



**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

February 11, 2022

**VIA ZOOM
VIDEO CONFERENCE**

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2021-2022

<i>DATE</i>	<i>TIME</i>	<i>MEETING LOCATION</i>
<i>Friday, July 9, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Aug 13, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Sept 10, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Oct 8, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Nov 12, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Dec 10, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Jan 14, 2022</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Feb 11, 2022</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, March 11, 2022</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, April 8, 2022</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Saturday, May 14, 2022</i>	9:15 a.m. - 4 p.m. Tentative	DMCJA Board Retreat Location: Chelan
<i>June 5-8, 2022</i>	Varied	DMCJA Spring Program Location: TBD

AOC Staff: Stephanie Oyler

Updated: February 4, 2022

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DMCJA BOARD MEETING
FRIDAY, FEBRUARY 11, 2022
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE

PRESIDENT CHARLES SHORT

AGENDA

PAGE

Call to Order

- 1. Welcome and Minutes** – Judge Charles D. Short
 A. Minutes for January 14, 2022 Meeting

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- 2. Presentation**
 A. Racial Justice Consortium Update – AOC Senior Court Program Analyst Patricia Lally

- 3. Reports**
- A. Liaisons' Reports
1. District and Municipal Court Management Association (**DMCMA**) – Kris Thompson, President
 2. Misdemeanant Probation Association (**MPA**) – Regina Alexander, Representative
 3. Washington State Association for Justice (**WSAJ**) – Mark O'Halloran, Esq.
 4. Washington State Bar Association (**WSBA**) – Francis Adewale, Esq.
 5. Minority Bar Associations –
 6. Administrative Office of the Courts (**AOC**) – Dawn Marie Rubio, State Court Administrator
 7. Board for Judicial Administration (**BJA**) – Judge Mary Logan, Judge Dan Johnson, Judge Tam Bui, and Judge Rebecca Robertson
 8. CLJ-CMS Project and Rules for E-Filing – Judge Kimberly Walden
 9. Superior Court Judges' Association (**SCJA**) – Judge Jennifer Forbes, SCJA President-Elect
 10. Racial Justice Consortium – Judge Anita Crawford-Willis and Judge Michelle K. Gehlsen
- B. Rules Committee Report – Judge Jeffrey D. Goodwin
1. Minutes from December 22, 2021 meeting
 2. Minutes from January 5, 2022 special meeting
- C. Diversity Committee Report – Judge Karl Williams
- D. Legislative Committee Report – Judge Kevin G. Ringus & Commissioner Paul Wohl
- E. Therapeutic Courts Committee Report – Judge Laura Van Slyck
- F. Public Outreach Committee Report – Judge Michelle K. Gehlsen
- G. Education Committee Report – Judge Jeffrey R. Smith
- H. Treasurer's Report– Judge Karl Williams
- I. Special Funds Report – Judge Jeffrey R. Smith

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8

10
23

- 4. Break - 10 minutes**



DMCJA Board of Governors Meeting
Friday, January 14, 2022, 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
Judge Lloyd Oaks
Judge Kevin Ringus
Judge Jeffrey Smith
Judge Laura Van Slyck
Judge Mindy Walker
Judge Karl Williams
Commissioner Paul Wohl

Members Absent:

Judge Anita Crawford-Willis
Commissioner Rick Leo
Judge Catherine McDowall

Guests:

Judge Rachelle Anderson, SCJA
Judge Tam Bui, BJA Representative
Judge Jeffrey Goodwin, Rules Committee
Judge Mary Logan, BJA Representative
Judge Rebecca Robertson, BJA Representative
Judge Kimberly Walden, JIS CMJ-CMS
Regina Alexander, MPA

AOC Staff:

Stephanie Oyler, Primary DMCJA Staff
J Benway, Principal Legal Analyst
Tracy Dugas, Court Program Specialist
Christopher Stanley, Chief Financial and
Management Division Director

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 12:33 pm.

WELCOME AND MINUTES

Judge Short welcomed everyone to the January 2022 meeting of the DMCJA Board of Governors.

A. Minutes

The minutes from the December 10, 2021 meeting and the December 28, 2021 special 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 was not present.

2. Misdemeanant Probation Association (MPA)

MPA Representative Regina Alexander reported that MPA will meet next week.

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. was not present.

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 reported that AOC has been authorized to order COVID-19 rapid tests, which would be distributed through a similar process to that used for personal protective equipment distribution early in the pandemic. Judge Smith inquired if these tests are specifically for court staff or if they could be used for juries, and Dawn Marie Rubio responded that the tests could be used at the discretion of the courts.

7. Board for Judicial Administration (BJA)

Judge Tam Bui reported that the BJA will sign in to give testimony on SB 5490 (Interbranch Advisory Committee). The BJA Court Education Committee met today to finish their review of the strategic planning documents and they will be providing more information soon.

Judge Robertson reported that the BJA Courthouse Security Task Force has been meeting with legislators in support of the request for equipment and personnel funding.

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

Judge Kimberly Walden reported that the project is moving forward, and AOC is in the process of hiring a new Deputy Project Manager. Judge Walden shared that a current, contentious issue is the ability for the Tyler product to integrate with other software, which may not be part of the original project scope. Discussion ensued about costs associated with integration, timeframe, and how DMCJA can support integration for the project.

The Board moved, seconded, and passed a vote (M/S/P) to move this item to Action today.

9. Superior Court Judges' Association (SCJA)

Judge Rachelle Anderson, SCJA President, reported that SCJA has decided to hold their spring conference virtually again this year. Judge Anderson shared that they are busy with legislative session work, including discussions about HB 1901 (Civil Protection Order trailer), juvenile issues, resentencing, peace officers use of force, and SB 5490 (Interbranch Advisory Committee).

10. Racial Justice Consortium

Judge Michelle Gehlsen reported that she has no updates at this time. Patty Lally, Racial Justice Consortium staff, will be presenting to the DMCJA Board at the next meeting on February 11, 2022.

B. Rules Committee Report

Judge Jeffrey D. Goodwin reported under Discussion item A.

1. Rules Committee Meeting Minutes

The minutes from the November 24, 2021 Rules Committee meeting and December 2, 2021 Special Rules Committee meeting are included in the packet.

C. Diversity Committee Report

Judge Karl Williams reported that the committee recently met and began to review the electronic home monitoring (EHM) survey results. Judge Williams shared that the results indicated that more populated jurisdictions tend to have mechanisms in place for EHM financial assistance whereas less populated areas generally did not have jail alternatives. Judge Williams suggested that given how issues are currently intersecting (COVID-19, financial hurdles, jail issues), it may be a good time to consider approaching the legislature for funding. Judge Williams emphasized that all jurisdictions should be able to provide an alternative to jail that is not based on ability to pay. Separately, Judge Williams reported that Pierce County Equity and Social Justice Committee has been working on a plan for implicit bias training and he would like to add this item to a future DMCJA Board meeting agenda.

D. Legislative Committee Report

Commissioner Paul Wohl reported that the 2022 legislative session started today, and that DMCJA's legislative priorities continue to be funding for therapeutic courts and court security, a policy analyst for the Association, and funding for eFiling. Commissioner Wohl noted that several other items of interest are being circulated such as language for an HB 1320 (Protection Order) trailer bill, and bills relating to deferred prosecutions, vacating convictions, and the Interbranch Advisory Committee.

E. Therapeutic Courts Committee Report

Judge Laura Van Slyck reported that she is grateful for those who presented at the House Public Safety Committee Work Session while she was on medical leave. Judge Van Slyck shared that the committee is researching the possibility of holding a webinar or listening session for legislators to share information about therapeutic courts, and that the committee is hoping to have a written update prepared and distributed at Spring Program.

F. Public Outreach Committee Report

Judge Michelle K. Gehlsen reported that the committee will next meet in two weeks.

G. Education Committee Report

Judge Jeffrey R. Smith reported that a survey was sent out to members regarding Spring Program about the possibility of meeting in-person, and an emergency board meeting was held in late December to discuss the results and the current position of AOC regarding contract requirements. Judge Smith reported that at that time most board members expressed that they felt it was inappropriate for DMCJA to take on the financial liability required to contract for an in-person event. Judge Short noted that staff are currently researching a potential alternative venue which has a more lenient cancellation policy, and Judge Smith responded that a decision about in-person versus virtual programming will be determined once we have more information.

H. Treasurer's Report

Judge Karl Williams reported that dues are starting to come in, and he will have a status update at the next meeting.

I. Special Funds Report

Judge Jeffrey R. Smith reported that the special funds report is available in the materials.

BREAK

ACTION

1. **The Board moved, seconded, and passed a vote (M/S/P) to support integration of the OCourts suite of products into the CLJ-CMS (Tyler Technologies) project based on information known at this time**
2. **The Board moved, seconded, and passed a vote (M/S/P) to authorize Rules Committee to send comments to the BJA COVID Recover Task Force as outlined in the memo**
3. **The Board moved, seconded, and passed a vote (M/S/P) to proceed with holding the Board Retreat in-person at Campbell's Resort in Chelan, WA on May 13 and 14, 2022**

DISCUSSION

A. Rules Memo regarding DMCJA response to COVID Recovery Task Force proposal

Judge Goodwin reported that Rules Committee would like to submit a response to the BJA COVID Recovery Task Force regarding their proposals, as several of their suggested rules may be problematic for CLJs.

The Board moved, seconded, and passed a vote (M/S/P) to move this item to Action today.

B. Spring Program Update – Survey Results

This item was discussed under Education Committee Report.

C. Board Retreat Update

Tracy Dugas reported that a survey was sent to Board members regarding the possibility of holding an in-person retreat this spring. 11 (out of 15) members voted to hold the retreat in-person, with a date preference of May 13 and 14. Tracy shared additional information about the costs typically associated with this event, and that if DMCJA signs a contract with Campbell's Resort in Chelan, the cost for cancelling within 90 days of the event will be around \$5000. Judge Smith opined that there may be an issue with the optics of the board meeting in person while conference is held online.

The Board moved, seconded, and passed a vote (M/S/P) to move this item to Action today.

D. Additional budget requests – Chris Stanley

Judge Short shared that there have been reports that the legislature may have excess funding available for one-time requests. Chris Stanley explained that AOC will be providing a list of additional one-time funding requests to key legislators and that the Associations have the opportunity to submit information about their unfunded projects for consideration. Chris Stanley noted that he will be taking care to make sure the legislators understand that these requests are in addition to AOC's decision packages and they should not supplant the previously-submitted budget package. Discussion ensued about the possibility of requesting additional funding for various projects including JABS data quality issues, backlog managers, audio/visual needs that were not approved for CARES funding, therapeutic courts and the Court FAIR ("Secret Court Shopper") project. Chris Stanley shared that the deadline for items to be included on the list for consideration will be January 21, 2022.

INFORMATION

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

- A. Press Release – Retired Washington Supreme Court Justice Mary Elizabeth Fairhurst – Celebration of Life January 30, 2022 – POSTPONED
- B. Chief Justice Mary Fairhurst National Leadership Grant – Guidelines
- C. DMCJA Call for Candidates – board positions

OTHER BUSINESS

The next DMCJA Board Meeting is scheduled for Friday, February 11, 2022 from 12:30 p.m. to 3:30 p.m., held via Zoom video conference.

The meeting was adjourned at 4:00 p.m.



**DMCJA Rules Committee Meeting
Wednesday, December 22, 2021 (12:15 – 1:15 p.m.)**

Via Zoom

MEETING MINUTES

Members Attending:

Judge Goodwin, Chair
Judge McDowall
Commissioner Nielsen
Judge Samuelson

AOC Staff:

Ms. J Benway

Members Not Attending:

Judge Buttorff
Judge Campagna
Judge Eisenberg
Judge Finkle
Judge Gerl
Commissioner Hanlon
Judge Meyer
Judge Oaks
Judge Padula
DMCMA Liaison [position vacant]

Judge Goodwin called the meeting to order at 12:15 p.m.

The Committee discussed the following items:

1. Welcome & Introductions

Judge Goodwin welcomed the Committee members in attendance.

2. Discuss Potential Proposed Rule Amendments and Proposed New Rules from the COVID Recovery Task Force: [NEW] CrRLJ 4.11; [NEW] CrRLJ 4.12; CrRLJ 8.1; CrRLJ 8.5

Judge Goodwin stated that he had attended a meeting of the COVID Recovery Task Force (CRTF) and they had discussed proposing two new CLJ rules and amendments to two current CLJ rules. Judge Goodwin has concerns about the proposals and would like the Rules Committee to provide comment to the CRTF prior to the new rules and amendments being proposed to the WSSC.

The Committee discussed the proposals. The consensus is that in general the proposals are unworkable as written, are duplicative of other rules, and/or are

misplaced with regard to the other rules. In particular, the proposed amendments to CrRLJ 8.1 and CrRLJ 8.5 are unnecessary and will cause scheduling issues for the courts. The new proposed CrRLJ 4.12 addresses an issue that will be encompassed within the DMCJA-proposed amendments to CrRLJ 3.3. The overall concern is that the proposals are not congruent with actual CLJ operations.

The next CRTF meeting is February 14, so Judge Goodwin would like to present the DMCJA Board with the proposed comments at their January meeting. Especially in light of the low attendance at this meeting, the Committee agreed to schedule an additional meeting on January 5, 2022 to allow more time for discussion of these proposals.

3. Discuss Judge Portnoy's Suggested Amendment to CrRLJ 3.2

4. Discuss Judge Portnoy's Suggested New Rule

These items had been referred to Judge McDowall at a previous meeting and she has discussed them with Judge Portnoy. The Committee briefly discussed the proposals and then agreed to table them until a future meeting.

5. Discuss Proposed Amendments to CrR 3.4 and CrRLJ 3.4

Judge Goodwin reported that the Committee and the SCJA Rules Committee had failed to come to agreement regarding proposed amendments to CrR 3.4 and CrRLJ 3.4. Therefore, the comment letter that the DMCJA Board previously approved for submission to the WSSC regarding the proposed amendments to CrR 3.4 will be submitted prior to the December 29, 2021 deadline.

6. Other Business and Next Meeting Date

The Committee scheduled a special meeting for Wednesday, January 5, 2022 at 12:15 p.m. to discuss the CRTF-proposed rules and rule amendments.

The next regular Committee meeting is scheduled for Wednesday, January 26, 2022 at 12:15 p.m., via zoom video conference.

There being no further business, the meeting was adjourned at 1:00 p.m.



**DMCJA Rules Committee Special Meeting
Wednesday, January 5, 2022 (12:15 – 1:15 p.m.)**

Via Zoom

MEETING MINUTES

Members Attending:

Judge Goodwin, Chair
Judge Buttorff
Judge Campagna
Judge Eisenberg
Judge Finkle
Judge McDowall
Judge Meyer
Commissioner Nielsen
Judge Padula

AOC Staff:

Ms. J Benway

Members Not Attending:

Judge Gerl
Commissioner Hanlon
Judge Oaks
Judge Samuelson
DMCMA Liaison [position vacant]

Judge Goodwin called the meeting to order at 12:16 p.m.

The Committee discussed the following items:

1. Welcome & Introductions

Judge Goodwin welcomed the Committee members in attendance. He stated that Wednesday may not be the best day for many Committee members to attend meetings, so he requested that Ms. Benway set up a poll for Committee members to determine which day is best to meet.

2. Approve Minutes from the November 24 and December 2 (Special), 2021 Committee Meetings

With no objections, Judge Goodwin deemed the minutes of the November 24, 2021 Committee meeting and the December 2, 2021 Special Committee meeting approved. The minutes will be forwarded to the DMCJA Board.

3. Discuss Proposals Published for Comment by the WSSC: Proposed Amendments to GR 11.3 and Two GR 31 Proposals

Judge Goodwin stated that the WSSC published rules proposals with a February 28 comment deadline: proposed amendments to GR 11.3 that would impact CLJs, and two proposals to amend GR 31. He encouraged the Committee to review the proposals so that a recommendation for the DMCJA Board can be approved at the next Committee meeting.

4. Discuss Potential CRTF-Suggested Amendments to CrRLJ 8.1 and CrRLJ 8.5, and Suggested New Rules CrRLJ 4.11 and CrRLJ 4.12

The Committee continued its discussion from the December 22, 2021 meeting regarding the COVID Recovery Task Force (CRTF) potential rule proposals. Judge Goodwin would like to provide comments to the CRTF prior to the proposals being submitted to the WSSC.

The Committee discussed the proposals in detail, expanding on the analysis at the previous meeting that the proposals are poorly written (the language being unclear and overly complicated) and do not seem to accomplish their purpose. With regard to the new proposed rules, the Committee is concerned that the proposals create unintended mandates because the issues they are addressing are already covered by other rules. There does not seem to be a need for the proposals and they could impede CLJ's ability to control their own dockets. Judge Goodwin offered to compile the notes into a revised comment to present to the DMCJA Board at their meeting on January 14, with a request that it be forwarded to the CRTF.

5. Other Business and Next Meeting Date

The next Committee meeting is scheduled for Wednesday, January 26, 2022, at 12:15 p.m., via zoom video conference. There being no further business, the meeting was adjourned at 1:10 p.m.

Christina E Huwe
Pierce County Bookkeeping
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SUMMARY OF REPORTS

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

For the Period Ending January 31st, 2022

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 January 31, 2022

	Jan 31, 22
ASSETS	
Current Assets	
Checking/Savings	
Bank of America - Checking	131,688
Bank of America - Savings	232,043
Washington Federal (Spec Fund)	38,981
Total Checking/Savings	402,711
Total Current Assets	402,711
Fixed Assets	
Accumulated Depreciation	(703)
Computer Equipment	579
Total Fixed Assets	(124)
Other Assets	
Prepaid Expenses	18
Total Other Assets	18
TOTAL ASSETS	402,604
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
Credit Cards	
Bank of America C. C.	35
Total Credit Cards	35
Total Current Liabilities	35
Total Liabilities	35
Equity	402,570
TOTAL LIABILITIES & EQUITY	402,604

Washington State District And Municipal Court Judges Assoc.

Statement of Activities

For the Seven Months Ending January 31st, 2022

	<u>Jul 21</u>	<u>Aug 21</u>	<u>Sep 21</u>	<u>Oct 21</u>	<u>Nov 21</u>	<u>Dec 21</u>	<u>Jan 22</u>	<u>TOTAL</u>
Ordinary Income/Expense								
Income								
Interest Income	8.85	8.86	8.57	8.79	8.46	8.66	8.59	60.78
Membership Revenue	0.00	0.00	0.00	0.00	0.00	15,000.00	112,275.00	127,275.00
Total Income	<u>8.85</u>	<u>8.86</u>	<u>8.57</u>	<u>8.79</u>	<u>8.46</u>	<u>15,008.66</u>	<u>112,283.59</u>	<u>127,335.78</u>
Gross Profit	<u>8.85</u>	<u>8.86</u>	<u>8.57</u>	<u>8.79</u>	<u>8.46</u>	<u>15,008.66</u>	<u>112,283.59</u>	<u>127,335.78</u>
Expense								
Prior Year Budget Expense	1,645.16	5,031.34	0.00	0.00	0.00	0.00	0.00	6,676.50
Board Meeting Expense	0.00	0.00	0.00	0.00	0.00	0.00	150.00	150.00
Bookkeeping Expense	318.00	318.00	318.00	318.00	318.00	318.00	318.00	2,226.00
Judicial Assistance Committee	0.00	0.00	1,525.00	750.00	0.00	2,000.00	0.00	4,275.00
Judicial College Social Support	2,000.00	0.00	0.00	0.00	0.00	0.00	0.00	2,000.00
Judicial Community Outreach	0.00	0.00	0.00	0.00	0.00	2,000.00	0.00	2,000.00
Legislative Pro-Tem	0.00	0.00	0.00	0.00	0.00	244.90	0.00	244.90
Lobbyist Contract	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	42,000.00
President Expense	0.00	0.00	100.00	0.00	207.45	260.59	507.31	1,075.35
Pro Tempore (Chair Approval)	0.00	0.00	394.63	166.00	0.00	734.70	489.80	1,785.13
Professional Services	0.00	0.00	0.00	0.00	775.00	0.00	0.00	775.00
Treasurer Expense and Bonds	0.00	0.00	0.00	10.00	0.00	0.00	0.00	10.00
Total Expense	<u>9,963.16</u>	<u>11,349.34</u>	<u>8,337.63</u>	<u>7,244.00</u>	<u>7,300.45</u>	<u>11,558.19</u>	<u>7,465.11</u>	<u>63,217.88</u>
Net Ordinary Income	<u>(9,954.31)</u>	<u>(11,340.48)</u>	<u>(8,329.06)</u>	<u>(7,235.21)</u>	<u>(7,291.99)</u>	<u>3,450.47</u>	<u>104,818.48</u>	<u>64,117.90</u>
Net Income	<u><u>(9,954.31)</u></u>	<u><u>(11,340.48)</u></u>	<u><u>(8,329.06)</u></u>	<u><u>(7,235.21)</u></u>	<u><u>(7,291.99)</u></u>	<u><u>3,450.47</u></u>	<u><u>104,818.48</u></u>	<u><u>64,117.90</u></u>

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Bank of America - Checking, Period Ending 01/31/2022

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						27,823.33
Cleared Transactions						
Checks and Payments - 7 items						
Check	12/28/2021		King County District ...	X	-734.70	-734.70
Check	12/28/2021		King County District ...	X	-244.90	-979.60
Transfer	01/07/2022			X	-52.26	-1,031.86
Check	01/14/2022		Pierce County Book...	X	-318.00	-1,349.86
Check	01/14/2022		Michelle Gehlsen.	X	-264.13	-1,613.99
Check	01/15/2022		Bogard & Johnson, ...	X	-6,000.00	-7,613.99
Transfer	01/28/2022			X	-156.70	-7,770.69
Total Checks and Payments					-7,770.69	-7,770.69
Deposits and Credits - 8 items						
Deposit	01/14/2022			X	33,025.00	33,025.00
Deposit	01/29/2022			X	1,500.00	34,525.00
Deposit	01/29/2022			X	7,750.00	42,275.00
Deposit	01/29/2022			X	7,900.00	50,175.00
Deposit	01/29/2022			X	8,450.00	58,625.00
Deposit	01/29/2022			X	10,300.00	68,925.00
Deposit	01/29/2022			X	16,300.00	85,225.00
Deposit	01/29/2022			X	27,050.00	112,275.00
Total Deposits and Credits					112,275.00	112,275.00
Total Cleared Transactions					104,504.31	104,504.31
Cleared Balance					104,504.31	132,327.64
Uncleared Transactions						
Checks and Payments - 2 items						
Check	01/25/2022		Chelan Chamber of ...		-150.00	-150.00
Check	01/27/2022		King County District ...		-489.80	-639.80
Total Checks and Payments					-639.80	-639.80
Total Uncleared Transactions					-639.80	-639.80
Register Balance as of 01/31/2022					103,864.51	131,687.84
New Transactions						
Checks and Payments - 1 item						
Transfer	02/02/2022				-90,000.00	-90,000.00
Total Checks and Payments					-90,000.00	-90,000.00
Total New Transactions					-90,000.00	-90,000.00
Ending Balance					13,864.51	41,687.84

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Bank of America - Savings, Period Ending 01/31/2022

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						232,040.64
Cleared Transactions						
Deposits and Credits - 1 item						
Deposit	01/29/2022			X	1.97	1.97
Total Deposits and Credits					1.97	1.97
Total Cleared Transactions					1.97	1.97
Cleared Balance					1.97	232,042.61
Register Balance as of 01/31/2022					1.97	232,042.61
New Transactions						
Deposits and Credits - 1 item						
Transfer	02/02/2022				90,000.00	90,000.00
Total Deposits and Credits					90,000.00	90,000.00
Total New Transactions					90,000.00	90,000.00
Ending Balance					90,001.97	322,042.61

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Bank of America C. C., Period Ending 01/31/2022

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						139.44
Cleared Balance						139.44
Uncleared Transactions						
Charges and Cash Advances - 3 items						
Credit Card Ch...	01/13/2022		Amazon		-17.26	-17.26
Credit Card Ch...	01/27/2022		Amazon		-17.29	-34.55
Credit Card Ch...	01/31/2022		Amazon		-17.26	-51.81
Total Charges and Cash Advances					-51.81	-51.81
Payments and Credits - 1 item						
Transfer	01/28/2022				156.70	156.70
Total Uncleared Transactions					104.89	104.89
Register Balance as of 01/31/2022					-104.89	34.55
New Transactions						
Charges and Cash Advances - 2 items						
Credit Card Ch...	02/02/2022		Amazon		-17.56	-17.56
Credit Card Ch...	02/02/2022		Amazon		-17.56	-35.12
Total Charges and Cash Advances					-35.12	-35.12
Total New Transactions					-35.12	-35.12
Ending Balance					-69.77	69.67

Washington State District And Municipal Court Judges Assoc.
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Type	Date	Name	Memo	Amount	Balance
Bank of America - Checking					
Transfer	07/06/2021		Funds Transfer	(949.70)	(949.70)
Transfer	07/07/2021		Funds Transfer	(490.65)	(1,440.35)
Check	07/07/2021	Michelle Gehlsen		(422.66)	(1,863.01)
Check	07/13/2021	MD Engraving		(417.05)	(2,280.06)
Check	07/20/2021	Pierce County Bookkeeping		(318.00)	(2,598.06)
Check	07/20/2021	Timothy Jenkins		(69.90)	(2,667.96)
Check	07/20/2021	King County District Court		(244.90)	(2,912.86)
Check	07/21/2021	Bogard & Johnson, LLC		(6,000.00)	(8,912.86)
Check	08/01/2021	Bogard & Johnson, LLC		(6,000.00)	(14,912.86)
Check	08/10/2021	Pierce County Bookkeeping		(318.00)	(15,230.86)
Check	08/16/2021	AOC		(190.29)	(15,421.15)
Check	08/23/2021	SCJA		(4,841.05)	(20,262.20)
Check	09/10/2021	Okanogan County District C...		(394.63)	(20,656.83)
Check	09/15/2021	Bogard & Johnson, LLC		(6,000.00)	(26,656.83)
Check	09/15/2021	Pierce County Bookkeeping		(318.00)	(26,974.83)
Check	09/29/2021	Susanna Neil Kanther-Raz		(1,525.00)	(28,499.83)
Transfer	10/05/2021		Funds Transfer	10,000.00	(18,499.83)
Transfer	10/07/2021		Funds Transfer	(100.00)	(18,599.83)
Check	10/15/2021	Life Management Consultin...		(750.00)	(19,349.83)
Check	10/15/2021	Bogard & Johnson, LLC		(6,000.00)	(25,349.83)
Check	10/15/2021	Pierce County Bookkeeping		(318.00)	(25,667.83)
Check	10/27/2021	City of Tacoma		(166.00)	(25,833.83)
Transfer	11/04/2021		Funds Transfer	5,000.00	(20,833.83)
Transfer	11/10/2021		Funds Transfer	(103.40)	(20,937.23)
Check	11/10/2021	Dino W Traverso, PLLC		(775.00)	(21,712.23)
Check	11/15/2021	Bogard & Johnson, LLC		(6,000.00)	(27,712.23)
Check	11/25/2021	Pierce County Bookkeeping	October Services	(318.00)	(28,030.23)
Transfer	11/29/2021		Funds Transfer	(96.66)	(28,126.89)
Transfer	12/06/2021		Funds Transfer	(34.95)	(28,161.84)
Check	12/10/2021	Susanna Neil Kanther-Raz		(2,000.00)	(30,161.84)
Transfer	12/10/2021		Funds Transfer	7,000.00	(23,161.84)
Check	12/10/2021	Pierce County Bookkeeping	November Services	(318.00)	(23,479.84)
Check	12/14/2021	Washington YMCA Youth &...		(2,000.00)	(25,479.84)
Check	12/15/2021	Bogard & Johnson, LLC		(6,000.00)	(31,479.84)
Transfer	12/21/2021		Funds Transfer	10,000.00	(21,479.84)
Transfer	12/21/2021		Funds Transfer	(260.32)	(21,740.16)
Deposit	12/23/2021		Deposit	4,450.00	(17,290.16)
Deposit	12/23/2021		Deposit	3,800.00	(13,490.16)
Deposit	12/23/2021		Deposit	6,750.00	(6,740.16)
Check	12/28/2021	King County District Court		(244.90)	(6,985.06)
Check	12/28/2021	King County District Court		(734.70)	(7,719.76)
Transfer	01/07/2022		Funds Transfer	(52.26)	(7,772.02)
Deposit	01/14/2022		Deposit	33,025.00	25,252.98
Check	01/14/2022	Pierce County Bookkeeping		(318.00)	24,934.98
Check	01/14/2022	Michelle Gehlsen.		(264.13)	24,670.85
Check	01/15/2022	Bogard & Johnson, LLC		(6,000.00)	18,670.85
Check	01/25/2022	Chelan Chamber of Comme...		(150.00)	18,520.85
Check	01/27/2022	King County District Court		(489.80)	18,031.05
Transfer	01/28/2022		Funds Transfer	(156.70)	17,874.35
Deposit	01/29/2022		Deposit	16,300.00	34,174.35
Deposit	01/29/2022		Deposit	10,300.00	44,474.35
Deposit	01/29/2022		Deposit	7,750.00	52,224.35
Deposit	01/29/2022		Deposit	27,050.00	79,274.35
Deposit	01/29/2022		Deposit	7,900.00	87,174.35
Deposit	01/29/2022		Deposit	8,450.00	95,624.35
Deposit	01/29/2022		Deposit	1,500.00	97,124.35
Total Bank of America - Checking				97,124.35	97,124.35

Washington State District And Municipal Court Judges Assoc.
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Type	Date	Name	Memo	Amount	Balance
Bank of America - Savings					
Deposit	07/31/2021		Interest	2.24	2.24
Deposit	08/31/2021		Interest	2.24	4.48
Deposit	09/30/2021		Interest	2.17	6.65
Transfer	10/05/2021		Funds Transfer	(10,000.00)	(9,993.35)
Deposit	10/29/2021		Interest	2.17	(9,991.18)
Transfer	11/04/2021		Funds Transfer	(5,000.00)	(14,991.18)
Deposit	11/29/2021		Interest	2.05	(14,989.13)
Transfer	12/10/2021		Funds Transfer	(7,000.00)	(21,989.13)
Transfer	12/21/2021		Funds Transfer	(10,000.00)	(31,989.13)
Deposit	12/29/2021		Interest	2.04	(31,987.09)
Deposit	01/29/2022		Interest	1.97	(31,985.12)
Total Bank of America - Savings				(31,985.12)	(31,985.12)
Washington Federal (Spec Fund)					
Deposit	07/31/2021		Interest	6.61	6.61
Deposit	08/31/2021		Interest	6.62	13.23
Deposit	09/30/2021		Interest	6.40	19.63
Deposit	10/31/2021		Interest	6.62	26.25
Deposit	11/30/2021		Interest	6.41	32.66
Deposit	12/31/2021		Interest	6.62	39.28
Deposit	01/31/2022		Interest	6.62	45.90
Total Washington Federal (Spec Fund)				45.90	45.90
Prepaid Expenses					
General...	07/01/2021		DMCJA Support ...	(2,000.00)	(2,000.00)
Credit ...	01/05/2022	Amazon	New Judge Book	17.62	(1,982.38)
Total Prepaid Expenses				(1,982.38)	(1,982.38)
Credit Cards					
Bank of America C. C.					
Transfer	07/06/2021		Funds Transfer	949.70	949.70
Credit ...	07/07/2021	Homewetbar Gifts	President Expens...	(490.65)	459.05
Transfer	07/07/2021		Funds Transfer	490.65	949.70
Credit ...	09/06/2021	Harbor Blooms	DMCJA sent flow...	(100.00)	849.70
Transfer	10/07/2021		Funds Transfer	100.00	949.70
Credit ...	10/21/2021	Secretary of State	Corp renewal	(10.00)	939.70
Credit ...	11/04/2021	De Laurenti Florist	Condolences for J...	(93.40)	846.30
Transfer	11/10/2021		Funds Transfer	103.40	949.70
Credit ...	11/22/2021	TLF Flowers	Judge Lucas Mem...	(96.66)	853.04
Transfer	11/29/2021		Funds Transfer	96.66	949.70
Credit ...	11/29/2021	Amazon	New Judge Books	(17.39)	932.31
Credit ...	12/01/2021	Amazon	New Judge Books	(17.56)	914.75
Transfer	12/06/2021		Funds Transfer	34.95	949.70
Credit ...	12/12/2021	Amazon	New Judge Books	(17.32)	932.38
Credit ...	12/12/2021	Amazon	New Judge Books	(17.23)	915.15
Credit ...	12/12/2021	Amazon	New Judge Books	(17.35)	897.80
Credit ...	12/12/2021	Amazon	New Judge Books	(17.37)	880.43
Credit ...	12/12/2021	Amazon	New Judge Books	(17.58)	862.85
Credit ...	12/12/2021	Amazon	New Judge Books	(17.45)	845.40
Credit ...	12/13/2021	Amazon	New Judge Book	(17.56)	827.84
Credit ...	12/13/2021	Amazon	New Judge Book	(17.29)	810.55
Credit ...	12/13/2021	Amazon	New Judge Books	(17.32)	793.23
Credit ...	12/13/2021	Amazon	New Judge Book	(17.31)	775.92
Credit ...	12/13/2021	Amazon	New Judge Book	(17.31)	758.61
Credit ...	12/13/2021	Amazon	New Judge Book	(17.34)	741.27
Credit ...	12/13/2021	Amazon	New Judge Book	(17.31)	723.96
Credit ...	12/16/2021	Amazon	New Judge Book	(17.29)	706.67
Transfer	12/21/2021		Funds Transfer	260.32	966.99
Credit ...	01/05/2022	Amazon	New Judge Book	(17.29)	949.70
Credit ...	01/05/2022	Amazon	New Judge Book	(17.62)	932.08
Credit ...	01/05/2022	Amazon	New Judge Book	(17.35)	914.73
Credit ...	01/06/2022	Amazon	New Judge Book	(17.56)	897.17
Credit ...	01/06/2022	Amazon	New Judge Book	(17.56)	879.61
Credit ...	01/06/2022	Amazon	New Judge Book	(17.29)	862.32
Transfer	01/07/2022		Funds Transfer	52.26	914.58

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Type	Date	Name	Memo	Amount	Balance
Credit ...	01/07/2022	Amazon	New Judge Book	(17.29)	897.29
Credit ...	01/10/2022	Amazon	New Judge Book	(17.56)	879.73
Credit ...	01/10/2022	Amazon	New Judge Book	(17.56)	862.17
Credit ...	01/10/2022	Amazon	New Judge Book	(17.23)	844.94
Credit ...	01/10/2022	Amazon	New Judge Book	(17.29)	827.65
Credit ...	01/10/2022	Amazon	New Judge Book	(17.39)	810.26
Credit ...	01/13/2022	Amazon	New Judge Book	(17.26)	793.00
Credit ...	01/27/2022	Amazon	New Judge Book	(17.29)	775.71
Transfer	01/28/2022		Funds Transfer	156.70	932.41
Credit ...	01/31/2022	Amazon	New Judge Book	(17.26)	915.15
Total Bank of America C. C.				915.15	915.15
Total Credit Cards				915.15	915.15
Interest Income					
Deposit	07/31/2021		Interest	(2.24)	(2.24)
Deposit	07/31/2021		Interest	(6.61)	(8.85)
Deposit	08/31/2021		Interest	(2.24)	(11.09)
Deposit	08/31/2021		Interest	(6.62)	(17.71)
Deposit	09/30/2021		Interest	(2.17)	(19.88)
Deposit	09/30/2021		Interest	(6.40)	(26.28)
Deposit	10/29/2021		Interest	(2.17)	(28.45)
Deposit	10/31/2021		Interest	(6.62)	(35.07)
Deposit	11/29/2021		Interest	(2.05)	(37.12)
Deposit	11/30/2021		Interest	(6.41)	(43.53)
Deposit	12/29/2021		Interest	(2.04)	(45.57)
Deposit	12/31/2021		Interest	(6.62)	(52.19)
Deposit	01/29/2022		Interest	(1.97)	(54.16)
Deposit	01/31/2022		Interest	(6.62)	(60.78)
Total Interest Income				(60.78)	(60.78)
Membership Revenue					
Deposit	12/23/2021	George Steele	Mason County	(1,000.00)	(1,000.00)
Deposit	12/23/2021	Dale A. McBeth	Chehalis Municipa...	(500.00)	(1,500.00)
Deposit	12/23/2021	Thomas L. Meyer	Yelm Municipal	(250.00)	(1,750.00)
Deposit	12/23/2021	Deanna Crull	Airway Heights	(500.00)	(2,250.00)
Deposit	12/23/2021	Megan Valentine	Grays Harbor Cou...	(1,000.00)	(3,250.00)
Deposit	12/23/2021	Brian D. Barlow	Grant County	(1,000.00)	(4,250.00)
Deposit	12/23/2021	Nicholas Wallace	Grant County	(1,000.00)	(5,250.00)
Deposit	12/23/2021	Brian Gwinn	Grant County	(1,000.00)	(6,250.00)
Deposit	12/23/2021	Melissa K. Chal arson	Grant County (Co...	(800.00)	(7,050.00)
Deposit	12/23/2021	Therese Murphy	City of Zillah	(250.00)	(7,300.00)
Deposit	12/23/2021	Scott Ahlf	Olympia	(1,000.00)	(8,300.00)
Deposit	12/23/2021	Ronald Reynier	Skamania County	(500.00)	(8,800.00)
Deposit	12/23/2021	Claire Bradley	Kitsap County Dist...	(1,000.00)	(9,800.00)
Deposit	12/23/2021	Kevin P Kelly	Kitsap County Dist...	(1,000.00)	(10,800.00)
Deposit	12/23/2021	Jeffrey J. Jahns	Kitsap County Dist...	(1,000.00)	(11,800.00)
Deposit	12/23/2021	Marilyn Paja	Kitsap County Dist...	(1,000.00)	(12,800.00)
Deposit	12/23/2021	Kristian E. Hedine	Walla Walla County	(1,000.00)	(13,800.00)
Deposit	12/23/2021	Angelle M. Geri	Airway Heights	(200.00)	(14,000.00)
Deposit	12/23/2021	Kyle Imler	Grays Harbor Cou...	(1,000.00)	(15,000.00)
Deposit	01/14/2022	Bruce Hanify	Clallam County	(500.00)	(15,500.00)
Deposit	01/14/2022	Jennifer M. Azure	Benton County Di...	(1,000.00)	(16,500.00)
Deposit	01/14/2022	James F. Bell	Benton County Di...	(1,000.00)	(17,500.00)
Deposit	01/14/2022	Daniel Kathren	Benton County Di...	(1,000.00)	(18,500.00)
Deposit	01/14/2022	Terry Tanner	Benton County Di...	(1,000.00)	(19,500.00)
Deposit	01/14/2022	John S Ziobro	Benton County Di...	(1,000.00)	(20,500.00)
Deposit	01/14/2022	G. Scott Marinella	Columbia District ...	(25.00)	(20,525.00)
Deposit	01/14/2022	N. Scott Stewart	Issaquah Municip...	(500.00)	(21,025.00)
Deposit	01/14/2022	Susan L. Solan	Aberdeen Municip...	(500.00)	(21,525.00)
Deposit	01/14/2022	Eric C. Bigger	Douglas County D...	(1,000.00)	(22,525.00)
Deposit	01/14/2022	Andrea K. Russell	Adams Co. Distric...	(500.00)	(23,025.00)
Deposit	01/14/2022	Virginia M. Amato	King County Distri...	(1,000.00)	(24,025.00)
Deposit	01/14/2022	Susan Mahoney	King County Distri...	(1,000.00)	(25,025.00)
Deposit	01/14/2022	Fa'amomoi Masaniai	King County Distri...	(1,000.00)	(26,025.00)
Deposit	01/14/2022	Marcus W. Naylor	King County Distri...	(1,000.00)	(27,025.00)
Deposit	01/14/2022	Lisa O'Toole	King County Distri...	(1,000.00)	(28,025.00)

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Type	Date	Name	Memo	Amount	Balance
Deposit	01/14/2022	Lisa Paglisotti	King County Distri...	(1,000.00)	(29,025.00)
Deposit	01/14/2022	Kevin Peck	King County Distri...	(1,000.00)	(30,025.00)
Deposit	01/14/2022	E. Rania Rampersad	King County Distri...	(1,000.00)	(31,025.00)
Deposit	01/14/2022	Kristin Shotwell	King County Distri...	(1,000.00)	(32,025.00)
Deposit	01/14/2022	Elizabeth D. Stephenson	King County Distri...	(1,000.00)	(33,025.00)
Deposit	01/14/2022	Leah Taguba	King County Distri...	(1,000.00)	(34,025.00)
Deposit	01/14/2022	Brian Todd	King County Distri...	(1,000.00)	(35,025.00)
Deposit	01/14/2022	Matthew York	King County Distri...	(1,000.00)	(36,025.00)
Deposit	01/14/2022	Rebecca Robertson	King County Distri...	(1,000.00)	(37,025.00)
Deposit	01/14/2022	Marcine Anderson	King County Distri...	(1,000.00)	(38,025.00)
Deposit	01/14/2022	Joe Campagna	King County Distri...	(1,000.00)	(39,025.00)
Deposit	01/14/2022	Kuljinder Dhillon	King County Distri...	(1,000.00)	(40,025.00)
Deposit	01/14/2022	Michael Finkle	King County Distri...	(1,000.00)	(41,025.00)
Deposit	01/14/2022	Michelle Gehlsen	King County Distri...	(1,000.00)	(42,025.00)
Deposit	01/14/2022	Laurel Gibson	King County Distri...	(1,000.00)	(43,025.00)
Deposit	01/14/2022	Nathaniel Green	King County Distri...	(1,000.00)	(44,025.00)
Deposit	01/14/2022	Corinna Harn	King County Distri...	(1,000.00)	(45,025.00)
Deposit	01/14/2022	Gregg Hirakawa	King County Distri...	(1,000.00)	(46,025.00)
Deposit	01/14/2022	Jill Klinge	King County Distri...	(1,000.00)	(47,025.00)
Deposit	01/14/2022	Rhonda Laumann	King County Distri...	(1,000.00)	(48,025.00)
Deposit	01/29/2022	Debra Lev	Bellingham Municipi...	(1,000.00)	(49,025.00)
Deposit	01/29/2022	Nicholas Henery	Bellingham Municipi...	(800.00)	(49,825.00)
Deposit	01/29/2022	Thomas Brown	Ferry County District	(500.00)	(50,325.00)
Deposit	01/29/2022	Brian Sanderson	Yakima County Di...	(1,000.00)	(51,325.00)
Deposit	01/29/2022	Kevin Eilmes	Yakima County Di...	(800.00)	(52,125.00)
Deposit	01/29/2022	Alfred G. Schweppe	Yakima County Di...	(1,000.00)	(53,125.00)
Deposit	01/29/2022	Donald W. Engel	Yakima County Di...	(1,000.00)	(54,125.00)
Deposit	01/29/2022	Charles Short	Okanogan County...	(1,000.00)	(55,125.00)
Deposit	01/29/2022	Chancey C. Crowell	Okanogan County...	(1,000.00)	(56,125.00)
Deposit	01/29/2022	David A Larson	Federal Way Muni...	(1,000.00)	(57,125.00)
Deposit	01/29/2022	Wade Samuelson	Lewis County Dist...	(1,000.00)	(58,125.00)
Deposit	01/29/2022	RW Buzzard	Lewis County Dist...	(1,000.00)	(59,125.00)
Deposit	01/29/2022	Wendy S. Tripp	Lewis County Dist...	(200.00)	(59,325.00)
Deposit	01/29/2022	Elizabeth Penoyar	North Pacific Distri...	(500.00)	(59,825.00)
Deposit	01/29/2022	Nancy R. McAllister	South Pacific Distri...	(500.00)	(60,325.00)
Deposit	01/29/2022	Craig Stilwill	Pasco Municipal ...	(1,000.00)	(61,325.00)
Deposit	01/29/2022	M. Jamie Imboden	Cowlitz District	(1,000.00)	(62,325.00)
Deposit	01/29/2022	John A Hays	Cowlitz District	(1,000.00)	(63,325.00)
Deposit	01/29/2022	Debra L Burchett	Cowlitz District	(1,000.00)	(64,325.00)
Deposit	01/29/2022	Thomas W. Cox	Garfield County Di...	(500.00)	(64,825.00)
Deposit	01/29/2022	Valerie Bouffiou	Lynwood Municipa...	(1,000.00)	(65,825.00)
Deposit	01/29/2022	Enrico Leo	Snohomish Distric...	(800.00)	(66,625.00)
Deposit	01/29/2022	Jenn Rancourt	Snohomish Distric...	(1,000.00)	(67,625.00)
Deposit	01/29/2022	Beth Fraser	Snohomish Distric...	(1,000.00)	(68,625.00)
Deposit	01/29/2022	Jeffery Goodwin	Snohomish Distric...	(1,000.00)	(69,625.00)
Deposit	01/29/2022	Douglas Fair	Snohomish Distric...	(1,000.00)	(70,625.00)
Deposit	01/29/2022	Patricia L. Lyon	Snohomish Distric...	(1,000.00)	(71,625.00)
Deposit	01/29/2022	Steven Clough	Snohomish Distric...	(1,000.00)	(72,625.00)
Deposit	01/29/2022	Tam Bui	Snohomish Distric...	(1,000.00)	(73,625.00)
Deposit	01/29/2022	Anthony Howard	Snohomish Distric...	(1,000.00)	(74,625.00)
Deposit	01/29/2022	Robert Hamilton	Enumclaw Municipi...	(250.00)	(74,875.00)
Deposit	01/29/2022	Jeanette Lineberry	Pierce County Dis...	(1,000.00)	(75,875.00)
Deposit	01/29/2022	Karla Buttorff	Pierce County Dis...	(1,000.00)	(76,875.00)
Deposit	01/29/2022	Kevin McCann	Pierce County Dis...	(1,000.00)	(77,875.00)
Deposit	01/29/2022	Lloyd Oaks	Pierce County Dis...	(1,000.00)	(78,875.00)
Deposit	01/29/2022	Lizanne Padula	Pierce County Dis...	(1,000.00)	(79,875.00)
Deposit	01/29/2022	Claire Sussman	Pierce County Dis...	(1,000.00)	(80,875.00)
Deposit	01/29/2022	Karl Williams	Pierce County Dis...	(1,000.00)	(81,875.00)
Deposit	01/29/2022	Jeff Gregory	Mercer Island Mun...	(500.00)	(82,375.00)
Deposit	01/29/2022	Drew Henke	Tacoma Municipal...	(1,000.00)	(83,375.00)
Deposit	01/29/2022	Dwayne L Christopher	Tacoma Municipal...	(1,000.00)	(84,375.00)
Deposit	01/29/2022	David B Ladenburg	Tacoma Municipal...	(1,000.00)	(85,375.00)
Deposit	01/29/2022	Randall L. Hansen	Tacoma Municipal...	(800.00)	(86,175.00)
Deposit	01/29/2022	Sandra L. Allen	Gig Harbor and Mi...	(500.00)	(86,675.00)
Deposit	01/29/2022	James M.B. Buzzard	Centralia Municipa...	(500.00)	(87,175.00)
Deposit	01/29/2022	Jennifer Johnson Grant	City of Lake Fores...	(500.00)	(87,675.00)
Deposit	01/29/2022	Anthony Parise	Whatcom County ...	(800.00)	(88,475.00)
Deposit	01/29/2022	Matthew Elich	Whatcom County ...	(1,000.00)	(89,475.00)

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
July 2021 through January 2022

Type	Date	Name	Memo	Amount	Balance
Deposit	01/29/2022	Angela Anderson	Whatcom County ...	(1,000.00)	(90,475.00)
Deposit	01/29/2022	Geoff Arnold	Cosmopolis Munic...	(250.00)	(90,725.00)
Deposit	01/29/2022	Howard F Delaney	Spokane Municipl...	(800.00)	(91,525.00)
Deposit	01/29/2022	Gloria Ochoa-Bruck	Spokane Municipl...	(1,000.00)	(92,525.00)
Deposit	01/29/2022	Gerald A. Caniglia	Spokane Municipl...	(800.00)	(93,325.00)
Deposit	01/29/2022	Michael Valerien	Spokane Municipl...	(800.00)	(94,125.00)
Deposit	01/29/2022	Kristin O'Sullivan	Spokane Municipl...	(1,000.00)	(95,125.00)
Deposit	01/29/2022	Molly A. Nave	Spokane Municipl...	(800.00)	(95,925.00)
Deposit	01/29/2022	Mary C. Logan	Spokane Municipl...	(1,000.00)	(96,925.00)
Deposit	01/29/2022	Andrea K. Russell	Adams County Di...	(500.00)	(97,425.00)
Deposit	01/29/2022	Tina Kernan	Asotin District Court	(1,000.00)	(98,425.00)
Deposit	01/29/2022	Seth Niesen	Seattle Municipal ...	(800.00)	(99,225.00)
Deposit	01/29/2022	Mary Lynch	Seattle Municipal ...	(800.00)	(100,025.00)
Deposit	01/29/2022	Park D. Eng	Seattle Municipal ...	(800.00)	(100,825.00)
Deposit	01/29/2022	Robert Chung	Seattle Municipal ...	(800.00)	(101,625.00)
Deposit	01/29/2022	Jerome Roache	Seattle Municipal ...	(800.00)	(102,425.00)
Deposit	01/29/2022	Faye R. Chess	Seattle Municipal ...	(1,000.00)	(103,425.00)
Deposit	01/29/2022	Catherine McDowall	Seattle Municipal ...	(1,000.00)	(104,425.00)
Deposit	01/29/2022	Anita M. Crawford-Willis	Seattle Municipal ...	(1,000.00)	(105,425.00)
Deposit	01/29/2022	Adam C. Eisenberg	Seattle Municipal ...	(1,000.00)	(106,425.00)
Deposit	01/29/2022	Willie Gregory	Seattle Municipal ...	(1,000.00)	(107,425.00)
Deposit	01/29/2022	Andrea Chin	Seattle Municipal ...	(1,000.00)	(108,425.00)
Deposit	01/29/2022	Damon G. Shadid	Seattle Municipal ...	(1,000.00)	(109,425.00)
Deposit	01/29/2022	Rick L. Hansen	Klickitat County (n...	(500.00)	(109,925.00)
Deposit	01/29/2022	Andrea Beall	Puyallup Municipl...	(1,000.00)	(110,925.00)
Deposit	01/29/2022	Timothy A. Dury	Port Orchard Muni...	(500.00)	(111,425.00)
Deposit	01/29/2022	John A. Miller	Fircrest Ruston M...	(250.00)	(111,675.00)
Deposit	01/29/2022	Kelley Olwell	Yakima Municipal ...	(1,000.00)	(112,675.00)
Deposit	01/29/2022	Susan Woodard	Yakima Municipal ...	(1,000.00)	(113,675.00)
Deposit	01/29/2022	Tamara A. Hanlon	Yakima Municipal ...	(400.00)	(114,075.00)
Deposit	01/29/2022	John Olson	Kirkland (no form)	(1,000.00)	(115,075.00)
Deposit	01/29/2022	Dave Neupert	District Court 1 Cl...	(1,000.00)	(116,075.00)
Deposit	01/29/2022	Clarke W. Tibbits	East Wenatchee ...	(500.00)	(116,575.00)
Deposit	01/29/2022	William Penoyar	South Bend Munic...	(250.00)	(116,825.00)
Deposit	01/29/2022	Jean A Cotton	Hoquiam Municipa...	(500.00)	(117,325.00)
Deposit	01/29/2022	Anneke Berry	Buckley Municipal...	(250.00)	(117,575.00)
Deposit	01/29/2022	Arthur Blauvelt III	Elma & Oakville M...	(250.00)	(117,825.00)
Deposit	01/29/2022	Kara Murphy Richards	Renton Municipal ...	(1,000.00)	(118,825.00)
Deposit	01/29/2022	Jessica A Giner	Renton Municipal ...	(1,000.00)	(119,825.00)
Deposit	01/29/2022	Lisa Mansfield	Lakewood Municip...	(1,000.00)	(120,825.00)
Deposit	01/29/2022	Stephen D Greer	Shelton Municipal ...	(500.00)	(121,325.00)
Deposit	01/29/2022	Robin R. McCroskey	Pend Oreille Coun...	(1,000.00)	(122,325.00)
Deposit	01/29/2022	Lorrie Towers	Marysville Municp...	(1,000.00)	(123,325.00)
Deposit	01/29/2022	Fred L. Gillings	Marysville Municp...	(1,000.00)	(124,325.00)
Deposit	01/29/2022	Douglas B. Robinson	Colfax Municipal ...	(200.00)	(124,525.00)
Deposit	01/29/2022	David Ebenger	Winthrop, Twisp a...	(250.00)	(124,775.00)
Deposit	01/29/2022	Whitney Rivera	City of Edmonds (...)	(1,000.00)	(125,775.00)
Deposit	01/29/2022	Andrew W. Wheeler	Battle Ground Mu...	(500.00)	(126,275.00)
Deposit	01/29/2022	Mara J. Rozzano	Bothell Municipal ...	(1,000.00)	(127,275.00)
Total Membership Revenue				(127,275.00)	(127,275.00)
Prior Year Budget Expense					
Credit ...	07/07/2021	Homewetbar Gifts	President Expens...	490.65	490.65
Check	07/07/2021	Michelle Gehlsen	President Line lte...	319.70	810.35
Check	07/07/2021	Michelle Gehlsen	President Line lte...	102.96	913.31
Check	07/13/2021	MD Engraving	President Line lte...	417.05	1,330.36
Check	07/20/2021	Timothy Jenkins	Jasp line item	69.90	1,400.26
Check	07/20/2021	King County District Court	Pro Tempore 6/28...	244.90	1,645.16
Check	08/16/2021	AOC	President Line Item	190.29	1,835.45
Check	08/23/2021	SCJA	1/2 of leftover JAS...	4,841.05	6,676.50
Total Prior Year Budget Expense				6,676.50	6,676.50
Board Meeting Expense					
Check	01/25/2022	Chelan Chamber of Comme...	DMCJA 5/14/22 ...	150.00	150.00
Total Board Meeting Expense				150.00	150.00

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
July 2021 through January 2022

Type	Date	Name	Memo	Amount	Balance
Bookkeeping Expense					
Check	07/20/2021	Pierce County Bookkeeping	June Services	318.00	318.00
Check	08/10/2021	Pierce County Bookkeeping	July Services	318.00	636.00
Check	09/15/2021	Pierce County Bookkeeping	August Services	318.00	954.00
Check	10/15/2021	Pierce County Bookkeeping	September Invoice	318.00	1,272.00
Check	11/25/2021	Pierce County Bookkeeping	October Services	318.00	1,590.00
Check	12/10/2021	Pierce County Bookkeeping	November Services	318.00	1,908.00
Check	01/14/2022	Pierce County Bookkeeping	December Billing	318.00	2,226.00
Total Bookkeeping Expense				2,226.00	2,226.00
Judicial Assistance Committee					
Check	09/29/2021	Susanna Neil Kanther-Raz	Quarter 3	1,200.00	1,200.00
Check	09/29/2021	Susanna Neil Kanther-Raz	FJLC Meeting We...	325.00	1,525.00
Check	10/15/2021	Life Management Consultin...	Presentation on A...	750.00	2,275.00
Check	12/10/2021	Susanna Neil Kanther-Raz	4th quarter payment	1,200.00	3,475.00
Check	12/10/2021	Susanna Neil Kanther-Raz	peer training	800.00	4,275.00
Total Judicial Assistance Committee				4,275.00	4,275.00
Judicial College Social Support					
General...	07/01/2021		DMCJA Support ...	2,000.00	2,000.00
Total Judicial College Social Support				2,000.00	2,000.00
Judicial Community Outreach					
Check	12/14/2021	Washington YMCA Youth &...		2,000.00	2,000.00
Total Judicial Community Outreach				2,000.00	2,000.00
Legislative Pro-Tem					
Check	12/28/2021	King County District Court	Judge Gehlsen 11...	244.90	244.90
Total Legislative Pro-Tem				244.90	244.90
Lobbyist Contract					
Check	07/21/2021	Bogard & Johnson, LLC		6,000.00	6,000.00
Check	08/01/2021	Bogard & Johnson, LLC		6,000.00	12,000.00
Check	09/15/2021	Bogard & Johnson, LLC		6,000.00	18,000.00
Check	10/15/2021	Bogard & Johnson, LLC		6,000.00	24,000.00
Check	11/15/2021	Bogard & Johnson, LLC		6,000.00	30,000.00
Check	12/15/2021	Bogard & Johnson, LLC		6,000.00	36,000.00
Check	01/15/2022	Bogard & Johnson, LLC		6,000.00	42,000.00
Total Lobbyist Contract				42,000.00	42,000.00
President Expense					
Credit ...	09/06/2021	Harbor Blooms	DMCJA sent flow...	100.00	100.00
Credit ...	11/04/2021	De Laurenti Florist	Condolences for J...	93.40	193.40
Credit ...	11/22/2021	TLF Flowers	Judge Lucas Mem...	96.66	290.06
Credit ...	11/29/2021	Amazon	New Judge Books	17.39	307.45
Credit ...	12/01/2021	Amazon	New Judge Books	17.56	325.01
Credit ...	12/12/2021	Amazon	New Judge Books	17.32	342.33
Credit ...	12/12/2021	Amazon	New Judge Books	17.23	359.56
Credit ...	12/12/2021	Amazon	New Judge Books	17.35	376.91
Credit ...	12/12/2021	Amazon	New Judge Books	17.37	394.28
Credit ...	12/12/2021	Amazon	New Judge Books	17.58	411.86
Credit ...	12/12/2021	Amazon	New Judge Books	17.45	429.31
Credit ...	12/13/2021	Amazon	New Judge Book	17.56	446.87
Credit ...	12/13/2021	Amazon	New Judge Book	17.29	464.16
Credit ...	12/13/2021	Amazon	New Judge Books	17.32	481.48
Credit ...	12/13/2021	Amazon	New Judge Book	17.31	498.79
Credit ...	12/13/2021	Amazon	New Judge Book	17.31	516.10
Credit ...	12/13/2021	Amazon	New Judge Book	17.34	533.44
Credit ...	12/13/2021	Amazon	New Judge Book	17.31	550.75
Credit ...	12/16/2021	Amazon	New Judge Book	17.29	568.04
Credit ...	01/05/2022	Amazon	New Judge Book	17.29	585.33
Credit ...	01/05/2022	Amazon	New Judge Book	17.35	602.68
Credit ...	01/06/2022	Amazon	New Judge Book	17.56	620.24
Credit ...	01/06/2022	Amazon	New Judge Book	17.56	637.80

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
July 2021 through January 2022

Type	Date	Name	Memo	Amount	Balance
Credit ...	01/06/2022	Amazon	New Judge Book	17.29	655.09
Credit ...	01/07/2022	Amazon	New Judge Book	17.29	672.38
Credit ...	01/10/2022	Amazon	New Judge Book	17.56	689.94
Credit ...	01/10/2022	Amazon	New Judge Book	17.56	707.50
Credit ...	01/10/2022	Amazon	New Judge Book	17.23	724.73
Credit ...	01/10/2022	Amazon	New Judge Book	17.29	742.02
Credit ...	01/10/2022	Amazon	New Judge Book	17.39	759.41
Credit ...	01/13/2022	Amazon	New Judge Book	17.26	776.67
Check	01/14/2022	Michelle Gehlsen.	President's Gavel	264.13	1,040.80
Credit ...	01/27/2022	Amazon	New Judge Book	17.29	1,058.09
Credit ...	01/31/2022	Amazon	New Judge Book	17.26	1,075.35
Total President Expense				1,075.35	1,075.35
Pro Tempore (Chair Approval)					
Check	09/10/2021	Okanogan County District C...	8/20/21	394.63	394.63
Check	10/27/2021	City of Tacoma	10/8/21	166.00	560.63
Check	12/28/2021	King County District Court	Judge Gehlsen 12...	244.90	805.53
Check	12/28/2021	King County District Court	Judge Gehlsen 10...	244.90	1,050.43
Check	12/28/2021	King County District Court	Judge Gehlsen 11...	244.90	1,295.33
Check	01/27/2022	King County District Court	Judge Gehlsen 10...	244.90	1,540.23
Check	01/27/2022	King County District Court	Judge Gehlsen 11...	244.90	1,785.13
Total Pro Tempore (Chair Approval)				1,785.13	1,785.13
Professional Services					
Check	11/10/2021	Dino W Traverso, PLLC	Corp tax return	775.00	775.00
Total Professional Services				775.00	775.00
Treasurer Expense and Bonds					
Credit ...	10/21/2021	Secretary of State	Corp renewal	10.00	10.00
Total Treasurer Expense and Bonds				10.00	10.00
TOTAL				0.00	0.00



Statement of Account

PAGE 1 OF 1

Statement End Date January 31, 2022
 Statement Begin Date January 1, 2022
 Account Number [REDACTED]

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' 15216
 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 - # [REDACTED]

Annual Percentage Yield Earned for this Statement Period 0.200%
 Interest Rate Effective 01/01/2022 0.200%
 Interest Earned/Accrued this Cycle \$6.62
 Number of Days in this Cycle 31
 Date Interest Posted 01-31-2022
 Year-to-Date Interest Paid \$6.62

Beginning Balance \$38,973.88
 Interest Earned This Period +6.62
 Deposits and Credits +0.00
 Checks Paid -0.00
 ATM, Electronic and Debit Card Withdrawals -0.00
 Other Transactions -0.00
Ending Balance \$38,980.50

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

As we begin another year, we pause to gratefully express our thanks for your trust in us.

May the good things of life be yours in abundance this season and throughout the coming year.

@WAFDbank
 wafdbank.com

Member FDIC



Interest Earned This Period

Date	Description	Amount
01-31	Credit Interest	6.62
Total Interest Earned This Period		6.62

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 2021-2022 Adopted Budget

Item/Committee	ALLOCATED	SPENT	REMAINING
Access to Justice Liaison	\$ 100.00		100.00
Audit (every 3 years)			
Bar Association Liaison	\$ 100.00		100.00
Board Meeting Expense	\$ 15,000.00	150.00	14,850.00
Bookkeeping Expense	\$ 3,500.00	2,226.00	1,274.00
Bylaws Committee	\$ 250.00		250.00
Conference Calls	\$ 200.00		200.00
Conference Planning Committee	\$ 4,000.00		4,000.00
(reconsider in Spring based on finances)	\$ -		
Contract Grant Writer	\$ 50,000.00		50,000.00
Contract Policy Analyst	\$ 50,000.00		50,000.00
Council on Independent Courts (CIC)	\$ 500.00		500.00
Diversity Committee	\$ 500.00		500.00
"Trial Court Sentencing and Supervision	\$ -		
DMCMA Liaison	\$ 100.00		100.00
DMCMA Mandatory Education	\$ 20,000.00		20,000.00
DOL Liaison Committee	\$ 100.00		100.00
Education Committee	\$ 5,000.00		5,000.00
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	4,275.00	11,725.00
Insurance (every 3 years)			
Judicial College Social Support	\$ 2,000.00	2,000.00	0.00
Judicial Community Outreach	\$ 2,000.00	2,000.00	0.00
Legislative Committee	\$ 1,500.00		1,500.00
Legislative Pro-Tem	\$ 2,500.00	245.00	2,255.00
Lobbyist Contract	\$ 105,000.00	42,000.00	63,000.00
Long-Range Planning Committee	\$ 750.00		750.00
MPA Liaison	\$ 250.00		250.00
yrs (next 12/2021)	\$ 500.00		500.00
Mary Fairhurst National Leadership Grants	\$ 5,000.00		5,000.00
Nominating Committee	\$ 100.00		100.00
President Expense	\$ 2,000.00	1,075.00	925.00
Pro Tempore (committee chair approval)	\$ 10,000.00	1,785.00	8,215.00
Professional Services (Dino Traverso, CPA)	\$ 1,500.00	775.00	725.00
Public Outreach (ad hoc workgroup)	\$ 150.00		150.00
Rules Committee	\$ 500.00		500.00
SCJA Board Liaison	\$ 250.00		250.00
Therapeutic Courts	\$ 2,500.00		2,500.00
Treasurer Expense and Bonds	\$ ²⁴ 100.00	10.00	90.00

Trial Court Advocacy Board - DORMANT	\$	-		
Uniform Infraction Citation Committee	\$	1,000.00		1,000.00
Totals		\$310,450.00	\$56,541.00	\$253,909.00
Special Fund	\$	-		
*Includes \$8,000 from the SCJA				
				updated 01/31/2022

CHIEF JUSTICE MARY FAIRHURST NATIONAL LEADERSHIP GRANT GUIDELINES

It shall be the policy of the Washington State District and Municipal Court Judges' Association (DMCJA) to acknowledge the benefit to the Association and its members of having its members in attendance at national judges' groups and conferences that impact the judiciary in the State of Washington. These benefits include national education, leadership training, one-on-one information exchange, and recognition for the programs and leadership of the DMCJA.

The DMCJA shall annually budget for attendees at such national judges' groups and conferences. The DMCJA Board of Governors shall select the attendees. To be eligible for consideration, the applicant must (1) be, or agree to become, a member of the applicable national organization; and (2) be in either a leadership position with the DMCJA or the applicable national organization; and (3) be a member of the DMCJA in good standing as defined in DMCJA Bylaws. Leadership position includes, but is not limited to, officer, board member, or committee chair.

In determining the selection of the attendees to such national meetings or conferences, the DMCJA Board of Governors shall consider the following non-exclusive criteria of the applicant:

1. The applicant shall engage in judicial education at the national level;
2. The applicant shall take educational opportunities and program developed at the national level and bring them back to the State of Washington;
3. The applicant shall take educational opportunities and programs developed on the state level and take them to the national level; and
4. The applicant shall demonstrate his or her ability to exchange and share innovative ideas to improve the function and operation of the courts in the State of Washington.
5. The applicant shall be a member in good standing of the DMCJA at the time of application as provided by DMCJA Bylaws.

The amount of expense reimbursement shall be in the discretion of the DMCJA Board of Governors, to be set as part of the annual budget.

Renamed the “Chief Justice Mary Fairhurst National Leadership Grant” in November 2019 by DMCJA Board of Governors, in honor of Chief Justice Mary Fairhurst.

MEMORANDUM OF UNDERSTANDING

CONSOLIDATED PROBATION SERVICES

In an effort to increase the likelihood of success for defendants on probation in multiple courts the undersigned presiding judges, as representatives of the respective courts, enter into the following Memorandum of Understanding.

PROVISIONS

- A. **PURPOSE:** To establish a program that allows defendants to report to one probation department when they are required to comply with conditions of sentence in multiple courts. Eligible individuals can elect to consolidate supervision of conditions of sentence by a single probation department that would report compliance and violations to all host and participating courts.
- B. **AUTHORITY:** This MOU is established under RCW 39.34.180(6). In addition, ARLJ 11 provides that the “...method of providing these services shall be established by the presiding judge of the local court to meet the specific needs of the court.” Each court shall continue to have exclusive original jurisdiction of all criminal law violations committed within the jurisdiction of that court as authorized by statute or ordinance.
- C. **DEFINITIONS:** The “host jurisdiction” shall be the probation department for the jurisdiction that the defendant reports to for probation services under this program. A “participating jurisdiction” is any court and/or probation department that has imposed conditions of sentence or has referred conditions for supervision to a host jurisdiction.
- D. **ADMINISTRATION:** The host jurisdiction shall supervise the conditions of sentence imposed by all participating courts pursuant to its own established practices and procedures. Nothing herein changes the authority of each court or probation department to determine its own practices and to follow its own procedures. Participating jurisdiction judges and staff shall have no authority to supervise the host jurisdiction’s probation department.
- E. **APPLICATION:** Any defendant with conditions of sentence on a criminal conviction in multiple courts that are signatories to this agreement may request or consent to the probation department in one of those courts to act as the host jurisdiction for supervision. The request may be approved by the respective probation departments if the presiding judge of the host jurisdiction and participating jurisdictions are signatories to this agreement. Not all jurisdictions need to agree, but the request will be denied unless at least one participating jurisdiction has approved the request along with the host jurisdiction. The decision to admit the defendant to the program will rest within the sole discretion of each jurisdiction.
- F. **REPORTING:** The host jurisdiction shall report compliance and violations to the host jurisdiction and to each participating jurisdiction. Each court and probation department will address compliance and violations pursuant to its own established policies and procedures. Staff designated by the presiding judge of each court shall serve as the point of contact. Defendants must still report to probation departments of any non-participating jurisdiction.
- G. **PROPERTY:** This program does not contemplate the acquisition, holding, or disposal of real or personal property.

- H. FINANCING: There shall be no financing of any joint or cooperative undertaking pursuant to this program. There shall be no budget maintained for any joint or cooperative undertaking. Probation fees under RCW 10.64.120 shall only be collected by the host jurisdiction. No probation fees can be collected by a participating jurisdiction while the defendant is part of the program. Non-participating probation departments may charge fees pursuant to RCW 10.64.120. Participating probation departments may charge fees pursuant to RCW 10.64.120 after revocation pursuant to Paragraph J.
- I. REVOCATION OF SUPERVISION BY HOST COURT: The defendant may revoke the agreement for supervision by the host jurisdiction at any time, except if alleged violations have been reported pursuant to this agreement. The judge of the host jurisdiction or the judge of any participating jurisdiction may remove its approval of consolidated supervision at any time. The defendant will be required to report to the probation department of the jurisdiction(s) that revoked its participation.
- J. LIABILITY: Each probation department has its own duties and liabilities and nothing herein alters those liabilities or creates a respondeat superior or agency relationship between cities, courts, or probation departments. All probation departments are autonomous and nothing herein creates or contemplates a duty to supervise or control the work of host jurisdictions by participating jurisdictions or vice versa._
- K. AGREEMENT TO MEET AND CONFER: Participant courts shall meet and confer periodically during the life of this program at mutually agreeable times and dates to review program procedures and effectiveness.
- L. TERMINATION AND NOTICE: Any court participating in this program may terminate its participation upon thirty-days written notice to the remaining participant courts. The termination by any one court shall not affect the rights of the remaining participants under this program. Any notice or other communication shall be sufficient if it is in writing and/or by electronic submission.



Pierce County District Court



2022 Implicit Bias Training Proposal

Prepared by Rick Petry
December 24, 2021



December 24, 2021

The Honorable Karl Williams
Judge of District Court
Zana Molina
Administrative Analyst
Pierce County District Court
930 Tacoma Avenue
Tacoma, Washington 98402

Re: Implicit Bias Training Proposal

Dear Judge Williams and Ms. Molina,

Thank you for inviting me to have a series of conversations with you to discuss the Court's desire to bring implicit bias training to the Pierce County District Court system. I am deeply honored to be considered as a guide to support that initiative and to be invited to submit this proposal.

On the following pages, I have set forth the following:

1. An introduction regarding the importance of an organization's culture
2. The Engagement Requirements
3. An overview of my understanding of the Court's Needs/Situation Summary
4. An overview of my understanding of the Objectives
5. An overview of Our Approach and Our Process
6. The proposed 2022 Game Plan
7. Our proposed Methodologies, Interventions and Assessments
8. Brief descriptions of our proposed Large Group Workshops
9. Brief descriptions of our proposed Small Group Workshops
10. An overview of the Values Work
11. An overview of the Measures of Success
12. An overview of the Timing for the engagement, Joint Accountabilities, and Terms and Conditions

I look forward to hearing from you once you have reviewed this proposal and working with you to support this important work.

Sincerely,

Rick Petry



Introduction

Culture in Organizations

The culture of your organization is either your most valuable asset or your largest and most troublesome liability. Who you are and what you stand for has become the most significant differentiator of your organizational performance. Strong vibrant cultures that are vision/mission-guided and values-driven create high levels of performance because they attract and keep talented people. They also inspire employees to go the extra mile. A strong positive culture also creates internal cohesion and enhances the organization's capacity for collective action by building trust. Your organization's culture is a liability when it displays high levels of cultural entropy. That is when limiting behaviors like blame, bureaucracy, internal competition and manipulation inhibit the smooth functioning of the organization.

Our Strategic Partners

Preeminence Consulting works in collaboration with some of the world's foremost Diversity, Equity and Inclusion, leadership, and organizational values experts on the planet - the Cultural Intelligence Institute, Barrett Values Centre, CreatingWE Institute and others - to bring court systems and other organizations a new way of creating high performing, diverse and inclusive cultures. We have built an excellent reputation for designing and delivering cultural transformation programs. Personally, I have over 30 years of coaching, training, and consultancy experience.



The Cultural Intelligence Center was founded by David Livermore and since its inception has become a global leader in providing engaging, research-based tools and innovative solutions that improve multicultural performance based on rigorous academic research.

Cultural intelligence ("CQ") is the capability to relate and work effectively in culturally diverse situations. It goes beyond existing notions of cultural sensitivity and awareness to highlight a theoretically-based set of capabilities needed to



successfully and respectfully accomplish your objectives in culturally diverse settings.

Research on cultural intelligence, which to-date spans over 125,000 individuals in more than 100 countries, demonstrates those with cultural intelligence have skills in the following four capabilities: CQ Drive, CQ Knowledge, CQ Strategy, and CQ Action.



The Barrett Values Centre (“BVC”) was founded in 1997 by Richard Barrett and since its inception has been helping organizations empower their people, perform at their best, and achieve their goals. The BVC believes that every culture is unique. Working in collaboration with the BVC, we help companies build authentic, resilient cultures based on deeply felt values that are shared across the entire team. This is what produces an inclusive, high-performance culture that creates the kind of we’re-all-in-this-together energy that’s simply unstoppable. The BVC is built on the firm belief that spreading values-based culture is not just good for business, but also for humanity. The BVC has helped thousands of organizations like yours around the world excel, as they create a better life for everyone they touch: employees, customers, and their communities.



The CreatingWE® Institute, which was founded in 1980 by Judith E. Glasser, works at the critical junction of leadership and culture. It’s focus on neuroscience research gives it a unique understanding of the impact of conversations as a catalyst for change. For over three decades, the CreatingWE Institute has carved out a niche that was previously not in plain sight - the importance of conversations in shaping culture and achieving goals. We are Certified in Conversational Intelligence, which is the basis for the work done by the CreatingWE Institute.

Together, we form a powerful combination to help you develop a diverse and high-performance organization.



The Engagement Requirement

The Court's Needs

The Pierce County District Court (the "Court") has a desire to provide implicit bias training for its employees. Zana Molina is the Court's Administrative Analyst and a law student at Mitchell Hamline School of Law. Over the past year or so, she has participated in Diversity, Equity, and Inclusion training programs presented by Professor Rick Petry. Following the training, Ms. Molina inquired regarding whether Mr. Petry could provide a training program for the Court. In response to that inquiry, the Honorable Karl Williams, Ms. Molina, and Mr. Petry met twice to discuss the Court's desires along with Mr. Petry's availability and openness to provide such training. At the conclusion of those meetings, Judge Williams asked Mr. Petry to submit a proposal which is presented here.

Your Situation Summary

The Court's Mission Statement provides as follows:

The mission of the Pierce County District Court, as an independent and impartial branch of government, is to promote respect for law, society and individual rights; provide open, accessible and effective forums for dispute resolution; resolve legal matters in a just, efficient and timely manner and assure the dignified and fair treatment of all parties.

It is our understanding that as one of the initiatives to advance its mission, the Court had hoped to provide implicit bias training to its employees prior to now. Unfortunately, because of the COVID-19 pandemic and all the confusion, uncertainty, stay-at-home orders, social distancing protocols, and other measures that were implemented to promote public safety and protect the health and welfare of the Court's employees, the Court had to delay such training.

Having all of this in mind, the court is considering engaging Mr. Petry as an outside consultant, executive coach, and certified trainer to advise, coach, and train its employees regarding implicit bias and other Diversity, Equity, and Inclusion-related training modalities and interventions.



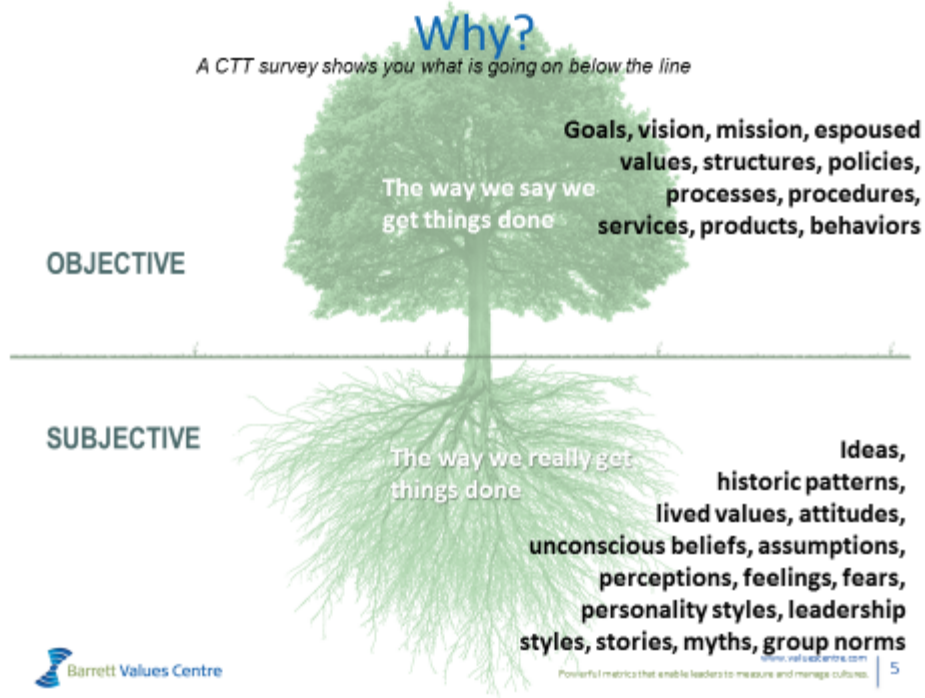
Objectives

Among the results to be achieved are these key objectives:

- Increase awareness of Cognitive Biases, including implicit bias and unconscious bias, and how Cognitive Biases impact Court employees' decision-making and behaviors.
- Increase the Cultural Awareness of the Court's employees.
- Measure and increase the Cultural Intelligence of the Court's employees.
- Increase awareness regarding the impact of treating people with dignity.
- Increase awareness regarding how disabilities impact a person's interactions with the Court
- Change behaviors to improve Diversity, Equity and Inclusion within the Court
- Conduct Cultural Assessments at the beginning and end of the engagement to provide the Court with a detailed understanding of the personal motivations of its employees, their experience working within the organization, and the direction the Court should head in the future
- Conduct CQ Assessments at the beginning and end of the engagement to measure progress
- Improve the overall culture of the Court and improve the quality of experience for those people who interact with the Court and its employees.

Why Measuring Values Matters

The model on the following page illustrates why measuring values and managing culture is so important to achieving these objectives:



The Cultural Values Assessment (CVA), which will be discussed in greater detail below, provides access to the intangible cultural factors effecting attitudes and performance. It also provides the metrics to show leaders how to align the unique winds and currents in each section of your organization. The CVA also gives leaders and managers the metrics to manage culture, increase employee engagement and leverage performance.

Our Approach

At Preeminence Consulting, we are experienced in working with law students, lawyers, court systems, leaders, managers, and staff groups in many organizational contexts. We specialize in assisting you to lead the organizational culture development journey. We understand why no organization has the same culture while being familiar with the fundamental principles of cultural development.

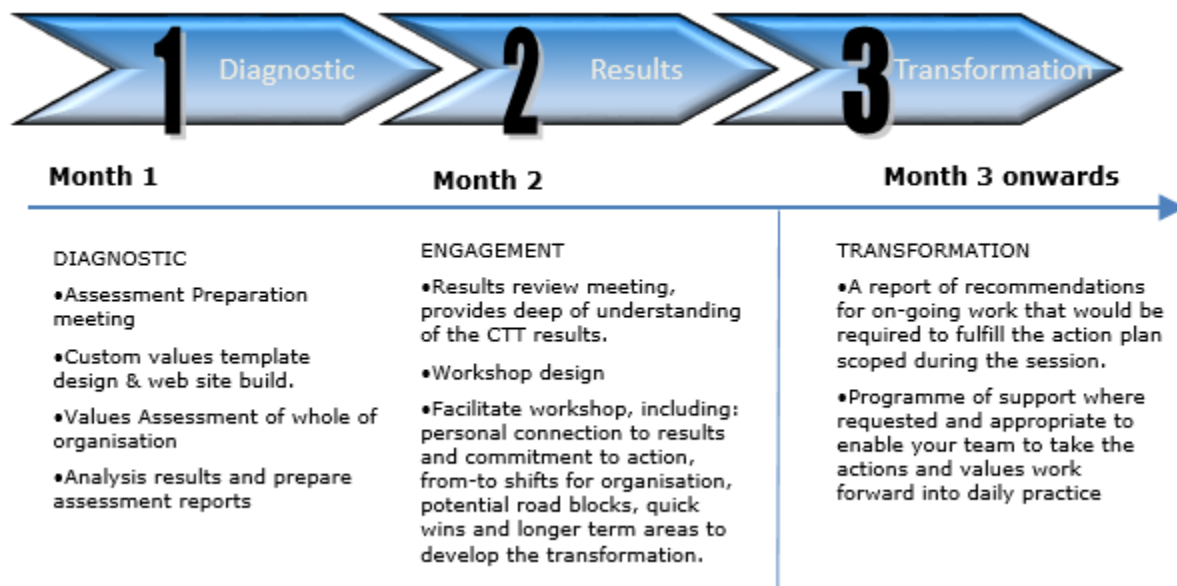
Our services will include co-designed programming and measurements to meet your specific needs and to challenges. Your organization's culture is the distinctive success factor in today's fast changing, high-tech, interconnected



world and we will work with you to deepen your ability to consciously manage your greatest intangible asset.

To ensure our work is well grounded, we will work closely with you throughout the engagement to clarify requirements and desired outcomes.

Our Process



The 2022 Game Plan

Methodology/interventions

To achieve the objectives set forth above, the following training interventions and assessments may be included:

Assessments

To determine the current situation and measure our progress, we recommend that the following assessments be conducted:

- Cultural Values Assessment (“CVA”)
- Individual Cultural Intelligence Assessments (“CQ Pro Assessment”)
- Implicit Association Tests (“IATs”)



We would conduct a CVA to gain a deeper and more specific understanding of the issues that are inhibiting a deeper embrace of Diversity, Equity and Inclusion practices along with a clear understanding of what is working well for employees and the organization and what is not. We will need this information as we move forward to start addressing the issues standing in the way of the Court fulfilling its Mission. The CVA will provide us with specific details.

The level of internal dysfunction in an organization directly impacts productivity and stakeholder satisfaction. This internal dysfunction is what we refer to as Cultural Entropy. When Cultural Entropy is reduced, efficiencies and productivity increase. These increases are what we refer to as the Cultural Health of the organization. Cultural Health is directly impacted by three key factors: 1) the level of psychological development of the current leaders, managers, and supervisors, 2) the level of Personal Entropy of the current leaders, managers and supervisors, and 3) the legacy of Personal Entropy of past leaders, managers and supervisors as embedded in the systems, structures, processes, policies, and procedures of the organization.

The premier tool for measuring the Cultural Health/Entropy of an organization is the CVA. Thus, this is where we will begin our work.

Training Interventions

- Tiny Biases, Big Results
- Be Careful, Your Brain is Tricking You
- Human Dignity: The Essentials Program
- Human Dignity: Seeing the Dignity in Others
- Encouraging One Another With Authentic Appreciation
- The Importance of Diversity and Inclusion Within the Court System
- Realizing Full and Equal Participation for All: Transcending Legal and Regulatory Requirements
- Developing Your Cultural Intelligence
- Nurturing an Inclusive Climate: Leaders Shifting From Learning to Doing
- Implicit Bias and Judges.

Large Group Workshops

To launch our program for the 2022 calendar year, we also discussed conducting some large group workshops to take employees deeper into the work.



Brief Large Group Workshop Program Descriptions

Tiny Biases, Big Results

(60-90-minute interactive presentation that is suitable for all Court employees)

This science-based and evidence-back workshop is a great onramp into improving Diversity, Equity, and Inclusion (“DEI”) within an organization. Based upon our experiences in conducting DEI training programs for lawyers, law students, and other organizations, two of the primary causes for failed DEI initiatives are (1) a lack of commitment from organizational leaders and (2) the resistance or lack of engagement of participants. In this case, the Honorable Karl Williams has already demonstrated his commitment, so we have no concerns in that regard. To reduce resistance and increase the engagement of Court personnel, this program is intentionally designed to eliminate the stigma often associated with unconscious bias and other DEI training.

In the Tiny Biases, Big Results program, participants will learn that all human beings have cognitive biases (at last count over 180 of them) which serve as neurological shortcuts that improve our brain’s efficiency. Participants will also engage in conversations and experiential exercises where they will discover ways that Cognitive Biases can both help and impair our ability to make well-informed decisions and behave in ways that best serve our ability to perform at our best and act in ways that move the Court forward toward achieving its Mission.

Participants will walk away from this workshop with a better understanding of what cognitive biases are, how they work, and when the context in which they become activated. They will also leave with a “starter set” of tools and techniques they can put to work immediately to improve their awareness of biases and how to begin reducing any negative impacts they may cause.

Be Careful, Your Brain is Tricking You

(60-90-minute interactive presentation that is suitable for all Court employees)

In this neuroscience-based and evidence-back workshop, we will take a little bit deeper dive into the neuroscience of Cognitive Biases, this time from the perspective of a dichotomy between two modes of thought: "System 1" which is fast, unconscious, automatic, instinctive, and emotional and "System 2" which is slower, more deliberative, and more logical.



This program begins with a discussion focused on how our brains filter and process well over 11 million pieces of information in any given moment. We also explore how the brain uses “mental shortcuts” to perform more efficiently. We will also look at a physiological phenomena known as Automatism, Automatic Behaviors, and Automatic Cycles along with the benefits and disadvantages that may arise from these phenomena. This program also invites participants to consider the impact of mental judgments, core processes of evaluation and labelling and how these processes color reality, strengthen duality, limit reality and create conflict.

Participants will leave this interactive and experiential workshop with a deeper understanding of the neurological and physiological processes underlying cognitive and implicit biases. They will also leave with another set of tools and techniques they can put to work immediately to continue reducing any negative impacts cognitive biases can cause.

Human Dignity: The Essentials and Seeing The Dignity In Others

(A series of interactive and engaging programs developed in collaboration with Global Dignity that is suitable for everyone)

Assuring the dignity of every single person who interacts with the Court is essential to combating intolerance, injustice, and inequality. It is also critically important to the achievement of the Court’s mission of assuring the dignified and fair treatment of all parties.

What is Dignity?

Simply put, dignity is our inherent value and worth as human beings. We all matter equally, and we all deserve and have the right to be treated well and respectfully. In turn, we all have a responsibility to uphold everyone else’s dignity through our own words and actions.

Why do we teach dignity as part of our DEI Training Programs?

A deeper understanding of what dignity is and what it looks like in practice impacts the way we think about ourselves. It also affects the way we treat one another and can improve relationships at home, school, work, and in our communities.



Human Dignity: The Essentials Program

(60-minute interactive presentation that is suitable for all Court employees)

In our Human Dignity: The Essentials Program, we will provide participants with an overview of what human dignity is and why it matters. Through education, we empower people to recognize and acknowledge their own inherent dignity and respect the equal worth of all others. Only with the acknowledgment of the inherent dignity of all people, can we build cultures of dignity in our court systems, communities, schools, and workplaces. This is a critically important and yet foundational part of the pathway to developing societies that are more just, open, and peaceful.

Human Dignity: Seeing the Dignity in Others

(60-minute interactive presentation that is suitable for all Court employees)

As humans, we naturally gravitate towards people and groups that are similar to ourselves. We also tend to identify and feel more comfortable with people who share the same race, religion, nationality, sexual orientation, gender, abilities, or social status. It's easy to see people outside of our identity groups as "other," which can lead to differences in the ways people are treated by Court employees, bullying in schools and classrooms, hate speech online, and conflict and strife in our communities. But every person on the planet shares a much larger identity: as a member of the human family. Recognizing the dignity of every single person and our shared humanity is essential to creating a more just and peaceful world.

The goal of this workshop is to help participants understand the meaning and importance of dignity, how it impacts the way we think about ourselves, and how it affects the way we treat one another. Dignity is a simple yet incredibly transformational concept. When a person truly believes in their worth and unique strengths—their dignity—they have the confidence to transcend challenges and find their voice, sense of purpose, and potential.

During the workshop, participants will be introduced to the powerful concept of dignity and share personal dignity stories—the most engaging and impactful way we have found to get to the heart of what dignity is all about. Participants will also be introduced to the fundamental human needs that have been identified by psychologists. Understanding these needs helps participants develop a deeper



sense of dignity, the Cultural Assessments and values identified in those assessments.

Encouraging One Another With Authentic Appreciation

(60-90-minute interactive presentation that is suitable for all Court employees)

All Court employees appreciate their colleagues and team members, right? If you're anything like most attorneys, court staff and judges we work with, your answer is likely, "Of course we do!" Even if that is your answer, an extremely important follow up question must also be asked, "but, do the people you work with and interact with feel appreciated?" What impact would it have on the Court system overall if your employees felt like they truly mattered, were truly valued and deeply appreciated?

Research shows that when people don't feel valued and appreciated, they seek other employment opportunities, they disengage, and they discourage people around them. Thus, showing appreciation is vitally important for the culture and performance of your organization.

So, how do we improve the disconnect between your appreciation and your team members feeling appreciated? It starts with understanding that each person has unique preferences for how their manager and their colleagues communicate their appreciation in a meaningful way.

Based on the principles of "The 5 Languages of Appreciation at Work," this presentation will help you and your employees understand how authentic appreciation can facilitate the creation of a positive work environment and enhance employee loyalty and engagement. You will leave this presentation equipped and motivated to make a positive and appreciative difference in your team, organization and all the people who interact with the Court system.

The Importance of Diversity and Inclusion Within the District Court

(A multi-session series of interactive workshops that are suitable for all Court employees)

By this time in the engagement, we will have laid the foundation for the Court's employees to have a good understanding of the neuroscience of biases and how they show up for everyone. They will have also been introduced to the concept of human dignity, and appreciation and how they can see the dignity in others and how to show appreciation in ways that truly make others feel deeply appreciated. Ideally, with all this foundational knowledge, the participants are now opened up to moving deeper into Diversity and Inclusion training without a great deal of



resistance and with a good amount of participant engagement and momentum in the training program. So, now we will begin to take a deeper dive into the importance of diversity and inclusion in the Court system.

The management of diversity and inclusion has evolved from a focus on just legal compliance to a strategic-level effort with a demonstrated positive impact on an organization's performance. While diversifying your workforce is a good first step, diversity alone is not enough to achieve most organizations' business objectives, including the Court's Mission. In the current legal and business climates, organizations that strive for both diversity and inclusion are achieving improved business results. This program provides the proof that diversity and inclusion are much more than a legal or moral requirement; improving the diversity and inclusion within an organization is also required to achieve a Mission.

This program provides an overview of the evolution of the management of diversity and inclusion and presents targeted and high-involvement diversity practices. It examines diversity in the contexts of teams and leaders, and it frames diversity in terms of current legal, business, and cultural challenges.

During this program, participants will complete a project where they identify sources of inclusion, align inclusion to improve employee engagement and business results, and determine methods to assess the effectiveness of inclusion initiatives. At the end of the program, participants will use the results from the project to prepare a final report describing how to apply their work to your organization.

This program will take place over the course of multiple sessions.

Benefits to the Participants and Organization:

- Learn to distinguish the differences between diversity and inclusion
- Assess stereotypes and prejudices that may influence behavior in workgroups
- Describe methods to reduce prejudice and improve psychological safety in workgroups
- Assess the three sources of inclusion in a workplace (organizational, workgroup, and immediate supervisor)



Realizing Full and Equal Participation for All: Transcending Legal and Regulatory Requirements

(60-minute interactive presentation that is suitable for all Court employees)

When people think and talk about DEI issues, there is one population of people who are often forgotten about or overlooked. With approximately 40 million Americans reporting some type of disability, court systems interact with individuals with disabilities daily. This includes defendants, lawyers, judges, clerks, jurors, and anyone else attending to the business of or interacting with the Court. Despite federal civil rights laws like the Americans with Disabilities Act, significant barriers still exist including failing to provide timely accommodations for defendants like sign language interpreters, burdensome policies and process, and in-accessible jury boxes. One of the most significant barriers remains a lack of disability awareness and an understanding about how to work with those with disabilities.

One reason for the ongoing barriers is most of our society views disabilities through a singular lens. Thus, failing to recognize that one's identity consists of a combination of personal and social identities such as race, gender, culture, and the impact of these intersecting identities.

This presentation will focus on how increased disability awareness and an understanding of the intersectionality of disabilities and other social identities can help address barriers to equal access, inclusion, and the dignified and fair treatment of all people in the Court's systems.

Developing Your Cultural Intelligence

(Multi-session Interactive Program suitable for all Court employees)

Our Developing Cultural Intelligence ("CQ") workshop program goes beyond cultural awareness and cultural competence up to the next level - Cultural Intelligence. We do this by utilizing peer-reviewed research and recognized methods to build an individual's CQ. Cultural awareness is an umbrella term that refers to one's ability to understand, appreciate, and interact with people from different cultural backgrounds. There are more than 30 cultural competence models, which include over 300 concepts ranging from personal characteristics (e.g., extrovert vs. introvert) to attitudes and beliefs.



Cultural Intelligence, although drawing from many of the valuable insights provided from the cultural competence models differs in the following key areas.

Form of Intelligence

CQ draws from the rich history of intelligence research. Indeed, it is included in the Cambridge Handbook of Intelligence, along with other research base forms of intelligence like emotional and social intelligence. Cultural Intelligence takes over where emotional and practical intelligence leave off. It allows one to develop and apply their interpersonal and problem-solving skills when working in culturally diverse situations. Since it's a learned form of intelligence, it's something that people can apply to any culturally diverse situation rather than thinking they have to relearn how to behave in every new situation that arises.

Coherent Framework

The second way that cultural intelligence differs from many cultural competency theories is the coherent framework upon which the model is based. The four capabilities of CQ provide a coherent way to measure and apply CQ. This is a much more practical approach than using a long list of competencies that mix together personality traits, attitudes, and learned capabilities. The four capabilities of intelligence (motivation, cognition, metacognition, and behavior) are interrelated, whatever the form of intelligence. A person who knows how to relate interpersonally but has no desire to do so won't function in a socially intelligent way. Likewise, an individual who can deeply analyze a practical situation but can't actually solve it in real life, doesn't have much practical intelligence.

The coherent model underlying Cultural Intelligence offers a culture general approach, a need identified in a variety of studies of global magnitude. The primary emphasis of the cultural intelligence approach is to develop a skill set that can be applied to all kinds of cultural situations. Moreover, part of being more culturally intelligent is embracing the idea that cross-cultural conflict is inevitable, and the model provides an opportunity for personal and professional growth and conflict resolution.

CQ Predicts Performance

Understanding one's "intellectual capital" or level of "ethnocentrism" dimensions measured on some other intellectual assessments can be interesting insights. There's little reliable evidence, however, that these measures by themselves



predict a person or leader's intercultural performance. On the other hand, the four capabilities of cultural intelligence can be mapped to specific outcomes, and there are hundreds of peer-reviewed studies to support this conclusion.

Developmental Approach

Another primary emphasis of cultural intelligence is that through learning and interventions, everyone can become more culturally intelligent. Just because someone might have a natural talent in adjusting his or her behavior for cross-cultural situations, that is no guarantee that the person will be culturally intelligent. Just like possessing genetics that are good for long distance running doesn't mean someone who never exercises can expect to become a marathon runner. The same thing applies to someone naturally disposed toward openness who has to develop that trait in order to become more culturally intelligent. As one of the contemporary forms of intelligence, cultural intelligence is more focused on nurture than nature. Through training, experience, and accountability, anyone can improve his or her CQ, and increased CQ leads to more effective cross-cultural connections and improved personal and professional relationships.

The program is for individuals and organizations seeking proven strategies for optimizing their position as both local and globally connected citizens. This blended-learning program will benefit anyone who interacts with different cultures, whether multinational, generational, ethnic, or even organizational cultures within a workplace.

Course participants will learn about their own level of cultural intelligence and the four capabilities of CQ: CQ Drive, CQ Knowledge, CQ Action, and CQ Strategy.

Workshop Objectives

This program will introduce participants to cultural intelligence and equip them with strategies for applying it to any multicultural context. The overall objective is to improve intercultural performance.

Program Learning Outcomes

- Self-awareness of how culture influences your interactions with others
- Understanding how to develop and apply CQ in yourself and others
- Effectiveness working with multicultural colleagues and customers



Nurturing an Inclusive Climate: Leaders Shifting from Learning to Doing
(Multi-session Interactive Program for Team Leaders/Managers, etc.)

Inclusion is a relational construct. It's ultimately about how your team functions and performs based on the quality of social connections, openness to learning, agility, and depth of decision-making. In this program, we focus on how team leaders and managers can foster greater inclusion within their work group. Throughout this program, participants will be asked to reflect upon their own experiences and apply the lessons in their role as team leaders or managers.

Participants will examine the concept of climate, specifically inclusive climates, and look at their role as a leader. Research shows that the inclusion experienced by employees can vary from team to team within the same organization. Climate is significantly influenced by the leader of a team. Participants will also examine in greater detail the specific behaviors and skills they need to demonstrate in order to be successful in shaping an inclusive climate.

The goal of this program is to help participants become more effective leaders by teaching them what they need to know to shape an inclusive climate. Workgroup climate is important because it's what impacts employees' behaviors. Court employees' behavior in turn impacts the inclusiveness of the workplace and the way people interacting with the Court perceive the fairness of the Court system.

Climate, and therefore behavior, can be changed to produce dramatic results. In this program, we'll approach the concept of inclusive leadership, not so much as a set of traits, but rather as a process. A process of deliberately and continually assessing, articulating, role-modelling, and reinforcing inclusion standards. Research suggests that adults learn best from personal experiences and reflection based on those experiences. Like all our programs, this program is highly interactive, experiential, and engaging.

Implicit Bias and Judges

(60-minute interactive presentation developed in collaboration with the American Bar Association that is suitable for all the Court's Judges)

We all have biases. Every one of us. This program (like the others we offer) is not a finger pointing expedition. Instead, we share with participants evidence



from the field of neuroscience and offer you strategies to assist you in finding the implicit biases hidden within you to help you reduce their harmful effects. As judges learn more about how these biases work in society and in your life, they will not only become more mindful and deliberate in their decision-making, but they will also become better able to help others in the legal profession with whom they interact regularly, including court personnel, law clerks, officers of the court, lawyers, parties to litigation, witnesses, and jurors.

Implicit biases are unwitting and unconscious cognitions that include stereotypes, beliefs, attitudes, intuitions, gut feelings, and related intangibles that we categorize in our brains—without conscious effort - in a mere fraction of a second. For instance, if we think that a particular category of human beings is frail—the IAT (Implicit Association Test) indicates that many of us categorize the elderly in this way — we will not raise our guard around them. That is a stereotype in action. If we identify someone as having graduated from our beloved alma mater, we will feel more at ease—that is an attitude in action.

Your ever-efficient brain automatically organizes all of the information it receives and places the information into cognitive boxes, shorthand, or schemas, if you will. A more colloquial way to think of a schema is the aforementioned “stereotype,” though the two terms are not entirely interchangeable.

Consider some of the data collected about what many people think when they see an Asian male. The data shows that many people believe Asians and Asian-Americans are extremely smart, excellent students, excellent in mathematics, and pretty good at some martial arts; play, well, some musical instruments; and are also really polite, kind, and shy—in other words, the model minority. These labels have implicit origins. Based on information that we are fed in society through television, movies, the media, work, and social exposures, our mind quickly creates schemas and puts these associations into a box. These social schemas form based on everything that we’ve ever consciously and unconsciously seen and heard. So, when we see an Asian male, we immediately think of many of the characteristics and adjectives referenced above even though we do not personally know that individual. These judgments, assumptions, and attitudes require no contemplative, deliberate thought. It just happens.

Social scientists categorize our dual ways of thinking into two systems: System 1 and System 2. System 1 is the unconscious mode, which helps us make snap judgments and is where our schemas live. System 2 is our deliberative mind, i.e., the conscious mode that is active in explicit biases. The focus of this program is



to get you more conscious of System 1, that place where (as it turns out, contrary to what most of us believe) 90 percent of your mind operates.

In a similar vein, we also must think about coded words and microaggressions. Take coded language, for example. It is not uncommon for women to be referred to as aggressive or bossy, characteristics viewed positively with male employees but considered negatively with female employees. Is the woman “opinionated” or “sassy”? Why? And why are men not ever similarly categorized?

Consider some race-related terms and words. Inner city and urban education are terms most quickly associated with predominantly black, brown, and poor areas. “Thugs” is a word almost exclusively used in connection with black men.

Microaggression is another type of behaviour the ABA is hopeful that this program will help reduce and ideally eliminate. Microaggressions are “commonplace daily indignities, whether intentional or unintentional, that communicate racial slights and insults towards [minorities].” Studies have shown that the recipients of microaggressions experience greater degrees of loneliness, anger, depression, and anxiety.

There are many examples of microaggressions in daily life, some of which include assuming that a black student in an elite school is there because of affirmative action, confusing black attorneys for court staff or defendants, telling an LGBTQ+ person that s/he does not “look like” an LGBTQ+ person, telling a black person that s/he is “articulate,” touching someone else’s hair without permission, asking people of color where they are from, and assuming that all Asian-Americans are Chinese and/or speak an Asian language. An attempt to be aware of microaggressions and taking a thoughtful approach to language when speaking with minority groups are part of this process of consciousness raising, education, and correction.

This program is designed to help with all these areas. It includes a PowerPoint presentation that focuses on the goals. It also includes a video, (only 10 to 12 minutes long), designed to allow you to hear from experts and others who perform the very same role that you do in the judicial system. Implicit biases are analysed in the video; and others, whether judge, prosecutor, or public defender, share their own implicit biases and strategies for how they work to be continually mindful of them to interrupt them.

Finally, this program contains a comprehensive bibliography and resource list, including a large category of books, articles, and websites that focus on implicit



bias generally for those who want to learn more about this fascinating social science; material specifically addressed to judges; material specifically addressed to prosecutors; and material specifically addressed to defenders. Thus, this program equips judges to become champions for creating increased inclusion throughout the judicial system.

Whether you are a judge, a prosecutor, or a defender, we hope that you find this program a worthwhile investment of your valuable time.

Diversity and inclusion work is fascinating, yet challenging work. It is not rocket science, but because biases are woven into our DNA, it will require great determination and conscious effort to catch assumptions that are made extremely quickly and applied automatically. The Implicit Bias for Judges program will reveal the benefits of deliberation, i.e., slowing down to take a few extra moments to focus on the person in front of you before making decisions that may affect that person for the remainder of their life.

We are confident that you will not only learn about that stranger that lives within you, but also actually enjoy the materials contained in this program and this journey toward the elimination of bias.

The Values Work

As we navigate our way through the workshops, we will also be engaging in exercises designed to get people thinking about and talking about their personal values, the current values they see in the workplace culture (along with the espoused values) and the desired cultural values employees would like to see in the organization.

This work is going to help both employees and team leaders start to understand themselves, why they do what they do and why they feel how they feel about their work, the work culture and the people they interact with as part of the Court system. It will also allow us to discover where employee values are either aligned with or misaligned with the Court's Mission and operating systems. All of this will help create a framework into which the Court, its leaders and employees can start to live into, become accountable for, measure and manage.



Small Group Sessions

Once we get the result back from the CVA, we will meet again to review and unpack those results. (Please plan about 60 - 120 minutes for this review and unpacking)

From this session, we will gain additional clarity about what our specific ongoing issues are and where we can make the biggest improvements. Based on these insights, we will co-create a next steps implementation plan for a series of small group sessions.

Next, I/we will begin meeting with team leaders to start conversations regarding the findings from the CVA and designing next steps to address the issues and move each team unit in the direction of achieving our goal of creating climate and cultural improvements.

To successfully implement a cultural change process, four conditions must be met:

1. *Personal Alignment:* There must be alignment between the values and beliefs of individuals and their words, actions and behaviors. This is particularly important for leaders, managers and supervisors. They must be authentic and walk their talk. If they say one thing and do another, there will be trust issues within the organization.
2. *Structural Alignment:* There must be alignment between the stated values and beliefs of the organization as expressed in the espoused values, vision and mission and the behaviors of the organization as reflected in the systems, structures, processes, policies, and procedures of the organization. In other words, the organization must also walk the talk.
3. *Values Alignment:* There must be alignment of the personal values of the employees and the lived values of the organization. Employees need to feel at home within the organization so that they can unleash their full human potential at work. To achieve this, employees must have a sense of autonomy, equality, accountability, fairness, openness, transparency and trust.
4. *Mission Alignment:* There must be alignment between employees' sense of purpose or vocation and the role and duties they are asked to perform. The level of job complexity must also be in alignment with employees' level of personal development and employees must have a sense that the organization is on the right track.



Cultural change in the Court may require a shift in the values and beliefs of the leaders, managers, and supervisors. When the values and beliefs of the leaders, managers and supervisors change, their actions and behaviors will change. When their actions and behaviors change, this shift leads to a change in the values and beliefs of the organization and direct improvements in performance.

Making these shifts will likely involve at least the following to two steps. First, providing either some 1:1 or small group (or perhaps both in some instances) leadership coaching and training for team leaders, managers and supervisors. Second, following up with the team leaders, managers and supervisors and/or their teams to introduce ways they can implement changes to move toward values alignment and mission alignment and reduce any Personal Entropy of the team leaders, managers and supervisors. This reduction in Personal Entropy will help reduce Cultural Entropy.

We will also need to provide ongoing monitoring to assess progress and provide additional coaching and training as needed to maintain momentum and quickly address any problems that may arise in implementing the changes that may create additional entropy if left unchecked.

Measures of Success – Assessments

What gets measured, gets monitored and improved. So, we propose the use of two assessments (the Cultural Values Assessment (“CVA”) and the Cultural Intelligence Pro Assessment (“CQ Pro”) to determine where we begin this engagement and measure the progress we make. We will also recommend that participants complete a third assessment (the Harvard Implicit Bias Association Tests) for their own information regarding any implicit biases they may be subject to. While we will not suggest that the results from this assessment be shared with other participants (although they may be shared should the participants choose to do so), it will help educate the participants about and help them measure their own personal implicit biases.

Cultural Values Assessment

The Culture Values Assessment provides a comprehensive diagnostic of the culture of your organization by asking your employees three simple questions. It takes only about 15 minutes to complete. Furthermore, upon completion of the assessment, you can receive reports for any demographic grouping you care to list. Our flagship Cultural Values Assessment, used by over 6,000 organizations, enables you to do all of this.



Benefits Of the Cultural Assessment

- The Culture Values Assessment provides you with a detailed understanding of the personal motivations of employees, their experience within your organization, and the direction the organization should be heading.
- The results can generate deep, meaningful conversations about the purpose, priorities, and strategy of the organization and the well-being of all stakeholders.
- It provides a road map for achieving high performance, full-spectrum resilience, and sustainability.

Cultural Intelligence Pro Assessment

CQ Pro Assessment: This tool is designed to assess the four factors and 13 sub dimensions of Cultural Intelligence (CQ) as well as individual cultural value orientations. Personalized feedback reports compare CQ scores with the worldwide norms, provide personal preferences on each of the 10 cultural values and include a personalized development plan.

The CQ Pro Assessment measures an individual's capability for working and relating across cultures by measuring skills in four distinct areas:

1. CQ Drive: Level of interest, persistence, and confidence during multicultural interactions.
2. CQ Knowledge: Understanding about how cultures are similar and different.
3. CQ Strategy: Awareness and ability to plan for multicultural interactions.
4. CQ Action: Ability to adapt when relating and working in multicultural contexts.

In addition, the CQ Pro Assessment provides individuals with a mapping of their preferences on 10 cultural values.

1. Individualism vs. Collectivism
2. Low vs. High Power Distance
3. Low vs. High Uncertainty Avoidance
4. Cooperative vs. Competitive
5. Short Term vs. Long Term
6. Direct vs. Indirect
7. Being vs. Doing



8. Universalism vs. Particularism
9. Non-Expressive vs. Expressive
10. Linear vs. Non-Linear

The Personal Feedback Report includes:

- Self-Ratings & Norms for the 4 CQ Capabilities
- Self-Ratings & Norms for the 13 CQ Sub-dimensions
- Development & Action Plan
- Personal Cultural Value Preferences

Harvard Implicit Bias Tests: Implicit Association Tests (“IATs”)

Psychologists at Harvard, the University of Virginia, and the University of Washington created "Project Implicit" to develop Implicit Association Tests or IATs—to help educate the public about and help them measure these implicit biases. The IAT tests are anonymous complimentary tools that can be used to examine your own potential biases in many areas, such as, race, gender, ethnicity, overweight, age, religion, disability, and sexual orientation.

Once our biases are identified, we have awareness of and can begin to employ best practices and techniques and interrupt any negative impact caused by such biases.

We will know we're successful when the following are manifest:

- There is an increased awareness of Cognitive Biases, including implicit bias and unconscious bias, and how Cognitive Biases impact Court employees' decision-making and behaviours.
- There is an increase in the Cultural Awareness of the Court's employees.
- There is a measurable increase in the Cultural Intelligence of the Court's employees.
- There is increased awareness regarding the impact of treating people with dignity.
- There is increased awareness regarding how disabilities impact a person's interactions with the Court
- There are observable changes in behaviours to improve Diversity, Equity, and Inclusion within the Court
- There is an improvement in the overall culture of the Court.



Timing

I am available to start working with you beginning as early as January 2022. Currently, I have two other engagements booked and confirmed during that month, one running from January 8 - 15, 2022 and the second on January 18-19th. I'm also participating in a panel discussion regarding how we can do a better job of diversifying the legal profession on January 25th. Otherwise, currently I have a fair amount of flexibility in my schedule in January and during the remainder of 2022. Having said that, if things continue as they are now, I anticipate booking more engagements throughout the year.

Creating cultural transformation and behavioural changes takes time, patience, and commitment. I suggest a one-year-long engagement, after which we evaluate overall progress considering the above and make an assessment as to what, if any, further assistance is necessary.

Joint Accountabilities

I would work directly with Judge Williams, Zana Molina and anyone else designated by the Court in conjunction with the project so that the assessments, interventions, and training programs I'm involved in can be scheduled and delivered in their entirety to your employees. Collectively, we would make determinations during the initial 90 days and then again throughout the engagement as to whether some of the objectives and interventions require more emphasis than others, and/or whether new needs arise that were unanticipated. If collectively we find this to be the case, we would adjust our efforts accordingly.

Terms and Conditions

My fees are always based upon the project, and never upon time units. That way you're encouraged to call upon me without worrying about a meeting running too long or a training session going over the scheduled time. This type of fee arrangement will also allow me to suggest additional areas of focus without concern about increasing your investment. As I indicated during my conversations with Judge Williams and Ms. Molina, a strong motivation for me to accept this engagement is my desire to help the Court achieve its objectives, especially considering that Ms. Molina is one of my students at the law school.

The normal fee for an engagement of this scope would be \$45,000.00. Considering that Ms. Molina is one of my students and my strong desire to



support Judge Williams in successfully leading this initiative, I would discount the fee down to \$30,000 payable in two instalments. The first payment would be due within 30 days of the acceptance of this proposal. If you choose to pay the entire amount at the outset, I'm happy to provide an additional 10% reduction in the total fee. Expenses are billed as actually occurred at the conclusion of each month and are payable upon receipt of our statement.

As I said to Judge Williams during our conversations, I do not want to let money stand in the way of us working together on this important project. Thus, if the proposed fee is not within your budget, let's convene another conversation to arrive at a fee that we find mutually agreeable.

At the end of the one-year engagement, we would make a joint evaluation as to whether to continue the relationship and, if so, under what conditions.

Acceptance

Your signature below indicates acceptance of this proposal and its terms.

This proposal is accepted and forms an agreement between the Pierce County District Court (You) and Preeminence Consulting, Ltd. (I/Us) as represented by Rick Petry.

For Preeminence Consulting, Ltd.
Rick Petry
President/CEO
Dated: December 24, 2021

For _____
By _____
Its _____
Dated: _____

To: Judge Charles Short, DMCJA President, and the DMCJA Board
From: Judge Jeffrey D. Goodwin, DMCJA Rules Committee Chair
RE: Recommendation re: Amendments to GR 11.3
Recommendation: Oppose and Offer Alternative
Date: 26 Jan 2022

Preliminarily, I offer my condolences to readers due to the length of this memorandum. This rules proposal from the Supreme Court Interpreter Commission requires significant editing. Unfortunately, this proposal was not submitted to the SCJA, DMCJA, and WSBA for vetting as required by GR 9(f)(2) before being sent for comment. A number of these issues could have been corrected had that occurred.

The Interpreter Commission has proposed amendments to GR 11.3. The current version of GR 11.3 was adopted in December 2020 without any opportunity for public comment. That new version of the rule was so problematic that, as DMCJA Rules Chair, I wrote to the Interpreter Commission and identified multiple issues with the rule. I subsequently attended several Interpreter Commission meetings to discuss DMCJA's concerns, requested revisions, and requested an opportunity for public comment. The Commission has now proposed a new version of GR 11.3 that, while correcting some of the deficiencies the DMCJA Rules Committee identified, still contains several unworkable provisions.

DMCJA Rules has recommendations for changes to most of the Interpreter Commission proposals and also recommends deleting all of the proposed comments. For ease of comparison, I have included a non-redline (or clean) text of the Interpreter Commission proposals followed by the DMCJA recommendations for alternative language. I have also attached the GR 9 cover sheet and the Interpreter Commission proposed edits, and a redline version of the DMCJA Rules' proposals.

(a) When may the interpreter appear remotely?

1. Interpreter Commission Proposal

(a) Interpreters may be appointed to provide interpretation via audio only or audio-visual communication platforms for non-evidentiary proceedings. For evidentiary proceedings, the interpreter shall appear in person unless the court makes a good cause finding that an in-person interpreter is not practicable. The court shall make a preliminary determination on the record, on the basis of the testimony of the person utilizing the interpreter services, of the person's ability to participate via remote interpretation services.

2. DMCJA Rules Committee Proposal

(a) Interpreters may appear remotely unless a court order or local rule requires an in-person appearance

Section (a) of GR 11.3 attempts to identify when the interpreter may appear remotely and when they must appear in-person. Under the amended section, interpreters must appear in person for evidentiary hearings, but may otherwise appear remotely. This distinction is completely unworkable for courts of limited jurisdiction. In order for interpretation process to be effective, the interpreter and the person using interpreter services should be using the same medium – either both in person- or both remote.

This proposal seems to be based upon a premise that the person needing interpreter services will always appear in person for evidentiary proceedings. This proposal focuses on the location of the interpreter without any regard for how the person using interpreter services is appearing. Additionally, drawing a distinction between evidentiary and non-evidentiary is nebulous. For example, many courts allow remote appearances for contested traffic hearings. These are evidentiary proceedings and the rules of evidence apply. For these hearings, having the interpreter appear remotely is the most efficient use of court resources as most defendants appear remotely as well.

Protection order hearings, including the temporary order hearing, are also evidentiary proceedings in which statutes encourage the use of remote appearances. Again, the most efficient use of court resources and effective interpretation occur when the interpreter appears remotely as well. Court staff are generally scheduling interpreters. They may not know whether a specific hearing is an evidentiary hearing or not. Also, a hearing may become ‘evidentiary’ at any point.

Courts must have the ability to determine when in-person interpreters are required. The rule also needs to allow flexibility for the needs of individual courts and for individual cases within those courts. The DMCJA Rules Committee proposed language would allow individual courts to establish when in-person interpreters were needed. Those decisions could apply to classes of cases or in specific circumstances.

There are several benefits to the DMCJA proposal. Individual courts are in the best position to know when in-person interpretation is necessary. Courts would be able to identify classes of cases, by order or local rule, that require in-person interpreters. Individual courts are also in the best position to know whether the person needing interpreter services will be appearing in person or remotely. That allows the court to better match in-person appearances with an in-person interpreter.

The language about making a record of the ability to participate in the hearing is moved to Section (c) outlining technology standards.

(b) A recitation of requirements for interpreters.

1. Interpreter Commission Proposal

(b) Chapters 2.42 and 2.43 RCW and GR 11.2 must be followed regarding the interpreter's qualifications and Code of Professional Responsibility for Judiciary Interpreters.

2. DMCJA Rules Committee Proposal

Deleted.

This section is not necessary. Those statutes and the rule apply to all proceedings involving an interpreter.

(c) Technology standards.

1. Interpreter Commission Proposal

(c) In all remote interpreting court events, both the LEP individual and the interpreter must have clear audio of all participants throughout the hearing. In video remote court events, the person with hearing loss and the interpreter must also have a clear video image of all participants throughout the hearing.

2. DMCJA Rules Committee Proposal

Courts should use technology that provides clear audio and video, where applicable, to all participants. The court shall make a preliminary determination on the record, including testimony of the person utilizing the interpreter services, of the person's ability to participate through remote interpretation services.

Section (c) outlines a requirement for quality of audio and video transmission, but could be worded clearly. The court has no control over the devices used by persons appearing remotely or any control over the quality of internet access. This version of the rule outlines the court's responsibility regarding its own technology.

(d) Unnecessary language.

1. Interpreter Commission Proposal

(d) If the telephonic or video technology does not allow simultaneous interpreting, the hearing shall be conducted to allow consecutive interpretation of all statements.

2. DMCJA Rules Committee Proposal

Deleted

This section is not needed at part of the rule.

(e) Confidential Communications

1. Interpreter Commission Proposal

(e) The court must provide a means for confidential attorney-client communications during hearings, and allow for these communications to be interpreted confidentially.

2. DMCJA Rules Committee Proposal

No suggested changes

(f) Who provides documents to the interpreter?

1. Interpreter Commission Proposal

(f) To ensure accuracy of the record, where practicable, courts should provide the following to the interpreter, electronically or by other means, in advance of the hearing, allowing the interpreter sufficient time to review the information and prepare for the hearing:

- (i) Case information and documents pertaining to the hearing.
- (ii) Names and spellings of all participants in the hearing to include but not limited to: litigants, judge, attorneys, and witnesses.
- (iii) Evidence related to the hearing, to include but not limited to: documents, photographs and images, audio and video recordings and any transcription or translations of such materials.

2. DMCJA Rules Committee Proposal

The parties may provide the following to the interpreter, electronically or by other means, in advance of the hearing, allowing the interpreter sufficient time to review the information and prepare for the hearing:

- (i) Case information and documents pertaining to the hearing.

(ii) Names and spellings of all participants in the hearing to include but not limited to: litigants, judge, attorneys, and witnesses.

(iii) Evidence related to the hearing, to include but not limited to: documents, photographs and images, audio and video recordings and any transcription or translations of such materials.

Section (f) provides that the Court should, where practicable, provide case information, names of participants and copies of any evidence related to the hearing to the interpreter in advance of the hearing. Preliminarily, CLJs seldom know the identity of the interpreter in sufficient time in advance of the hearing to send any information. Also, the court has no way to know what evidence will be used in any hearing in advance of the hearing.

If this obligation is imposed, the parties, not the court, are in the best position to know evidence they will be relying upon. The DMCJA proposal gives the parties the opportunity to submit materials to the interpreter in advance of the hearing. However, the parties face the same challenge as the court in determining the identity of the interpreter in advance of the hearing.

It is also important to note that interpreters will generally be appearing in-person for hearings that require many of the documents identified in the rule to be provided in advance. The phrase ‘To ensure accuracy of the record’ was removed as well as unnecessary.

(g) Reading of Documents for Interpretation.

1. Interpreter Commission Proposal

(g) Written documents, the content of which would normally be interpreted, must be read aloud by a person other than the interpreter to allow for full interpretation of the material by the interpreter.

2. DMCJA Rules Committee Proposal

No changes are suggested to Section (g)

(h) Audio Recordings of Interpretations

1. Interpreter Commission Proposal

(h) An audio recording shall be made of all statements made on the record during their interpretation, and the same shall be preserved. Upon the request of a party, the court may make and maintain recording of the spoken language interpretations or a video recording of the signed language interpretations made during a hearing. Any recordings permitted by this subparagraph shall be made and maintained in the same manner as other audio or video recordings of court proceedings.

2. DMCJA Rules Committee Proposal

Upon the request of a party, the court may make and maintain an audio recording of the spoken language interpretations or a video recording of the signed language interpretations made during a hearing. Any recordings permitted by this subparagraph shall be-maintained in the same manner as other recordings of court proceedings.

The first line of Section (h) states that audio recordings shall be made of all statements on the record. This is unnecessarily repetitive as CLJs already have the obligation to make and preserve an audio recording of proceedings. Rules recommends that the remainder of Section (h) be reworded for clarity.

(i) Unnecessary Language

1. Interpreter Commission Proposal

(i) When using remote interpreter services in combination with remote legal proceedings, courts should ensure the following: the LEP person or person with hearing loss is able to access the necessary technology to join the proceeding remotely; the remote technology allows for confidential attorney-client communications, or the court provides alternative means for these communications; the remote technology allows for simultaneous interpreting, or the court shall conduct the hearing using using consecutive interpretation and take measures to ensure interpretation of all statements; translated instructions on appearing remotely are provided, or alternative access to this information is provided through interpretation services; audio and video feeds are clear; and judges, court staff, attorneys, and interpreters are trained on the use of the remote platform.

2. DMCJA Rules Committee Proposal

Delete

Section (i) is unnecessary. The language in this section is a recitation of requirements and parameters already set forth in GR 11.3.

Comments

The comments to the rules are not helpful. They are all unnecessary and should be deleted.

GR 9 COVER SHEET

Washington Supreme Court General Rule (GR) 11 Court Interpreters Rule 11.3 Remote Interpretation

- (A) Name of Proponent: Washington State Supreme Court Interpreter Commission
- (B) Spokespersons: Judge Mafe Rajul, Chair, Interpreter Commission, Superior Court Judges Representative; Judge Matthew Antush, Interpreter Commission Issues Committee Chairperson, District and Municipal Court Judges Association Representative; Kristi Cruz, Attorney Representative, Interpreter Commission; Donna Walker, ASL Interpreter Representative, Interpreter Commission; Luisa Gracia Camón, Interpreter Representative, Interpreter Commission; and Diana Noman, Interpreter Representative, Interpreter Commission.

Purpose: To make amendments regarding the use of remote interpreting services during court proceedings to provide clarification, including the application of the rule to persons with hearing loss and to court participants. The suggested rule changes achieve the following:

1. It changes the title of the rule to reflect the use of a service, rather than the service itself.
2. It removes the requirement to conduct a preliminary determination for non-evidentiary hearings.
3. It removes the wording “fully and meaningfully participate,” because this language is not defined.
4. It clarifies that interpreter services must be provided to all limited English-proficient persons and persons with hearing loss involved in a legal proceeding, which may be litigants, but also parents, witnesses, guardians, observers etc.
5. The requirement to provide documents in advance to interpreters was edited to remove the requirement as it pertains to parties, while leaving in the option to provide time at the hearing for an interpreter to review documents when courts are not able to provide them in advance.
6. It clarifies the section on recordings to remove the first sentence referring to court records as that is stated in a different court Rule. The proposed edits then focus on allowing parties to request a recording of the simultaneous interpretation itself and allows for flexibility as to how a court chooses to create such a recording.

7. It inserts individual Comments to follow each rule, rather than place all the Comments at the end, which makes the intent and purpose of each individual section of the rule more closely paired to the rule language for comprehension and application.

(D) Hearing: Not recommended.

(E) Expedited Consideration: Expedited consideration is requested by the Commission.

Background Information:

Pursuant to rule GR 11.1, the Commission is charged with developing policies governing the use of signed language and spoken language interpreters. In October 2020, the Interpreter Commission submitted requested rule changes to GR 11.3, reflecting the increased use of remote interpretation due, in part, to the coronavirus pandemic. Understanding that there was an immediate need for guidance on the use of remote interpreter services, the rule changes were submitted for expedited consideration. The proposed changes were adopted by the Washington Supreme Court and went into effect on December 29, 2020. Following the adoption of changes to rule GR 11.3, the Commission received feedback from multiple sources, including comments from the District and Municipal Court Judges Association (DMCJA). The proposed changes in this packet reflect the efforts of the Commission to respond to the feedback received and to provide clarification to courts in an effort to improve access to justice.

Previously, in Section (a), the rule did not allow for the use of telephonic interpreter services in evidentiary hearings. In modernizing the rule, Section (a) allows courts to utilize remote interpreter services for evidentiary hearings but requires the court to make a preliminary determination, on the record, of the LEP person or the person with a hearing loss's ability to participate in this manner. The Commission received feedback that this preliminary determination was overly burdensome in non-evidentiary hearings. The proposed rule change modifies the rule to remove this step of the preliminary determination in non-evidentiary hearings

Additionally, the phrase, "to fully and meaningfully participate," was removed since that language is not defined and would be difficult for courts to implement. The comment acts to provide this context and rationale, without retaining the language in the rule itself.

The rule is being modified throughout to acknowledge that use of the term, "litigant," is too narrow. This change also recognizes that individuals utilizing interpreter services are not limited to this role, but also include witnesses, parents or guardians, and court observers. In most instances, the use of the term, "litigant," was expanded to incorporate this broader view except for the reference to attorney and client communications, when the use of the term litigant is appropriate.

In Section (f), the Commission received feedback that providing documents to interpreters in advance of a hearing is administratively challenging and would require additional staff resources. While the Commission understands this concern, the rule already incorporates an exception allowing courts to provide interpreters with time at the hearing to review documents in instances when providing them in advance is not practical. The Commission does recommend a rule change to remove the requirement that parties provide such documents in advance, given the difficulty in facilitating the transfer of data between parties and interpreters. The Commission is mindful that

providing interpreters with relevant documents and information in advance of a hearing, or allowing them time at the hearing to review documents, increases accuracy and efficiency in legal proceedings.

In Section (h), the proposed edit seeks to clarify that the recording is of the simultaneous interpretation, meaning the interpretation that the LEP person or person with hearing loss is receiving. The interpretation into English is already part of the official record. There are situations where it is appropriate for a party to request that a recording be made of the interpretation in the foreign spoken language or in the signed language, for issues of challenge or appeal. Because courts will have different approaches to making such a recording, the language in the section was edited to allow courts the flexibility in how they create such a recording.

In conclusion, the proposed changes will provide clarification and flexibility to Washington courts while ensuring that the use of remote interpretation services is done in a manner that provides meaningful access to LEP persons and persons with hearing loss.

GR 11.3
REMOTE INTERPRETATION INTERPRETER

~~(a) Whenever an interpreter is appointed in a legal proceeding, the interpreter shall appear in person unless the Court makes a good cause finding that an in person interpreter is not practicable, and where it will allow the users to fully and meaningfully participate in the proceedings. The court shall make a preliminary determination on the record, on the basis of testimony of the person utilizing the interpreter services, of such ability to participate and if not, the court must provide alternative access. Interpreters may be appointed to provide interpretation via audio only or audio-visual communication platforms for non-evidentiary proceedings. For evidentiary proceedings, the interpreter shall appear in person unless the court makes a good cause finding that an in-person interpreter is not practicable. The court shall make a preliminary determination on the record, on the basis of the testimony of the person utilizing the interpreter services, of the person's ability to participate via remote interpretation services.~~

Comment

~~(1) Section (a) is a significant departure from the prior court rule, which limited the use of telephonic interpreter services to nonevidentiary hearings. While remote interpretation is permissible, in-person interpreting services are the primary and preferred way of providing interpreter services for legal proceedings. Because video remote interpreting provides the participants litigants and interpreters the ability to see and hear all parties, it is more effective than telephonic interpreter services. Allowing remote interpretation for evidentiary hearings will provide flexibility to courts to create greater accessibility. However, in using this mode of delivering interpreter services, where the interpreter is remotely situated, courts must ensure that the remote interpretation is as effective and meaningful as it would be in person and that the LEP (Limited English Proficient) litigant person or person with hearing loss is provided full access to the proceedings. Interpreting in courts involves more than the communications that occur during a legal proceeding, and courts utilizing remote interpretation should develop measures to address how LEP and persons with hearing loss will have access to communications occurring outside the courtroom where the in-person interpreter would have facilitated this communication. Courts should make a preliminary determination on the record regarding the effectiveness of remote interpretation and the ability of the LEP litigant person or person with hearing loss to meaningfully participate at each occurrence because circumstances may change over time necessitating an ongoing determination that the remote interpretation is effective and enables the parties to meaningfully participate.~~

~~Interpreting in courts involves more than the communications that occur during a legal proceeding, and courts utilizing remote interpretation should develop measures to address how LEP persons and persons with hearing loss will have access to communications occurring outside the courtroom where the in-person interpreter would have facilitated this communication. Courts should make a preliminary determination on the record regarding the effectiveness of remote interpretation and the ability of the person utilizing the interpreter service to meaningfully participate at each occurrence, because circumstances may change over time necessitating an ongoing determination that the remote interpretation is effective and enables the parties to meaningfully participate.~~

~~(b) Chapters 2.42 and 2.43 RCW and GR 11.2 must be followed regarding the interpreter's qualifications and eCode of pProfessional rResponsibility for jJudiciary iInterpreters.~~

Comment

~~(2) Section (b) reinforces the requirement that interpreters appointed to appear remotely must meet the qualification standards established in RCW 2.42 and 2.43 and they must be familiar with and comply with the eCode of pProfessional rResponsibility for jJudiciary Interpreters. Courts are discouraged from using telephonic interpreter service providers who cannot meet the qualification standards outlined in RCW 2.42 and 2.43.~~

~~(c) In all remote interpreting court events, both the litigant LEP individual and the~~

interpreter must have clear audio of all participants throughout the hearing. In video remote court events, the ~~litigant~~ person with hearing loss and the interpreter must also have a clear video image of ~~the~~ all participants throughout the hearing.

Comment

(3) Section (c) discusses the importance of courts using appropriate equipment and technology when providing interpretation services through remote means. Courts should ensure that the technology provides clear audio and video, where applicable, to all participants. Because of the different technology and arrangement within a given court, audio transmissions can be interrupted by background noise or by distance from the sound equipment. This can limit the ability of the interpreter to accurately interpret. Where the ~~litigant~~ LEP person or person with hearing loss is also appearing remotely, as is contemplated in (h), courts should also ensure that the technology allows ~~litigants~~ for full access to all visual and auditory information.

When utilizing remote video interpreting for persons with hearing loss, the following performance standards must be met: real-time, full-motion video and audio over a dedicated high-speed, wide-bandwidth video connection or wireless connection that delivers high-quality video images that do not produce lags, choppy, blurry, or grainy images, or irregular pauses in communication; a sharply delineated image that is large enough to display the ~~interpreter and person using sign language's face, arms, hands, and fingers~~ the face, arms, hands, and fingers of both the interpreter and the person using sign language; and clear, audible transmission of voices.

(d) If the telephonic or video technology does not allow simultaneous interpreting, the hearing shall be conducted to allow consecutive interpretation of all statements.

(e) The court must provide a means for confidential attorney-client communications during hearings, and allow for these communications to be interpreted confidentially.

Comment

(4) Section (e) reiterates the importance of the ability of individuals to consult with their attorneys, throughout a legal proceeding. When the interpreter is appearing remotely, courts should develop practices to allow these communications to occur. At times, the court interpreter will interpret communications ~~between an LEP or Deaf litigant and an attorney~~ just before a hearing is starting, during court recesses, and at the conclusion of a hearing. These practices should be supported even when the court is using remote interpreting services.

(f) To ensure accuracy of the record, ~~the court and the parties should~~, where practicable, courts should provide the following to the interpreter, electronically or by other means, in advance of the hearing, allowing the interpreter sufficient time to review the information and prepare for the hearing:

- (i) Case information and documents pertaining to the hearing.
- (ii) Names and spellings of all participants in the hearing to include but not limited to: litigants, judge, attorneys, and witnesses.
- (iii) Evidence related to the hearing, to include but not limited to: documents, photographs and images, audio and video recordings and any transcription or translations of such materials.

(g) Written documents, the content of which would normally be interpreted, must be read aloud by a person other than the interpreter to allow for full interpretation of the material by the interpreter.

(h) An audio recording shall be made of all statements made on the record during their interpretation, and the same shall be preserved. Upon the request of a party, the court may make and maintain ~~an audio~~ recording of the spoken language interpretations or a video recording of the signed language interpretations made during a hearing. Any recordings permitted by this subparagraph shall be made and maintained in the same manner as other audio or video recordings of court proceedings. ~~This subparagraph shall not apply to court interpretations during jury discussions and deliberations.~~

Comment

(5) Section (h). For court interpreting, it is the industry standard to use simultaneous interpreting mode when the LEP or Deaf individual is not an active speaker or signer. The use of consecutive interpreting mode is the industry standard for witness testimony where the witness is themselves LEP or Deaf. This allows for the English interpretation to be on the record. This section also addresses situations where, at the request of a party, the court is to make a recording of the interpretation throughout the hearing, aside from privileged communications. If the court is not able to meet this requirement, an in-person hearing is more appropriate to allow recording of both the statements made on the record and the interpretation throughout during the hearing. Recordings shall not be made of interpretations during jury discussions and deliberations off the record.

(i) When using remote interpreter services in combination with remote legal proceedings, courts should ensure the following: the LEP person or person with hearing loss is able to access the necessary technology to join the proceeding remotely; the remote technology allows for confidential attorney-client communications, or the court provides alternative means for these communications; the remote technology allows for simultaneous interpreting, or the court shall conduct the hearing ~~using with~~ consecutive interpretation and take measures to ensure interpretation of all statements; translated instructions on appearing remotely are provided, or alternative access to this information is provided through interpretation services; audio and video feeds are clear; and judges, court staff, attorneys, and interpreters are trained on the use of the remote platform.

Comment

(56) Section (h) contemplates a situation where the legal proceeding is occurring remotely, including the interpretation. In this situation, all or most parties and participants at the hearing are appearing remotely and additional precautions regarding accessibility are warranted. This section highlights some of the additional considerations courts should make when coupling remote interpretation with a remote legal proceeding.

[Adopted effective September 1, 1994; Amended effective September 1, 2005; December 29, 2020.]

GR 11.3 - REMOTE INTERPRETATION - DMCJA Suggested Revisions to Existing Rule

~~(a) Whenever an interpreter is appointed in a legal proceeding, the interpreter shall appear in person unless the Court makes a good cause finding that an in-person interpreter is not practicable. Interpreters may appear remotely unless a court order or local rule requires an in-person appearance. and where it will allow the users to fully and meaningfully participate in the proceedings. The court shall make a preliminary determination on the record, on the basis of including testimony of the person utilizing the interpreter services, of such ability to participate and if not, the court must provide alternative access.~~

~~(b) Chapters 2.42 and 2.43 RCW and GR 11.2 must be followed regarding the interpreter's qualifications and code of professional responsibility for judiciary interpreters.~~

~~(c) In all remote interpreting court events, both the litigant and the interpreter must have clear audio of all participants throughout the hearing. In video remote court events, the and interpreter must also have a clear video image of the participants throughout the hearing. Courts should use technology that provides clear audio and video, where applicable, to all participants. The court shall make a preliminary determination on the record, including testimony of the person utilizing the interpreter services, of the person's ability to participate through remote interpretation services.~~

~~(d) If the telephonic or video technology does not allow simultaneous interpreting, the hearing shall be conducted to allow consecutive interpretation of all statements.~~

~~(e) The court must provide a means for confidential attorney-client communications during hearings and allow for these communications to be interpreted confidentially.~~

~~(f) To ensure accuracy of the record, ~~†~~The court and the parties should, where practicable, may provide the following to the interpreter, electronically or by other means, in advance of the hearing, allowing the interpreter sufficient time to review the information and prepare for the hearing:~~

~~(i) Case information and documents pertaining to the hearing.~~

~~(ii) Names and spellings of all participants in the hearing to include but not limited to: litigants, judge, attorneys, and witnesses.~~

~~(iii) Evidence related to the hearing, to include but not limited to: documents, photographs and images, audio and video recordings and any transcription or translations of such materials.~~

(g) Written documents, the content of which would normally be interpreted, must be read aloud by a person other than the interpreter to allow for full interpretation of the material by the interpreter.

~~(h) An audio recording shall be made of all statements made on the record during their interpretation, and the same shall be preserved. Upon the request of a party, the court may make and maintain an audio recording of the spoken language interpretations or a video recording of the signed language interpretations made during a hearing. Any recordings permitted by this subparagraph shall be made and maintained in the same manner as other audio or video recordings of court proceedings. This subparagraph shall not apply to court interpretations during jury discussions and deliberations.~~

~~(i) When using remote interpreter services in combination with remote legal proceedings, courts should ensure the following: the LEP person or person with hearing loss is able to access the necessary technology to join the proceeding remotely; the remote technology allows for confidential attorney-client communications, or the court provides alternative means for these communications; the remote technology allows for simultaneous interpreting, or the court shall conduct the hearing with consecutive interpretation and take measures to ensure interpretation of all statements; translated instructions on appearing remotely are provided, or alternative access to this information is provided through interpretation services; audio and video feeds are clear; and judges, court staff, attorneys, and interpreters are trained on the use of the remote platform.~~

Comments:

~~(1) Section (a) is a significant departure from prior court rule which limited the use of telephonic interpreter services to non-evidentiary hearings. While remote interpretation is permissible, in-person interpreting services are the primary and preferred way of providing interpreter services for legal proceedings. Because video remote interpreting provides the litigants and interpreters the ability to see and hear all parties, it is more effective than telephonic interpreter services. Allowing remote interpretation for evidentiary hearings will provide flexibility to courts to create greater accessibility. However, in using this mode of delivering interpreter services, where the interpreter is remotely situated, courts must ensure that the remote interpretation is as effective and meaningful as it would be in person and that the LEP litigant is provided full access to the proceedings. Interpreting in courts involves more than the communications that occur during a legal proceeding and courts utilizing remote interpretation should develop measures to address how LEP and persons with hearing loss will have access to communications occurring outside the courtroom where the in-person interpreter would have facilitated this communication. Courts should make a preliminary determination on the record regarding the effectiveness of remote interpretation and the ability of the LEP litigant to meaningfully participate at each occurrence because circumstances may change over time necessitating an ongoing determination that the remote interpretation is effective and enables the parties to meaningfully participate. Interpreting in courts involves more than the communications that occur during a legal proceeding and courts~~

~~utilizing remote interpretation should develop measures to address how LEP and persons with hearing loss will have access to communications occurring outside the courtroom where the interpreter meets the qualification standards established in RCW 2.42 and 2.43 and they must be familiar with and comply with the code of professional responsibility for judiciary interpreters. Courts are discouraged from using telephonic interpreter service providers who cannot meet the provides clear audio and video, where applicable, to all participants. Because of the different technology and arrangement within a given court, audio transmissions can be interrupted by background noise or by distance from the sound equipment. This can limit the ability of the interpreter to accurately interpret. Where the litigant is also appearing remotely, as is contemplated in (h), courts should also ensure that the technology allows litigants full access to all visual and auditory information. When utilizing remote video interpreting for persons with hearing loss, the following performance standards must be met: real time, full motion video and audio over a dedicated high speed, wide bandwidth video connection or wireless connection that delivers high quality video images that do not produce lags, choppy, blurry, or grainy images, or irregular pauses in communication; a sharply delineated image that is large enough to display the interpreter and person using sign language's face, arms, hands, and fingers; and clear, audible transmission of voices.~~

~~(4) Section (e) reiterates the importance of the ability of individuals to consult with their attorneys, throughout a legal proceeding. When the interpreter is appearing remotely, courts should develop practices to allow these communications to occur. At times, the court interpreter will interpret communications between a litigant and an attorney just before a hearing is starting, during court recesses, and at the conclusion of a hearing. These practices should be supported even when the court is using remote interpreting services.~~

~~(5) Section (h) contemplates a situation where the legal proceeding is occurring remotely, including the interpretation. In this situation, all or most parties and participants at the hearing are appearing remotely and additional precautions regarding accessibility are warranted. This section highlights some of the additional considerations courts should make when coupling remote interpretation with a remote legal proceeding.~~

~~[Adopted effective September 1, 1994; Amended effective September 1, 2005; December 29, 2020.]~~

GR 11.3 - REMOTE INTERPRETATION - CLEAN

DMCJA Suggested Revisions to Existing Rule

- (a) Interpreters may appear remotely unless a court order or local rule requires an in-person appearance.
- (b) Courts should use technology that provides clear audio and video, where applicable, to all participants. The court shall make a preliminary determination on the record, including testimony of the person utilizing the interpreter services, of the person's ability to participate through remote interpretation services.
- (c) The court must provide a means for confidential attorney-client communications during hearings and allow for these communications to be interpreted confidentially.
- (d) The parties may provide the following to the interpreter, electronically or by other means, in advance of the hearing, allowing the interpreter sufficient time to review the information and prepare for the hearing:
 - (i) Case information and documents pertaining to the hearing.
 - (ii) Names and spellings of all participants in the hearing to include but not limited to: litigants, judge, attorneys, and witnesses.
 - (iii) Evidence related to the hearing, to include but not limited to: documents, photographs and images, audio and video recordings and any transcription or translations of such materials.
- (e) Written documents, the content of which would normally be interpreted, must be read aloud by a person other than the interpreter to allow for full interpretation of the material by the interpreter.
- (f) Upon the request of a party, the court may make and maintain an audio recording of the spoken language interpretations or a video recording of the signed language interpretations made during a hearing. Any recordings permitted by this subparagraph shall be-maintained in the same manner as other recordings of court proceedings.

GR 11.3 - REMOTE INTERPRETATION - WITHOUT REDLINE

DMCJA Suggested Revisions to Existing Rule

- (a) Interpreters may appear remotely unless a court order or local rule requires an in-person appearance.
- (b) Courts should use technology that provides clear audio and video, where applicable, to all participants. The court shall make a preliminary determination on the record, including testimony of the person utilizing the interpreter services, of the person's ability to participate through remote interpretation services.
- (c) The court must provide a means for confidential attorney-client communications during hearings and allow for these communications to be interpreted confidentially.
- (d) To ensure accuracy of the record, the parties may provide the following to the interpreter, electronically or by other means, in advance of the hearing, allowing the interpreter sufficient time to review the information and prepare for the hearing:

 - (i) Case information and documents pertaining to the hearing.
 - (ii) Names and spellings of all participants in the hearing to include but not limited to: litigants, judge, attorneys, and witnesses.
 - (iii) Evidence related to the hearing, to include but not limited to: documents, photographs and images, audio and video recordings and any transcription or translations of such materials.
- (e) Written documents, the content of which would normally be interpreted, must be read aloud by a person other than the interpreter to allow for full interpretation of the material by the interpreter.
- (f) Upon the request of a party, the court may make and maintain an audio recording of the spoken language interpretations or a video recording of the signed language interpretations made during a hearing. Any recordings permitted by this subparagraph shall be-maintained in the same manner as other recordings of court proceedings.

To: Judge Charles Short, DMCJA President, and the DMCJA Board
From: Judge Jeffrey D. Goodwin, DMCJA Rules Committee Chair
RE: Recommendation re: Amendments to GR 31 and CrR 2.1
Recommendation: No Position
Date: 26 Jan 2022

The Washington State Office of Public Defense and the Minority and Justice Commission are proposing amendments to GR 31 and CrR 2.1 that would require the juvenile's initials to be used in captions, briefing, charging documents and other pleadings. This proposed amendment would not impact Courts of Limited Jurisdiction. DMCJA Rules recommends that the DMCJA Board take no position on this proposed amendment.

- A. Name of Proponent: The Washington State Office of Public Defense and the Minority and Justice Commission....
- B. Spokesperson: George Yeannakis, Office of Public Defense
- C. Purpose: Amendments to GR 31 and CrR 2.1

Introduction

These proposed amendments to GR 31, Access to Court Records, and CrR 3.2, The Indictment and the Information, aim to ensure that courts across Washington State treat juvenile records consistently, comply with the Washington State Constitution, and recognize the severe and long-lasting impact of that result from prosecuting youth in juvenile court. This is critical for all youth and particularly youth of color since we know that

[o]ne of the most consistent findings in the research on the juvenile justice system is that race matters. Race matters in Washington State just as it matters across the United States. Studies conducted in numerous states have demonstrated that race shapes decisions at various stages in the juvenile justice process, independent of the severity of the offense and of the individual's criminal history

HEATHER D. EVANS & STEVEN HERBERT, JUVENILES SENTENCED AS ADULTS IN WASHINGTON STATE, 2009-2019 (June 2021) available at https://www.opd.wa.gov/documents/00866-2021_AOCreport.pdf.

The Administrative Office of the Courts adopted a policy, after careful consideration, to not display juvenile court records on a publicly accessible website and to exclude juvenile offender court records from bulk distribution.

The Washington State Administrative Office of the Courts (AOC) tracks statewide case information and records through its Judicial Information System (JIS), ACORDS, and Odyssey. To respond to the numerous issues and policy implications of the electronic distribution of court information, the Judicial Information System Committee (JISC) established the JIS Data Dissemination Committee (JISDDC), which makes policies regarding AOC's dissemination of computer-based court records.^[1] AOC, through its JISDDC, responded to the demonstrated harms of displaying juvenile offender records publicly online and distributing juvenile offender records to large private data aggregators by imposing limits through Section V of its Data Dissemination Policy:

A. Juvenile offender court records shall be excluded from any bulk distribution of JIS records by the AOC otherwise authorized by GR 31(g), except for research purposes as permitted by statute or court rule.

B. The AOC shall not display any information from an official juvenile offender court record on a publicly-accessible website that is a statewide index of court cases.

AOC's limits were adopted after extensive discussion and consideration. These limits have been in place since 2008. However, rather than following AOC's policy limiting the display of juvenile court records on a publicly accessible website, some counties (e.g., King County through its new electronic records portal) now provide broad, online public

access to “juvenile offender cases” through a publicly accessible website. See King County Script public access search site, *available at* <https://dja-prd-ecexap1.kingcounty.gov/?q=Home>.

Immediate action is needed because the harms of available juvenile court records are acute and are intensified by displaying the youth’s full name in the case caption.

“A publicly available juvenile court record has very real and objectively observable negative consequences, including denial of ‘housing, employment, and education opportunities.’” *State v. S.J.C.*, 183 Wn.2d 408, 432, 352 P.3d 749 (2015) (quoting Laws of 2014, ch.175, § 1(1)). In public housing, a single juvenile offense might result in the entire family’s eviction. See Ashley Nellis, *Addressing the Collateral Consequences of Convictions for Young Offenders*, 35 *The Champion* 20, 23 (2011.) In addition, a juvenile court record can foreclose employment possibilities and make it harder it to obtain even a high school diploma, much less postsecondary education. See Nellis, *supra*.

In 2014, the Legislature declared that “it is the policy of the state of Washington that the interest in juvenile rehabilitation and reintegration constitutes compelling circumstances that outweigh the public interest in continued availability of juvenile court records.” Laws of 2014, ch. 175, § 1. The legislature has also provided a pathway to seal juvenile court records. RCW 13.50.260.

Washington State is one of seven states in the country that “categorically make all juvenile records public though there are exceptions even within these states. RIYA SAHA SHAH ET AL., *JUVENILE RECORDS: A NATIONAL REVIEW OF STATE LAWS ON CONFIDENTIALITY, SEALING AND EXPUNGEMENT* 15 (2014) (footnote omitted), *available at* [national-review.pdf \(jlc.org\)](http://national-review.pdf(jlc.org)). By providing online, public access to juvenile records, the harms of publicly available juvenile records are intensified and are more far reaching. That is because

[t]he emergence of the internet has enabled instant access to many digital records, and services like Intelius.com or beenverified.com make searching names cheap, quick, and easy. Moreover, some jurisdictions have cut out the middleman and have created databases to allow online searches of court records.

Judith G. McMullen, *Invisible Stripes: The Problem of Youth Criminal Records*, 27 *S. CAL. REV. OF LAW & SOC. JUST.* 1, 20–21 (2018) *available at* https://papers.ssrn.com/sol13/papers.cfm?abstract_id=3397404.

As a result, “[a]ny potential school, landlord, or employer can easily access information about a subject's contacts with the law—indeed, any curious citizen can mine this information at will.” *Id.* at 21. In addition, the sealing of juvenile court records is undermined, if not rendered useless, if a youth’s name is routinely published online. “Once information becomes publicly accessible, it cannot be made confidential again.” James Jacobs, *THE ETERNAL CRIMINAL RECORD* 22 (2015).

Action must be taken to help ensure that youth can truly have their case sealed and treated as though it never occurred so they can reach their full potential. To meet this goal, we made the following recommendations for proposed rule changes:

- Caption juvenile court cases with a youth's initials at the trial court level (as is done at the appellate level—pursuant to RAP 3.4^[2]—and in other states) in order to limit broad dissemination of a youth's involvement in juvenile court thereby enabling reintegration and rehabilitation.

The proposed amendments to GR 31(e)(1)

(1) Except as otherwise provided in GR 22, parties shall not include, and if present shall redact, the following personal identifiers from all documents filed with the court, whether filed electronically or in paper, unless necessary or otherwise ordered by the Court. (A) Social Security Numbers. If the Social Security Number of an individual must be included in a document, only the last four digits of that number shall be used. (B) Financial Account Numbers. If financial account numbers are relevant, only the last four digits shall be recited in the document. (C) Driver's License Numbers. (D) In a juvenile offender case, the parties shall caption the case using the juvenile's initials. The parties shall refer to the juvenile by their initials throughout all briefing and pleadings.

The proposed amendments to CrR 2.1(a)(2)(i)

- (i) the name, or in the case of a juvenile respondent the initials, address, date of birth, and sex of the defendant

Conclusion and request for expedited consideration

The proposed amendments to GR 31 and CrR 2.1 address the severe, long-lasting impact that access to juvenile court records causes to youth, who are disproportionately youth of color. In addition, the proposal is consistent with the appellate court rules, and we submit these proposed rule changes for expedited consideration pursuant to GR 9(e)(2)(E).

**GR 31
ACCESS TO COURT
RECORDS**

(a)-(d) [Unchanged.]

(e) Personal Identifiers Omitted or Redacted from Court Records.

(1) Except as otherwise provided in GR 22, parties shall not include, and if present shall redact, the following personal identifiers from all documents filed with the court, whether filed electronically or in paper, unless necessary or otherwise ordered by the Court.

(A)-(C) [Unchanged.]

(D) In a juvenile offender case, the parties shall caption the case using the juvenile's initials. The parties shall refer to the juvenile by their initials throughout all briefing and pleadings.

(2) [Unchanged.]

(f)-(k) [Unchanged.]

CrR 2.1
THE INDICTMENT AND THE
INFORMATION

(a) Use of Indictment or Information. The initial pleading by the State shall be an indictment or an information in all criminal proceedings filed by the prosecuting attorney.

(1) [Unchanged.]

(2) *Contents.* The indictment or the information shall contain or have attached to it the following information when filed with the court:

(i) the name, or in the case of a juvenile respondent the initials, address, date of birth, and sex of the defendant;

(ii) [Unchanged.]

(b)-(e) [Unchanged.]

To: Judge Charles Short, DMCJA President, and the DMCJA Board
From: Judge Jeffrey D. Goodwin, DMCJA Rules Committee Chair
RE: Recommendation re: Amendments to GR 31
Recommendation: No Position
Date: 26 Jan 2022

The Washington State Office of Public Defense and the Minority and Justice Commission are proposing an amendment to GR 31 that would preclude display of juvenile offender court records on public websites and preclude bulk distribution of juvenile court records. This proposed amendment would not impact Courts of Limited Jurisdiction. DMCJA Rules recommends that the DMCJA Board take no position on this proposed amendment.

GR 31 - Access to Court Records

Comments for GR 31 must be received no later than February 28, 2022.

- [Proposed Changes to GR 31 - Access to Court Records](#) (in Word Format)
- No comments are available at this time.

GR 9 COVER SHEET

- A. Name of Proponent: The Washington State Office of Public Defense and the Minority and Justice Commission....
- B. Spokesperson: George Yeannakis, Office of Public Defense
- C. Purpose: Amendment to GR 31 Access to Court Records

Introduction

These proposed amendments to GR 31, Access to Court Records, aim to ensure that courts across Washington State treat juvenile records consistently, comply with the Washington State Constitution, and recognize the severe and long-lasting impact of the electronic dissemination of a juvenile court record. This is critical for all youth and particularly youth of color since we know that

[o]ne of the most consistent findings in the research on the juvenile justice system is that race matters. Race matters in Washington State just as it matters across the United States. Studies conducted in numerous states have demonstrated that race shapes decisions at various stages in the juvenile justice process, independent of the severity of the offense and of the individual's criminal history

HEATHER D. EVANS & STEVEN HERBERT, JUVENILES SENTENCED AS ADULTS IN WASHINGTON STATE, 2009-2019 (June 2021) *available at https://www.opd.wa.gov/documents/00866-2021_AOCreport.pdf*.

The Administrative Office of the Courts adopted a policy, after careful consideration, to not display juvenile court records on a publicly accessible website and to exclude juvenile offender court records from bulk distribution.

The Washington State Administrative Office of the Courts (AOC) tracks statewide case information and records through its Judicial Information System (JIS), ACORDS, and Odyssey. To respond to the numerous issues and policy implications of the electronic distribution of court information, the Judicial Information System Committee (JISC) established the JIS Data Dissemination Committee (JISDDC), which makes policies regarding AOC's dissemination of computer-based court records.¹¹¹ AOC, through its JISDDC, responded to the demonstrated

harms of displaying juvenile offender records publicly online and distributing juvenile offender records to large private data aggregators by imposing limits through Section V of its Data Dissemination Policy:

A. Juvenile offender court records shall be excluded from any bulk distribution of JIS records by the AOC otherwise authorized by GR 31(g), except for research purposes as permitted by statute or court rule.

B. The AOC shall not display any information from an official juvenile offender court record on a publicly-accessible website that is a statewide index of court cases.

AOC's limits were adopted after extensive discussion and consideration. These limits have been in place since 2008. However, rather than following AOC's policy limiting the display of juvenile court records on a publicly accessible website, some counties (e.g. King County through its new electronic records portal) now provide broad, online public access to "juvenile offender cases" through a publicly accessible website. See King County Script public access search site, available at <https://dja-prd-ecexap1.kingcounty.gov/?q=Home>.

Immediate action is needed because the harms of available juvenile court records are acute and are intensified by display on a publicly accessible website.

"A publicly available juvenile court record has very real and objectively observable negative consequences, including denial of 'housing, employment, and education opportunities.'" (*State v. S.J.C.*, 183 Wash. 2d 408, 432, 352 P.3d 749, 761, 2015). In public housing, a single juvenile offense might result in the entire family's eviction. (See Ashley Nellis, "Addressing the Collateral Consequences of Convictions for Young Offenders," 35 THE CHAMPION 20, 23, 2011.) In addition, a juvenile court record can foreclose employment possibilities and make it harder to obtain even a high school diploma, much less post-secondary education. (See Ashley Nellis.)

In 2014, the Legislature declared that "it is the policy of the state of Washington that the interest in juvenile rehabilitation and reintegration constitutes compelling circumstances that outweigh the public interest in continued availability of juvenile court records." Laws of 2014, ch. 175, § 1. The Legislature has also provided a pathway to seal juvenile court records. RCW 13.50.260.

Washington State is one of seven states in the country that "categorically make all juvenile records public though there are exceptions even within these states. Juvenile Law Center, *JUVENILE RECORDS A National Review of State Laws on Confidentiality, Sealing and Expungement*, pg. 15 (2014) available at [national-review.pdf \(jlc.org\)](#). By providing online, public access to juvenile records, the harms of publicly available juvenile records are intensified and are more far-reaching. That's because:

the emergence of the internet has enabled instant access to many digital records, and services like Intelius.com or BeenVerified.com make searching names cheap, quick, and easy. Moreover, some jurisdictions have cut out the middleman and have created databases to allow online searches of court records. McMullen, Judith, *Invisible Stripes: The Problem of Youth Criminal Records*, 27 SOUTHERN CALIFORNIA REVIEW OF

LAW & SOCIAL JUSTICE 1 (2018) *available at* Invisible Stripes: The Problem of Youth Criminal Records by Judith G. McMullen :: SSRN (citations omitted).

As a result, “[a]ny potential school, landlord, or employer can easily access information about a subject’s contacts with the law-- indeed, any curious citizen can mine this information at will.” *Id.* In addition, the sealing of juvenile court records is undermined if not rendered useless if a youth’s name is routinely published online. “Once information becomes publicly accessible, it cannot be made confidential again.” Jacobs, James, *THE ETERNAL CRIMINAL RECORD*, at 22 (2015).

Action must be taken to help ensure that youth can truly have their case sealed and treated as though it never occurred so they can reach their full potential. To meet this goal, we made the following recommendations for suggested rule changes:

- Prevent the display of juvenile court records on a publicly accessible website
- Specifically prohibit the bulk distribution of juvenile court records.

The proposed amendments to GR 31

(d) Access.

....

(2) Information from an official juvenile offender court record shall not be displayed on a publicly accessible website. The only exception to this rule is if the website is accessed from a physical county clerk’s office location.

~~(2)~~(3) Each court by action of a majority of the judges may from time to time make and amend local rules governing access to court records not inconsistent with this rule.

~~(3)~~ (4) A fee may not be charged to view court records at the courthouse.

....

(g) Bulk Distribution of Court Records.

....

(2) Dissemination contracts shall not include the dissemination or distribution of juvenile court records.

~~(2)~~ (3) A request for bulk distribution of court records may be denied if providing the information will create an undue burden on court or court clerk operations because of the amount of equipment, materials, staff time, computer time or other resources required to satisfy the request.

~~(3)~~ (4) The use of court records, distributed in bulk form, for the purpose of commercial solicitation of individuals named in the court records is prohibited.

Conclusion and request for expedited consideration

The proposed amendments to GR 31 address the severe, long-lasting impact that access to juvenile court records, including on a publicly accessible website, causes to youth involved in the justice system, who are disproportionately youth of color.

GR 31
ACCESS TO COURT RECORDS

(a)-(c) [Unchanged.]

(d) Access.

(1) [Unchanged.]

(2) Information from an official juvenile offender court record shall not be displayed on a publicly accessible website. The only exception to this rule is if the website is accessed from a physical county clerk's office location.

~~(2)~~(3) Each court by action of a majority of the judges may from time to time make and amend local rules governing access to court records not inconsistent with this rule.

~~(3)~~(4) A fee may not be charged to view court records at the courthouse.

(e)-(f) [Unchanged.]

(g) Bulk Distribution of Court Records.

(1) [Unchanged.]

(2) Dissemination contracts shall not include the dissemination or distribution of juvenile court records.

~~(2)~~(3) A request for bulk distribution of court records may be denied if providing the information will create an undue burden on court or court clerk operations because of the amount of equipment, materials, staff time, computer time or other resources required to satisfy the request.

~~(3)~~(4) The use of court records, distributed in bulk form, for the purpose of commercial solicitation of individuals named in the court records is prohibited.

(h)-(k) [Unchanged.]

To: Judge Charles Short, DMCJA President, and the DMCJA Board
From: Judge Jeffrey D. Goodwin, DMCJA Rules Committee Chair
RE: Additional DMCJA Comment on CrRLJ 3.4
Date: 2 Feb 2022

The comment period for this DMCJA suggested change to CrRLJ 3.4 ends on February 28, 2022. There are currently comments posted from nine defense attorneys opposing the changes to the rule. The DMCJA Rules Committee believes an additional comment from the DMCJA Board is necessary because the rule is being misinterpreted.

Without exception, the commenters believe the change would require defendants to appear at more hearings than required under the existing rule. This appears to be a misreading of the proposal. While the proposal states that defendants must appear at all hearings set by the court, unless an in-person appearance is required, that appearance may be in-person, remotely, or through counsel.

This proposal, coupled with proposed amendments to CrRLJ 3.3 that would permit an attorney to sign for a pre-trial continuance on behalf of the defendant, will help facilitate appearances through counsel. The defendant is not required to make additional in-person appearances under this proposed amendment.

Some commenters are asserting that this proposal is inconsistent with *State v. Gelinis*, 15 Wn. App. 2d 484 (2020). The revisions in this rule are designed to codify the primary holding of *Gelinis* that a defendant may appear through counsel for many types of hearings and that a court of limited jurisdiction may not issue a bench warrant for the defendant's failure to personally appear when counsel is appearing on their behalf. Nothing in this proposal is inconsistent with the *Gelinis* holding.

The *Gelinis* case has resulted in a patchwork of procedures across the State for appearances in Courts of Limited Jurisdiction. This proposal provides needed clarity and guidance for the court, the defendant, and defense counsel regarding how and when the defendant appears. We continue to urge the Supreme Court Rules Committee to adopt the DMCJA proposals for CrRLJ 3.3, CrRLJ 3.4, and GR 19.

From: Thomas, Frank
Sent: Wednesday, February 2, 2022 1:59 PM
To: Oyler, Stephanie <Stephanie.oyler@courts.wa.gov>
Subject: MJC Symposium - invitation to DMCJA

Dear Stephanie,

The Minority and Justice Commission is in preparation for our Annual Symposium in June, which this year will focus on the topic of Reparations. Our hope is to secure a major national thought-leader on the topic, namely Ta-Nehisi Coates, but our expectation is that he is out of our price range. We are soliciting a number of entities, including bar associations and each of the three law schools, for parties who might be interested in co-sponsoring the event and contributing to the Keynote honorarium. If you think DMCJA might have an interest in partnering, please let me know!

We are so appreciative of the work we do alongside DMCJA every year, and we would love to continue building that partnership through DMCJA's support for this program. We understand that budgets are tight and that the Association has many other priorities, but we want to extend this invitation nonetheless. Thank you, and I look forward to hearing your response.

Best,
Frank Thomas
Minority and Justice Commission

The Supreme Court
State of Washington

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TEMPLE OF JUSTICE
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February 9, 2022

TO: Justice Barbara Madsen, Chair, JISC
Judge Tam Bui, Member Chair, BJA
Judge Rachelle Anderson, President, SCJA
Judge Charles Short, President, DMCJA
Judge Marlin J. Appelwick, Presiding Chief Judge, Court of Appeals
Judge Mary Logan, Chair, BJA Budget and Funding Committee
Judge Rebecca Robertson, Chair, BJA Policy and Planning Committee
Judge Kevin Ringus, Chair, BJA Legislative Committee
Judge Doug Fair, Co-Chair, BJA Court Education Committee
Judge Sean O'Donnell, Co-Chair, BJA Court Security Funding Task Force
Judge Rebecca Robertson, Co-Chair, BJA Court Security Funding Task Force
David Reynolds, President, WAJCA
Chris Gaddis, President, AWSCA
Brian Tollefson, President, WSBA
Kim Allen, President, WSACC
Rob Mead, State Law Librarian
Jim Bamberger, Director, OCLA
Larry Jefferson Jr., Director, OPD
Reiko Callner, Executive Director, CJC
Francis Adewale, Chair, Access to Justice Board

FROM: Steven C. González, Chief Justice

RE: 2023-25 Biennial Budget Development and Submittal

While the 2022 supplemental judicial branch budget request remains pending before the state legislature, it's time to begin the development of our branch's 2023-25 biennial budget request. I remain hopeful that the legislature will fund many of the critical items we've requested this year, and that it will continue to consider our requests in the years to come. Adequate, long-term, stable funding is something that has been a priority of ours for biennia, and we will continue advocating for that.

This year's budget development and submittal process is similar to prior years, with the exception of a new, additional step in this year's process. The overall process is designed to be transparent and inclusive, and this additional step will reinforce that goal.

A step-by-step calendar of the process is attached, but in summary:

- The process will begin with concept papers – this is a 1-2 page memo outlining a proposal with estimated costs, staffing, and any potential IT impacts. An example is attached.
- AOC will perform the initial review and make recommendations to the Budget and Funding Committee (BFC) of the Board for Judicial Administration (BJA) regarding requests for General Fund (GF) funding that flows through the AOC. The BFC will review and make recommendations to BJA, the BJA will make recommendations to the Supreme Court Budget Committee (SCBC), and the SCBC will make recommendations to the Supreme Court.
- Final decisions on which concepts become full decision packages are set by the Supreme Court.

Once final decisions are made on which concepts become decision packages, the drafting of formal decision packages will begin and the same decision-making process noted above will be performed at the end of August. The Supreme Court will consider a number of factors when deciding which decision packages to move forward to the legislature. These factors include priorities set by the BFC, recommendations made by the BJA, the current and future economic environment, constitutional and statutory requirements, and other factors.

Timelines are shorter than they appear, given all of our busy schedules. Adherence to the attached timeline is necessary to ensure that the process remains consistent and objective, ensuring that all requests forwarded to the Legislature are sound and well-vetted.

All concept papers are due by April 1. Please submit them to Christopher Stanley at Christopher.Stanley@courts.wa.gov.

Decision package templates and details regarding potential presentations before the BJA will be released at a later date.

The budget development schedule and the concept paper example can be found at the following link: https://www.courts.wa.gov/index.cfm?fa=controller.ShowPage&folder=Financial%20Services&file=2023_25BudgetInstructions

Thank you all for your continued dedication to justice and the residents of Washington. If you have questions, please feel free to contact me at (360) 357-2030 or call Christopher Stanley at (360) 357-2406.

cc: Justices of the Supreme Court
 Executive Committee, Court of Appeals
 Dawn Marie Rubio, State Court Administrator
 Christopher Stanley, Chief Financial and Management Officer
 Erin Lennon, Supreme Court Clerk
 Michael Johnston, Supreme Court Commissioner
 Sam Thompson, Reporter of Decisions

2023-2025 Biennial Budget Development, Review and Submittal Schedule

MONTH	TASK	DUE DATE
February 2022	Release message from the Chief Justice.	February 9
February 2022	Administrative Office of the Courts (AOC) distributes budget instructions to Subject Matter Experts (SMEs).	February 9
Feb - March 2022	SMEs develop Branch budget concept papers (BCPs).	Ongoing
April 2022	BCPs from Supreme Court, Law Library, Court of Appeals, and AOC due to AOC Chief Financial & Management Officer (CFMO)	April 1
April & May 2022	AOC CFMO reviews, makes recommendations on BCPs: <u>Judicial Information System Committee (JISC)</u> : IT BCPs	April 22
	<u>Budget and Funding Committee (BFC)</u> : non-IT BCPs	May 6
	<u>Board for Judicial Administration (BJA)</u> : AOC CFMO presents recommendations for non-IT BCPs.	May 20
	<u>Supreme Court Budget Committee (SCBC)</u> : AOC CFMO presents recommendations of the JISC and BJA to the Supreme Court Budget Committee (SCBC).	May 26
June 2022	<u>Admin En Banc</u> : AOC CFMO presents recommendations of the SCBC. Supreme Court decides which BCPs move forward as decision packages (DPs).	June 8
June 2022	AOC communicates decisions and provides DP instructions.	June 10
June – July 2022	SMEs submit initial DPs to AOC CFMO.	July 15
July – Sept 2022	Finalize and approve DPs: AOC initial review and edits with SMEs (rolling deadlines)	July 29-Aug 12
	AOC finalizes full package and all DPs	August 26
	BFC makes recommendations to BJA	September 9
	BJA makes recommendations to SCBC	September 16
	SCBC makes recommendations to Supreme Court	September 23
	<u>Admin En Banc</u> : AOC CFMO presents final DPs to Supreme Court which approves final budget package submission.	October 5
October 2022	Branch budget published.	October 10
January 2023	Legislature convenes.	January 9

BJA Meeting Schedule	JISC Meeting Schedule	Revenue Forecast Schedule
February 18, 2022	February 25, 2022	By February 20, 2022
March 18, 2022	April 22, 2022	N/A
May 20, 2022	N/A	N/A
June 17, 2022	June 24, 2022	By June 27, 2022
September 16, 2022	August 26, 2022	By September 27, 2022
October 21, 2022	October 28, 2022	N/A
November 18, 2022	December 2, 2022	By November 20, 2022

CONCEPT PAPER EXAMPLE
MEMO FORMAT PREFERRED

Letterhead

April 2, 2022

TO: Christopher Stanley, Chief Financial & Management Officer, AOC

FROM: Casey Doe, Puppies for Courts

RE: Concept for Judicial Branch Budget Request

Problem: Puppies have been shown to relieve stress and calm individuals in tense situations. As courts are concentrations of stress and tense situations, we believe the addition of puppies to courthouse entryways and public access areas would greatly reduce the tension Washingtonians feel as they access justice.

Proposed Solution: We would like the Administrative Office of the Courts to request \$15 million in funding for grants to trial and appellate courts across Washington for the purpose of stationing puppies and corresponding handlers in courthouses across the state. A limited pilot in three courthouses – two in western Washington and one in eastern Washington – has shown a notable decrease in incidences in courtrooms...

[data]

[argument]

[etc]

***Please limit to 1-2 pages.**
***Please note if this is one-time funding or an ongoing funding**

Estimated Staff: 1 FTE (program manager-level) at AOC to manage the program and corresponding grants.

Estimated Cost: \$15,000,000

Is there any IT component to this request (excluding typical office equipment)? No.

The Supreme Court
State of Washington

STEVEN C. GONZÁLEZ
CHIEF JUSTICE
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OLYMPIA, WASHINGTON 98504-0929



(360) 357-2030
E-MAIL J_S.GONZALEZ@COURTS.WA.GOV

January 26, 2022

Via eMail

Senator Jamie Pedersen
235 John A. Cherberg Building
PO Box 40443
Olympia, WA 98504
jamie.pedersen@leg.wa.gov

RE: One-Time Budget Requests Benefitting Washington Trial Courts

Senator Pedersen:

Last year, we wrote and communicated with leaders of the Washington State Legislature requesting between \$85 million and \$105 million of available American Rescue Plan Act relief funds to preserve access to justice during the pandemic, reduce trial court backlogs, and improve court technology. Unfortunately, we were entirely unsuccessful in our request. Since that time, the U.S. Department of Treasury issued a final rule (effective April 1, 2022) on the use of State and Local Fiscal Recovery Funds that explicitly permits such funding to be used to assist state courts affected by the pandemic.¹

Given the unprecedented surplus at the legislature's discretion this year, we are proposing \$80.6 million in specific investments in the same three areas for which we've previously requested support.

First, we want to highlight certain existing budget requests from the Administrative Office of the Courts that are both one-time and benefit Washington's trial courts. These packages are not part of the \$78.4 million proposal, but are part of our original budget request that represents our most critical needs.

- **Secure Washington's Courts: \$4.9 million**
 - The total requested across three different packages is \$4.9 million, the one-time purchase that directly benefits trial courts is the \$1,636,000 requested for equipment purchases. Please note, however, that this equipment requires the staffing component of the packages to make it work.

¹ See <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule.pdf>.

- **Blake Scheduling Coordinator/Referee: \$314,000**
 - This is a one-time request to hire a scheduling referee and administrative support to coordinate with trial courts in vacating and resentencing *Blake*-related convictions of individuals currently in DOC custody.
- **Restoring the Judicial Information Systems Account: \$16.8 million**
 - This request preserves the funding source of the court system's IT infrastructure. The largest project currently underway, and at the greatest risk in the current shortfall, is the new case management system for courts of limited jurisdiction. The pandemic has severely cut the revenue stream of infraction fines and fees that fund the account, and a one-time infusion of General Fund-State will preserve the critical work currently underway for the direct benefit of trial courts.

At your suggestion, we have considered additional items that would be an opportunity for investment by the legislature to continue to preserve access to justice, reduce trial court backlogs, and improve court technology. While individual court levels submitted specific requests, we have summarized these requests into succinct and scalable packages for your consideration. These items follow:

- **Supplemental COVID Impact Support: \$15 million**
 - AOC distributed approximately \$15 million in CARES Act funding over the past year and a half to reimburse courts for emergency expenses related to the pandemic. These reimbursements directly aided trial courts in continuing jury trials and keeping all individuals safe when accessing the justice system.
 - AOC is requesting an additional \$15 million in funding to distribute to trial courts that continue to incur costs related to keeping Washingtonians safe as they access justice. While this request is scalable, in just two short weeks at the mere suggestion that additional funds might be available to aid trial courts, requests came in totaling over \$4.2 million.
- **Reduce and Eliminate Trial Court Backlogs: \$29.8 million**
 - Two strategies that have successfully reduced backlogs in courts around the state are dedicated staff (such as pro tempore judges and backlog coordinators) that assist courts with processing caseloads and dedicated staff to provide assistance to pro se litigants.
 - AOC is requesting \$8.2 million for up to 20 pro tempore judges and 40 backlog coordinators to be assigned across the state in courts with substantial backlogs. Pro tempore judges average \$110,000 each per year and backlog coordinators are estimated to cost \$150,000 each per year. This request is scalable.
 - AOC, on behalf of the Superior Court Judges' Association, is requesting \$11.8 million to establish five pilot self-help centers across Washington and to deploy up to 84 remote protection advocates and courthouse facilitators to be placed across the state to assist pro se litigants in family law cases or those that need assistance filing protection orders. These staff are estimated to cost \$125,000 each, and this request is scalable.
 - Engrossed Second Substitute Senate Bill 5160 created the Eviction Resolution Pilot Program (ERPP) to stabilize housing for thousands of Washingtonians that had fallen behind on rent during the pandemic. While over 7300 families have been

served to-date, the demand is far greater than the original \$4.3M annual budget can serve. By diverting these potential cases to a highly successful mediation model (ERPP has a *91 percent* agreement rate), we can prevent thousands of cases from entering the court system and adding to the current backlog of cases.

- AOC is requesting, on behalf of Resolution Washington, an additional \$1.9M in the current fiscal year (FY22) and \$3.7M in the next fiscal year (FY23) to meet this increased demand.
- In addition to AOC's request, the Office of Civil Legal Aid requests \$2 million to provide additional legal assistance through local Housing Justice Projects.
- As part of reducing the sizeable backlog created by the COVID-19 pandemic, the Office of Public Defense also needs additional funds to implement a restorative justice pilot project. This pilot not only diverts certain cases out of the trial court caseload, but increases defense resources for indigent clients, and adds resources for coordinating with educational providers and community organizations to increase individuals' chances for success.
 - OPD is requesting \$2.2 million for approximately four pilot projects around the state, averaging about \$620,000 per project.
- **Improve Court and Courtroom Technology: \$30.4 million**
 - The development of the new case management system for courts of limited jurisdiction is currently at the mercy of the uncertain funding stream of fines and fees that feed the Judicial Information Systems (JIS) Account. Fully funding the development of this system with a \$25.4 million deposit of General Fund dollars to the JIS Account would guarantee the timely completion of the system, along with several integrations that have been requested by these trial courts. The system itself is \$22.4 million and the integrations are estimated at approximately \$3 million.
 - In order to function during the pandemic, courts have been forced to operate largely on a remote basis, utilizing the same basic tools that we have all used to keep operating during these unprecedented times. Unfortunately, these changes have been largely haphazard and courtrooms have essentially pieced together the necessary items to function remotely.
 - AOC is requesting \$5 million for audio/visual upgrades of 100 courtrooms around the state to bring a more professional upgrade to the remote environments that have allowed Washingtonians to more easily access the justice system during the pandemic. The estimated cost is \$50,000 per courtroom and this request is scalable.
- **Improve Court Efficiency: \$5.4 million**
 - Engrossed Senate Bill 5476 provided \$4.5 million for therapeutic courts in the current biennium. AOC awarded these funds through a granting process that yielded over \$9.5 million in requests. By fully funding the entire slate of requests, we can maximize the impact of these courts and reduce the caseload of trial courts.
 - AOC is requesting \$4.9 million to fully fund the unfunded therapeutic court grant applications from the recent round of funding.
 - Finally, the national Center for Court Innovation hosts a program that conducts anonymous site visits of courts and produces reports of strengths and challenges.

This program is known colloquially as the “secret court shopper” program, and can help us get an objective perspective on how certain courts in the system are functioning.

- AOC, in partnership with the District and Municipal Court Judges Association, requests \$500,000 for an evaluation of 12-15 limited jurisdiction courts across the state.

This summarized list of needs will have an immediate, sizable, and positive impact on Washington’s trial court system and the Washingtonians that need it to function efficiently and effectively. If these were capital projects, we would call them “shovel-ready”, and you can be assured that swift funding of these requests will yield positive results – both for the people that come to the courts and the people that work there. We appreciate your consideration of these requests, and understand the competing time and funding demands you are balancing.

If you have questions, please do not hesitate to reach out to AOC’s Chief Financial and Management Officer, Christopher Stanley at Christopher.Stanley@courts.wa.gov. Thank you.

Sincerely,



Steven C. González
Chief Justice
Washington Supreme Court



Dawn Marie Rubio
State Court Administrator
Administrative Office of the Courts

Attachments

cc:

Christopher Stanley, Chief Financial and Management Officer, AOC

The Supreme Court
State of Washington

STEVEN C. GONZÁLEZ
CHIEF JUSTICE
TEMPLE OF JUSTICE
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(360) 357-2030
E-MAIL J_S.GONZALEZ@COURTS.WA.GOV

April 21, 2021

Via eMail

Senator Christine Rolfes
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Senator Lynda Wilson
Ranking Member, Senate Ways and
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Senator June Robinson
Vice Chair, Senate Ways and Means Committee
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june.robinson@leg.wa.gov

RE: 2021 Legislative Session Budget Conference and Judicial Branch Request -- *American Rescue Plan Act of 2021* -- Flexible State and Local Funding

Senator Rolfes, Senator Robinson and Senator Wilson:

We write to request your ongoing consideration of the Washington Judicial Branch and its needs in responding to and recovering from the COVID-19 public health crisis during the 2021 Legislative Session Budget Conference as you allocate the flexible funding dollars provided to Washington State through *the American Rescue Plan Act of 2021*.

Attached is a copy of the letter that we provided to leaders in both the Senate and the House of Representatives asking for similar deliberation. Since sending the letter, we have spoken with several legislators seeking their support of our request. All with whom we spoke indicated favorably that the Judicial Branch should be similarly situated with other branches of Washington State government and receive a portion of the ARPA monies for COVID-19 recovery and continued operations. We also spoke to these same legislators about how the ARPA funds would be used in three ways:

- Access to Justice -- The public health crisis further emphasized the importance of services and outreach to vulnerable and marginalized individuals, to self-represented litigants, and to non-English speaking court users. As more information is placed on-line in order to limit in-person contact and exposure, these individuals find navigating the court system even more

difficult. Plain language forms, forms translation, courthouse facilitators, courthouse kiosks, will enhance infrastructures for service delivery and improved access to justice.

- Backlog Reduction -- As noted, Washington's courts face a backlog of cases and trials in the thousands, excluding new cases resulting from the economic downturn. This coupled with the ongoing caseload will cripple the courts and deny justice for Washingtonians. Funding would be used to augment judicial decision making with judges pro tem, acquire temporary staffing to manage case information and courtroom and courthouse traffic and to acquire additional secure facilities on a temporary basis that will increase case output as well as provide space for social distancing.
- Court Technology -- Along with judges, staff and expanded facilities, technology further reduces the potential spread of COVID-19 by providing the public, court staff and judges alternatives to face-to-face interactions throughout the court process. Jury selection, document filing, arraignments and hearings can be managed and performed electronically, thereby further reducing the risk of exposure for thousands of Washingtonians, some of whom are our most vulnerable.

Thank you for considering this request. We are acutely aware that you are on a very tight timeline and recognize that you are making very real and important decisions for Washington and its residents during the Budget Conference. We hope that you will also think about the needs of Washington's Judicial Branch of government as you allocate these federal dollars.

Sincerely,



Steven C. González
Chief Justice
Washington Supreme Court



Dawn Marie Rubio
State Court Administrator
Administrative Office of the Courts

cc:

Ramsey Radwan, Director, AOC Administrative Services Division
Linda Owens, Legislative Staff
Kate Armstrong, Legislative Staff
Amber Hardtke, Legislative Staff
Trevor Press, Legislative Staff

The Supreme Court
State of Washington

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STEVEN C. GONZÁLEZ
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March 22, 2021

Rep. Laurie Jenkins, Speaker
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Rep. J.T. Wilcox, Minority Leader
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Rep. Tina Orwall, Speaker Pro Tempore
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PO Box 40600
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tina.orwall@leg.wa.gov

Rep. Joel Kretz, Deputy Minority Leader
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Rep. John Lovick, Deputy Speaker Pro
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Rep. Paul Harris, Minority Caucus Chair
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Rep. Pat Sullivan, Majority Leader
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Rep. Jacquelin Maycumber, Minority Floor Leader
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Rep. Lillian Ortiz-Self, Majority Caucus Chair
420 John L. O'Brien Building
PO Box 40600
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Rep. Dan Griffey, Minority Whip
403 John L. O'Brien Building
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Sen. Karen Keiser, President Pro Tempore
219 John A. Cherberg Building
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Sen. John Braun, Republican Leader
314 Legislative Building
PO Box 40420
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Sen. Steve Conway, Vice President Pro
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241 John A. Cherberg Building
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Sen. Ann Rivers, Republican Caucus Chair
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Sen. Steve Hobbs, Vice President Pro
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Sen. Shelly Short, Republican Floor Leader
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Sen. Keith Wagoner, Republican Whip
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Olympia, WA 98504
keith.wagoner@leg.wa.gov

Sen. Sharon Brown, Republican Deputy Leader
202 Irv Newhouse Building
PO Box 40408
Olympia, WA 98504
sharon.brown@leg.wa.gov

RE: H.R. 1319 *American Rescue Plan Act of 2021* -- Flexible State and Local Funding

Rep. Jenkins, Rep. Orwall, Rep. Lovick, Rep. Sullivan, Rep. Ortiz-Self, Rep. Wilcox, Rep. Kretz,
Rep. Harris, Rep. Griffey, Sen. Keiser, Sen. Conway, Sen. Hobbs, Sen. Braun, Sen. Rivers, Sen.
Short. Sen. Wagoner and Sen. Brown.

We write respectfully to request your consideration of the Washington Judicial Branch and its needs in responding to and recovering from the COVID-19 public health crisis as you allocate the flexible funding dollars provided to Washington State through H.R. 1319, *the American Rescue Plan Act of 2021*.

The impact of COVID-19 on Washington Courts cannot be overstated. Almost overnight bustling and busy courtrooms and courthouses became empty and quiet. The work of the court, however, never stopped. Courts quickly pivoted to meet the demand of emergency matters such as protection orders, child welfare removals, first appearances and criminal arraignments. As time progressed, courts adapted and adjusted operations in order to conduct hearings and to perform other court-related services, either remotely, in-person with strict adherence to public health guidance or a hybrid. A few courts have been able to resume civil and criminal jury trials. However, those jury trials look much different today than pre-COVID. Judges and court staff are behind Plexiglas and are wearing face coverings. Trials take much longer and require resources well beyond current staffing and funding levels. Due to COVID restrictions many hearings sometimes take three courtrooms or rented off-site facilities. Juror *voir dire* is often done remotely through Zoom. Seated jurors are scattered throughout the courtroom rather than in the traditional jury box to accommodate social distancing. Attorneys and their clients communicate through Plexiglas, through text messaging or handwritten notes passed back and forth. Interpreters are located in

the back of courtrooms outfitted with headsets communicating with non-English speaking litigants, who are also wearing headsets.

Even though courts maintained reduced operations during the pandemic, thousands of civil and criminal cases have been postponed in order to ensure the health and safety of all involved. These cases must still be heard and the longer courts wait to resume bench and jury trials the greater the backlog becomes. Coupled with the anticipated tsunami of evictions, foreclosures and consumer debt cases related to the economic downturn associated with COVID-19, as well as the potential impact of the *State v. Blake* decision, courts are faced with incredibly difficult decisions on which work to prioritize – often at the expense of civil cases. *American Rescue Plan Act* dollars will enable the courts to emerge from the crushing backlog of civil and criminal cases and trials as well as respond to the needs of those who access the courts for protection and relief, along with ensuring the safety and well-being of Washingtonians and Washington’s communities.

As you are likely aware, H.R. 1319 did not allocate specific spending for or a percentage allocation to state courts. By comparison, the federal *Violence against Women Act* [VAWA] directs that five percent of a state’s VAWA funding must be set aside for courts. We recognize the substantial disparity in the amount of VAWA dollars compared to *American Rescue Plan Act* dollars. However, we propose that you also consider a set aside of at least five percent of the unencumbered portion of Washington’s Flexible Funding for the Washington Judicial Branch. Based upon publically available information, we estimate that would total a set aside of \$85 million to \$102 million for Judicial Branch recovery. We would use the funds in three ways:

- Access to Justice -- The public health crisis further emphasized the importance of services and outreach to vulnerable and marginalized individuals, to self-represented litigants, and to non-English speaking court users. As more information is placed on-line in order to limit in-person contact and exposure, these individuals find navigating the court system even more difficult. Plain language forms, forms translation, courthouse facilitators, courthouse kiosks, will enhance infrastructures for service delivery and improved access to justice.
- Backlog Reduction -- As noted, Washington’s courts face a backlog of cases and trials in the thousands, excluding new cases resulting from the economic downturn. This coupled with the ongoing caseload will cripple the courts and deny justice for Washingtonians. Funding would be used to augment judicial decision making with judges pro tem, acquire temporary staffing to manage case information and courtroom and courthouse traffic and to acquire additional secure facilities on a temporary basis that will increase case output as well as provide space for social distancing.
- Court Technology -- Along with judges, staff and expanded facilities, technology further reduces the potential spread of COVID-19 by providing the public, court staff and judges alternatives to face-to-face interactions throughout the court process. Jury selection, document filing, arraignments and hearings can be managed and performed electronically, thereby further reducing the risk of exposure for thousands of Washingtonians, some of whom are our most vulnerable.

The categories above generally describe how funding would be used to offset the damage caused by the pandemic. Detailed estimates are available if you deem appropriate. These, as well as other measures, will enhance access to justice which has been harder to provide over the last year.

Thank you for considering this request. We recognize that you are balancing many demands. We are available to discuss this request and look forward to continued dialogue with you regarding the needs of Washington's Judicial Branch of government.

Sincerely,



Steven C. González
Chief Justice
Washington Supreme Court



Dawn Marie Rubio
State Court Administrator
Administrative Office of the Courts

cc: [email only]

Ramsey Radwan, Director, AOC Administrative Services Division
Rep. Timm Ormsby, Chair, House Appropriations Committee
Rep. Drew Hansen, Chair, House Civil Rights and Judiciary Committee
Sen. Christine Rolfes, Chair, Senate Ways and Means Committee
Sen. Jaime Pedersen, Chair, Senate Law and Justice Committee
Kathryn Leathers, General Counsel, Office of the Governor
David Schumacher, Director, Office of Financial Management
Judge Judith Ramseyer, President, Superior Court Judges Association
Judge Michelle Gehlsen, President, District and Municipal Court Judges Association
Tony Ivey, LA to Rep. Jinkins
Taylor Rome, LA to Rep. Jinkins
Mary Soderlind, LA to Rep. Orwall
Semir Ibrahimovic, LA to Rep. Lovick
Lesley Roberts, LA to Rep. Sullivan
Israel Rios, LA to Rep. Ortiz-Self
Tammi Lewis, LA to Rep. Wilcox
Jasmine Elam, LA to Rep. Kretz
Toni Camp, LA to Rep. Harris
Joshua Bentzel, LA to Rep. Maycumber
Amber Oliver, LA to Rep. Griffey
Jennifer Minich, LA to Sen. Keiser
Kimberlie Lelli, LA to Sen. Conway
Darci Suttle, LA to Conway
Misha Lujan, LA to Sen. Hobbs
Jennifer Smolen Fort, LA to Sen. Hobbs
Jeri May, LA to Sen. Braun
Ruth Peterson, LA to Sen. Braun
Josalun Hasz, LA to Sen. Rivers
Shannon Whitmore, LA to Sen. Short
Sharra Finley, LA to Sen. Wagoner
Emily Greninger, LA to Sen. Brown

The Supreme Court
State of Washington

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April 21, 2021

Via eMail

Representative Timm Ormsby
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Representative Drew Stokesbary
Ranking Minority Member
House Appropriations Committee
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Representative Nicole Macri
Vice Chair, House Appropriations Committee
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Olympia, WA 98504
nicole.macri@leg.wa.gov

RE: 2021 Legislative Session Budget Conference and Judicial Branch Request -- *American Rescue Plan Act of 2021* -- Flexible State and Local Funding

Representative Ormsby, Representative Macri, and Representative Stokesbary:

We write to request your ongoing consideration of the Washington Judicial Branch and its needs in responding to and recovering from the COVID-19 public health crisis during the 2021 Legislative Session Budget Conference as you allocate the flexible funding dollars provided to Washington State through *the American Rescue Plan Act of 2021*.

Attached is a copy of the letter that we provided to leaders in both the House of Representatives and the Senate asking for similar deliberation. Since sending the letter, we have spoken with several legislators seeking their support of our request. All with whom we spoke indicated favorably that the Judicial Branch should be similarly situated with other branches of Washington State government and receive a portion of the ARPA monies for COVID-19 recovery and continued operations. We also spoke to these same legislators about how the ARPA funds would be used in three ways:

- Access to Justice -- The public health crisis further emphasized the importance of services and outreach to vulnerable and marginalized individuals, to self-represented litigants, and to non-English speaking court users. As more information is placed on-line in order to limit in-

person contact and exposure, these individuals find navigating the court system even more difficult. Plain language forms, forms translation, courthouse facilitators, courthouse kiosks, will enhance infrastructures for service delivery and improved access to justice.

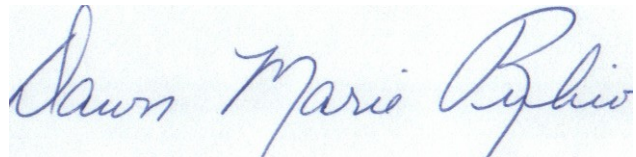
- Backlog Reduction -- As noted, Washington's courts face a backlog of cases and trials in the thousands, excluding new cases resulting from the economic downturn. This coupled with the ongoing caseload will cripple the courts and deny justice for Washingtonians. Funding would be used to augment judicial decision making with judges pro tem, acquire temporary staffing to manage case information and courtroom and courthouse traffic and to acquire additional secure facilities on a temporary basis that will increase case output as well as provide space for social distancing.
- Court Technology -- Along with judges, staff and expanded facilities, technology further reduces the potential spread of COVID-19 by providing the public, court staff and judges alternatives to face-to-face interactions throughout the court process. Jury selection, document filing, arraignments and hearings can be managed and performed electronically, thereby further reducing the risk of exposure for thousands of Washingtonians, some of whom are our most vulnerable.

Thank you for considering this request. We are acutely aware that you are on a very tight timeline and recognize that you are making very real and important decisions for Washington and its residents during the Budget Conference. We hope that you will also think about the needs of Washington's Judicial Branch of government as you allocate these federal dollars.

Sincerely,



Steven C. González
Chief Justice
Washington Supreme Court



Dawn Marie Rubio
State Court Administrator
Administrative Office of the Courts

cc:

Ramsey Radwan, Director, AOC Administrative Services Division
Shannon Waechter, Legislative Staff
Gina Palermo, Legislative Staff
Penny Lipsou, Legislative Staff
Yvonne Walker, Legislative Staff

The Supreme Court
State of Washington

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March 22, 2021

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RE: H.R. 1319 *American Rescue Plan Act of 2021* -- Flexible State and Local Funding

Rep. Jenkins, Rep. Orwall, Rep. Lovick, Rep. Sullivan, Rep. Ortiz-Self, Rep. Wilcox, Rep. Kretz, Rep. Harris, Rep. Griffey, Sen. Keiser, Sen. Conway, Sen. Hobbs, Sen. Braun, Sen. Rivers, Sen. Short, Sen. Wagoner and Sen. Brown.

We write respectfully to request your consideration of the Washington Judicial Branch and its needs in responding to and recovering from the COVID-19 public health crisis as you allocate the flexible funding dollars provided to Washington State through H.R. 1319, *the American Rescue Plan Act of 2021*.

The impact of COVID-19 on Washington Courts cannot be overstated. Almost overnight bustling and busy courtrooms and courthouses became empty and quiet. The work of the court, however, never stopped. Courts quickly pivoted to meet the demand of emergency matters such as protection orders, child welfare removals, first appearances and criminal arraignments. As time progressed, courts adapted and adjusted operations in order to conduct hearings and to perform other court-related services, either remotely, in-person with strict adherence to public health guidance or a hybrid. A few courts have been able to resume civil and criminal jury trials. However, those jury trials look much different today than pre-COVID. Judges and court staff are behind Plexiglas and are wearing face coverings. Trials take much longer and require resources well beyond current staffing and funding levels. Due to COVID restrictions many hearings sometimes take three courtrooms or rented off-site facilities. Juror *voir dire* is often done remotely through Zoom. Seated jurors are scattered throughout the courtroom rather than in the traditional jury box to accommodate social distancing. Attorneys and their clients communicate through Plexiglas, through text messaging or handwritten notes passed back and forth. Interpreters are located in

the back of courtrooms outfitted with headsets communicating with non-English speaking litigants, who are also wearing headsets.

Even though courts maintained reduced operations during the pandemic, thousands of civil and criminal cases have been postponed in order to ensure the health and safety of all involved. These cases must still be heard and the longer courts wait to resume bench and jury trials the greater the backlog becomes. Coupled with the anticipated tsunami of evictions, foreclosures and consumer debt cases related to the economic downturn associated with COVID-19, as well as the potential impact of the *State v. Blake* decision, courts are faced with incredibly difficult decisions on which work to prioritize – often at the expense of civil cases. *American Rescue Plan Act* dollars will enable the courts to emerge from the crushing backlog of civil and criminal cases and trials as well as respond to the needs of those who access the courts for protection and relief, along with ensuring the safety and well-being of Washingtonians and Washington’s communities.

As you are likely aware, H.R. 1319 did not allocate specific spending for or a percentage allocation to state courts. By comparison, the federal *Violence against Women Act* [VAWA] directs that five percent of a state’s VAWA funding must be set aside for courts. We recognize the substantial disparity in the amount of VAWA dollars compared to *American Rescue Plan Act* dollars. However, we propose that you also consider a set aside of at least five percent of the unencumbered portion of Washington’s Flexible Funding for the Washington Judicial Branch. Based upon publically available information, we estimate that would total a set aside of \$85 million to \$102 million for Judicial Branch recovery. We would use the funds in three ways:

- Access to Justice -- The public health crisis further emphasized the importance of services and outreach to vulnerable and marginalized individuals, to self-represented litigants, and to non-English speaking court users. As more information is placed on-line in order to limit in-person contact and exposure, these individuals find navigating the court system even more difficult. Plain language forms, forms translation, courthouse facilitators, courthouse kiosks, will enhance infrastructures for service delivery and improved access to justice.
- Backlog Reduction -- As noted, Washington’s courts face a backlog of cases and trials in the thousands, excluding new cases resulting from the economic downturn. This coupled with the ongoing caseload will cripple the courts and deny justice for Washingtonians. Funding would be used to augment judicial decision making with judges pro tem, acquire temporary staffing to manage case information and courtroom and courthouse traffic and to acquire additional secure facilities on a temporary basis that will increase case output as well as provide space for social distancing.
- Court Technology -- Along with judges, staff and expanded facilities, technology further reduces the potential spread of COVID-19 by providing the public, court staff and judges alternatives to face-to-face interactions throughout the court process. Jury selection, document filing, arraignments and hearings can be managed and performed electronically, thereby further reducing the risk of exposure for thousands of Washingtonians, some of whom are our most vulnerable.

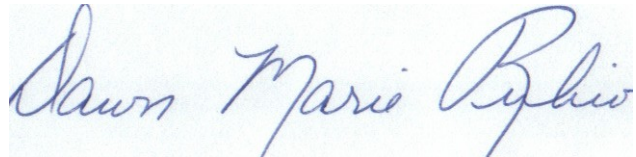
The categories above generally describe how funding would be used to offset the damage caused by the pandemic. Detailed estimates are available if you deem appropriate. These, as well as other measures, will enhance access to justice which has been harder to provide over the last year.

Thank you for considering this request. We recognize that you are balancing many demands. We are available to discuss this request and look forward to continued dialogue with you regarding the needs of Washington's Judicial Branch of government.

Sincerely,



Steven C. González
Chief Justice
Washington Supreme Court



Dawn Marie Rubio
State Court Administrator
Administrative Office of the Courts

cc: [email only]

Ramsey Radwan, Director, AOC Administrative Services Division
Rep. Timm Ormsby, Chair, House Appropriations Committee
Rep. Drew Hansen, Chair, House Civil Rights and Judiciary Committee
Sen. Christine Rolfes, Chair, Senate Ways and Means Committee
Sen. Jaime Pedersen, Chair, Senate Law and Justice Committee
Kathryn Leathers, General Counsel, Office of the Governor
David Schumacher, Director, Office of Financial Management
Judge Judith Ramseyer, President, Superior Court Judges Association
Judge Michelle Gehlsen, President, District and Municipal Court Judges Association
Tony Ivey, LA to Rep. Jinkins
Taylor Rome, LA to Rep. Jinkins
Mary Soderlind, LA to Rep. Orwall
Semir Ibrahimovic, LA to Rep. Lovick
Lesley Roberts, LA to Rep. Sullivan
Israel Rios, LA to Rep. Ortiz-Self
Tammi Lewis, LA to Rep. Wilcox
Jasmine Elam, LA to Rep. Kretz
Toni Camp, LA to Rep. Harris
Joshua Bentzel, LA to Rep. Maycumber
Amber Oliver, LA to Rep. Griffey
Jennifer Minich, LA to Sen. Keiser
Kimberlie Lelli, LA to Sen. Conway
Darci Suttle, LA to Conway
Misha Lujan, LA to Sen. Hobbs
Jennifer Smolen Fort, LA to Sen. Hobbs
Jeri May, LA to Sen. Braun
Ruth Peterson, LA to Sen. Braun
Josalun Hasz, LA to Sen. Rivers
Shannon Whitmore, LA to Sen. Short
Sharra Finley, LA to Sen. Wagoner
Emily Greninger, LA to Sen. Brown



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Judge Mafe Rajul, Chair
Washington State Supreme Court Interpreter Commission

Re: Language Assistance Plan Requirements for Courts

Judge Mafe Rajul,

The Washington State District and Municipal Court Management Association (DMCMA) writes to express our concern in the requirements set forth in completion of individualized Language Assistance Plans (LAP). We are requesting consideration of a statewide LAP to be created at the direction of the Supreme Court Interpreter Commission.

The delivery of interpreter services is required to support our fundamental principles of fairness and access to justice. There currently exists multiple parallels of requirements detailing what courts shall do, specifically through RCW 2.43 and GR11 – GR11.4. There are also additional resources and requirements provided to the courts through the Desk book on Language Access in Washington Courts. This includes a statewide LAP document designed around the content requirements laid out in RCW 2.43.090 as well as a legal analysis providing the constitutional and statutory basis to which the courts must adhere.

The intent of providing the information in the above paragraph is to detail the existing guidelines, rules, and statutes to support access to interpreter services. The current process for developing requires courts to dedicate many hours and resources to meet the contractual obligation set forth by this commission. The current processes and procedures pursuant to RCW 2.43.090 do not require the level of detail asked of the courts. However, currently a process or procedure has been created to support the needs for those services. This is identified in RCW 2.43.090 and supported through GR 11 - GR11.4 desk book.

The DMCMA is requesting that a statewide LAP be created at the direction of the Interpreter Commission. Each year courts will sign and return an affirmation to the Interpreter Reimbursement Program acknowledging the requirements set forth in the statewide LAP. In addition, language can be included in the statewide LAP for supplemental information and/or procedures. This is not currently required by statute but supports transparency and access to justice. Taking this opportunity to create a statewide LAP will be consistent with all rules and statutes and will create consistency across the state in the provision of interpreter

Judge Mafe Rajul

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services. Statutes, court rules, and guidelines currently exist, supporting the statutory requirements of RCW 2.43.090. As legislative changes are constantly evolving, a statewide LAP can be easily amended to reflect these changes. This would eliminate multiple iterations and parallel work in creating new templates in addition to individual LAPs each year. It is always our intent to ensure equal access to justice and improve the public's trust and confidence in our courts. It is our belief that a statewide LAP supports this effort and provides consistency in our processes, compliance with statutes and compliance with court rules. We see this as an opportunity to accomplish these goals in an efficient and meaningful manner.

We appreciate your consideration of this proposal and welcome any opportunity to have an open discussion on how the Supreme Court Interpreter Commission, AOC, and DMCMA can work collaboratively to improve access to justice for all court users.

Sincerely,



Kris Thompson
President, DMCMA

Cc: Judge Charles Short, DMCJA President
Cynthia Delostrinos, AOC
Robert Lichtenberg, AOC
Michelle Bellmer, AOC

Washington State Supreme Court Interpreter Commission

COMMISSION MEMBERS

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Appellate Court Representative

Vacant
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Diana Noman
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American Sign Language
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Kristi Cruz
Attorney Representative

Francis Adewale
Public Defender Representative

Anita Ahumada
Community Member Representative

Naoko Inoue Shatz
Ethnic Organization Representative

Florence Adeyemi
Public Member Representative

February 9, 2022

Ms. Thompson:

Thank you for reaching out to the Interpreter Commission. As we understand from your letter, the DMCMA has concerns regarding the requirement for courts participating in the Language Access Reimbursement Program to develop local Language Assistance Plans (LAPs), and has suggested that the Interpreter Commission create instead a statewide plan that individual courts could opt to join.

The Interpreter Commission is interested in better understanding the reasons for this request, and has asked the Commission's Issues Committee to meet with members of your Association to discuss the matter. Robert Lichtenberg from the Administrative Office of the Courts (AOC) will be in contact with you to coordinate a date & time that is beneficial for all.

The Interpreter Commission is committed to ensuring compliance with state and national language access requirements, and providing the public with clear, concise directions on how to access language assistance in all Washington state courts. Similarly, we are committed to working collaboratively with court managers and providing helpful resources to ensure the provision of language access in all court services.

Please note that this discussion does not change the current contractual deadlines for courts participating in the Program to submit draft and final versions of their LAPs to the AOC (draft 1 on January 31, draft 2 on March 31, and final on May 1).

Thank you again for reaching out, and we look forward to the conversation.

Sincerely,



Katrin Johnson
Interim Chair, Interpreter Commission

cc: Judge Charles Short, DMCJA President
Judge Lloyd Oaks, Interpreter Commission Issues Committee Chair
Cynthia Delostrinos, AOC
Robert Lichtenberg, AOC
Michelle Bellmer, AOC

On behalf of the Board for Judicial Administration's Court Education Committee, you are invited to attend the following webinar:

Situational Awareness and Personal Safety

February 16, 2022

1:00 p.m. – 3:00 p.m. (PST)

Presenter: Jesus M. Villahermosa, Jr. - Crisis Reality Training, Inc.

Session Description: With increased civil unrest and potential workplace violence, individuals need to be aware of their surroundings, at work and away from work, and form plans of action now more than ever. Participants of this training will come away with a better understanding of what drives gut instincts in certain situations and what those instincts are trying to tell people. Jesus will teach practical skills to help participants actively practice situational awareness and identify some of the pre-cursors of violence which will allow time to implement a response or evasion plan to mitigate the risk of an assault.

This session will be recorded and will be available for viewing on Inside Courts until February 28, 2022.

There will be 1.5 CJE credits available for this session.

Register in advance for this virtual session:

<https://wacourts.zoom.us/j/93923649043?pwd=dmNJSzJ5UzE4Ty8vZXI2bEdBRFVsZz09>

After registering, you will receive a confirmation email containing information about joining the meeting.

The program will start promptly at 1:00 p.m.

Please contact Laura Blacklock at laura.blacklock@courts.wa.gov if you have any questions.