



**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

September 9, 2022

**VIA ZOOM
VIDEO CONFERENCE**

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2022-2023

DATE	TIME	MEETING LOCATION*
Friday, July 8, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Aug 12, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Sept 9, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Oct 14, 2022	12:30 – 3:30 p.m.	Zoom Video Conference *updated*
Friday, Nov 18, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Dec 9, 2022	12:30 – 3:30 p.m.	AOC SeaTac Facility 18000 International Blvd, Suite 1106 Zoom Available
Friday, Jan 13, 2023	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Feb 10, 2023	12:30 – 3:30 p.m.	AOC SeaTac Facility 18000 International Blvd, Suite 1106 Zoom Available
Friday, March 10, 2023	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, April 14, 2023	12:30 – 3:30 p.m.	AOC SeaTac Facility 18000 International Blvd, Suite 1106 Zoom Available
May 5-6, 2023	12:00 p.m. – 5:00 p.m. 8:00 a.m. – 3:00 p.m.	Board Retreat & Monthly Board Meeting Location: Winthrop, WA *updated*
June 4, 2023	9:00 a.m. – 12:00 p.m. (at Spring Program)	Annual Business Meeting Location: TBD *updated*

AOC Staff: Stephanie Oyler

**All meeting locations are subject to change, with notice to members*

Updated: August 30, 2022

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DMCJA BOARD MEETING
FRIDAY, SEPTEMBER 9, 2022
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE

PRESIDENT RICK LEO

AGENDA	PAGE
1. Presentation Protection Order Updates – Judge Jeffrey Goodwin and Judge Michael Finkle	1
2. General Business A. Minutes for July 8, 2022 B. Treasurer Report for July & August – Judge Anita Crawford-Willis C. Special Fund Report for July & August – Judge Karl Williams	20 26 37
3. Liaison Reports A. Superior Court Judges’ Association (SCJA) – Judge Samuel Chung, President-Elect B. District and Municipal Court Management Association (DMCMA) – Ellen Attebury, President C. Misdemeanant Probation Association (MPA) – Regina Alexander, Representative D. Washington State Association for Justice (WSAJ) – Mark O’Halloran, Esq. E. Washington State Bar Association (WSBA) – Francis Adewale, Esq. F. Administrative Office of the Courts (AOC) – Dawn Marie Rubio, State Court Administrator G. Board for Judicial Administration (BJA) – Judge Tam Bui, Judge Dan Johnson, Judge Mary Logan, Judge Rebecca Robertson H. Judicial Information System Update (JIS) – Arsenio Escudero, JIS Business Liaison, AOC	38
4. Standing Committee Reports A. Bylaws Committee Report – Judge Kristian Hedine B. Diversity Committee Report – Judge Willie Gregory C. DOL Liaison Committee Report – Judge Angelle Gerl D. Education Committee Report – Judge Jeffrey R. Smith E. Judicial Assistance Services Program (JASP) – Judge Mary Logan F. Legislative Committee Report – Judge Kevin G. Ringus and Judge Whitney Rivera G. Public Outreach Committee Report – Judge Michelle K. Gehlsen H. Rules Committee Report – Judge Catherine McDowall and Judge Wade Samuelson 1. Minutes from the June 28, 2022 meeting 2. Minutes from the July 26, 2022 meeting I. Therapeutic Courts Committee Report – Judge Fred Gillings and Judge Jenifer Howson	40 42 43 44 45 47 50
5. Action Items A.	
6. Discussion Items A. DMCJA Logo	

B. Proposed Legislative Items for 2023 Session – Judge Kevin Ringus and Judge Whitney Rivera	53
C. Public Outreach Committee Additional Funding Request - Meals for <i>You've Been Served</i> Event	
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E. Staff at the DMCJA Retreat	
7. Information Items	
A. Registration Flyer: 63 rd Annual Washington Judicial Conference, September 18-20, 2022	56
B. October Board Meeting to be held via Zoom	
C. Updated Board Meeting Schedule	63
8. Other Business	
A. The next DMCJA Board meeting is scheduled for Friday, October 14, 2022 from 12:30 p.m. to 3:30 p.m. via Zoom video conference.	
9. Adjourn	

Protection Orders - Chapter 7.105 RCW

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(a) Domestic Violence

7.105.100(1)(a)

Petitioners

7.105.100(1)(a)

1. Individual on their own behalf
2. A person on behalf of family or household members who are minors, or
3. A person on behalf of family or household members who are vulnerable adults.
4. DSHS on behalf of a vulnerable adult – 7.105.110

Domestic Violence - Defined

7.105.010(9)

1. Physical harm, bodily injury, or assault
2. Infliction of fear of physical harm, bodily injury, or assault
3. Coercive control
4. Unlawful harassment
5. Nonconsensual sexual conduct or penetration
6. Stalking

Intimate Partner - Defined

7.105.010(19)

1. Spouses or domestic partners;
2. Former spouses or former domestic partners;
3. Persons who have a child in common regardless of whether they have been married or have lived together at any time, unless the child is conceived through sexual assault; or
4. Persons who have or have had a dating relationship where both persons are at least 13 years of age or older.

Family or Household Members - Defined

7.105.010(12):

1. Persons related by blood, marriage, domestic partnership, or adoption;
2. Persons who currently or formerly resided together;
3. Persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren, or a parent's intimate partner and children; and
4. A person who is acting or has acted as a legal guardian.

Coercive Control - Defined

7.105.010(4)

1. Pattern of behavior used to cause another physical, emotional, or psychological harm.
2. Purpose or effect unreasonably interferes with a person's free will and personal liberty.

3. Whether the interference is unreasonable is evaluated from the perspective of a similarly situated person.

Examples - General non-exclusive categories

Controlling or compelling conduct through intimidation.

Causing dependence, confinement, or isolation.

Financial exploitation.

Controlling daily behavior, communication.

Vexatious litigation.

Psychological aggression

Coercive Control does not include protective actions taken by a party in good faith for the legitimate and lawful purpose of protecting themselves or children from the risk of harm posed by the other party.

(b) Sexual Assault **7.105.100(1)(b)**

Petitioners 7.105.100(1)(b)

1. Individual on their own behalf
2. A person on behalf of a minor child, if petitioner is the parent, legal guardian, or custodian.
3. An interested person on behalf of a vulnerable adult.
4. A person demonstrating to the court's satisfaction that the petitioner is interested in the adult's well-being, the court's intervention is necessary, and the adult cannot file the petition because of age, disability, health, or inaccessibility

Sexual Assault – Defined 7.105.100(1)(b)

Nonconsensual sexual conduct or sexual penetration.

Nonconsensual - Defined - Lack of freely given consent 7.105.010(26)

Consent - Defined 7.105.010(4)

1. At the time of sexual contact, there are actual words or conduct indicating a voluntary agreement to that sexual contact.
2. May be revoked at any time.
3. Requires capacity to consent.

Sexual Conduct - Defined 7.105.010(32)

1. Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing;
2. Any intentional or knowing display of the genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent;
3. Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing, that the petitioner is forced to perform by another person or the respondent;
4. Any forced display of the petitioner's genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent or others;
5. Any intentional or knowing touching of the clothed or unclothed body of a child under the age of 16, if done for the purpose of sexual gratification or arousal of the respondent or others; or
6. Any coerced or forced touching or fondling by a child under the age of 16, directly or indirectly, including through clothing, of the genitals, anus, or breasts of the respondent or others.

Sexual Penetration - Defined

7.105.010(33)

Any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth, or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person including, but not limited to, cunnilingus, fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

(c) Stalking

7.105.100(1)(c)

Petitioners

7.105.100(1)(c)

1. Individual on their own behalf.
2. A minor child, where the petitioner is the parent, legal guardian, or custodian.
3. A vulnerable adult, where the petitioner is an interested person.
4. Any other adult for whom the petitioner demonstrates to the court's satisfaction that the petitioner is interested in the adult's well-being, the court's intervention is necessary, and the adult cannot file the petition because of age, disability, health, or inaccessibility.

Stalking - Defined

7.105.010(33)

1. Any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, surveillance, keeping under observation, disrupting activities in a harassing manner, or following of another person that:
 - a. Would cause a reasonable person to feel intimidated, frightened, under duress, significantly disrupted, or threatened and that actually causes such a feeling;
 - b. Serves no lawful purpose; and
 - c. The respondent knows, or reasonably should know, threatens, frightens, or intimidates the person, even if the respondent did not intend to intimidate, frighten, or threaten the person.
2. Any act of stalking as defined under RCW 9A.46.110
 - a. Intentionally and repeatedly harasses or repeatedly follows another person; and
 - b. The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and
 - c. The stalker either:
 - i. Intends to frighten, intimidate, or harass the person; or
 - ii. Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.
3. Any act of cyberstalking (cyber harassment) as defined under RCW 9.61.260.

Making an electronic communication to the person or a third party with intent to harass or intimidate and the communication:

 - a. Uses any lewd, lascivious, indecent, or obscene words, images, or language, or suggests the commission of any lewd or lascivious act, or
 - b. Is made anonymously or repeatedly, or

- c. Contains a threat to inflict bodily injury or damage to property, immediately or in the future, on the person or property threatened or to any other person, and
 - i. Would cause a reasonable person, with knowledge of the sender's history, to suffer emotional distress or to fear for the safety of the person threatened; or
 - ii. Reasonably caused the threatened person to suffer emotional distress or fear for the threatened person's safety.

(e) Extreme Risk

7.105.100(1)(e)

Petitioners

7.105.100(1)(e)

1. Intimate partner
2. Family or household member
3. Law enforcement agency.

Extreme Risk - Defined

Respondent poses a significant danger of causing personal injury to self or others by having in the respondent's custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive, a firearm.

The petition must also identify information the petitioner is able to provide about the firearms, such as the number, types, and locations of any firearms the petitioner believes to be in the respondent's current ownership, possession, custody, access, or control.

Court may consider any relevant evidence

7.105.215(3)

- (a) A recent act or threat of violence by the respondent against self or others.
- (b) A pattern of acts or threats of violence by the within the past year.
- (c) Any behaviors that present an imminent threat of harm to self or others.
- (d) A violation of a protection order or a no-contact order.
- (e) A previous or ERPO issued against the respondent.
- (f) A violation of a previous or existing ERPO issued against the respondent.
- (g) A conviction for a crime that constitutes domestic violence.
- (h) A conviction under RCW 9A.36.080.
- (i) The respondent's ownership of, access to, or intent to possess, firearms.
- (j) The unlawful or reckless use, display, or brandishing of a firearm.
- (k) The history of use, attempted use, or threatened use of physical force or stalking.
- (l) Any prior arrest of the respondent for a felony offense or violent crime.
- (m) Corroborated evidence of the abuse of controlled substances or alcohol.
- (n) Evidence of recent acquisition of firearms by the respondent.

Compliance Hearings

7.105.235

Court shall use its best efforts to notify petitioner of outcome of compliance hearings.

Mandatory Transfer for Full Order Hearing

7.105.070

(f) Antiharassment

7.105.010(36)

Petitioners

7.105.100(f)

1. Individual on their own behalf
2. A minor child, where the petitioner is the parent, legal guardian, or custodian;
3. A vulnerable adult, where the petitioner is an interested person; or
4. Any other adult for whom the petitioner demonstrates to the court's satisfaction that the petitioner is interested in the adult's well-being, the court's intervention is necessary, and the adult cannot file the petition because of age, disability, health, or inaccessibility.

Unlawful Harassment - Defined

1. A knowing and willful course of conduct or a single act of violence or threat of violence.
2. Directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose.
3. Conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner.

Course of Conduct - Defined

7.105.010(5)(a)

A pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. "Course of conduct" includes any form of communication, contact, or conduct, including the sending of an electronic communication, but does not include constitutionally protected free speech. Constitutionally protected activity is not included within the meaning of "course of conduct."

Legitimate or Lawful Purpose - Court should consider whether:

7.105.010(5)(b)

1. Any current contact between the parties was initiated by the respondent only or was initiated by both parties.
2. The respondent has been given clear notice that all further contact with the petitioner is unwanted.
3. The respondent's course of conduct appears designed to alarm, annoy, or harass the petitioner.
4. The respondent is acting pursuant to any statutory authority including, but not limited to, acts which are reasonably necessary to:
 - a. Protect property or liberty interests.
 - b. Enforce the law; or
 - c. Meet specific statutory duties or requirements.

5. The respondent's course of conduct has the purpose or effect of unreasonably interfering with the petitioner's privacy or the purpose or effect of creating an intimidating, hostile, or offensive living environment for the petitioner; or
6. Contact by the respondent with the petitioner or the petitioner's family has been limited in any manner by any previous court order.

Single Threat of Violence Must Include:

1. The presence of a firearm or other weapon, or
2. A malicious and intentional threat as described in RCW 9A.36.080(1)(c)
 - a. Threat based on perception of the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability.
 - b. Context or circumstances must indicate the words are a threat.
 - c. Ability to carry out the threat.

Filing Fee.

7.105.105((9))

No filing fee if Petitioner qualifies for a fee waiver.

No filing fee for UH if petition supports a finding that petitioner is a victim of:

- Stalking,
- Single Act of Violence
- Single Threat of Violence
- Sexual Assault
- Domestic violence

Limitation on Relief for Unlawful Harassment Ex Parte Order

7.105.310(2)

Cannot exclude respondent from shared residence.

Cannot limit contact with minor children in common.

Cannot order any financial relief.

Filing - Venue	7.105.075
Where the Petitioner resides.	
The county where an act giving rise to the petition occurred.	
The county where a child to be protected primarily resides	
If the petitioner relocated due to Respondent's conduct:	
The county where the petitioner resided prior to relocating.	
The court nearest petitioner's current or former residence	
Court Jurisdiction	7.105.050(1)
Domestic violence protection order proceedings.	
Sexual assault protection order proceedings.	
Stalking protection order proceedings.	
Antiharassment protection order.	
Extreme Risk Protection Orders – Temporary Only – Mandatory Transfer.	7.105.070
Personal jurisdiction over nonresidents.	7.105.080
The Petition	7.105.100
Confidential Information Sheet must be filed with Petition.	7.105.105(2)
Sworn declaration required for petition.	7.105.105(3)
Parties must disclose any other litigation between the parties.	7.105.105(4)
Electronic Filing – Not required until January 1, 2026	7.105.105(1)
Indian Child Welfare Act	7.105.105(14)
Petition on behalf of minor must allege whether child is an Indian child – 13.38.040	
If yes – specific findings required.	
Court finding required whether ICWA applies.	
All Hearings – Generally	
Continuity of judicial officers at each hearing	7.105.050(3)
Notice to Petitioner of case progress – Not required until Jan. 1, 2026	7.105.105(1)
Guardian for Minor – subject to availability of funding	7.105.105(11)
Counsel for Petitioner – If Respondent had counsel - subject to availability of funds	7.105.240
Court's obligations if a party appears remotely.	7.105.205(5)
Provide information to access hearing	
Protect privacy of address and contact information.	

Provide a number to contact court about connection issues

Ex-Parte Hearing	7.105.305
Standard for Setting Ex-Parte Restraints	7.105.305(1)
Serious immediate harm or irreparable injury (not defined)	
Timing of Ex Parte Hearing	7.105.105(12)
Day of filing if possible	
Not later than the following judicial day	
Court may order relief on Petition with or without a hearing	7.105.305(3)
Firearms - Consider the provisions of RCW 9.41.800.	7.105.305(1)
Dismissal	7.105.305(5)
Petition does not contain prima facie evidence to support the issuance of any protection order.	
Court must provide petitioner 14 days to amend Petition before dismissing.	
Written order required.	
No relief if Petitioner has filed twice without full order issuing, absent good cause.	7.105.305(6)
Setting of Full Order Hearing	7.105.305(4)
14 days from date of filing.	
May be extended for good cause	

Relief Available – Ex Parte and Full Order Hearings 7.105.310

1. No domestic violence; nonconsensual sexual conduct or nonconsensual sexual penetration; sexual abuse; stalking; acts of abandonment, abuse, neglect, or financial exploitation against a vulnerable adult; and unlawful harassment.
2. No attempts to have contact, including nonphysical contact, with the petitioner or the petitioner's family or household members who are minors or other members of the petitioner's household, either directly, indirectly, or through third parties regardless of whether those third parties know of the order.
3. Exclude from the residence the parties share.
5. Exclude from the residence, workplace, or school, daycare, other.
6. Presumptive 1000-foot distance provisions.
7. Residential provisions for minors in common
8. Require domestic violence perpetrator treatment program
9. Require mental health or chemical dependency evaluation.
10. Not attend the school attended by the petitioner.
11. Require payment of costs and reasonable attorney fees.
12. No harassing, following, monitoring, surveillance, cyberstalking, tracking.
13. Require EHM – not allowed for minors.

- 14. Order possession of essential personal effects. May include pets.
- 15. Order use of a vehicle;
- 16. Restricting abusive litigation.
- 17. Order financial relief and restrain the transfer of jointly owned assets;
- 18. Restrain possessing or distributing intimate images.
- 19. Other relief deemed necessary

Nonphysical contact- Includes, but not limited to: 7.105.010(26)
 Written notes and mail,
 Telephone calls, email, and text messages,
 Contact through social media applications or other technology
 Contact through third parties

Rebuttable presumption to include petitioner’s minor children

Court shall not order relief if not feasible for respondent to comply. 7.105.305(1)

Order may not prohibit constitutionally protected free speech. 7.105.310(3)

Constitutionally Protected Speech - Exceptions

- Fighting words
- True threats
- Obscenity
- Defamation (including libel and slander)
- Child pornography
- Perjury
- Blackmail
- Incitement to imminent lawless action
- Solicitations to commit crimes
- Treason, if committed verbally.
- Plagiarism of copyrighted material.

Fighting Words - *City of Seattle v. Camby*, 104 Wn.2d 49 (1985)

- The words must be directed at a particular person or group of persons.
- Likely to provoke violent reaction.
- Considering context or situation in which they were made.

True Threat – State v. Kilburn, 151 Wn.2d 36 (2004)

Given the context and circumstances, a reasonable person would interpret the statement as a serious expression of intention to inflict bodily harm upon or to take the life of another person.

Limitation on Relief for Unlawful Harassment Ex Parte Order

7.105.310(2)

Cannot exclude respondent from shared residence,
Cannot limit contact with minor children in common, and
Cannot order any financial relief.

Transfer — Shall be transferred if:

7.105.050(1)

1. Superior court has or is exercising jurisdiction over a proceeding involving the parties. 7.105.050(1)(a)
2. The action would interfere with a respondent's care, control, or custody of the respondent's minor child. 7.105.050(1)(b)
3. The action would affect the use or enjoyment of real property or would exclude a party from a shared dwelling. 7.105.050(1)(c)
4. The petitioner, victim, or respondent to the petition is under 18 years of age. 7.105.050(1)(d)
5. The district court is unable to verify whether there are potentially conflicting or related orders involving the parties as required by RCW 7.105.105 or 7.105.555. 7.105.050(1)(e)

Superior court to which the case is transferred shall determine whether to grant any request for a continuance. 7.105.050(2)

Service – 7.105.150 - Generally

1. The court may use any address reasonably probable to provide actual notice 7.105.150(2)
2. Respondent must file confidential party information form 7.105.150(3)
3. Service waived if respondent appears remotely or in person 7.105.150(4)
4. Respondent is a minor or subject to guardianship: 7.105.150(5)
Service required on respondent and parent / guardian
5. Service must be completed 5 judicial days prior to the hearing, unless waived by non-moving party. 7.105.165(1)
6. Court must permit service by other means if there have been two unsuccessful attempts. 7.105.165(1)

No fees for service by public agencies.

7.105.105(9)

<u>Confidential Information Sheet</u> - Blank form included with service packet	7.105.105(2)
<u>Personal Service</u>	7.105.150(1)(a)
Service by law enforcement required if Temporary Order includes:	
Weapons Surrender Order	
Transfer of Custody	
Vacating a shared residence	
Respondent incarcerated	
All other protection order proceedings unless Petitioner elects for third party to serve	
Two attempts required – Then electronic service permitted.	7.105.150(1)(a)
Service complete when served.	7.105.165(2)
<u>Electronic Service</u>	7.105.150(1)(b)
Must be made by law enforcement unless Petitioner elects for third party to serve.	
Petitioner must provide Respondent’s electronic contact information	
Declaration of service required.	
Must include petition, supporting materials, notice of hearing and orders.	
Verification of notice required.	
Read-receipt, sworn declaration, follow-up communication,	
Service complete on transmission	7.105.165(2)
<u>Service by Mail</u>	7.105.150(1)(c)
Permitted when:	
Personal service required, two unsuccessful attempts, and electronic service not possible.	
Personal and electronic service not successful – Court shall direct service by mail	
Requirements:	
Two copies – one regular mail and one certified	
Party’s last known address or other address determined by the court to be appropriate.	
Proof of service required – sworn declaration.	
Service complete 10 calendar days after mailing	7.105.165(2)

Service by Publication 7.105.150(1)(d)

Permitted when all other means of service have been exhausted or are not possible due to lack of known physical or electronic address.

Requirements set forth in 7.105.150(d).

Service complete on 3rd publication when published for 3 consecutive weeks. 7.105.165(2)

Special Note on ERPO Service 7.105.340(2)

Respondent may be served in court if physically present.

If Respondent refuses to accept service, agent of court may note Resp refused to accept.

Respondent appearing remotely must be provided a copy of the Order.

Respondent leaving hearing and court finds Resp had sufficient notice, no further service required.

Full Order Hearing

Respondent Not Served 7.105.200(3)

If no proof of service and Respondent not present, court shall reissue the temporary order and reset hearing 14 days, unless extended for good cause.

Respondent Served and FTA 7.105.150(4)

Further service of order not required if material terms are same as temporary order.

Discovery 7.105.200(7)

Civil Rules apply – deposition, requests for production, requests for admission.

Requires written motion by requesting party filed and served on the other party.

Requires permission of the court.

Good cause standard to permit discovery.

Evidence Rules – do not apply. 7.105.200(8)

Evidence Presented at Hearing 7.105.200(5)

Petition

Live testimony of Parties

Testimony of other witnesses – not permitted unless necessary and material

Declarations

Prior sexual activity or reputation of Petitioner	7.105.200(9)
<u>Duration of Orders</u>	7.105.315
All Orders except Antiharassment - Not less than 1 year unless Petitioner requests shorter period.	
For Antiharassment – May be less than 1 year	
All Orders - If contact with minor children limited – Not more than 1 year.	
<u>Civil Standby</u>	
<u>Essential Personal Effects</u>	7.105.010(10)
Those items necessary for a person's immediate health, welfare, and livelihood. "Essential personal effects" includes, but is not limited to, clothing, cribs, bedding, medications, personal hygiene items, cellular phones and other electronic devices, and documents, including immigration, health care, financial, travel, and identity documents. Includes pets. Doesn't matter if the pet belongs to the petitioner / respondent / minor child. See 7.105.310(1)(n).	
Denial	7.105.225(5)
Written order setting forth basis for denial	
Written basis for not including a minor	
Advisement from the bench	
Petitioner may refile if there is new evidence	
Petitioner may seek reconsideration or appeal	
Right to access a recording of the proceedings	
No Dismissal Over Objection of Petitioner	7.105.150(7)
No dismissal over objection of Petitioner based upon inability to serve unless all service methods have been attempted unsuccessfully, or are not possible.	
Realignment – Court may realign the parties for DV and UH	7.105.210
Miscellaneous	
<u>Community Resources</u>	7.105.120



DMCJA Board of Governors Meeting
Friday, July 8, 2022 12:30 p.m. to 3:30 p.m.
Zoom Video Conference <https://wacourts.zoom.us/j/82910554410>

MEETING MINUTES

Members Present:

Chair, Commissioner Rick Leo
Judge Anita Crawford-Willis
Judge Michael Frans
Judge Jessica Giner
Judge Jeffrey D. Goodwin
Judge Carolyn M. Jewett
Judge Lloyd Oaks
Judge Kevin Ringus
Judge Charles D. Short
Judge Karl Williams
Judge Tam Bui, BJA Representative
Judge Mary Logan, BJA Representative
Judge Rebecca Robertson, BJA Representative

Members Absent:

Judge Catherine McDowall
Judge Jeffrey Smith
Commissioner Paul Wohl
Judge Dan B. Johnson, BJA Representative

Guests:

Judge Andrea Beall, Conference Planning Chair
Judge Samuel Chung, SCJA Liaison
Judge Angelle Gerl, DOL Liaison Chair
Judge Kristian Hedine, Bylaws Chair
Judge Whitney Rivera, Legislative Co-Chair
Judge Wade Samuelson, Rules Co-Chair
Ellen Attebury, DMCMA Liaison
Jen Crossen, MPA Liaison

AOC Staff:

Stephanie Oyler, Primary DMCJA Staff
Tracy Dugas, Court Program Specialist
Arsenio Escudero, JISC Business Liaison
Garret Tanner, CLJ-CMS Project Manager

CALL TO ORDER

Commissioner Rick Leo, 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 p.m.

PRESENTATION – Integrating DMCJA Priorities into Committee Work, Commissioner Rick Leo

Commissioner Rick Leo explained that the DMCJA Priorities are created by every year by the Long Range Planning Committee and then presented to the Board for approval. Commissioner Leo is requesting that each committee review the 2022-2023 DMCJA Priorities and choose a priority that will be incorporated into their work over the next year. Each committee Chair will present a report in September to explain the project they have chosen.

GENERAL BUSINESS

A. Minutes

The minutes from the May 14, 2022 meeting were previously distributed to the members. Commissioner Leo asked if there were any changes that needed to be made to the minutes. Hearing none, the minutes were approved by consensus.

B. Treasurer and Special Fund Reports for May/June

Treasurer Judge Anita Crawford Willis referred members to the Treasurer's Report which is available in the packet.

Special Fund Custodian Judge Karl Williams referred to the Special Fund Report in the packet. Judge Williams reminded members that special fund dues will be assessed in the next dues collection process (end of this year).

The Board moved, seconded, and passed a vote (M/S/P) to accept the Treasurer and Special Fund Reports for May and June.

LIAISON REPORTS

A. Superior Court Judges' Association (SCJA)

SCJA President-Elect Judge Samuel Chung reported that the SCJA recently completed their five-year plan, which includes eight long range planning goals. Judge Chung will share their work towards those goals as they move throughout the year. Judge Chung also reported that the Salary Commission workgroup has been meeting regularly with a public relations consultant to establish messaging, and that the SCJA has been working to address some issues with the Supreme Court rulemaking process. Judge Robertson responded that she has noticed judicial independence remains an important priority for the SCJA and that she would like to invite the SCJA to add a representative to the DMCJA's Council on Independent Courts which has a focus on those issues, so she will reach out to Judge Chung after the meeting today.

B. District and Municipal Court Management Association (DMCMA)

DMCMA President Ellen Attebury reported that is has been an exciting year for DMCMA. They have created a new court administrator job description, and the proposal for mandatory education has been approved and will be effective January 1, 2023. Ellen shared that DMCMA may work on a model clerk job description next, and they have been making improvements to their processes such as consistent email addresses for their board members, and updating their website. Judge Williams inquired if there will be financial support along with the mandatory education requirement, and Judge Goodwin noted that as this is now part of a rule, the hope is that local funding will be easier to come by. Commissioner Leo also noted that DMCJA has some funding set aside for this purpose as well.

C. Misdemeanant Probation Association (MPA)

Representative Jen Crossen reported that she is filling in for Regina Alexander as the MPA representative today. Jen shared that MPA recently held their annual conference, with a focus on trends in trauma, and they have been providing trainings on de-escalation. MPA hopes to host more statewide virtual and hybrid trainings that will be open to judges and clerks, with topics including best practices and motivational interviewing.

D. Washington State Association for Justice (WSAJ)

Representative Mark O'Halloran was not present.

E. Washington State Bar Association (WSBA)

Representative Francis Adewale was not present.

F. Administrative Office of the Courts (AOC)

State Court Administrator Dawn Marie Rubio was not present.

G. Board for Judicial Administration (BJA)

Judge Robertson shared that the BJA Policy and Planning Committee has established two task forces: one for remote proceedings, and one for alternatives to incarceration, which are currently being set up with members. Judge Logan reported that the Budget and Funding Committee has not met recently. Judge Bui reported on behalf of the BJA Education Committee that the Supreme Court recently

adopted diversity/equity/inclusion credit requirements and mandatory education for administrators. Judge Bui also shared that the Interbranch Advisory Committee recently met for the first time.

H. Judicial Information System (JIS)

AOC JIS Business Liaison Arsenio Escudero reported that AOC has been working on the required changes to JABS to accommodate the requirements of HB 1320 and HB 1901. Regarding statewide access to protection order documents, AOC is still determining the details of the solution but the documents will be accessible through JABS. Arsenio reported that recent issues with slowness between JABS and Odyssey are still being addressed. Arsenio shared that CLJ-CMS remains a top priority for AOC and that there has been a decision package drafted for the integration platform that will be required for courts to utilize third party software integrated into CLJ-CMS. Arsenio noted that the solution will take time to implement, follow industry best practices, be scalable, reliable, and available. Commissioner Rick Leo shared that he has recently been in contact with Justice Madsen, Chair of JISC, and that she provided him with an overview of where the project stands if anyone has questions.

STANDING COMMITTEE REPORTS

Commissioner Leo explained that a sample monthly report is available in the packet. He would like each Chair to either attend the Board meeting or provide a written report each month. Leo asked Judge Logan if she would like to have JASP included on this list and she said yes. She reported that JASP is currently working on an anger management program.

A. Bylaws Committee

Judge Kristian Hedine reported that Bylaws Committee is still working on a way to include tribal (fellow) memberships but that they should have proposed language soon to present to the board for consideration as a future bylaws amendment.

B. Conference Planning Committee

Ellen Attebery (on behalf of Judge Beall) reported that this committee does not generally meet until January and that they are excited to potentially plan for an in-person event this year.

C. Council on Independent Courts

Judge Rebecca Robertson reported that CIC has now scheduled its first meeting of the year.

D. Diversity Committee

Judge Karl Williams (on behalf of Judge Gregory) reported that the electronic home monitoring study conducted by the committee was drafted into a proposal to the BJA for a strategic initiative, and it was accepted. The hope is that the task force will ultimately work to provide legislative funding for pretrial and post-conviction services throughout the state.

E. DOL Liaison Committee

Judge Angelle Gerl reported that she is new to being the Chair of this committee, but that she has been on the committee for two years. This committee is responsible for maintaining the relationship between DMCJA and the Department of Licensing, and in the past, they have worked on issues relating to suspensions for failure to appear, and reporting requirements for ignition interlock devices. The first committee meeting of the year will be held next week.

F. Education Committee

Judge Jeffrey R. Smith was not present.

G. Legislative Committee

Judge Kevin Ringus reported that the committee has been meeting regularly, including earlier today, to determine which of the six proposals from DMCJA members should be put forth to the board for

consideration this year. The committee is working in collaboration with the Public Outreach Committee on an event for legislators in September, and will also be planning a Legislative Day early in 2023. Judge Ringus noted that DMCJA submitted several concept papers that are now in the decision package process, and they will be further developed and incorporated into the branch budget if they are approved by BJA and the Supreme Court. Important topics this year include therapeutic courts funding and options for a “Blake fix” bill.

H. Public Outreach Committee

Judge Beth Fraser and Judge Michelle K. Gehlsen were not present.

I. Rules Committee

Judge Wade Samuelson reported that he and Judge McDowall recently held their first Rules Committee meeting as Co-Chairs, and one of the first items they are tackling is proposed IRLJ amendments based on SB 5226. Judge Samuelson remarked that the proposed amendments do much more than what is required by the law, create a different standard for ability to pay, and would be burdensome on court labor and resources. Judge Goodwin, as outgoing Chair, shared that another recent issue the committee is working on relates to GR 31. A recent rule amendment limits public access to juvenile records, but the rule was stayed to give the Supreme Court and stakeholders and opportunity to further review the impacts of the changes. Judge Goodwin also reported that there has been discussion between the DMCJA and the SCJA about how to better participate in the rulemaking process, as currently they do not have the opportunity to review and comment on proposals until after publication, even though this is the process outlined in GR 9. The DMCJA Rules Committee is working directly with the Supreme Court Rules Committee to address some of these issues.

J. Therapeutic Courts Committee

Judge Fred Gillings and Judge Jenifer Howson were not present.

ACTION

A. Ratification of Board Appointment

The Board moved, seconded, and passed a vote (M/S/P) to ratify the appointment of Judge Whitney Rivera, Edmonds Municipal Court, to fill the unexpired term of Position 5 on the DMCJA Board.

B. Reimbursement of Lobbyist Gift from Special Fund

M/S/P to approve reimbursement of \$300 to Judge Charles Short from the Special Fund for the 2022 gift to the DMCJA lobbyist, Melissa Johnson.

DISCUSSION

A. Board Position 5 – Vacancy

Judge Laura Van Slyck retired effective June 30, 2022. The remainder of her term expires June 2023. Commissioner Leo has appointed Judge Whitney Rivera, Edmonds Municipal Court, to the board seat and requests the board’s support in ratifying this appointment. M/S/P to move this item to Action today.

B. Board Position 10

Commissioner Leo explained that this position was created to increase diversity on the board, and the previous occupant remains in a new board position, so the position will not be filled this year.

C. Board Operational Rules Update

Commissioner Leo explained that the Operational Rules are outdated and no longer reflect current practice, such as references to appearance via phone and a mention that members must attend meetings in-person. Commissioner Leo inquired if anyone would be willing to volunteer to review the document for potential changes, but there were no volunteers at this time. Commissioner Leo suggested that Judge Hedine, as Bylaws Chair, may be the most appropriate person to review this document. Primary staff will inquire with Bylaws Committee staff.

D. Future Agenda Presentation Ideas

Commissioner Leo explained he would like to continue to have presentations at future board meetings and that topics can be diverse, including legal topics or presentations by nonprofit organizations. Judge Oaks suggested that the presentations center on the theme of the DMCJA Priorities. Discussion ensued about potential topics, including tribal judges, fingerprint collection, and protection orders. Members are encouraged to be creative in their ideas for presentation topics, and can send any ideas to staff.

E. Lobbyist Gift Reimbursement

Judge Short reported that as is standard practice, he purchased a \$300 gift for the DMCJA lobbyist, and is now requesting reimbursement from the Special Fund. M/S/P to move this item to Action today.

F. Interbranch Advisory Committee

Judge Ringus reported that the Interbranch Advisory Committee met for the first time on June 17, 2022 with representatives present from all three branches, with the Chief Justice and Senator Pedersen being voted as Co-Chairs. As this was an initial meeting, everyone present was able to introduce themselves and provide a brief statement about what they hoped to accomplish with the Committee. The Committee also received brief presentations about the legislative and judicial budget processes. Judge Ringus noted that his impression was that legislators would like to see the judicial budget when it is submitted to the governor versus waiting until it is officially published.

INFORMATION ITEMS

Commissioner Leo shared that in addition to the items below, there is a webinar on July 21 at noon for the DMCJA grant writing services from CPIN, and encouraged all judges and administrators to attend in order to learn more about the grant writers and the services they can provide to courts.

Commissioner Leo brought the following informational items to the Board's attention.

- A. Webinar: Judicial Branch Funding – How Money Flows and Where it Goes, Christopher Stanley, AOC Chief Financial and Management Officer
- B. DMCJA Response to Comments Submitted in Opposition to Proposed CrRLJ 3.3 and CrR 3.3
- C. Court Recovery Task Force Final Report: [“Re-Imagining Our Courts: Pandemic Response and Recovery Lead Courts Into the Future.”](#)
- D. New AOC Program: Trial Court Legal Services

OTHER BUSINESS

A. Attendee Information Sharing

Judge Logan shared that the Washington State Institute for Public Policy recently shared a study on mandatory arrests in domestic violence cases. The report is available here:

[Wsipp_Mandatory-Arrest-for-Domestic-Violence-A-Systematic-Review_Report.pdf \(wa.gov\)](#)

- B. The next DMCJA Annual Business Meeting is scheduled for Friday, August 12, 2022 from 12:30 p.m. to 3:30 p.m. via Zoom video conference.

The meeting was adjourned at 3:31 p.m.

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

SUMMARY OF REPORTS

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

For the Period Ending August 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 Statement (7-31-22)
- Prior Budget Balance
- 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 August 31, 2022

	Aug 31, 22
ASSETS	
Current Assets	
Checking/Savings	
Bank of America - Checking	13,709
Bank of America - Savings	334,950
Washington Federal (Spec Fund)	39,023
Total Checking/Savings	387,683
Total Current Assets	387,683
Fixed Assets	
Accumulated Depreciation	(703)
Computer Equipment	579
Total Fixed Assets	(124)
TOTAL ASSETS	387,558
LIABILITIES & EQUITY	
Equity	
Unrestricted Earnings	107,290
Unrestricted Net Assets	305,296
Net Income	(25,028)
Total Equity	387,558
TOTAL LIABILITIES & EQUITY	387,558

Washington State District And Municipal Court Judges Assoc.
Statement of Activities
For the Two Months Ending August 31st, 2022

	<u>Jul 22</u>	<u>Aug 22</u>	<u>TOTAL</u>
Ordinary Income/Expense			
Income			
Interest Income	12.93	0.00	12.93
Total Income	<u>12.93</u>	<u>0.00</u>	<u>12.93</u>
Gross Profit	12.93	0.00	12.93
Expense			
Fraud	7.97	0.00	7.97
Contract Grant Writer	833.75	5,093.75	5,927.50
President's - Special Fund	94.86	0.00	94.86
Prior Year Budget Expense	4,692.47	580.00	5,272.47
Board Meeting Expense	0.00	3,000.00	3,000.00
Bookkeeping Expense	318.00	318.00	636.00
Judicial Assistance Committee	101.74	(8,000.00)	(7,898.26)
Lobbyist Contract	12,000.00	6,000.00	18,000.00
Total Expense	<u>18,048.79</u>	<u>6,991.75</u>	<u>25,040.54</u>
Net Ordinary Income	<u>(18,035.86)</u>	<u>(6,991.75)</u>	<u>(25,027.61)</u>
Net Income	<u>(18,035.86)</u>	<u>(6,991.75)</u>	<u>(25,027.61)</u>

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Bank of America - Checking, Period Ending 08/31/2022

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						19,361.31
Cleared Transactions						
Checks and Payments - 12 items						
Check	07/12/2022		City of Tukwila	X	-2,000.00	-2,000.00
Check	07/12/2022		Okanogan County D...	X	-394.63	-2,394.63
Check	07/25/2022		Okanogan County D...	X	-394.63	-2,789.26
Check	07/26/2022		Chelan County Distr...	X	-600.00	-3,389.26
Check	07/26/2022		Kyle Mott	X	-176.00	-3,565.26
Check	08/01/2022		Charles Short	X	-300.00	-3,865.26
Check	08/01/2022		Charles Short	X	-280.00	-4,145.26
Transfer	08/01/2022			X	-94.86	-4,240.12
Check	08/02/2022		Collaborative Parner...	X	-2,682.50	-6,922.62
Check	08/12/2022		Pierce County Book...	X	-318.00	-7,240.62
Check	08/15/2022		Bogard & Johnson, ...	X	-6,000.00	-13,240.62
Check	08/22/2022		Collaborative Parner...	X	-2,411.25	-15,651.87
Total Checks and Payments					-15,651.87	-15,651.87
Deposits and Credits - 2 items						
Deposit	08/12/2022			X	8,000.00	8,000.00
Transfer	08/15/2022			X	5,000.00	13,000.00
Total Deposits and Credits					13,000.00	13,000.00
Total Cleared Transactions					-2,651.87	-2,651.87
Cleared Balance					-2,651.87	16,709.44
Uncleared Transactions						
Checks and Payments - 1 item						
Check	08/30/2022		Sun Mountain Lodge		-3,000.00	-3,000.00
Total Checks and Payments					-3,000.00	-3,000.00
Total Uncleared Transactions					-3,000.00	-3,000.00
Register Balance as of 08/31/2022					-5,651.87	13,709.44
Ending Balance					-5,651.87	13,709.44

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

Type	Date	Name	Memo	Amount	Balance
Bank of America - Checking					
Check	07/08/2022	Collaborative Parners Initiative, LLC		(833.75)	(833.75)
Check	07/08/2022	Pierce County Bookkeeping		(318.00)	(1,151.75)
Check	07/08/2022	Sonial R. True		(117.00)	(1,268.75)
Check	07/08/2022	Opal Art Glass		(1,010.21)	(2,278.96)
Check	07/11/2022	Bogard & Johnson, LLC		(6,000.00)	(8,278.96)
Check	07/11/2022	Bogard & Johnson, LLC		(6,000.00)	(14,278.96)
Transfer	07/11/2022		Funds Transfer	12,000.00	(2,278.96)
Check	07/12/2022	City of Tukwila		(2,000.00)	(4,278.96)
Check	07/12/2022	Okanogan County District Court		(394.63)	(4,673.59)
Check	07/25/2022	Okanogan County District Court		(394.63)	(5,068.22)
Transfer	07/25/2022		Funds Transfer	10,000.00	4,931.78
Check	07/26/2022	Kyle Mott		(176.00)	4,755.78
Check	07/26/2022	Chelan County District Court		(600.00)	4,155.78
Check	08/01/2022	Charles Short		(300.00)	3,855.78
Transfer	08/01/2022		Funds Transfer	(94.86)	3,760.92
Check	08/01/2022	Charles Short		(280.00)	3,480.92
Check	08/02/2022	Collaborative Parners Initiative, LLC		(2,682.50)	798.42
Check	08/12/2022	Pierce County Bookkeeping		(318.00)	480.42
Deposit	08/12/2022		Jasp Contribution	8,000.00	8,480.42
Transfer	08/15/2022		Funds Transfer	5,000.00	13,480.42
Check	08/15/2022	Bogard & Johnson, LLC		(6,000.00)	7,480.42
Check	08/22/2022	Collaborative Parners Initiative, LLC		(2,411.25)	5,069.17
Check	08/30/2022	Sun Mountain Lodge		(3,000.00)	2,069.17
Total Bank of America - Checking				2,069.17	2,069.17
Bank of America - Savings					
Transfer	07/11/2022		Funds Transfer	(12,000.00)	(12,000.00)
Transfer	07/25/2022		Funds Transfer	(109.71)	(12,109.71)
Transfer	07/25/2022		Funds Transfer	(10,000.00)	(22,109.71)
Deposit	07/31/2022		Interest	2.99	(22,106.72)
Transfer	08/15/2022		Funds Transfer	(5,000.00)	(27,106.72)
Total Bank of America - Savings				(27,106.72)	(27,106.72)
Washington Federal (Spec Fund)					
Deposit	07/31/2022		Interest	9.94	9.94
Total Washington Federal (Spec Fund)				9.94	9.94
Credit Cards					
Bank of America C. C.					
Credit Card...	07/12/2022	GroupGreeting		(101.74)	(101.74)
Credit Card...	07/15/2022	Google *Ciara Prochask		(3.49)	(105.23)
Credit Card...	07/15/2022	Google *Ciara Prochask		(3.49)	(108.72)
Credit Card...	07/15/2022	Google *Ciara Prochask		(0.99)	(109.71)
Transfer	07/25/2022		Funds Transfer	109.71	0.00
Credit Card...	07/26/2022	Buds Blooms		(94.86)	(94.86)
Transfer	08/01/2022		Funds Transfer	94.86	0.00
Total Bank of America C. C.				0.00	0.00
Total Credit Cards				0.00	0.00
Interest Income					
Deposit	07/31/2022		Interest	(2.99)	(2.99)
Deposit	07/31/2022		Interest	(9.94)	(12.93)
Total Interest Income				(12.93)	(12.93)
Fraud					
Credit Card...	07/15/2022	Google *Ciara Prochask	Google *Ciara Pr...	3.49	3.49
Credit Card...	07/15/2022	Google *Ciara Prochask		3.49	6.98
Credit Card...	07/15/2022	Google *Ciara Prochask	Google *Ciara Pr...	0.99	7.97
Total Fraud				7.97	7.97

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

Type	Date	Name	Memo	Amount	Balance
Contract Grant Writer					
Check	07/08/2022	Collaborative Parners Initiative, LLC	Invoice 1104	833.75	833.75
Check	08/02/2022	Collaborative Parners Initiative, LLC	Invoice 1114	2,682.50	3,516.25
Check	08/22/2022	Collaborative Parners Initiative, LLC	Invoice 1126	2,411.25	5,927.50
Total Contract Grant Writer				5,927.50	5,927.50
President's - Special Fund					
Credit Card...	07/26/2022	Buds Blooms	flowers sent to J...	94.86	94.86
Total President's - Special Fund				94.86	94.86
Prior Year Budget Expense					
Check	07/08/2022	Sonial R. True	JASP	117.00	117.00
Check	07/08/2022	Opal Art Glass	President Line It...	1,010.21	1,127.21
Check	07/12/2022	City of Tukwila	Pro Tempore	480.00	1,607.21
Check	07/12/2022	City of Tukwila	Board Meeting E...	1,520.00	3,127.21
Check	07/12/2022	Okanogan County District Court	Spring Conferen...	394.63	3,521.84
Check	07/25/2022	Okanogan County District Court	Judge Steyiner's...	394.63	3,916.47
Check	07/26/2022	Kyle Mott	Public outreach ...	176.00	4,092.47
Check	07/26/2022	Chelan County District Court	Pro Tempore Lin...	600.00	4,692.47
Check	08/01/2022	Charles Short	President's spe...	300.00	4,992.47
Check	08/01/2022	Charles Short	Judge Steiner M...	280.00	5,272.47
Total Prior Year Budget Expense				5,272.47	5,272.47
Board Meeting Expense					
Check	08/30/2022	Sun Mountain Lodge	Retreat Down Pa...	3,000.00	3,000.00
Total Board Meeting Expense				3,000.00	3,000.00
Bookkeeping Expense					
Check	07/08/2022	Pierce County Bookkeeping	Invoice 1246	318.00	318.00
Check	08/12/2022	Pierce County Bookkeeping		318.00	636.00
Total Bookkeeping Expense				636.00	636.00
Judicial Assistance Committee					
Credit Card...	07/12/2022	GroupGreeting		101.74	101.74
Deposit	08/12/2022	Superior Court Judges Association	Jasp Contribution	(8,000.00)	(7,898.26)
Total Judicial Assistance Committee				(7,898.26)	(7,898.26)
Lobbyist Contract					
Check	07/11/2022	Bogard & Johnson, LLC	June Payment	6,000.00	6,000.00
Check	07/11/2022	Bogard & Johnson, LLC	July Payment	6,000.00	12,000.00
Check	08/15/2022	Bogard & Johnson, LLC	August Payment	6,000.00	18,000.00
Total Lobbyist Contract				18,000.00	18,000.00
TOTAL				0.00	0.00

Other current information not included in reports

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	13,727.00	1,273.00
Bookkeeping Expense	\$ 3,500.00	3,816.00	-316.00
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	12,457.00	3,543.00
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	455.00	2,045.00
Lobbyist Contract	\$ 105,000.00	66,000.00	39,000.00
Long-Range Planning Committee	\$ 750.00		750.00
MPA Liaison	\$ 250.00		250.00
Municipal/District Court Swearing In - Every 4 yrs (next 12/2021)	\$ 500.00	38.00	462.00
Mary Fairhurst National Leadership Grants	\$ 5,000.00		5,000.00
Nominating Committee	\$ 100.00		100.00
President Expense	\$ 1,500.00	4,013.00	-2,513.00
Special Fund (from President line item)	\$ 500.00	776.00	-276.00
Pro Tempore (committee chair approval)	\$ 10,000.00	5,374.00	4,626.00
Professional Services (Dino Traverso, CPA)	\$ 1,500.00	775.00	725.00
Public Outreach (ad hoc workgroup)	\$ 150.00	329.00	-179.00
Rules Committee	\$ 500.00	0.00	500.00
SCJA Board Liaison	\$ ³³ 250.00		250.00

Therapeutic Courts	\$ 2,500.00		2,500.00
Treasurer Expense and Bonds	\$ 100.00	33.00	67.00
Trial Court Advocacy Board - DORMANT	\$ -		
Uniform Infraction Citation Committee	\$ 1,000.00		1,000.00
Totals	\$310,450.00	\$111,793.00	\$198,657.00
Special Fund			
*Includes \$8,000 from the SCJA			
	updated 08/31/2022		

DMCJA 2022-2023 Adopted Budget

Item/Committee	ALLOCATED	SPENT	Balance
Access to Justice Liaison	\$ 100.00		100.00
Audit (every 3 years)			
Bar Association Liaison (WSBA)	\$ 100.00		100.00
Board Meeting Expense	\$ 30,000.00	3,000.00	27,000.00
Bookkeeping Expense	\$ 3,500.00	636.00	2,864.00
Bylaws Committee	\$ 250.00		250.00
Conference Calls/Zoom	\$ 100.00		100.00
Conference Planning Committee	\$ 4,000.00		4,000.00
Conference (Spring) <u>Incidental</u> Fees For Members for 2023	\$ 40,000.00		40,000.00
Contract Grant Writer*	\$ 72,000.00	5,928.00	66,072.00
Contract Policy Analyst			0.00
Council on Independent Courts (CIC)	\$ 500.00		500.00
Diversity Committee	\$ 500.00		500.00
DMCJA/SCJA Sentencing Alternatives aka "Trial Court Sentencing and Supervision Committee" DORMANT			
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	102.00	15,898.00
Insurance (every 3 years)			
Judicial College Social Support	\$ 2,000.00		2,000.00
Judicial Community Outreach	\$ 2,000.00		2,000.00
Legislative Committee	\$ 1,500.00		1,500.00
Legislative Pro-Tem	\$ 2,500.00		2,500.00
Lobbyist Contract	\$ 72,000.00	18,000.00	54,000.00
Lobbyist Expenses	\$ 1,500.00		1,500.00
Long-Range Planning Committee	\$ 750.00		750.00
MPA Liaison	\$ 250.00		250.00
Municipal/District Court Swearing In - Every 4 yrs (12/2024)			0.00
(Mary Fairhurst) National Leadership Grants	\$ 5,000.00		5,000.00
Nominating Committee	\$ 100.00		100.00
President Expense	\$ 3,000.00		3,000.00
President's Expense - Special Fund	\$ 1,000.00	95.00	905.00
Pro Tempore (committee chair approval)	\$ 10,000.00		10,000.00

Professional Services	\$ 1,500.00		1,500.00
Public Outreach (ad hoc workgroup)	\$ 1,000.00		1,000.00
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	\$ 100.00		100.00
Trial Court Advocacy Board (TCAB) - dormant			0.00
Uniform Infraction Citation Committee (UICC)	\$ 1,000.00		1,000.00
Totals	\$ 308,200.00	\$ 27,761.00	\$ 280,439.00
Special Fund			
*To include \$50,000 carryover from 2021-2022 budget			
** To include \$8000,00 from the SCJA and carryover of any remaining funds from 2021-2022 budget			

updated 8-31-22



Statement of Account

PAGE 1 OF 1

Statement End Date July 31, 2022

Statement Begin Date July 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' 13849
 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	0.300%
Interest Rate Effective 07/01/2022	0.300%
Interest Earned/Accrued this Cycle	\$9.94
Number of Days in this Cycle	31
Date Interest Posted	07-31-2022
Year-to-Date Interest Paid	\$48.83

Beginning Balance	\$39,012.77
Interest Earned This Period	+9.94
Deposits and Credits	+0.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$39,022.71

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

We are here to help!

Reach our 24-hour Client Care Center at 1-800-324-9375

@WAFDbank
 wafdbank.com

Interest Earned This Period

Date	Description	Amount
07-31	Credit Interest	9.94
Total Interest Earned This Period		9.94

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.



WASHINGTON COURTS

September 2022

District & Municipal Court Judges' Association Meeting

Submitted by Arsenio Escudero, ISD CLJ Business Liaison

Administrative Office of the Courts

JIS Report

Timely Data in JABS from Enterprise Justice

Slowness issues from last month have been resolved. Information is now being pulled from DISCUS and SCOMIS instead of Enterprise Justice. There may be some duplication issues with the current solution that should be reported to AOC. We are continuing work with Tyler to ensure that issues in timeliness are resolved. This issue in timeliness is isolated to the Superior Court. Courts that go onto CLJ-CMS will pull directly from the EDR, will not have any timeliness issues.

SB 5226

AOC is working with the Washington State Patrol to implement program changes to criminal citations and notice of infractions so that a test ticket printed from SECTOR can be reviewed/approved by the Uniform Infraction and Citation Committee and ready for testing by AOC and the Department of Licensing. AOC is also working with the Department of Licensing to finalize new FTA codes that work for all the impacted Courts including Seattle Municipal Court and King County District Court. Criminal Citation changes, as required by ESHB 1504 legislation, will likely be implemented along with ESSB 5226 changes on January 1, 2023.

Protection Order Document Sharing – House Bill 1320/1901 (ITG #1344)

As part of the HB 1320/1901, the WA Legislature mandated a mechanism for all the judicial officers statewide to be able to view Protection Order related documents. Two deadlines have been set for this mandate. By January 1, 2023 all the 39 Superior Courts should be able to share protection order documents with all judicial officers statewide. The same functionality for the Courts of Limited Jurisdiction is required to be in place by January 1, 2026. The end goal is that by January 1, 2026 – any protection order filed in any court, will be available to any judge working in any court.

A 20-member technical workgroup was put together to discuss and provide solutions to the question of how to provide judicial officers statewide with access to protection order documents and data from superior courts and courts of limited jurisdiction.

AOC will be implementing a solution to achieve the mandate with the following features:

1. JABS will be the Viewer for the protection order documents
2. Protection order documents from King Superior, Pierce Superior, 22 Superior Courts that are using the Odyssey Document Management System (DMS) and 15 Superior Courts that are on Odyssey but have their own DMS, will be shared across all the 39 counties
3. The AOC EDR team will build a “proxy” or “brokering” mechanism to control the traffic for these requests to go between JABS and the various DMSs to “fetch” the document images and “provide” them back to JABS to display
4. AOC will not store or retain any documents retrieved via this process

5. Tribal and Military courts are not in-scope for this go-around for the January 1, 2023 deadline.

ITG 1348 -Blake Certification System

This ITG requests to create a system to track refunds related to the Blake decision and any similar future refunds. It is moving toward the analysis step of the ITG process. Once the analysis is complete, it will go to endorsement confirmation for review and confirmation.

ITG 1340 - Enterprise Integration Platform and Ext API

This ITG has gone through the JISC for approval and has been approved and is designated JISC priority #3 on the prioritization matrix. A decision package has also been submitted to fund this ITG. Once I have further updates on the Decision Package and/or this ITG, I will communicate it at a future meeting.

ITG 1345 - Integration of OCourt platform into the new CLJ-CMS

This is a high priority request. AOC has completed the analysis of ITG 1345. This request has been approved by the CLJ Court Level User Group (CLJ-CLUG) and prioritized as priority #3 on the CLJ-CLUG priority matrix and will move forward to the CIO for approval. This request is dependent on ITG 1340 attaining funding, having dedicated resources, and beginning implementation.

ITG 1323 – County Code Information

This was a request to add the court's county code to the court's Official/Organization (OFO) Record so that it could be added to the Collection Agency Assignment (CAA) report. It was recommended by the CLJ Court Level User Group that this ITG not move forward due to the update not being available to courts transitioning to Enterprise Justice.

Courts of Limited Jurisdiction Case Management System (CLJ-CMS)

The October 2022 implementation of Enterprise Justice, eFile & Serve, and Enterprise Supervision for the pilot courts will be delayed until 2023.

While not ideal, this delay will ultimately prove beneficial for the project and our CLJs. Our ultimate goal is to ensure a high-quality product rollout as soon as possible. We do not wish to sacrifice functionality for speed of implementation, and our Pilot Court leaders continue to affirm their support by stating they would prefer to see this project delivered correctly rather than too quickly.

DMCJA

MONTHLY COMMITTEE REPORT TO THE BOARD

****IF A CHAIR, OR A COMMITTEE MEMBER DESIGNEE, IS NOT AVAILABLE TO ATTEND THE MEETING VIA ZOOM/IN-PERSON, A WRITTEN REPORT SHOULD BE SUBMITTED FOR THE BOARD PACKET****

Bylaws
COMMITTEE

Judge Kristian E. Hedine
CHAIR(S)

PRINCIPAL ACTIVITIES OVER THE PAST MONTH

The Committee met on multiple occasions and approved a draft of revised Article III, Section 1 of the Bylaws providing for an additional membership category, to be known as the “fellow” category. The final draft of that provision will be submitted to the DMCJA Board of Directors for its approval at its September 9 meeting.

The Committee also discussed ways of carrying out the DMCJA Board’s 2022-2023 Priorities as requested by President Leo during the July Board meeting, as described in more detail below.

WORKS IN PROGRESS AND PLANNED FUTURE ACTIVITIES

The Committee has identified the following Priorities which it believes it can help to establish or support by amending the applicable portions of the Bylaws as requests for changes to the Bylaws are received by the Board or the membership.

Priority	Strategy	Bylaws section to be reviewed
No. 1, Identifying and Eliminating Systemic Racism in our Justice System No. 3, Access to Justice	Review and adopt recommendations from the Racial Justice Consortium Action Plan and add or propose language as needed to carry out these Priorities	Article II, Purpose Article III, Membership
No. 8, Member Engagement	Establish a participation goal and add language to Bylaws encouraging members to be more active in the governance of the DMCJA	Art. X, Section 1, Membership of Committees
No. 9, Continuity of Operations	Review and adopt language to modify the Bylaws to carry out this Priority item	Selected provisions of Article VI, Meetings, Voting and Quorum and Article VII, Board of Governors and other provisions as identified by Board or membership request

The Committee will meet as needed to discuss additional revisions to the Bylaws and will focus on supporting and carrying out the Board's Priorities in any proposed changes to the Bylaws. The Committee will then propose changes to the Bylaws after reviewing and discussing sections of the Bylaws that are in need of revision to carry out the Board's Priorities.

DMCJA

MONTHLY COMMITTEE REPORT TO THE BOARD

****IF A CHAIR, OR A COMMITTEE MEMBER DESIGNEE, IS NOT AVAILABLE TO ATTEND THE MEETING VIA ZOOM/IN-PERSON, A WRITTEN REPORT SHOULD BE SUBMITTED FOR THE BOARD PACKET****

DMCJA Diversity
COMMITTEE

Judge Willie Gregory
CHAIR(S)

PRINCIPAL ACTIVITIES OVER THE PAST MONTH

- Reviewed and discussed the DMCJA 2022-23 Priorities.
- Reviewed and discussed the proposed court rule related to Driving While License Suspended, and are considering whether DMCJA Diversity should provide comment before comment period ends on August 31.
- Discussed the upcoming WSBA Pro-Tem Training that will take place in 2023. Planning for the training has officially commenced.
- Was invited to participate in the Washington Initiative for Diversity's Executive Diversity Summit. Judge Willie Gregory will present at the Summit on behalf of the DMCJA Diversity Committee to talk about the DEI work that the Committee has done over the years.

WORKS IN PROGRESS AND PLANNED FUTURE ACTIVITIES

- Identify DMCJA 2022-23 Priority Project(s) that this committee will take on
- Determine whether to provide comment on proposed court rule related to DWLS
- Planning for WSBA Pro-Tem Training 2023
- Participate in the Washington Initiative for Diversity's Executive Diversity Summit

DMCJA

COMMITTEE REPORT TO THE BOARD

DOL Liaison Committee
COMMITTEE

Judge Angelle Gerl
CHAIR(S)

2022-2023 DOL LIAISON COMMITTEE PRIORITIES

1. Increase access to ADR for individuals pursuing relicensing: This supports the DMCJA priorities regarding access to justice and continuity of operations. The goal is to make it easier for all persons to access ADR for purposes of relicensing and treatment. The court is often the most convenient location for a person to obtain a copy of their ADR.

Action Items – Proposing changes to RCW 46.52.130 to remove references to five and ten years for ADR, to allow for probation to forward the ADR directly to a treatment agency, and to prohibit courts from imposing a fee for providing ADR to persons who are indigent.

2. Create a model for therapeutic courts to assist individuals with relicensing: This supports the DMCJA priorities regarding continuity of operations and support for therapeutic courts. Many individuals in Washington continue to face license suspensions and have difficulty navigating relicensing.

Action Items – Collaborate to create a model to assist courts that wish to add a relicensing component to their existing or future therapeutic courts.

3. Propose an amendment to IRLJ 6.6 for weigh station calibration and certification: This supports the DMCJA priority regarding continuity of operations. This rule amendment would allow for consistent judicial standards throughout the state by ensuring there is clear direction on what information WSP should provide regarding their scales and how to supply it to the courts.

Action Items – Collaborate with the Rules Committee to amend the IRLJ. Create GR 9 Cover sheet with proposed amendments for submission.

4. Updating JIS Person Records with Death Certificate information: This proposal supports the DMCJA priority regarding continuity of operations and would streamline death record information for the courts.

Action Items - To submit request to ITG (IT Governance) regarding the streamlining of death record information to the courts.

DMCJA

MONTHLY COMMITTEE REPORT TO THE BOARD

****IF A CHAIR, OR A COMMITTEE MEMBER DESIGNEE, IS NOT AVAILABLE TO ATTEND THE MEETING VIA ZOOM/IN-PERSON, A WRITTEN REPORT SHOULD BE SUBMITTED FOR THE BOARD PACKET****

Legislative
COMMITTEE

Judges Ringus & Rivera
CHAIR(S)

PRINCIPAL ACTIVITIES OVER THE PAST MONTH

On August 4th, the Legislative Committee co-chairs, the Therapeutic Court Committee co-chairs, the DMCJA lobbyist, and Stephanie Oyler met over Zoom with Chris Stanley of AOC to further discuss the Therapeutic Courts funding decision package. This decision package will be presented to the BJA Budget & Funding Committee in September.

Judge Ringus, Judge Rivera, and the DMCJA lobbyist, Melissa Johnson, met over Zoom with Representative Goodman to discuss the upcoming session, anticipated legislation, and one of our legislative proposals.

The Committee met over Zoom on August 12th to review our proposed legislative agenda for the 2023 legislative session. There was discussion over two, new proposals, therapeutic court funding models, DMCJA funding priorities, and the 2022-2023 DMCJA Priorities Project.

WORKS IN PROGRESS AND PLANNED FUTURE ACTIVITIES

Several of the action items within the Priorities Project were identified by the Committee and already fall under the mission of the Committee (namely, meeting face-to-face with local and state legislative members, advocacy with the legislature for funding objectives, and developing strategies to educate the executive and legislative branches).

As initiatives are identified and may arise during the legislative process, we will review each item using a diversity, equity, and inclusion lens to identify areas of potential racism as it may relate to our judges, staff, and participants.

Our next meeting is scheduled for September 9th, 2022. In addition, we are collaborating with the Public Outreach committee to bring state and local legislators into courtrooms on September 21st. The lunch event is titled "You've Been Served".

We will continue to plan our Legislative Day 2023 to be held in January or early February, 2023.

DMCJA

MONTHLY COMMITTEE REPORT TO THE BOARD

Rules
COMMITTEE

Wade Samuelson, Cat McDowall
CHAIR(S)

PRINCIPAL ACTIVITIES OVER THE PAST MONTH

CrRLJ 3.4: The committee responded to an emergency request from several municipal court members to delay implementation of CrRLJ 3.4.

CrRLJ 7.6 workgroup: Judges Goodwin and McDowall participated in a workgroup initiated by Justice Johnson, asking us to come to agreement over the proposal to amend CrRLJ 7.6. We did not come to agreement and let Justice Johnson know that we still opposed the proposed changes to the rule.

IRLJ Amendments: The committee spent a large portion of this month crafting (strong) objections to the proposal to amend the IRLJs. These proposals were extremely problematic, for all the reasons stated in our objections.

CrRLJ 4.7 WSBA Proposal: WSBA Rules Committee sought our input on their proposed changes to CrRLJ 4.7. We provided a written response expressing concern and opposition to some of their proposals. They have not yet submitted a rules proposal to Supreme Court Rules Committee, so we do not know whether they accepted or incorporated our comments.

DMCJA Priorities: The committee discussed how we will implement DMCJA priorities for this 2022-23 year. We plan to focus on the following:

- 1. Identifying and Eliminating Systemic Racism in our Justice System:* Our committee plans to review current rules to see if amendments could be proposed to eliminate systemic racism or bias in the justice system. We will also review rules proposed for comment with this goal in mind, and to comment in support or opposition to the rules as noted.
- 2. Preserving the Independence of Courts of Limited Jurisdiction:* Our committee plans to review all rules published for comment to ensure that this goal is met. Many recent proposals (particularly some proposed by defense bar organizations) have sought to limit the discretion of judges when addressing matters within our jurisdiction. Our committee plans to diligently monitor proposals for this and prepare comments in opposition to limits on our discretion through Court Rules.

WORKS IN PROGRESS AND PLANNED FUTURE ACTIVITIES

- CrRLJ 3.4 technical amendment
- Proposed amendments to CrRLJ 2.1 (change from PCN to TCN);
- Proposed amendments to CrRLJ 7.4, CrRLJ 7.5
- GR 19 proposal regarding standards for video hearings in court
- Work with WSSC Rules Committee and SCJA on updates to GR 9
- Potential amendment to IRLJ 6.6



**DMCJA Rules Committee Meeting
Tuesday, June 28, 2022 (12:15 – 1:15 p.m.)**

Via Zoom

MEETING MINUTES

Members Attending:

Judge Samuelson, Co-Chair
Judge Buttorff
Commissioner Dooyema
Judge Freund
Judge Gerl
Judge Meyer
Commissioner Nielsen
Judge Padula
Judge Steele

AOC Staff:

J Benway
Ashley Tam

Members Not Attending:

Judge Biggar
Judge McDowall, Co-Chair
DMCMA Liaison [position vacant]

Guests:

Judge Kevin Ringus

Judge Samuelson called the meeting to order at 12:17 p.m. and welcomed the guests in attendance. He noted that new members were appointed to the Committee; the meeting participants introduced themselves.

The Committee discussed the following items:

A. Approve minutes from the May 31, 2022 Committee meeting

Hearing no objections, the minutes of the May 31, 2022 Committee meeting were deemed approved.

B. Discuss proposed IRLJ amendments published for comment:

1. Overview of process and proposal

Ms. Benway stated that E2SB 5226, passed by the legislature in 2021, changed certain aspects of infraction processing and added an option to allow people to opt out of paying a ticket. For the Infractions Rules for Courts of Local Jurisdiction (IRLJ) to conform to the new statutes, many rules will need to be amended prior to the legislation's effective date of January 1, 2023.

A number of groups (the ACLU of Washington, Columbia Legal Services, Northwest Justice Project, Public Defender Association, Washington Defender Association, Washington Driver's Relicensing Task Force) joined together to propose amendments to the IRLJ in response to the legislation. The proposal also suggests changes that are not required by the legislation, but which the proponents would like to see implemented. The changes that are required by the legislation and those that are not are not separately identified in the proposal.

In addition to rules changes, the proponents suggest changes to the Pattern Forms used in courts of limited jurisdiction and to the Uniform Infraction and Citation (UIC) form. The WSSC published the proposal for comment with a deadline of August 31, 2022.

2. UICC Concerns

Judge Ringus, Chair of the Uniform Infraction and Citation Committee (UICC), stated that he was Chair of the DMCJA Legislative Committee when SB 5226 was proposed. The DMCJA registered various concerns regarding the proposal but these were largely overlooked. He noted that the proposal purports to amend the UIC form, which the proponents lack the authority to do. Further, the UIC (ticket) should not be embedded in a rule, because then every time a change was required to the ticket form, the rule would have to be amended.

With regard to the substance of the proposal, Judge Ringus noted that the legislation only impacts traffic infractions, but the IRLJ, JIS, and various forms do not distinguish between the types of infractions. This creates issues because, for example, the legislation sets the time to respond to a traffic infraction at 30 days but other infractions have a 15-day response time. The reference to GR 34 is also problematic.

Judge Ringus agreed that the proposal suggests changes that aren't required by the legislation, for example, by including certain advisements in the forms that the statute does not require. The UICC provided a draft letter outlining their concerns that they intend to submit to the WSSC Rules Committee.

3. Pattern Form Committee CLJ Subcommittee Concerns

The Chair of the CLJ Subcommittee, Judge Hawkins, was unable to attend today's meeting but presented draft comments on the proposal. Ashley Tam, who staffs the UICC and the Pattern Forms Committee CLJ Subcommittee, provided comments on behalf of the Subcommittee. Ms. Tam stated that the proposal bypasses the proper route to propose or amend pattern forms, because that authority lies exclusively with the Pattern Forms Committee, a multi-stakeholder group with well-defined processes. Further, the form should not be embedded in a rule because that makes it difficult to amend. The fact that the proposal creates confusion, for example by citing GR 34 but referring to GR 39 standards, demonstrates the need for further review.

Ms. Tam also stated that the proposal was causing concern for AOC because of difficulties with implementation. She understands that AOC will provide their own comment letter regarding the proposal.

4. DMCJA Concerns and Next Steps

The Committee discussed various concerns with the proposal, including the payment plan provisions, and the practical aspects of collecting small amounts. The consensus was that the proposal would make more work for courts and create the potential for more court appearances and more failure to appear. Judge Samuelson relayed that his court clerk thought it would increase their workload, and Committee members agreed. This matter was carried forward to the next Committee meeting.

C. Other Business and Next Meeting Date

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

The meeting was adjourned at 1:20 p.m.



**DMCJA Rules Committee Meeting
Tuesday, July 26, 2022 (12:15 – 1:15 p.m.)**

Via Zoom

MEETING MINUTES

Members Attending:

Judge McDowall, Co-Chair
Judge Samuelson, Co-Chair
Judge Biggar
Commissioner Dooyema
Judge Freund
Judge Gerl
Judge Meyer
Commissioner Nielsen
Judge Padula
Judge Steele

AOC Staff:

J Benway

Members Not Attending:

Judge Buttorff
DMCMA Liaison [position vacant]

Judge McDowall called the meeting to order at 12:17 p.m. and welcomed the attendees; the participants introduced themselves.

The Committee discussed the following items:

1. Approve minutes from the June 28, 2022 Committee meeting

Hearing no objections, the corrected minutes of the June 28, 2022 Committee meeting were deemed approved.

2. Discuss proposed IRLJ amendments published for comment [comment deadline of August 31]:

E2SB 5226, passed by the legislature in 2021, changed certain aspects of infraction processing and added an option to allow people to opt out of paying a ticket. A number of groups (the ACLU of Washington, Columbia Legal Services, Northwest Justice Project, Public Defender Association, Washington Defender Association, Washington Driver's Relicensing Task Force) joined together to propose amendments to the IRLJ to be adopted prior to the legislation's effective date of January 1, 2023. The Uniform Infraction and Citation Committee (UICC), the Pattern Forms Committee's CLJ Subcommittee, and AOC are submitting separate comments opposing the proposal.

The Committee Co-Chairs requested that a Committee member act as point person for this item and draft a response to the proposal. The Committee agreed that a good general approach would be to (1) express opposition; (2) state that it is difficult to analyze because what is required by the bill is mixed in with policy asks by the proponents; (3) agree with the comments of the UICC and Pattern Forms Committee; and (4) provide a few issues (bullet points are fine) about which the DMCJA is particularly concerned. Judge Padula agreed to prepare a draft comment letter for Committee review; she will request assistance from Judge Buttorff. Ms. Benway will provide Judge Padula with supporting materials and facilitate review of the comment by the DMCJA Board.

3. Update on rules proposals

Judge Samuelson and Ms. Benway provided updates regarding recent rules proposals: The DMCJA proposals to amend GR 22, CRLJ 43, and CrRLJ 3.4 were adopted by the WSSC, as was the proposal to enact a new ARLJ 14. Other proposals that will impact CLJs were also adopted, including a new GR 42 pertaining to indigent defense, and the deletion of the citizen complaint provisions from CrRLJ 2.1. Ms. Benway noted that the DMCJA proposals to amend CrRLJ 3.3 and GR 19 appear to be stalled at this time.

4. CrRLJ 7.6 workgroup with defense bar update

Judge McDowall reported that the WSSC Rules Committee had convened a series of discussions between the Washington Defenders Association (WDA), the DMCJA, and other interested stakeholders to discuss the WDA proposal to amend CrRLJ 7.6. Judge McDowall and Judge Goodwin have attended the meetings. The primary areas of disagreement are the WDA's requests that (1) the offender is allowed to be physically present at all hearings; (2) a full hearing is held within 14 days; and (3) due process rights during cross-examination are spelled out. Another meeting has been scheduled and Judge McDowall will report back at a later Committee meeting.

5. Discuss WSBA proposal to amend CrRLJ 4.7

The WSBA Rules Committee has requested that the DMCJA Rules Committee review a draft proposal to amend CrRLJ 4.7 and provide comments by August 25, 2022. The Committee discussed potential concerns and what position to take on the proposal. Judge McDowall and Judge Samuelson agreed to draft a proposed comment to circulate to the Committee prior to the deadline.

6. Discuss DMCJA Priorities

Judge McDowall stated that new DMCJA President Commissioner Leo is requesting that all the DMCJA Committees (1) incorporate the official "DMCJA Priorities" into their Committee work, and (2) report on these efforts at DMCJA Board meetings, beginning with the September 9 meeting. The Committee generally agreed

that they would attempt to identify burdens to access to justice as they review the CLJ rules. Judge McDowall stated that she can provide the monthly reports because she attends meetings in her capacity as a DMCJA Board member.

7. Rules updates to put on radar and consider at next meeting:

- Judge Steele proposal re CrRLJ 7.4 and CrRLJ 7.5

Judge Steele stated that he had drafted proposed amendments to CrRLJ 7.4 and CrRLJ 7.5 and would appreciate comments from the Rules Committee. Ms. Benway stated that she would forward the proposal to the Committee, who can respond directly to Judge Steele.

- Judge Ringus proposal to update CrRLJ 2.1

Judge Ringus, on behalf of the UICC, has requested that the DMCJA Rules Committee consider proposing an amendment to CrRLJ 2.1 to replace references to “PCN” to “TCN” to correspond with current practice. Ms. Benway will follow up regarding a GR 9 Cover Sheet and proposal.

- Draft/update new GR 19 with stuff cut from CrRLJ 3.4?

Judge McDowall stated that the amended version of CrRLJ 3.4 that was adopted by the WSSC removed provisions pertaining to video conference proceedings. Revised versions of the provisions were included in the proposal to amend GR 19 that the DMCJA proposed, which now seems to be on hold. These proceedings are currently covered by the WSSC’s Emergency COVID orders, but the Committee should keep this issue in mind.

8. Other Business and Next Meeting Date

The next Committee meeting is scheduled for Tuesday, August 23, 2022 at 12:15 p.m., via zoom video conference. Judge McDowall requested that Ms. Benway begin sending Outlook invitation for the Committee meetings.

Judge McDowall stated that long-time Committee staff J Benway would no longer staff the Committee after the September 9, 2022 DMCJA Board meeting.

The meeting was adjourned at 1:10 p.m.

MEMORANDUM

TO: DMCJA Board of Governors
FROM: Judge Kevin Ringus and Judge Whitney Rivera, DMCJA Legislative Committee Co-Chairs
DATE: September 2, 2022
RE: Recommendations to the Board: Legislative Package for 2023 Session

On April 12, 2022, the DMCJA Legislative Committee (“Committee”) sent its *Call for Ideas and Potential Legislation for the 2023 Legislative Session* out to the DMCJA listserv. To date, we have received 7 proposals. The Committee has met monthly, beginning in May, to discuss these proposals and other items in preparation for the 2023 legislative session.

On August 12, 2022, the Committee met to discuss proposed DMCJA legislation and decided by general consensus to recommend the DMCJA Board of Governors (“Board”) take the actions stated below.

Recommended 2023 DMCJA Legislative Action:

- 1) Introduce legislation that creates explicit authority to hold someone without bail until their first appearance on a domestic violence assault or protection order case. *See attached* for suggested language changes to RCW [10.31.100](#) and RCW [7.105.450](#).
- 2) Introduce legislation that will increase access to Abstract Driver Records (ADR) for individuals pursuing relicensing by removing references to five and ten years for ADRs furnished to alcohol/drug assessment or treatment agencies, allowing for courts to more easily provide a no-cost ADR. *See attached* for suggested language changes to RCW [46.52.130](#).
- 3) Support DMCJA budget requests presented to the BJA as BJA budget priorities or, in the alternative, as DMCJA priorities. Additional decision packages have been created for several budget requests that have been included with other BJA priorities. At a minimum, it is recommended for support to include:
 - a. CLJ Therapeutic Courts Funding, and
 - b. FAIR Court (Secret Shopper)

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	12,207.00	2,793.00
Bookkeeping Expense	\$ 3,500.00	3,816.00	-316.00
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	12,340.00	3,660.00
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	455.00	2,045.00
Lobbyist Contract	\$ 105,000.00	66,000.00	39,000.00
Long-Range Planning Committee	\$ 750.00		750.00
MPA Liaison	\$ 250.00		250.00
yrs (next 12/2021)	\$ 500.00	38.00	462.00
Mary Fairhurst National Leadership Grants	\$ 5,000.00		5,000.00
Nominating Committee	\$ 100.00		100.00
President Expense	\$ 1,500.00	2,723.00	-1,223.00
Special Fund (from President line item)	\$ 500.00	476.00	24.00
Pro Tempore (committee chair approval)	\$ 10,000.00	3,505.00	6,495.00
Professional Services (Dino Traverso, CPA)	\$ 1,500.00	775.00	725.00
Public Outreach (ad hoc workgroup)	\$ 150.00	153.00	-3.00
Rules Committee	\$ 500.00		500.00
SCJA Board Liaison	\$ 250.00		250.00
Therapeutic Courts	\$ ⁵⁴ 2,500.00		2,500.00

Treasurer Expense and Bonds	\$ 100.00	33.00	67.00
Trial Court Advocacy Board - DORMANT	\$ -		
Uniform Infraction Citation Committee	\$ 1,000.00		1,000.00
Totals	\$310,450.00	\$106,521.00	\$203,929.00
Special Fund			
*Includes \$8,000 from the SCJA			
	updated 08/31/2022		

63RD WASHINGTON JUDICIAL CONFERENCE REGISTRATION FLYER

**VIRTUAL PROGRAM
SEPTEMBER 18 - 20, 2022**

Sponsored by the:

**The Washington State Supreme Court
and
The Annual Conference Committee**



63RD WASHINGTON JUDICIAL CONFERENCE

Virtual Program Information

Registration Info

1. **Registration.** Required for each individual session.
2. **Email.** It is recommended to use the same email address for all registrations.
3. **Confirmation.** Individualized confirmations will be sent to the email address you register with.
4. **Add to Calendar.** Use the “add to calendar” in the confirmation email from Zoom to add a reminder to your electronic calendar. This may be a separate download through your web browser.
5. **Session Reminders Are NOT guaranteed.** Please add the information to your calendar.

PLEASE NOTE: SELECT SESSIONS MAY BE RECORDED BUT ARE NOT GUARANTEED.

Continuing Education Credits

Continuing Judicial Education (CJE) and Continuing Legal Education (CLE) credits have been requested for this program. Your attendance will be reported to the Washington State Bar Association within 30 days of the close of the program.

63RD WASHINGTON JUDICIAL CONFERENCE

Virtual Program Information

At-a-Glance Agenda

September 16-18, 2022 a link to film: *Who We Are: A Chronicle of Racism in America* (180 min) will be disseminated via email. Participants are encouraged to view the film prior to attending the Sunday opening session.

Sunday, September 18

1:00 p.m. - 1:05 p.m.	<i>Welcome and Opening Remarks</i>
1:05 p.m. - 2:00 p.m.	<i>Joint Business Meeting</i>
2:15 p.m. - 5:30 p.m.	<i>Who We are: A Chronicle of Racism in America - A Discussion</i>

Monday, September 19

8:30 a.m. - 10:00 a.m.	<i>All Things Legislative: Civil Protection Orders Q & A and Court Security</i>
10:30 a.m. - 12:00 p.m.	<i>All Things Legislative: Legal Financial Obligations Update</i>
1:00 p.m. - 4:30 p.m.	<i>Procedural Justice: It Starts with You</i>

Tuesday, September 20

8:30 a.m. - 10:00 a.m.	<i>Remote Interpreting: Lessons Learned During the Pandemic</i>
10:30 a.m. - 12:00 p.m.	<i>Newly Published Standards of Practice and Ethics for Judiciary Interpreters and Court Rule Revisions</i>
1:30 p.m. - 3:00 p.m.	<i>Holistic Approaches: Focus on Trauma Responsive Judging</i>

Prerequisite – Please view the film prior to the opening plenary on Sunday

	<p>FILM: <i>Who We Are: A Chronicle of Racism in America</i> (running time: 180 minutes)</p> <p>The Annual Conference Committee has purchased a link to the documentary <i>Who We Are: A Chronicle of Racism in America</i>.</p> <p>The link is active for 72 hours only. It can be accessed Friday, September 16, 2022 through Sunday, September 18, 2022. We will disseminate the information on how to access the link via email before September 16, 2022. However, if you wish to view the film prior to these dates it is currently available on Netflix.</p> <p>Please view the before the opening session with Mr. Robinson’s plenary program on Sunday, September 18 at 2:15 p.m.</p>	
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Sunday, September 18

1:00 p.m. - 1:05 p.m.	Welcome and Opening Remarks – Chief Justice Steven González	Register Here
1:05 p.m. - 2:00 p.m.	Joint Business Meeting	
2:15 p.m. - 5:30 p.m.	<p>Who We Are: A Chronicle of Racism in America – A Discussion <i>Mr. Jeffery Robinson, Founder and CEO of the Who We Are Project</i></p> <p>Mr. Robinson will review and discuss the film <i>Who We Are: A Chronicle of Racism in America</i>.</p> <p>Participants are encouraged to submit questions they have related to the film by clicking here. Please do so by September 1, 2022, so that faculty might address them during the training.</p>	

Monday, September 19

8:30 a.m. – 10:00 a.m.	<p>All Things Legislative</p> <p>Civil Protection Orders Q&A <i>Honorable Tim Fitzgerald, Spokane County Clerk</i> <i>Judge Jeffrey Goodwin, Snohomish County District Court</i> <i>Commissioner Jennie Laird, King County Superior Court</i> <i>Judge Anne Levinson, Retired</i> <i>Ms. Riddhi Mukhopadhyay, Sexual Violence Legal Services</i></p> <p><i>Sponsored by the Gender and Justice Commission</i></p> <p>E2SHB 1320 and SHB 1901 made significant changes to Washington’s protection order laws -- now codified in Chapter 7.105 RCW -- to promote greater access to justice and safety for litigants. Through facilitated discussion, faculty panelists will answer questions related to its implementation.</p>	Register Here
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Monday, September 19

	<p>Participants are encouraged to submit questions they have related to protection orders by clicking here. Please do so by September 1, 2022, so that faculty might address them during the training.</p>	
	<p>Court Security <i>Judge Sean O’Donnell, King County Superior Court</i></p> <p><i>Sponsored by the Court Security Task Force</i></p> <p>Join us for a short presentation highlighting budget strategies for 2023, Court Security Task Force activities, incident reporting, and a discussion on the general personal security concerns as a result of renewed fears of mass shootings and threats to Judicial Officers.</p>	<p>See above for registration</p>
<p>10:30 a.m. - 12:00 p.m.</p>	<p>All Things Legislative:</p> <p>Legal Financial Obligations Update <i>Dr. Anna Bosch, Legal Director, Living with Conviction</i> <i>Ms. Deborah Espinosa, Executive Director, Living with Conviction</i> <i>Mr. Corey Guilmette, Legal and Policy Director, Civil Survival</i> <i>Judge David Keenan, King County Superior Court</i></p> <p>Learn about significant changes to legal financial obligation laws resulting from the enactment of House Bill 1412, including in areas like restitution interest and time bars. Get an update on General Rule 39 mandatory forms used by parties and courts to provide for post-conviction LFO relief, and learn about the new <i>Justice in Motion</i> application designed by stakeholders to assist individuals seeking LFO relief.</p>	<p>Register Here</p>
<p>1:00 p.m. – 4:30 p.m.</p>	<p>Procedural Justice – It Starts with You <i>Professor Danieli Evans Peterson, Seattle University School of Law</i> <i>Judge Dave Larson, Federal Way Municipal Court</i> <i>Judge Kathryn Loring, San Juan Superior Court</i> <i>Judge Kara Murphy, Renton Municipal Court</i> <i>Judge Jessica Ness, Monroe Municipal Court</i> <i>Representative Tarra Simmons, 23rd Legislative District</i> <i>Representative Jamila Taylor, 30th Legislative District</i> <i>Justice Mary Yu, Washington State Supreme Court</i></p> <p><i>Sponsored by the BJA Public Trust and Confidence Committee</i></p> <p>The purpose of this session will be to focus on procedural justice as a tool that will help us achieve better outcomes and greater public trust and confidence in the judicial system. The session will examine how procedural justice is defined, how research supports the reality of better outcomes and a more favorable perception of the justice system when procedural justice principles are followed, how procedural justice has historically existed (or not), what constitutes best practices to ensure/enhance procedural justice, and how we can make meaningful change with very little expense and effort.</p>	<p>Register Here</p>

<p>8:30 a.m. - 10:00 a.m.</p>	<p>Remote Interpreting – Lessons Learned During the Pandemic <i>Ms. Claudia A’Zar, Certified Spanish Interpreter</i> <i>Ms. Cindy Nosko, Clark County District Court Interpreter Coordinator</i> <i>Judge Jacqueline Shea-Brown, Benton/Franklin Superior Courts</i> <i>Ms. Donna Walker, Certified Interpreter</i></p> <p><i>Sponsored by the Interpreter Commission</i></p> <p>This presentation will follow up on lessons learned during the past three years of our courts’ use of interpreters in proceedings where one or more participants are appearing remotely. This session will provide best-practice examples, tips, live action demonstrations, and resources to assist courts in providing meaningful language access in video remote hearings where interpreters are needed for effective communication with litigants, witnesses, and others due to a language difference. As a result of this session, participants will be able to recognize language barriers faced by LEP or Deaf individuals in remote hearings and be able to distinguish the particular language access challenges encountered by those litigants that limits meaningful participation and access to justice. Solutions will address best practices in integrating interpreting technology with interpreters for remote hearings, pro se parties and court-ordered programs and services and addressing the handling of remote jury proceedings with an interpreter using existing legal requirements currently in statute and by court rule.</p>	<p>Register Here</p>
<p>10:30 a.m. - 12:00 p.m.</p>	<p>Newly Published Standards of Practice and Ethics for Judiciary Interpreters and Court Rule Revisions <i>Ms. Emma Garkavi, Russian Certified Court Interpreter</i> <i>Ms. Linda Noble, Russian Certified Court Interpreter</i> <i>Judge Mafé Rajul, King County Superior Court</i> <i>Dr. Laurie Reinhardt, ASL Interpreter</i></p> <p><i>Sponsored by the Interpreter Commission</i></p> <p>The session will introduce jurists to the standards of practice and ethics for Washington State judiciary interpreters working in spoken and signed languages pursuant to the provisions of GR 11.2 and widely accepted court interpreter interpreting practices using a recently published Standards of Practice and Ethics created by the Administrative Office of the Courts’ Court Interpreter Program. The perspectives from interpreters and a Judge will help you to understand best practices and how to preserve the record.</p> <p>Through an understanding of what court interpreters do when interpreting in consecutive or simultaneous mode and while working in team interpreting situations, and when asked to sight-translate printed materials or interpret recordings into the court record, jurists will be able to make appropriate decisions on interpreted matters and thus protect the rights of the parties to a fair and just proceeding and to preserve the accuracy of statements entered into the record by the parties, the ancillary participants, and the court.</p>	<p>Register Here</p>

Tuesday, September 20

Holistic Approaches: Focus on Trauma Responsive Judging

Ms. Sarai Cook, National Trauma Awareness Initiative

Judge Adam Eisenberg, Seattle Municipal Court

Judge Mary Logan, Spokane Municipal Court

Judge Jeffrey Smith, Spokane District Court

Sponsored by the Gender & Justice Commission and TraumaAware

1:30 p.m. - 3:00 p.m.

Trauma-informed practices are important when working with those who have been exposed to traumatic events. Working with service providers and within the judicial branch to create and employ evidence-informed practices and approaches to providing trauma aware services continues to be a positive step forward in Washington Courts. The panel will discuss recognizing how a trauma response may manifest in your court proceedings with practical strategies to appropriately address; will share their experiences with the therapeutic court model they preside over; and will also address challenges that come before them in the therapeutic court setting.

[Register Here](#)

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2022-2023

DATE	TIME	MEETING LOCATION*
Friday, July 8, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Aug 12, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Sept 9, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Oct 14, 2022	12:30 – 3:30 p.m.	Zoom Video Conference *updated*
Friday, Nov 18, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Dec 9, 2022	12:30 – 3:30 p.m.	AOC SeaTac Facility 18000 International Blvd, Suite 1106 Zoom Available
Friday, Jan 13, 2023	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Feb 10, 2023	12:30 – 3:30 p.m.	AOC SeaTac Facility 18000 International Blvd, Suite 1106 Zoom Available
Friday, March 10, 2023	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, April 14, 2023	12:30 – 3:30 p.m.	AOC SeaTac Facility 18000 International Blvd, Suite 1106 Zoom Available
May 5-6, 2023	12:00 p.m. – 5:00 p.m. 8:00 a.m. – 3:00 p.m.	Board Retreat & Monthly Board Meeting Location: Winthrop, WA *updated*
June 4, 2023	9:00 a.m. – 12:00 p.m. (at Spring Program)	Annual Business Meeting Location: TBD *updated*

AOC Staff: Stephanie Oyler

****All meeting locations are subject to change, with notice to members***

Updated: August 30, 2022

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