



**DMCJA Board of Governors Meeting**  
**Friday, January 8, 2021, 12:30 p.m. – 3:30 p.m.**  
**Zoom Video Conference**

**MEETING MINUTES**

**Members Present:**

Chair, Judge Michelle Gehlsen  
Judge Anita Crawford-Willis  
Judge Thomas Cox  
Judge Robert Grim  
Judge Drew Ann Henke  
Judge Tyson Hill  
Commissioner Rick Leo  
Judge Aimee Maurer  
Judge Kevin Ringus  
Judge Charles Short  
Judge Jeffrey Smith  
Judge Laura Van Slyck  
Judge Karl Williams

**Members Absent:**

Judge Samuel Meyer  
Commissioner Paul Wohl

**Guests:**

Judge Mary Logan, BJA Representative  
Judge Rebecca Robertson, BJA Representative  
Judge David Estudillo, SCJA  
Judge David Ebenger  
Judge Jeffrey Goodwin  
Judge Kimberly Walden  
Judge N. Scott Stewart  
Commissioner/Administrator Terri Cooper  
Margaret Fisher  
Margaret Yetter, DMCMA  
Kris Thompson, DMCMA

**AOC Staff:**

Stephanie Oyler, Primary DMCJA Staff  
Susan Goulet, Court Program Specialist  
J Benway, Legal Services  
Shannon Hinchcliffe, Legal Services  
Vicky Cullinane, Business Liaison  
Dirk Marler, AOC  
Cat Robinson, AOC Project Manager  
Dexter Mejia, AOC Court Business Office Manager

**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 12:32 p.m. Judge Gehlsen asked attendees to introduce themselves.

**GENERAL BUSINESS**

A. Minutes

The Board moved, seconded, and passed a vote (M/S/P) to approve the Board Meeting Minutes for December 4, 2020.

B. Special Guest Margaret Fisher was honored for 40 years of Public Legal Education Service in Recognition for her Passion, Unconditional Commitment and making an Extraordinary Difference in the World. Ms. Fisher discussed the purpose of the Street Law program and some of the impacts of the programs. Judge Stewart, Judge Crawford-Willis, Judge Ringus, Judge Henke, Judge Smith, and Commissioner Cooper gave kind words about Ms. Fisher's work and achievements.

## BREAK OUT SESSIONS

C. Discussion Question (break out rooms; pick a spokesperson to report back to the group):

1. *What are you doing differently due to the pandemic (innovation, helpful tip, etc.) that is helping your court?*

Group 1 – Judge Smith reported that one court retrofitted their courtroom with audio and visual updates. Another court sends notifications that people can appear in person or on Zoom, and people are responding by attending virtually more often. One court is having staff meetings once a week as a check-in on how people are doing—spirits of staff remain high. They discussed the fact that this pandemic is affecting people differently, but everyone needs to stay vigilant and recognize the importance of collaboration to solve problems.

Group 2 – Judge Goodwin reported that their discussion focused on where we go from here; how much of what we are doing now will change how the court system functions. It provides a lot of opportunities to see what works and what doesn't in small courts and large courts.

Group 3 – Judge Short reported about the transition to working online and the challenge of the backlog of trials; the online hearings; and the need for grace, kindness, and patience in the current situation. One court has weekly town hall meetings; previously they met several times a week when the pandemic situation was quickly changing.

Group 4 – Commissioner Leo discussed inspiring things that have happened; for example, successful defendants that are on deferred prosecutions, using interpreters over Zoom and tackling problems related to sending information to the person and interpreter, and finding innovations and teamwork to solve problems.

Group 5 – Judge Grim reported that they spent time talking about *State v. Gelinis* and the impact on issuance of bench warrants. They discussed problem solving related to signing documents and trial continuance orders.

Further discussion was had on *State v. Gelinis*, and CrRLJ 3.4, and Judge Gehlsen advised that there will be a webinar on the subject.

INTRODUCTION: Judge Gehlsen briefly introduced the new DMCJA Court Association Coordinator, Stephanie Oyler. Stephanie most recently worked as a Management Analyst in the Contracts & Initiatives Unit with the Department of Licensing.

## GENERAL BUSINESS

D. Treasurer's Report

M/S/P to approve the Treasurer's Report. Jeff Smith stated that the audit is almost complete; 25% of dues were collected in the first month; halfway through the year and halfway through the budget.

E. Judicial Information Systems (JIS) Report

Ms. Cullinane ceded her time to Judge Walden's presentation to later on the agenda.

F. Special Fund Report

M/S/P to approve the Special Fund Report for both November 2020 and December 2020.

G. Standing Committee Reports

1. *Rules Committee - agenda item continued to Judge Goodwin's presentation.*

2. *Diversity Committee*

Judge Short reported on the letter sent to the Association regarding this year's pro-tem training. This happens every two years; last year COVID-19 delayed it. They will be holding the training virtually this year over three days, February 26, March 5, and March 12 instead of two full in-person days.

Judge Williams reported that staff is diligently working on a survey and reported on some of the challenges.

3. *Legislative Committee*

Judge Ringus reported that they have been meeting with members of the House and Senate, and they are preparing for the first executive committee meeting of the session on Monday, January 11.

**LIAISON REPORTS**

A. Administrative Office of the Courts AOC

Ms. Rubio was not present and did not report.

B. Board for Judicial Administration (BJA)

Judge Logan reported that BJA had a robust discussion regarding court security, a change in the prioritization, and might move it on for approval. The last meeting was in November. Judge Robertson reported that due to priorities changing and the COVID-19 impacts to the legislative session, the Trial Court Security Committee withdrew their budget request and will re-submit the proposal in the next biennium.

C. District and Municipal Court Management Association (DMCMA)

Ms. Thompson reported in place of Ms. Patricia Kohler. In December, DMCMA sponsored two sessions on implicit bias taught by Commissioner Lack, garnering 500+ attendees. DMCMA is planning their May conference and are updating their model court administrator job description, last updated in 2003.

D. Misdemeanant Probation Association (MPA)

Ms. Scarpaci was not present but sent in notes in advance that MPA had no update for today.

E. Superior Court Judges' Association (SCJA)

Judge Estudillo reported that they are in full swing getting ready for legislative session. He mentioned a bill of interest regarding automatic felon reinstatement of firearms. They obtained a 30-day Governor proclamation that delays the repeal of RCW 26.10 and anticipate a further delay of six months. The SCJA committees continue their work to address structural racism.

F. Washington State Association for Justice (WSAJ)

Mr. Malcolm was not present and did not report.

G. Washington State Bar Association (WSBA)

Ms. Hunter was not present and did not report.

**DISCUSSION**

A. CLJ-CMS Project and Rules for E-filing

Judge Walden gave a brief history and status of the CLJ-CMS Project. Pilot courts have been chosen: Gig Harbor Municipal, Fircrest/Ruston Municipal, Tacoma Municipal, and Pierce County District Court.

Spring 2021, pilot courts will begin and will need to have a mandatory e-Filing court rule; she explained the e-Filing model in detail. One of the incredible benefits is that e-Filed documents will be available and searchable through the new case management system. Questions were posed about costs per filing vs. costs of filing via envelope. A bundle of documents filed in a particular case at a particular time constitutes a “filing.” Judge Walden discussed future plans to support courts that don’t have dedicated IT support. The rollout of the schedule will begin with pilot implementation in 2021, and then regionally. Hubs will be established within the regions to support the rollout.

Immediate next steps involve each court adopting a mandatory e-Filing local rule and a model rule. Right now GR 30 allows courts to offer an optional e-Filing method.

Judge Williams asked whether an attorney could buy a subscription to file limitlessly. Mr. Marler mentioned that they can establish an account, but there is not a flat rate subscription. A discussion about superior court e-Filing was had.

While e-Filing is the wave of the future and the benefits are positive, members gave feedback that education will be key as a mandatory rule will require now mandatory new filing fees.

Based on the discussion, there were no objections to the course that the CLJ-CMS Steering Committee has suggested, which is to circulate a model local court rule that pilot courts and other courts could use as a basis for their local e-Filing court rule. This will relieve the Rules Committee of a substantive role in drafting or presenting local or statewide rules. The Rules Committee is still welcome to give feedback or raise issues as they deem appropriate.

#### B. DMCJA Rules Committee Update on Court Rule Amendments Effective in February

Judge Goodwin gave updates on several rules that become effective February 1, 2021. CrRLJ 3.4 changes the requirements related to when a defendant’s personal appearance is required. On December 30, 2020, *State v. Gelinis* was ordered published by Division I, Court of Appeals (previously it had been an unpublished opinion). Members are having vigorous discussions regarding recently adopted CrRLJ 3.4 and implementation issues related to the version passed along with the recent Division I opinion. Members are interested in suggesting revisions and looking at the rule and case in more detail.

Judge Goodwin advised that the following become effective February 1, 2021, but do not have significant impact to the courts of limited jurisdiction: Indigent Defense Standards for Mental Health, CrRLJ 3.1, CrR 3.1, JuCR 9.2, and New MRP 2.1—Mental Health Guidelines.

Additionally, changes to CrRLJ 8.2 allow for a motion for reconsideration to be governed by CRLJ 59.

Other recently-adopted rules that may be challenging for courts to immediately implement include: (1) GR 7, which requires a more rigorous process related to local court rules; and (2) GR 11.3 and 11.4, which were recommendations from the Interpreter’s Commission and adopted without the opportunity for comment.

Judge Goodwin reported that he attended the last meeting of the Interpreter Commission Issues Committee, and he anticipates further review based on the discussion. GR 11.3 applies to remote interpreting, and the language in the amended rule is broad and may present implementation problems. Specifically, GR 11.3(f) places the burden on the court to provide several things to the interpreter in advance of the hearing. Judge Goodwin provided a memorandum to Judge Antosz, Chair of the Issues Committee, on the challenges to implementation. GR 11.4 establishes standards for interpreter time that will present fiscal challenges to the courts of limited jurisdictions.

Judge Goodwin reported generally that the Rules Committee continues to look at CrRLJ 3.4, GR 11.3, and 11.4, as well as electronic exchange of documents under CRLJ 5.

Ms. Benway, Rules Committee staff, updated the Board on the passage of CrRLJ 1.3, GR 29, CR 30, and GR 30.

C. Proposal from the DMCJA Rules Committee regarding amending CRLJ 43 – (move to February action)

D. Proposal from the DMCJA Rules Committee regarding amending GR 22 – (move to February action)

E. Possible Financial Contribution to the Racial Justice Consortium – (move to February discussion)

Judge Gehlsen explained the purpose of the Racial Justice Consortium and the request from Justice Yu that DMCJA make a financial contribution. Questions were raised about making a contribution, how the funds would be spent, DMCJA's action plan and if the funding request will be one-time or annual. Item will be carried to February meeting.

## INFORMATION

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

A. 2020 DMCJA Annual Report

B. [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 submitted by the following dates to be considered for the next selection process:

- January 4, 2021
- March 29, 2021
- June 1, 2021

C. New DMCJA Appointments to External Committees:

1. Civic Learning Council: Judge David Larson, Federal Way Municipal Court
2. Minority & Justice Commission: Judge Karl Williams, Pierce County District Court
3. Pattern Forms Committee: Judge W.H. "Bill" Hawkins, Island County District Court
4. WSBA Court Rules and Procedures Committee: Judge Jeffrey Goodwin, Snohomish County District Court

D. Bench Warrant Suspension Letter from DMCJA

## OTHER BUSINESS

The next DMCJA Board Meeting is scheduled for February 12, 2021, from 12:30 p.m. to 3:30 p.m., via Zoom video conference.

The meeting was adjourned at 3:22 p.m.