



DMCJA Board of Governors Meeting
Friday, December 10, 2021, 12:30 p.m. – 3:30 p.m.
Zoom Video Conference <https://wacourts.zoom.us/j/97570254401>

MEETING MINUTES

Members Present:

Chair, Judge Charles D. Short
Judge Thomas Cox
Judge Michael Frans
Judge Michelle K. Gehlsen
Judge Drew Ann Henke
Commissioner Rick Leo
Judge Catherine McDowall
Judge Lloyd Oaks
Judge Kevin Ringus
Judge Jeffrey Smith
Judge Mindy Walker
Judge Karl Williams
Commissioner Paul Wohl

Members Absent:

Judge Anita Crawford-Willis
Judge Laura Van Slyck

Guests:

Judge Tam Bui, BJA Representative
Judge Jennifer Forbes, SCJA
Judge Jeffrey Goodwin
Judge Mary Logan
Judge Kimberly Walden
Francis Adewale, WSBA
Regina Alexander, MPA
Kris Thompson, DMCMA

AOC Staff:

Stephanie Oyler, Primary DMCJA Staff
J Benway, Principal Legal Analyst
Tracy Dugas, Court Program Specialist

CALL TO ORDER

Judge Charles D. Short, 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.

WELCOME AND MINUTES

Judge Short welcomed everyone to the December 2021 meeting of the DMCJA Board of Governors.

A. Minutes

The minutes from the November 12, 2021 meeting were previously distributed to the members. Judge Short asked if there were any changes that needed to be made to the minutes. Hearing none, the minutes were approved by consensus.

COMMITTEE AND LIAISON REPORTS

A. Liaison Reports

1. District and Municipal Court Management Association (DMCMA)

DMCMA President Kris Thompson reported that the Courageous Conversations training was very successful, reaching over 500 attendees, and that the new model court administrator job description has now been sent to BJA.

2. Misdemeanant Probation Association (MPA)

MPA Representative Regina Alexander recently returned from vacation and has no update because MPA has not met.

3. Washington State Association for Justice (WSAJ)

WSAJ Representative Mark O'Halloran, Esq. was not present.

4. Washington State Bar Association (WSBA)

WSBA Representative Francis Adewale, Esq. briefly introduced himself as the new WSBA representative to DMCJA and shared an updated on WSBA's recent activities. Written materials from this update will be provided to the board after the meeting.

5. Minority Bar Associations

No representatives from the minority bar associations were present.

6. Administrative Office of the Courts (AOC)

State Court Administrator Dawn Marie Rubio was not present.

7. Board for Judicial Administration (BJA)

Judge Tam Bui reported that the next BJA meeting will be held in February, but there are ongoing projects for various committees, including supporting the Court Recovery Task Force, policy and funding initiatives, and advocacy for consistent funding that is not fee-based. Judge Bui encouraged members to take the court funding survey recently distributed by the BJA.

8. CLJ-CMS Project and Rules for e-Filing/Judicial Information System (JIS) Report

Judge Kimberly Walden reported that Cat Robinson, CLJ-CMS Project Manager, will be leaving AOC employment soon and that the Assistant Project Manager will take over her work. Judge Walden shared that she recently participated in providing feedback to Tyler Technologies regarding additional modules, including one that provides a framework for virtual court. Judge Walden shared that documents generated within this system are automatically sent to the Case Management System, which is a nice feature, but this would be an add-on product to the current CLJ-CMS project so it is unknown at this time if the project will be expanded to include additional products. The Steering Committee is currently exploring possibilities regarding expansion of the project scope and what is feasible.

9. Superior Court Judges' Association (SCJA)

SCJA President-Elect Judge Jennifer Forbes reported that SCJA is preparing for the upcoming legislative session, including meeting with legislators regarding the Uniform Guardianship Act and protection orders. Judge Forbes shared that 2022 will be a Salary Commission year, and SCJA is hoping to utilize a joint strategy with DMCJA. Judge Michelle Gehlsen noted that Commissioner Rick Leo, DMCJA President-Elect, will be the Association's representative to the Salary Commission this year.

10. Racial Justice Consortium

Judge Michelle Gehlsen reported that the Consortium is a year-long workgroup and that they are coming to the end of their first year in the spring. Judge Gehlsen shared that Consortium staff is drafting an Action Plan and that they will be asked to present at an upcoming board meeting.

B. Rules Committee Report

Judge Jeffrey D. Goodwin reported on the recent work of the Rules Committee. Judge Goodwin shared that in his opinion, remote hearing rules should be centralized and consistent, and that Rules Committee will be suggesting GR 19 as a place to consolidate those rules.

1. Rules Committee Meeting Minutes

The minutes from the October 27, 2021 Rules Committee meeting are included in the packet.

C. Diversity Committee Report

Judge Karl Williams reported that Diversity Committee has not held a meeting since the last board meeting.

D. Legislative Committee Report

Commissioner Paul Wohl reported that the 2022 legislative session will begin on January 10, and that DMCJA priorities this year are related to funding: therapeutic courts, courthouse security staffing, and a policy analyst for DMCJA. Commissioner Wohl shared that a trailer bill for HB 1320 (Protection Orders) has now been circulated, and it does address many of the concerns raised by DMCJA. Commissioner Wohl noted that he is anticipating that Representative Goodman will introduce a DUI bill this year that allows for 2 deferred prosecutions, that we will see a trailer bill for HB 1310 (Police Use of Force), and a bill from Representative Simmons to expand the convictions eligible for vacation and streamline the process. Commissioner Wohl reported that as bills are introduced and slotted in for hearings, the Legislative Committee Co-Chairs may request written or oral testimony from members.

E. Therapeutic Courts Committee Report

Judge Laura Van Slyck was not present.

F. Public Outreach Committee Report

Judge Michelle K. Gehlsen reported that the next meeting will be held on Monday, and the Committee is still working on a DMCJA Facebook page, collecting resources for judges, and collaborating with Legislative Committee. Judge Gehlsen shared that Representative Thai recently visited King County District Court in Auburn and Renton Municipal Court.

G. Education Committee Report

Judge Jeffrey R. Smith reported that Spring Program schema is close to being finalized, once the Committee receives confirmation from one or two speakers. Judge Smith shared that AOC staff is still negotiating with the potential venue for contract language that will allow for cancellation due to the COVID-19 pandemic. Judge Smith noted that the Committee is also working on several stand-alone webinars regarding HB 1320 and other issues.

H. Treasurer's Report

Judge Karl Williams referred members to the packet to review the Treasurer's Report.

I. Special Funds Report

Judge Jeffrey R. Smith reported that the Special Fund has generated \$6.41 in interest.

BREAK

Judge Short recessed the meeting for a 15 minute break.

ACTION

- A. The Board moved, seconded, and passed (M/S/P) a vote to authorize the DMCJA Rules Committee to send GR 19 comments to Supreme Court Rules Committee.
- B. The Board moved, seconded, and passed (M/S/P) a vote to approve the comments from the Rules Committee related to CR 39 and GR 41 with the addition of a recommendation that there be a standardized GR related to remote hearings and remote trials.

- C. The Board moved, seconded, and passed (M/S/P) a vote to make a \$2000 donation to YMCA per their written request.
- D. The Board moved, seconded, and passed (M/S/P) a vote to move \$500 of President's Fund budget allocation to the Special Fund (as a new line item within the Special Fund), and refund the general fund from the special fund for any monies expended already this year.

DISCUSSION

A. Rules Committee recommended comments on CR 39 and GR 41

Judge Goodwin shared that most judges who responded to the recent Rules Committee survey indicated a preference for remote jury selection to be discretionary. Judge Goodwin noted that CR 39 only applies to Superior Court civil proceedings, and that the Committee is recommending DMCJA take no position. He requests that DMCJA considering supporting GR 41.

M/S/P to move this item to Action today.

B. Rules Committee amendments to GR 19 – remote appearances

Judge Goodwin shared that DMCJA and SCJA have been collaborating to develop a joint proposal on criminal hearings standards but that they have not come to an agreement and would therefore like to send the original comment letter to the Supreme Court Rules Committee.

M/S/P to move this item to Action today.

Additional discussion ensued about how best to address concerns regarding GR 9 and the rulemaking process.

C. YMCA request for donation

Judge Short briefly explained that the YMCA submitted a request for a donation in the amount of \$2000 for their Youth & Government program, which is an increase from the past few years when they have requested \$1600. Discussion ensued about members' own experiences with this program and the value it provides to the community, and in particular members noted how quickly YMCA was able to pivot to online programming during the COVID-19 pandemic. Judge McDowall remarked that costs for this program may have actually increased due to the need for software.

M/S/P to move this item to Action today.

D. Spring Program/June board meeting update

Judge Short introduced this item and explained that he and Judge Smith will be meeting with Dirk Marler on December 20, 2021 to discuss the status of the draft contract with Campbell's (the potential venue for Spring Program). Judge Short shared that he has asked staff to research available locations for an in-person board meeting to be held the night before Spring Program begins, or holding an in-person board event even if Spring Program is held virtually. Judge Short asked for input regarding conference and in-person meetings. Judge Smith shared that finding a location has been a challenge and most properties do not have availability for the timeframe we generally hold the conference. Commissioner Leo asked for opinions about holding an in-person retreat at Campbell's, and members expressed general favorability towards the idea. Brief discussion ensued about potential alternate locations for the conference, and consensus is that members prefer to hold the board meeting online if the conference is virtual, as long as we can find a location for an in-person retreat.

E. President's Fund – Splitting funds between general fund and special fund

Judge Short reminded the board that this item was carried over from last month, with the intention of voting today.

M/S/P to move this item to Action today.

INFORMATION

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

A. New DMCJA Nominations to External Committees:

1. Uniform Infraction Citation Committee, 2 Year Term – Judge Kevin Ringus
2. Pattern Forms Committee, 4 Year Term – Judge George Steele
3. WA Supreme Court Interpreter Commission, 3 Year Term (completing the remainder of a term) – Judge Lloyd Oaks

B. Remote or In-Person Jury Trials Survey – Summary of Responses

OTHER BUSINESS

The next DMCJA Board Meeting is scheduled for Friday, January 14, 2022 from 12:30 p.m. to 3:30 p.m., held via Zoom video conference.

The meeting was adjourned at 2:38 p.m.