christina Huwe. Ms. Huwe discussed fiscal assumptions, and the two reduction options (30% or 50%). She reminded the Board of the need to raise dues in prior years because of a shortfall. Ms. Huwe's projections anticipate a \$57,000 surplus under the 30% reduction scenario and a \$20,000 surplus under the 50% reduction scenario. Judge Smith asked if anyone had any questions, and invited prior treasurers to share their thoughts. Commissioner Leo advocated that a 30% reduction would be preferable to having to subsequently raise dues. Ms. Huwe discussed the auditor's request for all receipts, and the extraordinary expense associated with conducting the audit this year. Judge Smith discussed the other materials. Judge Smith recommended a 30% reduction in dues for 2021. Judge Gehlsen discussed the appropriate verbiage for a letter about this, emphasizing the one-time nature and that the standard dues amounts will resume the following year. Judge Gehlsen thanked Ms. Huwe. Judge Smith offered to draft the needed revision to the dues letter. M/S/P to move this topic to action item.

B. Board D&O Insurance Status Update

Judge Smith reported that the DMCJA received the invoice from the insurer, which will be paid in the coming days. He offered to provide a copy of the policy to any Board member who requests it and reminded the Board that it purchased three-years of coverage.

C. Diversity Committee Action Plan Review

Judge Williams discussed the action plan prepared by the Diversity Committee as an aggressive plan to address the areas where the DMCJA is trying to make an impact. He shared that the Committee discussed the deliberate choice to keep the focus of the plan to race and felt strongly that data is critical to making informed decisions. Judge Williams shared that the Committee will collaborate with the Washington State Center for Court Research, the Washington State Supreme Court Minority and Justice Commission, court staff, and technology staff to improve data collection. Regarding court-imposed legal financial obligations (LFO), many courts have had reconsideration days. The LFO calculator is a new program/tool, and needs more training and materials encouraging its use. Regarding electronic home monitoring (EHM), Judges Williams and Short are working on a questionnaire to expand its use. Another program under discussion is "secret shoppers" which has been regarded as a good idea in jurisdictions that have experience with it. Judge Williams invited Judge Meyer to discuss Thurston County's experience. Judge Meyer shared the collaboration between Center for Court Innovation (CCI) and Thurston County, and how valuable it was. Judge Gehlsen asked about the cost of the collaboration. The CCI covered the cost through grant funds, except for hotel expenses that Thurston County covered. Judge Williams asked whether Thurston County would be willing to share its experience with interested courts, and Judge Meyer agreed. Commissioner Wohl reported that the report issued by CCI is published in an unredacted format on Thurston County's website. Judge Williams spoke of court education, and taking advantage of existing work and partnerships. Judge Short spoke of pro

tems and mentoring as opportunities to expand diversity on the bench, and he referenced the Color of Justice Program. Judge Short spoke of collaborating with the Washington State Bar Association and developing more contact with law students. Judge Short characterized the materials' action plan as a draft and invited Board member to suggest edits. Judge Short discussed community outreach and a plan for a toolkit for local courts to reach out to, and build trust with, their communities. Additional ideas include a book and/or film club, volunteer opportunities, and possibly sponsoring scholarships. In examining overall Board diversity and committee participation, the Diversity Committee may analyze incentives, ask what's preventing people from participating, and outreach to individual judges asking who can participate. Judge Gehlsen thanked Judges Williams and Short, particularly for identifying steps to move the plan from words to actions. Judge Gehlsen commended Thurston County for posting its CCI report publicly. Judge Smith spoke about a Microsoft project having to do with the justice system and race, and suggested initiating contact, possibly through Ms. Jeanne Englert or Judge Marilyn Paja. The Board discussed next steps. Members are to provide feedback to Judges Short and Williams by November 27, 2020, so that a final version can be acted on at the December meeting.

D. DMCJA Bylaws Amendment regarding Voting via Email

Judge Hedine reported two sets of proposed amendments to bylaws: 1) meet by email and conduct business remotely and by email; and 2) regarding the composition of the Board—see section E of the agenda. Regarding the latter, Article VII, Section 1, addresses composition of Board and references “gender” and “minority.” The request of the Bylaws Committee is to refer recommendations for prospective amendments to that section to the Diversity Committee. Judge Hedine offered to answer questions. Regarding conducting business remotely, Judge Gehlsen asked Ms. J Benway to describe the conundrum with amendment of the bylaws. Ms. Benway explained that current language contemplates the Bylaws will only be amended in person. So amending them remotely is odd; one option is to amend them provisionally and ratify at the next in-person meeting of the membership. Judge Gehlsen discussed amendment of the voting provisions to add remote meeting or email processes. Judge Hedine explained the voting-related amendments further. M/S/P to move this topic to an action item.

E. DMCJA Bylaws Committee Report – Judge Kristian Hedine reporting on any advisable amendments related to Board diversity definitions and provisions

Judge Hedine discussed the Bylaws Committee recommendation to refer further consideration of Board composition provisions to the Diversity Committee. M/S/P to refer consideration regarding the Board composition (Article VII, Section 1) to the Diversity Committee to an action item.

F. DMCJA Board Statement regarding Racial Injustice and the Judiciary

Judge Gehlsen referenced the materials. The Board discussed the logistics of electronic signatures. The Board preferred .JPEG signatures, and signature by Board members and BJA liaisons. M/S/P to move this topic to an action item.

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

Judge Gehlsen described Margaret Fisher's work with civic education, Judges in the Classroom, youth courts, and street law, and proposed purchasing a plaque to honor Ms. Fisher. Commissioner Leo, Judges Van Slyck, and Smith spoke of working with Ms. Fisher. M/S/P to move this topic to an action item.

H. Amicus Ad Hoc Committee Update (*Ladenburg v. Henke*)

Judge Henke left the meeting. Judge Meyer reported on the discussions and the recommendation of the Ad Hoc Committee. The Ad Hoc Committee recommends not submitting an amicus brief or taking other action.

The Board discussed the topic further. M/S/P to move this topic to an action item. Following the motions, Judge Henke returned to the meeting. Judges Van Slyck and Gehlsen thanked the Ad Hoc Committee.

I. Ethics Advisory Opinion (EAC) 20-07

Judge Gehlsen discussed the questions posed in the opinion in the materials, and the language in the opinion. Judge Gehlsen referenced that EAC creation under GR 10, and the authority of the opinion. Judge Henke, an EAC member from the DMCJA, stated that any comment she makes must be understood to be her personal thoughts only. Judge Gehlsen spoke of options for DMCJA and invited discussion. Judge Meyer spoke of local experiences, articulated questions arising from the opinion and speculated about adoption of a policy of disclosure by pro tems at the beginning of proceedings with opportunity for counsel/parties to object. The Board discussed further the scope and implications of the opinion, and the advisability of potential next steps. M/S/P to move to an action item.

INFORMATION

Judge Gehlsen brought the following informational items to the Board's attention.

- A. National Association of Women Judges: 2020 Conference Report from Judge Marilyn Paja.
- 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/>.
- 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@piercecounitywa.gov.
- D. Updated President's Message is on DMCJA Webpage [HERE](#).
- E. New DMCJA Appointments to External Committees:
 1. Bench Bar Press Committee: Judge Patrick Johnson, Spokane County District Court
 2. BJA Public Trust & Confidence Committee: Judge Jessica Ness, Monroe Municipal Court
 3. Misdemeanant Probation Association: Judge Lisa Leone, Des Moines & Normandy Park Municipal Courts
- 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.
- 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:
 - January 4, 2021
 - March 29, 2021
 - June 1, 2021

OTHER BUSINESS

Judge Gehlsen noted that the next DMCJA Board Meeting is scheduled for December 4, 2020, from 12:30 p.m. to 3:30 p.m., via Zoom video conference.

The meeting was adjourned at 3:08 p.m.

Dear (Representative or Senator) _____,

I ask that the legislature maintain the Administrative Office of the Courts project funds from the dedicated Judicial Information System (JIS) account in the current biennium and provide funding in future biennia. The JIS account is primarily funded by the assessment on traffic infractions processed by the courts of limited jurisdiction. It is critical that these resources remain dedicated to replacing the system on which hundreds of courts around the state rely to administer justice. The efficiency of our courts and the safety of our communities depends on it, and our future ability to be responsive during a public health crisis requires we have the tools to effectively work remotely as needed.

I am writing to express my strong support to preserve the funding already appropriated for a modern case management system to meet the needs of our courts. The more than 240 courts of limited jurisdiction in the state of Washington process 87% of the state's caseload. As the COVID-19 pandemic has impacted court operations, and caseloads increase while budgets shrink, technology has become increasingly important to the daily administration of justice. And as judges, we rely on accurate, up-to-date information from the statewide system to make decisions that affect public safety. The courts' current system was implemented in 1987 and can no longer keep up with our current needs.

The vast majority of those 240 courts rely on the statewide case management system to administer justice. That is why the District and Municipal Court Judges' Association continues to make the replacement of the statewide case management system a top priority.

Sincerely,

cc: Ramsey Radwan (Ramsey.Radwan@courts.wa.gov)
Jennifer Wagner (Jennifer.Wagner@courts.wa.gov)

Talking Points for Conversations with Your Legislators

Why this is important:

- We have a branch governance process which has identified this IT project as the highest priority for the next five years. It's already had significant resources of time, money, and energy dedicated to its success, and we aim to see the return on this investment in the CLJ courts.
- It is critical to replace the existing system on which hundreds of courts around the state rely to administer justice. It is even more crucial now while many are working from home to observe social distancing guidelines due to the COVID-19 pandemic.
- District and municipal courts process 87% of the cases in Washington State.
- Judges rely on accurate, up-to-date information from the statewide system to make decisions that affect public safety.
- Caseloads have increased and budgets have shrunk, so we increasingly rely on technology to help administer justice.
- The vast majority of the more than 240 district and municipal courts in the state rely on the statewide case management system to administer justice.
- Our existing system is over 30 years old, and can't keep up with our current needs. The new system we have purchased will enable remote work.
- Our probation departments don't have a statewide case management system, so they struggle to maintain accurate information for their clients, which poses safety concerns.

What we are asking:

- We are requesting that JIS funds which have already been appropriated and approved by the Legislature for a new case management system be left intact, in the current biennium and provide funding in future biennia, to meet our obligated contract costs.
- A contract with the approved vendor was signed and became effective September 1, 2020; work has already begun and will take five years to complete.
- These funds come from the dedicated Judicial Information System (JIS) account, which is primarily funded by the assessment on traffic infractions processed by the courts of limited jurisdiction. Please maintain these appropriated funds as well as any fund balance for their approved use.

Modern Technology is Critical for Today's Courts to Administer Justice

Washington's district and municipal courts and probation offices in conjunction with the Administrative Office of Courts are requesting funding to continue the replacement of a court case management system that is significantly outdated.



DID YOU KNOW?

2 million+

Cases are processed by Washington district and municipal courts every year

240

Courts of limited jurisdiction and probation offices are located in Washington

1987

Year in which the case management system was built



Why is this important?

- District and municipal courts in every Washington county play a vital role in their communities, processing thousands of cases a day, a day involving protection orders, anti-harassment orders, civil litigation and small claims, neighbor disputes, traffic violations, criminal cases and more, but struggle with a case processing system that is no longer efficient or sustainable.
- These courts share key public safety information such as case dispositions, firearms status and criminal histories with justice partners including the Washington State Patrol and the Department of Licensing.



What will a modern system do for courts and communities?

- The public, attorneys, and justice partners will have improved access to the courts through more and more easily shareable information, electronic filing, electronic service, and online document access rather than the current burdensome paper driven processes.
- Judges, probation officers, and court administrators will have improved access to accurate, up-to-date case information statewide, which will improve public safety and reduce delays for the public and courts.



The Courts of Limited Jurisdiction CMS Project

- Replacement of the existing 33 year old court case management system will take approximately five years. This project remains the number one information technology priority of the branch's Judicial Information System Committee and Washington's District and Municipal Court Judges Association (DMCJA). Full and continued funding is vital for the modernization currently underway. Modernization will improve public safety and the administration of justice in hundreds of courts and millions of cases each year.
- The CLJ-CMS Project is governed by representatives from AOC and the court community from across the state's Judicial Information System Committee (JISC)



CONTACT Ramsey Radwan
Administrative Office of the Courts
Ramsey.Radwan@courts.wa.gov

ARLJ 14 -- COURT ADMINISTRATOR EDUCATION

(a) Purpose. The protection of the rights of free citizens depends upon the existence of an independent and competent judiciary. Courts require skilled court administrators to ensure an open, fair and efficient justice system. This is particularly true in courts of limited jurisdiction—the court level the public most often turns to for services. This rule establishes minimum requirements for education and training of court administrators and equivalent employees in courts of limited jurisdiction.

(b) Definitions.

(1) “Court administrator”, as used in this rule, means the court administrator or equivalent employee in a court of limited jurisdiction to whom the presiding judge may delegate administrative functions described in GR 29(f). ~~Each district and municipal court presiding judge must designate at least one person as the court administrator for purposes of this rule.~~ The presiding judge of each district and municipal court shall designate a minimum of one court administrator or equivalent employee per court to comply with this rule.

(2) “Designee”, as used in this rule, means the court administrator or equivalent employee as designated by the presiding judge.

(3) “AOC” means the Administrative Office of the Courts described in Ch. 2.56 RCW.

(c) Minimum education requirement.

(1) ~~Each designee court administrator~~ shall attend and complete the Washington Court Administrator’s Academy (“Academy”) within twelve months of initial appointment. ~~as a court administrator in a court of limited jurisdiction.~~

(1)(2) Each court administrator or designee holding this position who has been a court administrator for fewer than four years at the time this rule becomes effective shall attend and complete the Academy within twenty-four months of the effective date of this rule.

(2)(3) The Academy shall consist of no fewer than [fifteen] hours of education and shall include instruction about roles and responsibilities of court

administration, ethics, GR 29, executive branch collaboration, court finances, human resources, and AOC resources and requirements.

~~(3)~~(4) The Academy will be offered in conjunction with the annual DMCMA program that receives funding allocated by the Board for Judicial Administration's Court Education's Court Education Committee (CEC). Subject to the availability of CEC and AOC resources, the Academy may also be offered as a webinar or streaming video, ~~if resources are available.~~

~~(5)~~ In the event of extreme hardship, a presiding judge may request on behalf of their ~~court administrator designee~~ a delay of not more than one year ~~in the court administrator's completion of the to complete the~~ Academy.

~~(4)~~(6) ~~The local court jurisdictions lack of adequate budgeting Failure of the local jurisdiction to adequately budget~~ for the ~~court administrator designee~~ to attend the Academy shall not constitute an extreme hardship.

(d) Certified Court Manager Program.

(1) A ~~court administrator designee~~ who has successfully completed the Academy is eligible to attend and complete a Certified Court Manager Program (CCMP) ~~program.~~

(2) The CEC, in consultation with the District and Municipal Court Management Association (DMCMA), will adopt and publish the required curriculum and accreditation standards for the CCMP. The CEC may award credit for self-study or teaching.

(3) Course credits will be given for programs the CEC determines enhance the knowledge and skills that are relevant to the ~~court administrator designee's~~ position.

~~(4)~~ CCMP certification shall be valid for [three] years.

~~(4)~~(5) A ~~court administrator designee~~ must complete at least ~~[15]~~15 hours of approved continuing education credits during the three years their certificate is valid to earn renewal of the certificate for an additional ~~[three]~~three years.

~~(5)~~(6) Credits earned by those who have received CCMP certification may not be carried forward into the next three-year certification period.

- (e) Reporting.** ~~The presiding judge or their designee shall annually register the name, address, and telephone number of the court administrator with the AOC as provided in ARLJ 12. The presiding judge or their designee shall report any change of court administrator to the AOC within 30 days.~~Each designee shall confirm with the Administrative Office of the Courts (AOC) on or before January 31 each year, in such form as the AOC shall prescribe, the designee's progress toward the minimum education requirements of section (c) of this rule during the previous calendar year. If the designee does not respond by January 31, their credits will be confirmed by default. A designee who does not have the requisite number of hours at the end of their three-year reporting period will have until March 1 to make up the credits for the previous three-year reporting period. These credits will not count toward their current three-year reporting period.
- (f) Compliance.** ~~A court administrator and any court personnel supervised in whole or in part by the court administrator who fails to satisfy the minimum requirements of this rule will be restricted from access to the Judicial Information System applications or data except as a public user. Notification of non compliance shall be reported to the chair(s) of the CEC and the presiding judge of the appropriate court.~~
- (g) Effective date.** This rule becomes effective January 1, 2022.



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

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.



District and Municipal Court Judges' Association

President

JUDGE MICHELLE K. GEHLEN
King County District Court
Redmond Facility
8601 160th Ave NE
Redmond, WA 98052-3548
(206) 477-3134

President-Elect

JUDGE CHARLES D. SHORT
Okanogan County District Court
149 N 3rd Ave, Rm 306
Okanogan, WA 98840
(509) 422-7170

Vice-President

COMMISSIONER RICK LEO
Snohomish County District Court
415 E Burke Ave
Arlington, WA 98223-1010
(360) 435-7700

Secretary/Treasurer

JUDGE JEFFREY R. SMITH
Spokane County District Court
1100 W Mallon Ave
PO Box 2352
Spokane, WA 99210-2352
(509) 477-2959

Past President

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

Board of Governors

JUDGE THOMAS W. COX
Garfield County District Court
(509) 382-4812

JUDGE ANITA M. CRAWFORD-WILLIS
Seattle Municipal Court
(206) 684-8709

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

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

JUDGE TYSON R. HILL
Grant County District Court
(509) 754-2011

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

JUDGE KEVIN G. RINGUS
Fife Municipal Court
(253) 922-6635

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

JUDGE KARL WILLIAMS
Pierce County District Court
(253) 798-3312

COMMISSIONER PAUL WOHL
Thurston County District Court
(360) 786-5562

November 25, 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 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.

- 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 court staff and judges pro tempore.
- ❖ 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,

Judge Michelle K. Gehlsen
DMCJA President

Judge Charles D. Short
DMCJA President-Elect

Commissioner Rick Leo
DMCJA Vice-President

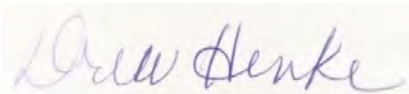
Judge Jeffrey R. Smith
DMCJA Secretary/Treasurer

Judge Samuel G. Meyer
DMCJA Immediate Past President

Judge Karl Williams
DMCJA Board Member Position 1

Judge Tyson R. Hill
DMCJA Board Member Position 2

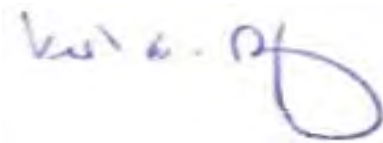
Judge Thomas W. Cox
DMCJA Board Member Position 3



Judge Drew Ann Henke
DMCJA Board Member Position 4



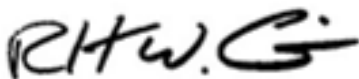
Judge Laura Van Slyck
DMCJA Board Member Position 5



Judge Kevin G. Ringus
DMCJA Board Member Position 6



Commissioner Paul Wohl
DMCJA Board Member Position 7



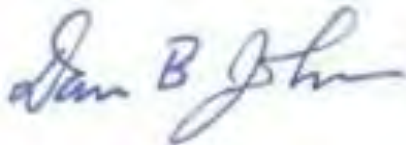
Judge Robert W. Grim
DMCJA Board Member Position 8



Judge Aimee Maurer
DMCJA Board Member Position 9



Judge Anita Crawford-Willis
DMCJA Board Member Position 10



Judge Dan B. Johnson
DMCJA Board for Judicial Administration Liaison



Judge Mary C. Logan
DMCJA Board for Judicial Administration Liaison



Judge Tam T. Bui
DMCJA Board for Judicial Administration Liaison



Judge Rebecca C. Robertson
DMCJA Board for Judicial Administration Liaison

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

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

IN THE MUNICIPAL COURT
FOR THE CITY OF OLYMPIA
FOR THE STATE OF WASHINGTON

IN THE MATTER OF)
)
Emergency Response to Public Health Threat) EMERGENCY
(Coronavirus/COVID-19)) ADMINISTRATIVE ORDER
) NO. 3-2020

WHEREAS, On February 29, 2020, Washington State Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the spread of the coronavirus (COVID-19) and

WHEREAS, as of November 16, 2020, the spread of COVID-19 is increasing in the State of Washington and in Thurston County at a higher rate than anytime throughout the pandemic, and

WHEREAS, On October 13, 2020 the Washington Supreme Court adopted Fourth Revised and Extended Order Regarding Court Operations No. 25700-B-646 (Order No. 25700-B-646), granting emergency authority upon all Washington courts to adopt, modify, and/or suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current state of emergency issued an emergency order in response to the public health emergency that affects operations of trial courts in Washington State; and

WHEREAS, to reduce spread of COVID-19, the United States Centers for Disease Control and Prevention and the Washington State Department of Health (DOH) recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing in smaller gatherings; and

WHEREAS, Supreme Court Order No. 25700-B-646, and the orders amended thereby, require the courts in this state to significantly alter current practices,

NOW, THEREFORE, IT IS HEREBY ORDERED:

THIS ORDER SUPERSEDES ORDER NO. 2-2020 AND THEREFORE ORDER NO. 2-2020 IS HEREBY REPEALED.

1. If you are sick or experiencing flu-like symptoms such as a cough, fever, respiratory problems, or any symptoms associated with COVID-19 or if you have an at risk health conditions or have a weakened immune systems, DO NOT come into any of the Olympia Municipal Court facilities – including court services, probation services, the community court provider building and courtrooms.
2. All court matters including criminal, traffic, and parking, except jury trials (*see paragraph 5*), shall continue to be conducted either in-person or by video through Zoom.

3. **All in custody** criminal matters shall continue to be conducted by video through Zoom. Defense attorneys, the City prosecution, and the public may appear in person or by video and/or audio through Zoom.
4. If you are the defendant in the case, and are experiencing COVID-19 symptoms, do not come into the court facility. Please contact your attorney as soon as possible to discuss rescheduling your hearing. If you have a public defender and do not know how to contact your attorney, please contact the court at court@ci.olympia.wa.us or (360) 753-8312.
5. **TIME FOR TRIAL:** Pursuant to the authority granted by the Washington Supreme Court in paragraphs 12 and 23 of Order No. 25700-B-646 and as the Presiding Judge of the Olympia Municipal Court, I find that the current rise of cases of COVID-19 is an unavoidable circumstance requiring the suspension of the time for trial rule CrRLJ 3.3(e)(3). Therefore, the time between November 16, 2020 and the next scheduled court date after December 31, 2020 shall be EXCLUDED when calculating time for trial. Furthermore, all jury trials currently scheduled in the year 2020 are cancelled and shall be reset after December 31, 2020.

When jury trials recommence:

- a) Jurors who have at risk health conditions or have a weakened immune system please call or email the court to alert us that you fall into one of these high-risk categories. Potential jurors in these categories will be excused and will not be reporting for jury duty at this time. The court will accommodate you and reschedule your service for a later jury term.
 - b) If you are sick, please do not report for jury duty. Please contact the court by phone or email at (360) 753-8312 or court@ci.olympia.wa.us.
6. The Court office will remain open to the public from 8:00 a.m. – 4:00 p.m. Monday through Friday. To minimize contact, please contact the court by phone or e-mail if possible, to avoid in-person visits.
 7. Probation appointments may be conducted by telephone unless otherwise directed. Probation clients **must** contact probation for reporting instructions at (360) 753-8263.
 8. The December 5th Victim’s Impact Panel is cancelled. Those currently scheduled for the December panel will be rescheduled. Please contact Olympia Probation for further information at (360) 753-8263.
 9. MRT classes will continue to be conducted remotely. Please contact probation for further information at (360) 753-8263.
 10. Warrants shall be issued in compliance with paragraph 14 of the Washington State Supreme Court’s Order No. 25700-B-646.

11. It is Further Ordered that in all hearings delayed by this order, notices will be mailed to the parties for the next scheduled hearing date via US mail. Any party needing to update their mailing address should contact the court clerk at (360) 753-8312 or email the court at court@ci.olympia.wa.us.

This order may be modified consistent with the Court's continual assessment of the needs of the community as well as the recommendations of public health officials.

Presiding Judge Scott Ahlf

**IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SPOKANE**

IN THE MATTER OF THE RESPONSE)	
BY SPOKANE COUNTY DISTRICT)	
COURT TO THE PUBLIC HEALTH)	
EMERGENCY (COVID-19))	NO. 12 AMENDMENT TO
)	EMERGENCY ORDER NO. 1
)	
)	
)	EMERGENCY
)	ADMINISTRATIVE ORDER
)	
)	
)	

WHEREAS, the Governor of the State of Washington has declared a state of emergency in all counties of Washington due to the public health emergency caused by the Coronavirus Disease 2019 (COVID 19); and

WHEREAS, The Commissioners of Spokane County, the Mayor of the City of Spokane and the Spokane Regional Health District have also declared a state of emergency in Spokane County due to the same public health concerns; and

WHEREAS, the Washington Supreme Court has adopted it’s Fourth Revised And Extended Order No. 25700-B-646 granting emergency authority to this Court to adopt, modify, and suspend court rules and order and to take further actions regarding court operations as warranted to address the current state of emergency; and

WHEREAS, on March 23, 2020, April 2, 2020 and May 1, 2020, the Governor of the State of Washington has added additional restrictions on the citizens of the State of Washington due to the declared state of emergency concerning the Coronavirus Disease (COVID 19) with his Proclamations; and

WHEREAS, the State of Washington and specifically Spokane County have experienced an exponential and unprecedented surge in new COVID 19 cases over the past 14 days; and

WHEREAS, on November 15, 2020 (and effective November 16, 2020), due to the aforementioned surge of new COVID 19 cases, the Governor of the State of Washington issued an Executive Order placing additional restrictions on the citizens of the State of Washington; and

WHEREAS, this Court issued its Emergency Order No. 1 and Amendments to that Order Nos. 1-11,

NOW, THEREFORE, IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY:

1. Based on Paragraph 12 of the Supreme Court's Fourth Revised and Extended Order 25700-B-646, " A continuance of these criminal and juvenile offender hearings and trials is required in the administration of justice. Based upon the Supreme Court's finding that the serious danger posed by COVID-19 is good cause to continue criminal and juvenile offender trials, and constitutes an unavoidable circumstance under CrR 3.3(e)(8), CrRLJ 3.3(e)(8), and JuCR 7.8(e)(7), the time between the Supreme Court's May 29, 2020 Order and the next scheduled court hearing after October 15, 2020 shall be EXCLUDED when calculating time for trial. CrR 3.3(e)(3), CrRLJ 3.3(e)(3), JuCR 7.8(e)(3). **After October 15, 2020, courts may further exclude time under these rules based on individual findings of "unavoidable circumstances" due to COVID-19 or other circumstances.**" (emphasis added). Therefore, Spokane County District Court makes an individual finding of unavoidable circumstances due to COVID-19, and therefore further excludes time until the next scheduled Court hearing after January 11, 2021.
2. All out-of-custody criminal jury trials will be continued until after January 11, 2021;
3. All out-of-custody criminal hearings (i.e., pre-trial, show cause, treatment review, etc.) will be conducted remotely via Zoom or telephonically, until after January 11, 2021, unless impossible to do so;

4. All in-custody criminal hearings will continue to be conducted per current protocol, utilizing remote Zoom or telephonic hearings, unless impossible to do so;
5. Out-of-custody criminal arraignments for DV cases, will be conducted remotely via Zoom or telephonically until after January 11, 2021, unless impossible to do so;
6. Out-of-custody criminal arraignments for DUI cases, will be conducted in-person, unless prior arrangements have been made by the defendant or Attorney with the Court for a remote hearing via Zoom or telephonically;
7. Out-of-custody non- DV and non- DUI criminal matters (i.e., DWLS 3, Theft 3rd, other criminal driving matters, etc.) may have their arraignments continued until after January 11, 2021, but will have the option to appear prior to that date remotely via Zoom or telephonically;
8. Ex parte civil anti-harassment and domestic violence petitions for temporary no contact orders will be handled remotely until after January 11, 2021;
9. All hearings for civil anti-harassment and domestic violence permanent no contact orders will be handled remotely via Zoom or telephonically, until after January 11, 2021, unless impossible to do so;
10. All civil matters, including small claims will be continued until after January 11, 2021, unless both parties stipulate to appear via Zoom or telephonically;
11. All contested infractions and requested mitigations on infractions will be handled via mail until after January 11, 2021;
12. If it is impossible for a party to appear for any court matter via Zoom or telephonically, that party may appear in-person, but must adhere to the strict guidelines listed in this Order;
13. Any person who is physically ill or in quarantine shall not enter the Courthouse;
14. Staff and visitors are expected to practice good hygiene by washing hands frequently or by using hand sanitizer when hand washing is unpracticable;
15. Frequently touched surfaces will be routinely cleaned by disinfectant or other approved method;
16. Social distancing measures will be strictly enforced to the greatest extent practicable in all courtrooms and public areas in the courthouse. Courtrooms and court administration areas have been equipped with social distancing markers and signage to illustrate appropriate distancing. Each individual courtroom will have a limited capacity due to social distancing.

17. All persons entering any and all Spokane District Courtrooms shall be required to wear a mask, unless exempted under paragraph #18 below. Individuals actively participating in a court proceeding may remove their masks if they wish. The Court may also direct the removal of masks worn by active participants to facilitate clear communication and due process. "Active participant" includes those seated at counsel tables, witnesses, and judge.
18. Pursuant to the face covering directive issued by the local health office order, the following individuals do not need to wear a facial covering:
- a) Any child aged two or less;
 - b) Any child aged twelve or less unless parents and caregiver supervise the use of face coverings by the child to avoid misuse;
 - c) Any individual who has a physical disability that prevents easily wearing or removing a face covering
 - d) Any individual who is hearing impaired and uses facial and mouth movements as part of communication or an individual who is communicating with a person who is hearing impaired and uses facial and mouth movements as part of communication;
 - e) Any individual who has been advised by a medical professional that wearing a face covering may pose a risk to that individual for health-related reasons;
 - f) Any individual who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance.
19. Spokane County District Court may adopt further restrictions as necessary to respond to the current state of emergency in order to mitigate the effect of COVID-19 and will do so by further court order

DATED THIS THE 18th DAY OF NOVEMBER, 2020



Jeffrey R. Smith
Presiding Judge



District Court of the State of Washington
for Snohomish County

JUDGES
STEVEN M. CLOUGH
PATRICIA L. LYON
JEFFREY D. GOODWIN
TAM T. BUI
BETH A. FRASER
ANTHONY E. HOWARD
DOUGLAS J. FAIR
JENNIFER J. RANCOURT

SNOHOMISH COUNTY COURTHOUSE
3000 Rockefeller Avenue
M/S #508
Everett, WA 98201-4060
(425) 388-3895

PRESIDING JUDGE
DOUGLAS J. FAIR
COURT COMMISSIONER
RICK S. LEO
ADMINISTRATOR
KATHRYN F. KOEHLER

Administrative Order 20 –13

**Snohomish County District Court
Emergency Order**

On February 29, 2020 Washington State Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the spread of the coronavirus (COVID - 19). On March 4, 2020 Chief Justice Debra Stephens of the Washington State Supreme Court adopted Order No. 25700-B-602, granting emergency authority upon all Washington courts to "adopt, modify, and/or suspend court rules and orders, and to take further actions concerning court operations, as warranted to address the current public health emergency."

On March 11, 2020 the Governor imposed additional restrictions prohibiting gatherings of more than 250 people within King, Snohomish, and Pierce County due to the danger of continued spread of the virus and the increasing danger the virus presents to the health care system in the region;

On March 13, 2020 the Governor ordered the closure of all schools in the State and on March 16, 2020 ordered closure of all bars, restaurants and clubs in the State in addition to limiting gatherings to no more than 50 people.

On March 18, 2020 the Supreme Court issued Court Order 25700-B-606. On March 19, 2020 the Supreme Court issued Corrected Order 25700-B-607 and on March 20, 2020 issued Amended Order 25700-B-607.

On March 23, 2020 the Governor issued a Stay Home, Stay Healthy Proclamation that closed all non-essential business through April 24, 2020. On April 2, 2020 this order was extended through May 4, 2020.

On April 13, 2020 the Supreme Court amended and extended Amended Order 25700-B-607 through May 4, 2020 by entering Order 25700-B-615.

On April 29, 2020 the Supreme Court entered a new order extending and amending previous orders: Second Revised and Extended Order Regarding Court Operations No. 25700-B-618.

On May 28, 2020 the Supreme Court entered Third Revised and Extended Order Regarding Court Operations No. 25700-B-625. On May 29 the Supreme Court entered Amended Third Revised and Extended Order Regarding Court Operations No. 25700-B-626 that corrected some minor issues in Order 625.

Between May 28, 2020 and October 13, 2020, the Supreme Court entered numerous orders regarding court operations including 25700-B-631, 640, 642, and 646.

On November 12, 2020 one of the outside agencies that allowed the court to use its facilities for jury orientation and selection cancelled its agreement with the court citing the rapid rise in COVID cases.

On November 15 2020 Governor Inslee issued Proclamation 20-25.8, effective at 11:59 PM on November 16 2020, and expiring on December 14 2020 at 11:59 PM. The Proclamation severely restricted public and private gatherings as a result of a spike in cases statewide. The Proclamation is consistent with the United States Centers for Disease Control and Prevention and the Washington State Department of Health (DOH) recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing in smaller gatherings

As of November 16, 2020 the rolling two week average of reported cases per 100,000 population in Snohomish County has been trending steadily upwards (from 124.9 to 280.8), was more than double any previous peak (March peak 129.1 and November peak 280.8) and stands at over ten times the target of 25 cases per 100,000 population.

Accordingly, pursuant to the authority given this Court through Washington State Supreme Court Orders 25700-B-602 through B-646 (and any superseding Orders), and the authority granted to the Presiding Judge of the Snohomish County District Court pursuant to GR 29, this Emergency Order is effective November 17, 2020, and shall remain in effect unless renewed, modified or rescinded by the Snohomish County District Court Presiding Judge. All Divisions of the Snohomish County District Court will remain open, pending further Order of the Court.

Order

1. Protection Order and Compliance Hearings

- (a) All civil protection order hearings for Unlawful Harassment, Domestic Violence, Stalking, Sexual Assault and Extreme Risk Protection Orders will be calendared per normal division policies.
- (b) All compliance hearings pursuant to RCW 10.21.055 and weapons surrender orders pursuant to Chapter 9.41. RCW will be calendared on the normal motions calendar for each division.
- (c) All ex parte petitions may be determined based solely on the petition unless otherwise directed by a Judicial Officer.

(d) All hearings will be conducted via an approved video platform or in person. Attachment B lists in person and video hearings. Video hearings will require both visual and audio connection unless waived at or before the hearing by a judicial officer. If participation is through a video platform, the petitioner and respondent are responsible to log-in at the time provided to them and to await admission to the hearing. Failure to log-in, or disconnecting prior to the hearing or before the hearing has concluded, may be considered a non-appearance.

2. Criminal Hearings

(a) The Time for Trial provisions of CrRLJ 3.3 are suspended from the date of this order until the next court date after December 15, 2020, and further Order of the Court. This constitutes an excluded period under CrRLJ 3.3(e). CrRLJ 2.2(g) is suspended until further Order of the Court.

(b) Arraignments: All arraignments will be held via approved video platform or in person if video is not possible. Video hearings will require both visual and audio connection unless waived at or before the hearing by a judicial officer. Arraignment provisions of CrRLJ 4.1 are suspended until further Order of the Court. The new arraignment date shall be considered the “initial commencement date” for purposes of establishing the time for trial under CrR 3.3(c)(1), CrRLJ 3.3(c)(1).

(c) Motions: All criminal motions may be noted in the customary manner. The dates and times for criminal motions can be found here:

<https://www.snohomishcountywa.gov/DocumentCenter/View/70446/2020-Criminal-Motions-Calendar?bidId=>

Attachment B lists in person and video hearings. Calendars in all Divisions will be subject to maximum calendar limitations per session and/or designed to insure appropriate social distancing if the hearings are in person. The following motions may be heard on shortened time pursuant to previous Supreme Court and Administrative Orders:

Motions to quash warrants.

Motions regarding bail.

Motions for TRO from custody.

Motions to review pre-trial release conditions.

Any other Motion with the consent of a Judicial Officer.

- (i) Commencing July 1, 2020 all hearings will be conducted via an approved video platform or in person if video is not possible. Video hearings will require both visual and audio connection unless waived at or before the hearing by a judicial officer.
- (ii) CrRLJ 8.1(c) still applies to all hearings with the exceptions outlined in the Supreme Court Orders for in custody matters. The court will accept agreed orders in lieu of a hearing subject to availability on the calendar.
- (iii) The Court waives the \$50 walk-in warrant quash fee for all warrants below \$5,000.
- (iv) The Court will waive signatures on all documents for video hearings subject to an appropriate waiver entered on the record. Waivers of signatures implicating constitutional protections, including but not limited to guilty pleas and sentencing, shall be made knowingly, intelligently, and voluntarily. The Court specifically authorizes video plea and sentencing as indicated in Attachment B as disposition hearings.

- (v) Motions calendars will return to regularly scheduled times in each division.
- (d) Readiness: The court will allow the submission of agreed continuances and waiver of appearance motions while this administrative order is in effect. The motions must be filed by the end of the business day one week prior to the readiness hearing and must be signed by all parties (for example, if the readiness hearing is on a Wednesday, the motion must be filed by close of business the previous Wednesday). Late filed motions and motions to shorten time for agreed continuances and waiver of appearance will not be considered. All such motions are subject to judicial review and may be denied at the discretion of the judicial officer.
- (e) Jury Trials: Jury trials are suspended until at least December 15, 2020 and until further Order of the Court. Any Defendant that remains in custody pending the reinstatement of jury trials will have an automatic review of release conditions at their first regularly scheduled confirmation date. This provision does not supersede the Defendant's right to request a bail review pursuant to 2(b). The rapid rise in COVID cases locally and statewide constitutes an "unavoidable circumstance" pursuant to CrRLJ 3.3(e)(8).
- (f) Failure to appear: If participation is through a video platform, the plaintiff and the defendant are responsible to log-in at the time provided to them and to await admission to the hearing. Failure to log-in, or disconnecting prior to the hearing or before the hearing has concluded, may be considered a non-appearance.

3. Traffic Infraction Hearings

All hearings will be held via an approved video platform or in person if video is not possible. Video hearings will require both visual and audio connection unless waived at or before the hearing by a judicial officer. Attachment B lists in person and video hearings. If participation is through a video platform, the plaintiff and respondent are responsible to log-in at the time provided to them and to await admission to the hearing. Failure to log-in, or disconnecting prior to the hearing or before the hearing has concluded, may be considered a non-appearance.

The Court will continue to accept, and in fact encourages, agreed orders.

4. Civil Proceedings

All civil motions may be noted in the customary manner. The dates and times for civil motions can be found here:

<https://www.snohomishcountywa.gov/DocumentCenter/View/70447/2020-Civil-Motions-Calendar?bidId=>

All hearings will be held via an approved video platform or in person if video is not possible. Video hearings will require both visual and audio connection unless waived at or before the hearing by a judicial officer. Attachment B lists in person and video hearings. If participation is through a video platform, the plaintiff/petitioner and respondent are responsible to log-in at the time provided to them and to await admission to the hearing. Failure to log-in, or disconnecting prior to the hearing or before the hearing has concluded, may be considered a non-appearance.

5. Jail Calendars and Mental Health Court

(a) This Order does not apply to Mental Health Court. Judicial Officers hearing the Mental Health Court calendars may make such Orders as are necessary to protect the health and safety of all participants and the public.

- (b) Jail calendars are subject to Supreme Court Order 25700-B-646.
- (c) No jail transports to Cascade, Everett, Evergreen, or South Division will occur absent the approval of a Judicial Officer.

6. Rules

Any Snohomish County District Court Local Rules or State Court Rules that are inconsistent with the provisions of this Administrative Order are suspended during the effective time of this Order.

7. Other

(a) For purposes of this Order, ‘Judicial Officer’ means a Snohomish County District Court Judge or Snohomish County District Court Commissioner. The only exceptions for this are that pro tem judges may determine the appropriateness of wearing masks during court proceedings pursuant to Attachment A, for allowing telephonic hearings pursuant to 7(b), and for waiving a video portion of a video platform hearing.

(b) Any civil or criminal matter may be heard upon the approval of a Judicial Officer and, upon a finding of good cause, a Judicial Officer may allow telephonic hearings on a case-by-case basis.

(c) This Administrative Order is subject to Supreme Court Order 25700-B-646 and any provisions in conflict with Order 25700-B-646 are superseded.

(d) The Court will accept the following online classes that were taken during the time Emergency Orders were in effect: DUI victim panels; ADIS classes; theft awareness classes; anger management classes; and the MADD DV victim panel and any other DV panel that has been approved by the Probation Supervisor.

(e) Attachment A addresses masks, face coverings and social distancing. Due to the possibility of rapid policy changes, Attachment A may be subject to change without notice.

(f) Attachment B lists Zoom hearings and those hearings being held in person in the courtroom. Due to the possibility of rapid policy changes, Attachment B may be subject to change without notice.

Dated this 17th day of November, 2020

Judge Douglas J. Fair
Presiding Judge
Snohomish County District Court

Attachment A

Face Covering Policy.

Findings

This face covering policy incorporates the findings set forth in District Court Administrative Order 20-09B, any emergency orders following that order, as well as the following findings. Pursuant to GR 36(a) a “safe courthouse environment is fundamental to the administration of justice. Employees, case participants and members of the public should expect safe and secure courthouses.” This face covering policy recognizes the independent authority of the Courts to provide a safe environment for all participants as well as the need for a policy that safeguards the fairness of the fact-finding process.

The courthouse and courtrooms are open to the public. Employees, case participants, and members of the public are present in the same common areas and courtrooms in confined spaces. People who have the novel coronavirus and are currently infectious may appear totally asymptomatic. Social distancing is encouraged through markings on the floor where waiting lines occur, by closing off some seating areas, and signage placed throughout the courthouses.

However, it not possible to maintain social distancing at all times. An employee, case participant or member of the public exposed to COVID-19 at the courthouse would negatively impact the ability of the Court to perform essential public safety and administration of justice functions.

The Center for Disease Control (CDC) and the Washington State Department of Health recommend that, during the current COVID-19 pandemic, individuals wear a covering over the mouth and nose to protect themselves and others. See [coronavirus.wa.gov](https://www.coronavirus.wa.gov). No other reasonable alternatives are available to mitigate the risk of exposure to COVID-19 within the courthouse other than social distancing and the required use of mouth and nose coverings.

Authority of the Court

GR 36(a) vests in the Courts the authority to establish reasonable protocols to protect the safety of employees, case participants and the public. Additionally, Washington State and Federal cases support the authority of the courts to adopt reasonable procedures and rules regarding safety. See *State v. Hartzog*, 96 Wn.2d 383 (1981); *Jacobson v. Massachusetts*, 197 U.S. 11 (1905).

Snohomish County District Court - Face Mask Policy

Effective June 1, 2020 and during the duration of emergency orders addressing the COVID-19 pandemic, all persons entering the courthouse at the Cascade, Evergreen and South Divisions of Snohomish County District Court are required to wear a face covering that covers their mouth and nostrils. A clear face shield that covers the entirety of the face from ear to ear and to below the chin will comply with this requirement. For the Everett Division, this policy applies to the courtrooms and the District Court lobby and work areas.

The required face covering must be worn at all times unless an exception established by this policy applies or as determined by a judicial officer. Persons without required face coverings will be denied entry to the courthouse at the Cascade, Evergreen and South Divisions. In the Everett Division persons without facemasks will be denied entry to the courtrooms, lobby and work areas. The court is not required to provide a face covering except as noted below.

Exceptions:

- (1) The District Court will provide face coverings for jurors, witnesses, those persons in need of ADA accommodations, and District Court employees.
- (2) At the discretion of a judicial officer, a face covering may be removed to ensure effective communication, to enable compliance with ADA requirements and to implement any accommodations necessary to ensure the fairness of the proceedings and avoid prejudice to any person.
- (3) A judicial officer may direct that witnesses' face coverings be removed during testimony.
- (4) Any person who provides verifiable proof that their medical provider has determined that their health and safety is put at risk by wearing a face covering is exempt from this policy. Special accommodations for ADA issues will be addressed on a case-by-case basis.
- (5) Children under the age of 2 years are not required to wear a face covering.
- (6) District Court employees will be provided three (3) cloth facemasks or one (1) shield per employee at their request. Employees in a private space such as in an

office or break room with no one else present is not required to wear a mask or face covering as long as they remain alone. Employees will be given short breaks at regular intervals to allow them access to a private area where they can safely remove their masks. Removal of the mask will also be allowed for the purposes of eating and drinking and shall be no longer than necessary to consume food or drink.

Attachment B

Virtual Hearings (Zoom)

Arraignment

Non-contested probation compliance hearings

Civil motions

Small claims mediation

Ex-parte motions

Contested infractions

Mitigation hearings

Name changes

Non-testimonial motions

Disposition hearings

Pre-trial/confirmation hearings

Jury trial call calendar for appearance only cases

In person hearings

Vehicle impound

Contested infractions at the discretion of the judicial officer

Contested probation hearings at the discretion of the judicial officer

Full order hearings

Evidentiary hearings on the motion calendar

Bench trials (including small claims trials)

Compliance review hearings for firearms/IID/SCRAM

Jury trial call calendar for confirmed cases

Jury trials

My Covid-19 Story and JASP*

By Judge Christopher Culp, Okanogan Superior Court

These days, everyone has a story of how COVID-19 has impacted them: perhaps a relative, friend or coworker tested positive, perhaps you tested positive or, unfortunately, maybe a relative, friend or coworker passed away from it. My story is probably no different than what many experienced; however, I wanted to write about it and share what helped me through two weeks in quarantine. What helped me in part is also available to all judicial officers in Washington.

On October 17th, my wife Peg and I met friends at a Winthrop restaurant for an outdoor lunch. All six of us wore masks while seated at the same table for an hour and a half. After lunch we traveled toward Mazama for a favorite walk along the Methow River. It was a beautiful day with an abundance of fall colors. We thought we were doing our dog a favor with the five mile distance while benefitting ourselves with the fresh air and exercise.

The last mile of the hike I began to complain of aching knees and feeling like I was carrying a way-too-heavy pack on my back. It was disturbing to me to be so unduly tired. Peg complained similarly and we decided it was simply a matter of too much distance and too fast a pace. Driving home to Omak was manageable; however, I was chilled and felt generally terrible. I decided to run a hot bath, take ibuprofen and try to feel better. Later that night I awoke pretty much soaked in sweat and obviously sick. My temperature was 99.7 and I felt dread setting in. The next morning the thermometer read 101.7; the medicine wasn't effective for body aches; I felt terrible and concerned. We decided I should call our clinic COVID hotline to see about testing.

Beyond age-related concerns, we both have other reasons to be especially mindful of COVID precautions. My wife has asthma and consequently is high-risk for vulnerability to various respiratory diseases. Her doctor has always told her to be mindful of COVID and strictly follow all the usual guidelines: socially distance, wear a mask, frequent hand washing and generally limit exposure to others. Rightly or wrongly, I put myself in the high-risk category due to a splenectomy (from a baseball collision) years ago. Our spleens are a 4th line of defense against disease—as the surgeon told me at the time—and without one I am more susceptible to becoming ill. Further, I would need more time to get over any illness. For all of these reasons, our lives changed like so many others in March and we began to do everything we could to avoid becoming infected. Peg is an attorney and she closed her office to the public, seeing and talking with clients via phone or Zoom. My court implemented all of the recommended safety protocols and even got kudos from local public health officials for safety measures put in place. Under the circumstances, we felt we were doing all we could to stay healthy.

On Sunday, October 18th, I called the testing hotline and described my symptoms. Testing was set up for 7:30 the next morning. I remember clearly receiving a call at 8:18, not even an hour later, from the clinic and hearing the report that I was positive for COVID-19. They told me my wife should wait until later to get tested, to isolate from me and also to distance from our dog. They would be notifying public health officials but I should begin notifying work and persons I'd been around since the prior Wednesday. I was to isolate for 10 days and to go to the hospital immediately if I experienced any shortness of breath. As I hung up the phone, I remember experiencing multiple reactions: bewilderment and uncertainty, fear and grief, anger. What would this positive result mean for my family, those I had been around, for me, my work and life in general? My mind was flooded with emotions given all that surrounds the COVID-19 pandemic.

Compounding all of my emotions, I learned that one of our friends we had lunch with also became infected. And my wife, after initially testing negative Tuesday, later came back positive. It was pretty clear I was directly responsible for at least two more cases. Additional new feelings of guilt came with each of these revelations.

Whether coincidence or my good fortune, those of us who are Peer Counselors with the Judicial Assistance Services Program (JASP) received an email from our Clinical Psychologist and JASP consultant Dr. Susanna Kanther shortly before I became ill. She wrote *"Right now, I see [important activities of our normal daily lives] begin to disintegrate in people because we may be unwilling to adapt and adjust, and we question purpose."* This important observation reminded me of the need to be resilient in the face of adversity. This made me think of JASP trainings and resources from the last several years to see if I could apply some of those teachings to my own situation. I didn't have to look far to get some help.

As I write this, the Associated Press reports over 259,000 Americans have died from COVID-19. I never felt like I was going to die, but the uncertainties of the disease left me wondering each time I experienced a new or different symptom. I found myself thinking about our Peer Counselor grief and loss training session from years ago, especially that feelings of loss (or in my case potential loss due to illness) are entirely subjective; that whatever I was feeling was legitimate. When something as important as our health is endangered and our sense of well-being is at risk, it's normal to feel a sense of loss. And not to sound overly dramatic, but whether a person already has COVID or becomes infected later, we all have a so-called feared loss—the fear of our own death and its impact on family. I had a lot of time to reflect on various fears, including too my responsibility for at least two people becoming infected. What if something happened to them? I feared the guilt of that responsibility. Ultimately, I decided my fears of loss were normal and, fortunately, manageable. This came in no small part from understanding that fear of uncertainty and loss requires recognition, acceptance and resilience.

Another JASP training on stress management and self-care proved useful. I recall feeling stressed and anxious after reading numerous articles online about COVID-19. Why does one isolate for 10 days if they test positive but quarantine for 14 days if they're exposed? Why do I have to distance from my pet? What if both spouses are ultimately positive—do they still isolate from each other? Am I still infectious or contagious after 10 days? When can I safely go back to work? If I have them, how long do antibodies last? The questions were endless and there seemed to be no one answer; rather, reading any number of articles provided the same number of answers. It's hard to know what to do when you get multiple, and possibly conflicting, answers. Self-care is difficult and stress is inevitable, particularly given the mind games created by all of the COVID-19 uncertainties. You can see where one becomes bewildered and overwhelmed.

My purpose in telling my COVID-19 story is not because it's different than anybody else's experience. Instead, I wanted to convey a real life story and help make other judicial officers aware of the resource that JASP is and what it can do to help them.

In hindsight, I could have called Dr. Kanther for a referral. She would have determined the best Peer Counselor for me to talk to and given them my contact information. I would be told that anything I said to the person who called would be confidential. They would use trainings like I mentioned and active listening skills to help me recognize, talk through and begin to deal with what I was experiencing. While not experts, they would offer resources for follow-up as necessary to help. I have no doubt the message I received from any Peer Counselor would have echoed this last statement of Dr. Kanther's, *"We must keep the definition of who we are alive through this pandemic, even when that definition cannot wholeheartedly manifest. As Judicial Officers of this beautiful state, aspire to do this for yourselves, and assist others around you as they find their way. We must be open and adaptive to live."* And so the point of this feature is to show an example of how and when JASP might help judges when they face difficulties in their lives, regardless of what those difficulties might entail. Our purpose is to help prevent or alleviate problems before they jeopardize a judicial officer's career.

Today, I am back at work and seemingly 100% healthy; my wife and friend are also better. I wouldn't wish the experience of COVID-19 on anyone, so if you want help dealing with its myriad symptoms, uncertainties or whatever you are experiencing, I encourage you to reach out to JASP. You may call 415-572-3803 or email JASP@courts.wa.gov

* Judicial Assistance Services Program



DMCJA BOARD MEETING
FRIDAY, DECEMBER 4, 2020
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE

PRESIDENT MICHELLE GEHLSSEN

SUPPLEMENTAL AGENDA

PAGE

Call to Order

Break Out Sessions

- A. Discussion Questions (break out rooms; pick a spokesperson to report back to the group) – Judge Mary Logan
 - 1. Please share the greatest obstacle that you have overcome in your job during this time.
 - 2. What can you do for yourself AND your court staff to commit to self-care.

General Business

- B. Minutes for November 13, 2020
- C. **Treasurer’s Report**
- D. **Special Fund Report**
- E. Standing Committee Reports
 - 1. Rules Committee – no meetings or minutes to report
 - 2. Diversity Committee
 - 3. Legislative Committee
- F. Judicial Information System (“JIS”) Report – Vicky Cullinane

1-6

X1-X10

X8

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. CLJ-CMS Project Team Update – Cat Robinson, AOC Project Manager; Dexter Mejia, AOC Court Business Office Manager; and Vicky Cullinane, AOC Business Liaison</p> <p>B. CLJ-CMS and JIS Funding (Update on DMCJA Public Outreach Committee Materials)</p> <p>C. DMCMA Education Proposal</p> <p>D. Ad Hoc Committee Examining Ethics Advisory Opinion 20-07 (Update) – Judge Sam Meyer</p> <p>E. Dues Surplus and Investment Options</p> <p>F. Diversity Committee Action Plan – Board Approval</p>	<p></p> <p>7-9</p> <p>10-12</p> <p>13-14</p> <p>15-17</p>
<p>Information</p> <p>A. DMCJA Racial Justice Commitment Letter</p> <p>B. 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>C. Examples of emergency administrative orders from Olympia Municipal Court, Spokane County District Court and Snohomish County District Court</p> <p>D. “<i>My COVID-19 Story and Judicial Assistance Services Program (JASP)</i>,” by Judge Christopher Culp, Okanogan Superior Court</p> <p>E. 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 <p>F. New DMCJA Appointments to External Committees:</p> <p>1. <u>Access to Justice Board Liaison</u>: Judge Marcine Anderson, King County District Court</p> <p>G. DMCJA Letter to Interpreter Commission regarding Proposed Changes to CrRLJ 3.4</p>	<p>18-20</p> <p>21-36</p> <p>37-39</p> <p>X11</p>
<p>Other Business</p> <p>A. The next DMCJA Board Meeting is scheduled for Friday, January 8, 2020, from 12:30 p.m. to 3:30 p.m., via Zoom video conference.</p>	
<p>Adjourn</p>	

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

SUMMARY OF REPORTS

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

For the Period Ending November 30th, 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 November 30, 2020

	Nov 30, 20
ASSETS	
Current Assets	
Checking/Savings	
Bank of America - Checking	5,704
Bank of America - Savings	194,014
Washington Federal	43,880
Total Checking/Savings	243,598
Total Current Assets	243,598
Fixed Assets	
Accumulated Depreciation	(703)
Computer Equipment	579
Total Fixed Assets	(124)
Other Assets	
Prepaid Expenses	32,667
Total Other Assets	32,667
TOTAL ASSETS	276,140
LIABILITIES & EQUITY	
Equity	276,140
TOTAL LIABILITIES & EQUITY	276,140

Washington State District And Municipal Court Judges Assoc.

Statement of Activities

For the Five Months Ending November 30th, 2020

	<u>Jul 20</u>	<u>Aug 20</u>	<u>Sep 20</u>	<u>Oct 20</u>	<u>Nov 20</u>	<u>TOTAL</u>
Ordinary Income/Expense						
Income						
Interest Income	20.20	20.20	15.61	13.33	10.58	79.92
Total Income	<u>20.20</u>	<u>20.20</u>	<u>15.61</u>	<u>13.33</u>	<u>10.58</u>	<u>79.92</u>
Gross Profit	20.20	20.20	15.61	13.33	10.58	79.92
Expense						
Special Fund Expense	0.00	0.00	0.00	29.45	0.00	29.45
Prior Year Budget Expense	0.00	2,599.88	0.00	1,252.12	0.00	3,852.00
Board Meeting Expense	0.00	0.00	0.00	489.80	0.00	489.80
Bookkeeping Expense	0.00	536.00	318.00	318.00	318.00	1,490.00
Judicial Assistance Committee	0.00	0.00	1,200.00	0.00	0.00	1,200.00
Legislative Committee	0.00	0.00	0.00	734.70	0.00	734.70
Legislative Pro-Tem	244.90	0.00	244.90	0.00	210.00	699.80
Lobbyist Contract	6,666.66	6,666.66	6,666.66	6,666.66	6,666.66	33,333.30
President Expense	0.00	0.00	0.00	244.90	0.00	244.90
Professional Services	0.00	700.00	0.00	0.00	250.00	950.00
Treasurer Expense and Bonds	0.00	0.00	10.00	0.00	0.00	10.00
Insurance Expense	0.00	0.00	0.00	0.00	3,715.00	3,715.00
Total Expense	<u>6,911.56</u>	<u>10,502.54</u>	<u>8,439.56</u>	<u>9,735.63</u>	<u>11,159.66</u>	<u>46,748.95</u>
Net Ordinary Income	<u>(6,891.36)</u>	<u>(10,482.34)</u>	<u>(8,423.95)</u>	<u>(9,722.30)</u>	<u>(11,149.08)</u>	<u>(46,669.03)</u>
Net Income	<u><u>(6,891.36)</u></u>	<u><u>(10,482.34)</u></u>	<u><u>(8,423.95)</u></u>	<u><u>(9,722.30)</u></u>	<u><u>(11,149.08)</u></u>	<u><u>(46,669.03)</u></u>

7:17 AM
12/01/20

Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
Bank of America - Checking, Period Ending 11/30/2020

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						11,478.09
Cleared Transactions						
Checks and Payments - 6 items						
Check	10/14/2020		AOC	X	-29.45	-29.45
Check	10/26/2020		4imprint	X	-1,252.12	-1,281.57
Check	11/09/2020		Pierce County Book...	X	-318.00	-1,599.57
Check	11/09/2020		Snohomish Co. Distr...	X	-210.00	-1,809.57
Check	11/12/2020		Travelers Insurance	X	-3,715.00	-5,524.57
Check	11/13/2020		Dino W Traverso, P...	X	-250.00	-5,774.57
Total Checks and Payments					<u>-5,774.57</u>	<u>-5,774.57</u>
Total Cleared Transactions					<u>-5,774.57</u>	<u>-5,774.57</u>
Cleared Balance					<u>-5,774.57</u>	<u>5,703.52</u>
Register Balance as of 11/30/2020					<u>-5,774.57</u>	<u>5,703.52</u>
Ending Balance					<u><u>-5,774.57</u></u>	<u><u>5,703.52</u></u>

7:19 AM
12/01/20

Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
Bank of America - Savings, Period Ending 11/30/2020

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						194,012.62
Cleared Transactions						
Deposits and Credits - 1 item						
Deposit	11/30/2020			X	1.59	1.59
Total Deposits and Credits					1.59	1.59
Total Cleared Transactions					1.59	1.59
Cleared Balance					1.59	194,014.21
Register Balance as of 11/30/2020					1.59	194,014.21
Ending Balance					1.59	194,014.21

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

July through November 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		King County District Court	Judge Michelle Gehlsen 7-10-20	(244.90)	(2,244.90)
Check	08/03/2020		Melanie Stewart	August invoice 4818	(2,000.00)	(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	11/02/2020		Melanie Stewart	November payment	(2,000.00)	(18,922.65)
Check	11/09/2020		Snohomish Co. District Court	DMCMA meeting 10/22/20	(210.00)	(19,132.65)
Check	11/09/2020		Pierce County Bookkeeping	August Invoice	(318.00)	(19,450.65)
Check	11/12/2020		Travelers Insurance		(3,715.00)	(23,165.65)
Check	11/13/2020		Dino W Traverso, PLLC	Invoice 20296	(250.00)	(23,415.65)
Total Bank of America - Checking					(23,415.65)	(23,415.65)
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
Deposit	11/30/2020			Interest	1.59	8.10
Total Bank of America - Savings					8.10	8.10
Washington Federal						
Deposit	07/31/2020			Interest	18.56	18.56
Deposit	08/31/2020			Interest	18.56	37.12
Deposit	09/30/2020			Interest	14.02	51.14
Deposit	10/31/2020			Interest	11.69	62.83
Deposit	11/30/2020			Interest	8.99	71.82
Total Washington Federal					71.82	71.82
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)
Genera...	11/30/2020	CEH		1/12 of Contract	(4,666.66)	(23,333.30)
Total Prepaid Expenses					(23,333.30)	(23,333.30)
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)
Deposit	11/30/2020			Interest	(1.59)	(70.93)
Deposit	11/30/2020			Interest	(8.99)	(79.92)
Total Interest Income					(79.92)	(79.92)
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

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

July through November 2020

Type	Date	Num	Name	Memo	Amount	Balance
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
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
Check	11/09/2020		Pierce County Bookkeeping	August Invoice	318.00	1,490.00
Total Bookkeeping Expense					1,490.00	1,490.00
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
Check	11/09/2020		Snohomish Co. District Court	DMCMA meeting 10/22/20	210.00	699.80
Total Legislative Pro-Tem					699.80	699.80
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	08/03/2020		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
Genera...	10/31/2020	CEH		1/12 of Contract	4,666.66	26,666.64
Check	11/02/2020		Melanie Stewart	November payment	2,000.00	28,666.64
Genera...	11/30/2020	CEH		1/12 of Contract	4,666.66	33,333.30
Total Lobbyist Contract					33,333.30	33,333.30
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
Check	11/13/2020		Dino W Traverso, PLLC	Invoice 20296	250.00	950.00
Total Professional Services					950.00	950.00
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
Insurance Expense						
Check	11/12/2020		Travelers Insurance		3,715.00	3,715.00
Total Insurance Expense					3,715.00	3,715.00
TOTAL					0.00	0.00



Statement of Account

PAGE 1 OF 1

Statement End Date November 30, 2020

Statement Begin Date November 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' 8836
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	0.250%
Interest Rate Effective 11/01/2020	0.250%
Interest Earned/Accrued this Cycle	\$8.99
Number of Days in this Cycle	30
Date Interest Posted	11-30-2020
Year-to-Date Interest Paid	\$242.81

Beginning Balance	\$43,870.98
Interest Earned This Period	+8.99
Deposits and Credits	+0.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$43,879.97

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



Interest Earned This Period

Date	Description	Amount
11-30	Credit Interest	8.99
Total Interest Earned This Period		8.99

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

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	\$1,490.00	\$2,010.00
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	\$0.00
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	\$700.00	\$1,800.00
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	\$950.00	\$4,050.00
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	\$75,564.00 \$206,636.00
*Includes \$8,000 from the SCJA			
DMCJA\Board\Budget\2010-Present\2020-2021 Adopted	updated 11/30/20		

District and Municipal Court Judges' Association

President

JUDGE MICHELLE K. GEHLEN
King County District Court
Redmond Facility
8601 160th Ave NE
Redmond, WA 98052-3548
(206) 477-3134

President-Elect

JUDGE CHARLES D. SHORT
Okanogan County District Court
149 N 3rd Ave, Rm 306
Okanogan, WA 98840
(509) 422-7170

Vice-President

COMMISSIONER RICK LEO
Snohomish County District Court
415 E Burke Ave
Arlington, WA 98223-1010
(360) 435-7700

Secretary/Treasurer

JUDGE JEFFREY R. SMITH
Spokane County District Court
1100 W Mallon Ave
PO Box 2352
Spokane, WA 99210-2352
(509) 477-2959

Past President

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

Board of Governors

JUDGE THOMAS W. COX
Garfield County District Court
(509) 382-4812

JUDGE ANITA M. CRAWFORD-WILLIS
Seattle Municipal Court
(206) 684-8709

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

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

JUDGE TYSON R. HILL
Grant County District Court
(509) 754-2011

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

JUDGE KEVIN G. RINGUS
Fife Municipal Court
(253) 922-6635

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

JUDGE KARL WILLIAMS
Pierce County District Court
(253) 798-3312

COMMISSIONER PAUL WOHL
Thurston County District Court
(360) 786-5562

December 2, 2020

VIA EMAIL

Honorable Steven C. González, Chair
Interpreter Commission
Temple of Justice
PO Box 40929
Olympia, WA 98504-0929

RE: Proposal to Amend CrRLJ 3.4

Dear Justice González:

The Rules Committee of the District and Municipal Court Judges' Association (DMCJA) reviewed proposed changes to CrRLJ 3.4. The DMCJA Rules Committee identified a feasibility concern with language proposed for addition to the last sentence of section (d)(3) as follows:

In interpreted proceedings, the interpreter must be located next to the defendant and the proceedings must be conducted to assure that the interpreter can hear all participants.

Many courts are using video conferencing with interpreters and defendants both appearing remotely. In light of this current practice, the DMCJA Rules Committee recommended that the DMCJA raise this issue to the Interpreter Commission for consideration.

Thank you.

Sincerely,

s/Judge Michelle K. Gehlsen

cc: Judge Jeffrey Goodwin, DMCJA Rules Chair
Ms. J Benway, DMCJA Rules Staff
Mr. Robert Lichtenberg, Commission Liaison
Mr. James Wells, Interpreter Program Support