



DMCJA Board of Governors Meeting
Friday, May 8, 2020, 4:05 p.m. – 5:00 p.m.
ZOOM VIDEO CONFERENCE

MEETING MINUTES

Members Present:

Chair, Samuel Meyer
Judge Linda Coburn
Judge Michelle Gehlsen
Judge Robert Grim
Judge Drew Ann Henke
Commissioner Rick Leo
Judge Aimee Maurer
Judge Rebecca Robertson
Judge Charles Short
Judge Jeffrey Smith
Judge Laura Van Slyck
Commissioner Paul Wohl

Members Absent:

Judge Thomas Cox
Judge Tyson Hill

Guests:

Judge Tam Bui, BJA
Judge David Estudillo, SCJA
Judge Jeffrey Goodwin
Judge Timothy Jenkins
Judge Mary Logan, BJA
Judge Kevin Ringus, BJA
Dawn Williams, DMCMA President

Administrative Office of the Courts (AOC)

Dawn Marie Rubio, State Court Administrator
Sharon R. Harvey, DMCJA Primary Staff
J Benway
Vicky Cullinane
Susan Peterson

CALL TO ORDER

The meeting started at approximately 2:45 p.m. instead of 4:05 p.m. because the District and Municipal Court Judges' Association (DMCJA) Board Retreat ended early on the same day. Judge Meyer, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum and called the DMCJA Board of Governors (Board) meeting to order. The original in-person meeting was changed to a video conference because of the seriousness of the Coronavirus (COVID-19) pandemic.

GENERAL BUSINESS

A. Minutes

The Board moved, seconded, and passed a vote (M/S/P) to approve the Amended Board Minutes for April 10, 2020 with the following corrections: (1) SCJA Liaison Report: Replace DMCJA with "SCJA" regarding Judge Judith Ramseyer, who was the SCJA Liaison; (2) Treasurer's Report: Delete "207 DMCJA members" to only state, He further reported that only eleven have not paid their dues to date.

B. Treasurer's Report

M/S/P to accept the Treasurer's Report. Commissioner Leo directed Board members to review the report in meeting materials.

C. Special Fund Report

M/S/P to accept the Special Fund Report. Judge Short directed Board members to review the report in meeting materials.

D. Standing Committee Reports

1. Legislative Committee (Orally added during the Board meeting)

Commissioner Wohl reported that House Bill (“HB”) [1293](#), Discover Pass, and [HB 2295](#), Small Claims, were signed by the Governor. These bills are effective June 11, 2020. He further reported that the Governor has vetoed [HB 2793](#), Vacation of convictions, which is known as The Clean Slate Act, because there is no state funding for the measure as a result of resources needed to address the COVID-19 pandemic. He noted that the AOC would have had to absorb a tremendous amount of costs for the bill. Commissioner Wohl added that there may be a special session to address budget projections as a result of the COVID-19 pandemic.

E. Judicial Information System (JIS) Report

Vicky Cullinane, JIS Business Liaison, reported that the courts of limited jurisdiction case management system (CLJ-CMS) Project remains close to signing a contract with Tyler Technologies for statewide CMS services. The COVID-19 pandemic has impacted the project because of social distancing requirements. She further reported that the CLJ-CMS Project is focused on e-filing, which is planned to be rolled out statewide well before the rest of the statewide CLJ case management system. The CLJ-CMS Project continues to work with stakeholders regarding issues related to necessary model local rules and FAQs.

LIAISON REPORTS

A. Administrative Office of the Courts (AOC)

Prior to this report, Judge Meyer expressed appreciation to the AOC Friday Forum planning team, Dawn Marie Rubio, Dirk Marler, Sharon Harvey, Crissy Anderson, and Phil Zitzelman. He reported that the AOC has also convened a jury trials workgroup in addition to Friday Forums to assist trial courts during the COVID-19 public health emergency.

Dawn Marie Rubio, State Court Administrator, reported that the AOC is endeavoring to provide information to courts during the COVID-19 pandemic. She informed that the AOC has taken the following steps to assist courts during this public health emergency: (1) hosted applications in order for court staff to work remotely and continue their work; (2) expanded its customer service to serve as a hub of communications regarding court orders; (3) located funding for enterprise software for judges; (4) worked to obtain funding from the [CARES Act](#), which created \$1.5 billion in Coronavirus Relief Fund, to obtain grant monies for courts that cannot access funds from local funding bodies; (5) partnering with the DMCJA and SCJA to host “Friday Forums,” which are webinars to assist trial courts during the COVID-19 pandemic. She reported that approximately 300 participants have attended these webinars. Dawn Marie Rubio expressed that the AOC is eager to work together to problem solve. Judge Meyer expressed thanks to AOC for all of its work to support trial courts.

B. Board for Judicial Administration (BJA)

DMCJA Representatives, Judges Bui, Logan, and Ringus, reported that the BJA met today, via zoom video conference. The BJA Budget and Funding Committee and BJA Legislative Committee will have a joint meeting on May 18, 2020 to discuss a possible Special Legislative Session and COVID-19 impacts on the courts. The Court Education Committee suggested a reduction of in-person conferences in which the BJA agreed.

C. District and Municipal Court Management Association (DMCMA)

Dawn Williams, DMCMA President, expressed that the “Friday Forums” have been useful to court managers, who have been immersed in more Information Technology matters that they could have ever imagined, as a result of the COVID-19 pandemic.

D. Superior Court Judges’ Association (SCJA)

Judge David Estudillo, SCJA President-Elect, has replaced Judge Judith Ramseyer as the SCJA liaison to the Board. He reported that his association is working with the DMCJA and AOC to present weekly Friday Forums, which are webinars to assist trial courts during the COVID-19 pandemic.

ACTION

1. Board Meeting: Whether to Meet on Sunday, May 31, 2020
M/S/P not to meet on Sunday, May 31, 2020, which would have been during Spring Conference.

a. DMCJA Proposed Budget
M/S/P to approve the DMCJA Proposed Budget for 2020-2021.

b. Chief Justice Mary Fairhurst National Leadership Grant Recipient
M/S/P to approve the grant application of Judge Marilyn Paja, Kitsap County District Court.

2. COVID 19 Pandemic: Annual Meeting (“Spring Conference”) and DMCJA Elections – Memorandum by Sharon R. Harvey
M/S/P to approve the following suggestions regarding the DMCJA election and other required materials: (1) DMCJA hold its election via email; (2) Request a vote to suspend Article V, Section 3 (a) requiring officers to be elected at the Spring Conference; (3) Request a vote to suspend Art. VIII, Sec. 2 requiring BJA Representatives to be elected at the Spring Conference; (4) Consider whether to have the May 31, 2020 Board Meeting; (5) Provide other mandated information, such as the Treasurer’s Report, Special Fund Report, and Committee Reports at a date prior July 1, 1020.

3. Judicial Assistance Services Program (“JASP”) Request to Send Materials to DMCJA
M/S/P to allow JASP to disseminate materials at any time, especially, during the COVID-19 pandemic when many may benefit from these resources.

4. DMCJA Rules Committee: Memo Recommending Proposed Technical Amendments to IRLJ 6.2
M/S/P to support the DMCJA Rules Committee’s proposed technical amendments to IRLJ 6.2.

5. Request for Support of Proposed Amendment(s) to Admission and Practice Rule (APR) 26
M/S/P to take “no position” regarding proposed amendments to APR 26.

DISCUSSION

- A. Board Meeting: Whether to Meet on Sunday, May 31, 2020
1. DMCJA Proposed Budget for 2020-2021
 2. Chief Justice Mary Fairhurst National Leadership Grant Recipient

The Board discussed these topics at its annual Board Retreat. M/S/P to make these discussion topics action items

- B. COVID 19 Pandemic: Annual Meeting (“Spring Conference”) and DMCJA Elections – Memorandum by Sharon R. Harvey

Judge Meyer reported that the in-person Spring Conference is cancelled and expressed that the annual election must take place. The bylaws require that DMCJA officers and BJA representatives must be elected at the Spring Conference. As this is an impossibility, Sharon Harvey prepared a memorandum addressing the option of suspending certain bylaws, holding the annual election via email, and sending other required materials by June 30, 2020, which is the end of the DMCJA’s year. M/S/P to make an action item.

- C. Judicial Assistance Services Program (“JASP”) Request to Send Materials to DMCJA

Judge Timothy Jenkins, JASP Chair, expressed that JASP would like to provide resources to association members during the COVID-19 pandemic. He informed that many are suffering during this time and may

benefit from certain articles and other resource materials. Hence, he requested that JASP has permission from the Board to disseminate resource materials to the DMCJA at any time. M/S/P to make this an action item.

D. DMCJA Rules Committee: Memorandum Recommending Proposed Technical Amendments to IRLJ 6.2

This topic relates to the DMCJA Rules Committee's recommendation for the Board to support proposed technical amendments to IRLJ 6.2 in order for it to align with current law. Expedited consideration was requested because new laws become effective on June 11, 2020 and the next Board meeting is in July 2020. M/S/P to make this topic an action item.

E. Request for Support of Proposed Amendment(s) to Admission and Practice Rule (APR) 26

On April 10, 2020, the Board voted to extend a vote of whether to support the APR 26 amendment to mandate malpractice insurance for private attorneys to April 24, 2020. Prior to the April deadline to comment on published rules, the Washington State Supreme Court Rules Committee issued an order extending the comment period deadline to September 30, 2020 in light of the COVID-19 pandemic. The topic was, therefore, scheduled for discussion at the May Board meeting. The Board had a robust discussion. It was noted that some judges also serve as private attorneys, and, therefore, a vote as an association may present a conflict of interest. Hence, while it is crucial for private lawyers to have malpractice insurance, the DMCJA may not want to take an official position on the issue. M/S/P to make this discussion topic an action item.

F. DMCJA Rules Committee: Rules Published for Comment by the Washington State Supreme Court (WSSC) – Request to Revisit CrRLJ 3.4

This topic relates to proposed amendments to CrRLJ 3.4 that the DMCJA Rules Committee recommended the DMCJA oppose. Judge Coburn requested a discussion of the rule since the Board had not addressed it specifically at any Board meeting. Judge Meyer inquired whether the Board wanted to vote on whether to oppose the amendments or send it to the DMCJA Rules Committee to create its own amendments to make the rule relevant during a public health emergency. Judge Coburn agreed that the rule should be revised. The Board by general consensus decided to refer the rule to the DMCJA Rules Committee for revision.

INFORMATION

Judge Meyer shared the following information with Board participants:

- A. The *Public Health Emergency Bench Book* is a resource for Washington State Judges. For more information regarding the bench book, please visit the following web link: <http://www.courts.wa.gov/content/manuals/publicHealth/pdf/publicHealthBenchBook.pdf>. Other resources include: (1) [Court Closures and Emergency Modifications](#) (statewide); (2) [Information on Parenting Plans](#); (3) [Washington Supreme Court Order for Court Operations During COVID-19 Public Health Emergency](#); Washington State Law Library Resources: [Blog](#) and [Main Web Page](#)
- B. The DMCJA has partnered with the AOC, and SCJA to host weekly Friday Forums, which are webinars to assist trial courts during the COVID-19 pandemic.
- C. Thank you for your outstanding service to the DMCJA Board of Governors and Board for Judicial Administration: Judge Laura Van Slyck, Judge Linda Coburn, Judge Mary Logan, and Judge Kevin Ringus.

Judge Gehlsen, DMCJA President-Elect, also thanked Judge Meyer for his service this year as DMCJA President.

OTHER BUSINESS

Next Board Meeting

The next DMCJA Board Meeting is July 10, 2020, from 12:30 p.m. to 3:30 p.m. This meeting will likely be held via zoom video conference.

ADJOURN

The meeting was adjourned at approximately 4:30 p.m.