



**DISTRICT AND MUNICIPAL  
COURT JUDGES' ASSOCIATION**

***BOARD MEETING***

**November 18, 2022**

**VIA ZOOM  
VIDEO CONFERENCE**



**DMCJA BOARD MEETING  
FRIDAY, NOVEMBER 18, 2022  
12:30 PM – 3:30 PM  
ZOOM VIDEO CONFERENCE**

**PRESIDENT RICK LEO**

<b>AGENDA</b>		<b>PAGE</b>
<b>1. Presentation</b>	2023 Chief Justice Mary Fairhurst National Leadership Grant Recipient Judge Angelle Gerl: Experience at the National Association of Women Judges Conference	
<b>2. General Business</b>	<ul style="list-style-type: none"> <li>A. Minutes for October 14, 2022</li> <li>B. Treasurer Report for October – Judge Anita Crawford-Willis</li> <li>C. Special Fund Report for October – Judge Karl Williams</li> </ul>	<ul style="list-style-type: none"> <li>1</li> <li>6</li> <li>18</li> </ul>
<b>3. Liaison Reports</b>	<ul style="list-style-type: none"> <li>A. Superior Court Judges' Association (<b>SCJA</b>) – Judge Samuel Chung, President-Elect</li> <li>B. District and Municipal Court Management Association (<b>DMCMA</b>) – Ellen Attebury, President</li> <li>C. Misdemeanant Probation Association (<b>MPA</b>) – Regina Alexander, Representative</li> <li>D. Washington State Association for Justice (<b>WSAJ</b>) – Mark O'Halloran</li> <li>E. Washington State Bar Association (<b>WSBA</b>) – Brent Williams-Ruth &amp; Erik Kaeding</li> <li>F. Administrative Office of the Courts (<b>AOC</b>) – Dawn Marie Rubio, State Court Administrator</li> <li>G. Board for Judicial Administration (<b>BJA</b>) – Judge Tam Bui, Judge Dan Johnson, Judge Mary Logan, Judge Rebecca Robertson</li> <li>H. Judicial Information System Update (<b>JIS</b>) – Arsenio Escudero, JIS Business Liaison, AOC</li> </ul>	
<b>4. Standing Committee Reports</b>	<ul style="list-style-type: none"> <li>A. Bylaws Committee Report – Judge Kristian Hedine</li> <li>B. Diversity Committee Report – Judge Willie Gregory</li> <li>C. DOL Liaison Committee Report – Judge Angelle Gerl</li> <li>D. Education Committee Report – Judge Jeffrey R. Smith</li> <li>E. Judicial Assistance Services Program (JASP) – Judge Mary Logan</li> <li>F. Legislative Committee Report – Judge Kevin G. Ringus and Judge Whitney Rivera</li> <li>G. Public Outreach Committee Report – Judge Michelle K. Gehlsen <ul style="list-style-type: none"> <li>1. Draft Minutes from the October 17, 2022 meeting</li> </ul> </li> <li>H. Rules Committee Report – Judge Catherine McDowall and Judge Wade Samuelson <ul style="list-style-type: none"> <li>1. Minutes from the September 27, 2022 meeting</li> </ul> </li> <li>I. Therapeutic Courts Committee Report – Judge Fred Gillings and Judge Jenifer Howson</li> </ul>	<ul style="list-style-type: none"> <li>19</li> <li>20</li> <li>21</li> <li>24</li> <li>26</li> </ul>
<b>5. Action Items</b>	<ul style="list-style-type: none"> <li>A. Bylaws Committee Proposal to amend to include “fellow” memberships</li> <li>B. Rules Committee Proposal re: IRLJ 6.6 GR 9</li> </ul>	<ul style="list-style-type: none"> <li>30</li> <li>31</li> </ul>

<ul style="list-style-type: none"> <li>C. Ratification of vote to confirm endorsement of ITG 1349 - Pacific City/Algona Muni KCD-Court Case Management System (CMS) to Enterprise Data Repository (EDR) Data Exchange</li> <li>D. Ratification of vote to approve to submit Rules Committee Proposed IRLJ amendments</li> </ul>	
<p><b>6. Discussion Items</b></p> <ul style="list-style-type: none"> <li>A. Staff at DMCJA Retreat</li> <li>B. DMCJA Logo – Survey Results and Funding for New Proposal</li> <li>C. December Board Meeting via Zoom – SeaTac Office still closed</li> <li>D. Rules Proposal re: CrRLJ 7.6</li> </ul>	34
<p><b>7. Information Items</b></p> <ul style="list-style-type: none"> <li>A. Rules Committee Proposed Changes to GR 9</li> <li>B. Rules Committee Adopted Technical Amendments to CrRLJ 3.4 Remote Appearances</li> <li>C. 2023 Court System Education Save the Dates</li> <li>D. Webinar: Mindfulness – What, Why, How: November 30, 2022</li> <li>E. Kitsap District Court <a href="#">Protection Orders Bench Binder Documents</a></li> <li>F. <a href="#">CLJ Caseload Dashboard</a> – <i>This is in beta/testing phase still</i></li> <li>G. Webinars for Presiding Judges: ARLJ 14 Town Hall: December 1, 2022 &amp; December 15, 2022</li> </ul>	<p>35</p> <p>46</p> <p>50</p> <p>51</p> <p>52</p>
<p><b>8. Other Business</b></p> <ul style="list-style-type: none"> <li>A. Attendee Information Sharing</li> <li>B. The next DMCJA Board meeting is scheduled for Friday, December 9, 2022 from 12:30 p.m. to 3:30 p.m. via Zoom video conference.</li> </ul>	
<p><b>9. Adjourn</b></p>	



**DMCJA Board of Governors Meeting**  
Friday, October 14, 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 Whitney Rivera  
Judge Charles D. Short  
Judge Jeffrey Smith  
Judge Karl Williams  
Commissioner Paul Wohl  
Judge Rebecca Robertson, BJA Representative

**Members Absent:**

Judge Catherine McDowall  
Judge Tam Bui, BJA Representative  
Judge Dan B. Johnson, BJA Representative  
Judge Mary Logan, BJA Representative

**Guests:**

Judge Samuel Chung, SCJA  
Judge Michelle Gehlsen, Public Outreach Chair  
Judge Kristian Hedine, Bylaws Chair  
Judge Jenifer Howson, Therapeutic Courts Co-Chair  
Judge Wade Samuelson, Rules Chair  
Regina Alexander, MPA Liaison  
Ellen Attebury, DMCMA Representative  
Brent Williams-Ruth, WSBA Liaison

**AOC Staff:**

Stephanie Oyler, Primary DMCJA Staff  
J Benway, Principal Legal Analyst  
Antoinette Bonsignore, DMCJA Policy Analyst  
Tracy Dugas, Court Program Specialist  
Arsenio Escudero, JIS Business Liaison  
Brenden Higashi, DMCJA Policy Analyst  
Carl McCurley, Court Research Center 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 12:36.

Commissioner Leo provided a brief overview of the Salary Commission meeting that occurred on October 11, 2022.

Commissioner Leo congratulated Judge Anita Crawford-Willis on her recent APEX award from the Washington State Bar Association and showed a video from that event.

**PRESENTATION – DMCJA Policy Analysts**

The new DMCJA Senior Court Program Analysts, Antoinette Bonsignore, Esq. and Dr. Brenden Higashi, PhD introduced themselves.

**GENERAL BUSINESS**

**A. Minutes**

The minutes from the September 9, 2022 meeting were previously distributed to the members. Commissioner Leo asked if there were any changes that needed to be made to the minutes. There was a typo in the "presentation" section. With that change, the minutes were approved by consensus.

**B. Treasurer Report for September**

Treasurer Judge Anita Crawford Willis presented the treasurer report.

**C. Special Fund Report for September**

Special Fund Custodian Judge Karl Williams presented the special fund report.

**LIAISON REPORTS**

**A. Superior Court Judges' Association (SCJA)**

SCJA President-Elect Judge Samuel Chung reported that SCJA provided a response to the Chief Justice regarding the draft interim emergency order, which is available in the materials for today's meeting. Judge Chung noted that SCJA felt that more time was needed before some of the changes should be terminated, and that some of the changes have been beneficial and should be kept, such as the authorization for remote proceedings. Judge Chung reported that Judges Forbes and Ramseyer recently presented on juvenile court rules, and that several SCJA judges were participating in the Salary Commission presentation. Judge Chung noted his appreciation for the ongoing collaboration with DMCJA on a proposal for GR 9 changes.

**B. District and Municipal Court Management Association (DMCMA)**

DMCMA President Ellen Attebury reported that the association is moving forward with planning an Administrators Academy to help court staff meet the new education requirements.

**C. Misdemeanant Probation Association (MPA)**

Representative Regina Alexander reported that MPA will be sending a letter to DMCJA regarding GR 22 and concerns about the process for therapeutic court records now being protected. Judge Gehlsen inquired about the probation academy and recommended that information is sent out to remind judicial officers that the training is mandatory.

**D. Washington State Association for Justice (WSAJ)**

Representative Mark O'Halloran was not present.

**E. Washington State Bar Association (WSBA)**

Representative Brent Williams-Ruth thanked the board and congratulated Judge Crawford-Willis on the Apex Award. Brent reported that WSBA is currently reviewing information regarding GR 9 and that they were previously not up to date on the work that DMCJA and SCJA were attempting to update the rule, however he does intend to prioritize information sharing back to WSBA.

**F. Administrative Office of the Courts (AOC)**

State Court Administrator Dawn Marie Rubio was not present.

**G. Board for Judicial Administration (BJA)**

Judge Robertson reported that she has just returned from vacation so her participation with BJA has been limited in the last month. She shared that the Policy and Planning Committee conducted a survey on adequate court funding, and that they are looking for ideas for how to gain more funding from state and local sources. Judge Robertson also noted that the Court Security Task Force is continuing to meet with legislators to talk about a shared costs model.

**H. Judicial Information System (JIS)**

AOC JIS Business Liaison Arsenio Escudero presented a brief update on Odyssey and JABS.

**STANDING COMMITTEE REPORTS**

**A. Bylaws Committee**

Judge Kristian Hedine reported under Discussion item A.

**B. Diversity Committee**

Judge Willie Gregory was not present.

**C. DOL Liaison Committee**

Judge Angelle Gerl was not present.

**D. Education Committee**

Judge Jeffrey R. Smith reported that the Education Committee will hold a retreat later this month, where they will review the draft schema and make decisions about programming. Judge Smith shared that Education did not receive that many suggestions for education programs this year but that members have additional ideas to contribute, and he has heard some great suggestions recently. Judge Smith noted that he misspoke during the last board meeting – the 2023 Spring Program will be held at the Centennial hotel in Spokane.

**E. Judicial Assistance Services Program (JASP)**

Judge Mary Logan was not present.

**F. Legislative Committee**

Judge Kevin Ringus noted that a written report from the committee is in the packet today.

**G. Public Outreach Committee**

Judge Michelle K. Gehlsen reported that the Public Outreach Committee recently held the You've Been Served event on September 21, and thanked the judicial officers who hosted at their courthouses. Judge Gehlsen reported that 13 courthouses participated, hosting 10 legislators plus staff, and that the event was well-received. Judge Gehlsen also reported that the DMCJA Facebook page is now live and that content can be sent to [DMCJAPublicOutreach@gmail.com](mailto:DMCJAPublicOutreach@gmail.com).

**H. Rules Committee**

Judge Wade Samuelson referred to the rules report in the packet, and noted that Rules continues to be a very business committee. Judge Samuelson shared that the committee recently met with representatives from the Washington State Supreme Court Rules Committee to discuss GR 9, and that DMCJA Rules will continue to collaborate with SCJA and WSBA on a solution.

**I. Therapeutic Courts Committee**

Judge Jenifer Howson reported that the Therapeutic Courts Committee will be proposing a robust symposium on therapeutic courts for the Spring Program, where new grant recipients and interested courts can receive resources and support, hopefully to include information about how to develop statistics.

**ACTION**

**A. Ratification of ITG 1349 – Pacific City/Algona Muni KCD-Court Management System (CMS) to Enterprise Data Repository (EDR) Data Exchange**

The Board moved, seconded, and passed a vote (M/S/P) to ratify the previous email vote to endorse the ITG request regarding Pacific City/Algona Muni KCD-Court Management System to EDR Data Exchange.

**B. Rules Committee Proposal re: 2.1**

M/S/P to approve this proposal from the Rules Committee and submit as a technical amendment to the Supreme Court Rules Committee.

## DISCUSSION

### A. Bylaws Committee Proposal to amend to include “fellow” memberships

Judge Hedine introduced this item and explained that the new language would allow for a new type of membership. Judge Ringus inquired if restructuring of dues would be required for “fellow” members. Discussion ensued about other changes that may be required, such as renaming of the organization. Commissioner Leo encouraged all Board members to review this proposal carefully and noted that this item will be on the agenda for Action at the next meeting.

### B. ITG Request #1339, Therapeutic Court Case Management

Dr. Mikala Meize-Bowers was not present and this item will be carried over to the November meeting.

### C. Rules Committee Proposal re: CrRLJ 2.1 GR 9

Judge Samuelson noted that this proposal is available in the meeting materials today. M/S/P to move this item to Action today.

### D. Rules Committee Proposal re: IRLJ 6.6 GR 9

Judge Samuelson noted that this proposal is available in the meeting materials today but that it is not urgent. This item will carry over to Action for the November meeting.

### E. Staff at the DMCJA Retreat

Commissioner Leo introduced this item and explained that now that DMCJA has more staff, they could all attend the Board Retreat event in May, but that AOC may not want to pay for all of the travel costs. Discussion ensued about the importance of having all staff at this event, with Judge Oaks noting that it is not just the formal meetings that occur, but the side discussions that are an important opportunity for all association staff. This item will carry over for continued Discussion at the November meeting.

### F. DMCJA Logo

Judge Jeffrey Smith reported that, per the previous discussions by the Board, he has opened an online contest to solicit logos for DMCJA. Judge Smith shared that he has received about 550 submissions, and has narrowed them down to 15 options, which staff will send out for an advisory vote. This item will carry over for continued Discussion at the November meeting.

## INFORMATION ITEMS

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

- A. DMCJA President’s appointments to the DMCJA Nominating Committee pursuant to DMCJA Bylaws, Art. IX, Sec. 2(a)(2).
- B. DMCJA Response to Emergency Orders
- C. Memo to Chief Justice González: DMCJA Comment on Interim Emergency Order
- D. Rules Committee Letter re: Proposed Amendments to CrRLJ 7.4 and 7.5
- E. Press Release: Gender & Justice Commission Research Finds DV MRT Treatment is Effective, Low Cost
- F. Trial Court Legal Services available on [Inside Courts](#)
- G. Webinar Recording: [Procedural Justice – It Starts With You](#)

- H. Webinar: Update on Search and Seizure Law to be held December 13, 2022
- I. DMCMA Conference to be held May 7-10, 2023 in Vancouver, WA
- J. Free Virtual Conference - [Community Justice 2022: International Summit](#), November 3, 2022

#### **OTHER BUSINESS**

- A. Attendee Information Sharing
- B. The next DMCJA Annual Business Meeting is scheduled for Friday, November 18, 2022 from 12:30 p.m. to 3:30 p.m. via Zoom video conference.

The meeting was adjourned at 2:30 p.m.



**Christina E Huwe**  
**Pierce County Bookkeeping**  
1504 58<sup>th</sup> 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 October 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
- 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 October 31, 2022

---

	Oct 31, 22
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Bank of America - Checking	12,081
Bank of America - Savings	309,959
Washington Federal (Spec Fund)	36,575
<b>Total Checking/Savings</b>	358,615
<b>Total Current Assets</b>	358,615
<b>Fixed Assets</b>	
Accumulated Depreciation	(703)
Computer Equipment	579
<b>Total Fixed Assets</b>	(124)
<b>TOTAL ASSETS</b>	<b>358,491</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Credit Cards</b>	
Credit Cards	
Bank of America C. C.	(8)
<b>Total Credit Cards</b>	(8)
<b>Total Credit Cards</b>	(8)
<b>Total Current Liabilities</b>	(8)
<b>Total Liabilities</b>	(8)
<b>Equity</b>	358,499
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>358,491</b>

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

	Jul 22	Aug 22	Sep 22	Oct 22	TOTAL
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
Interest Income	12.93	22.11	22.01	28.93	85.98
<b>Total Income</b>	12.93	22.11	22.01	28.93	85.98
<b>Gross Profit</b>	12.93	22.11	22.01	28.93	85.98
<b>Expense</b>					
Mary Fairhurst National Leaders	0.00	0.00	0.00	2,500.00	2,500.00
Fraud	7.97	0.00	0.00	(7.97)	0.00
Contract Grant Writer	833.75	5,093.75	1,825.55	6,061.25	13,814.30
President's - Special Fund	94.86	0.00	87.73	95.36	277.95
Special Fund Expense	0.00	0.00	2,500.00	0.00	2,500.00
Prior Year Budget Expense	4,692.47	580.00	0.00	0.00	5,272.47
Board Meeting Expense	0.00	3,000.00	12.00	0.00	3,012.00
Bookkeeping Expense	318.00	318.00	318.00	318.00	1,272.00
Judicial Assistance Committee	101.74	(8,000.00)	0.00	1,200.00	(6,698.26)
Lobbyist Contract	12,000.00	6,000.00	6,000.00	6,000.00	30,000.00
President Expense	0.00	0.00	0.00	114.50	114.50
Pro Tempore (Chair Approval)	0.00	0.00	0.00	573.40	573.40
Public Outreach (ad hoc workgrp)	0.00	0.00	0.00	1,394.74	1,394.74
Treasurer Expense and Bonds	0.00	0.00	140.00	0.00	140.00
<b>Total Expense</b>	18,048.79	6,991.75	10,883.28	18,249.28	54,173.10
<b>Net Ordinary Income</b>	(18,035.86)	(6,969.64)	(10,861.27)	(18,220.35)	(54,087.12)
<b>Net Income</b>	<u>(18,035.86)</u>	<u>(6,969.64)</u>	<u>(10,861.27)</u>	<u>(18,220.35)</u>	<u>(54,087.12)</u>

## Washington State District And Municipal Court Judges Assoc.

## Reconciliation Detail

Bank of America - Checking, Period Ending 10/31/2022

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						10,565.89
<b>Cleared Transactions</b>						
<b>Checks and Payments - 22 items</b>						
Check	09/28/2022		Liberty Mutual Insur...	X	-140.00	-140.00
Check	10/03/2022		City of Lakewood	X	-2,500.00	-2,640.00
Check	10/03/2022		Susanna Neil Kanth...	X	-1,200.00	-3,840.00
Check	10/03/2022		Pierce County Book...	X	-318.00	-4,158.00
Transfer	10/03/2022			X	-87.73	-4,245.73
Check	10/09/2022		Collaborative Parner...	X	-4,705.50	-8,951.23
Check	10/09/2022		Kent Municipal Court	X	-240.32	-9,191.55
Check	10/09/2022		Snohomish Co. Distr...	X	-216.89	-9,408.44
Check	10/09/2022		Grant County	X	-143.55	-9,551.99
Check	10/09/2022		City of Spokane	X	-142.25	-9,694.24
Check	10/09/2022		Lisa Hardy (Court A...	X	-134.97	-9,829.21
Check	10/09/2022		Federal Way Munici...	X	-131.35	-9,960.56
Check	10/09/2022		King County District ...	X	-118.74	-10,079.30
Check	10/09/2022		Karl Williams	X	-106.62	-10,185.92
Check	10/09/2022		Clark County District	X	-88.60	-10,274.52
Check	10/09/2022		City of Puyallup	X	-71.45	-10,345.97
Check	10/14/2022		Bogard & Johnson, ...	X	-6,000.00	-16,345.97
Check	10/14/2022		Pierce County Distri...	X	-179.64	-16,525.61
Check	10/19/2022		Rick Leo	X	-114.50	-16,640.11
Check	10/23/2022		Pierce County Distri...	X	-393.76	-17,033.87
Transfer	10/23/2022			X	-95.36	-17,129.23
Check	10/26/2022		Collaborative Parner...	X	-1,355.75	-18,484.98
Total Checks and Payments					-18,484.98	-18,484.98
<b>Deposits and Credits - 2 items</b>						
Transfer	10/03/2022			X	10,000.00	10,000.00
Transfer	10/09/2022			X	10,000.00	20,000.00
Total Deposits and Credits					20,000.00	20,000.00
Total Cleared Transactions					1,515.02	1,515.02
Cleared Balance					1,515.02	12,080.91
Register Balance as of 10/31/2022					1,515.02	12,080.91
<b>Ending Balance</b>					<b>1,515.02</b>	<b>12,080.91</b>

## Washington State District And Municipal Court Judges Assoc.

## Reconciliation Detail

Bank of America - Savings, Period Ending 10/31/2022

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						329,955.97
<b>Cleared Transactions</b>						
<b>Checks and Payments - 2 items</b>						
Transfer	10/03/2022			X	-10,000.00	-10,000.00
Transfer	10/09/2022			X	-10,000.00	-20,000.00
Total Checks and Payments					-20,000.00	-20,000.00
<b>Deposits and Credits - 1 item</b>						
Deposit	10/31/2022			X	2.66	2.66
Total Deposits and Credits					2.66	2.66
Total Cleared Transactions					-19,997.34	-19,997.34
Cleared Balance					-19,997.34	309,958.63
Register Balance as of 10/31/2022					-19,997.34	309,958.63
<b>Ending Balance</b>					<b>-19,997.34</b>	<b>309,958.63</b>

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

Type	Date	Name	Memo	Amount	Balance
<b>Bank of America - Checking</b>					
Check	07/08/2022	Collaborative Parners ...		(833.75)	(833.75)
Check	07/08/2022	Pierce County Bookke...		(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 Dis...		(394.63)	(4,673.59)
Check	07/25/2022	Okanogan County Dis...		(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 Distric...		(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 ...		(2,682.50)	798.42
Check	08/12/2022	Pierce County Bookke...		(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 ...		(2,411.25)	5,069.17
Check	08/30/2022	Sun Mountain Lodge		(3,000.00)	2,069.17
Check	09/12/2022	Pierce County Bookke...		(318.00)	1,751.17
Check	09/14/2022	Collaborative Parners ...		(1,825.55)	(74.38)
Check	09/15/2022	Bogard & Johnson, LLC		(6,000.00)	(6,074.38)
Check	09/28/2022	Liberty Mutual Insuran...		(140.00)	(6,214.38)
Transfer	09/30/2022		Funds Transfer	5,000.00	(1,214.38)
Transfer	10/03/2022		Funds Transfer	10,000.00	8,785.62
Check	10/03/2022	City of Lakewood		(2,500.00)	6,285.62
Check	10/03/2022	Susanna Neil Kanther...		(1,200.00)	5,085.62
Transfer	10/03/2022		Funds Transfer	(87.73)	4,997.89
Check	10/03/2022	Pierce County Bookke...		(318.00)	4,679.89
Check	10/09/2022	City of Puyallup		(71.45)	4,608.44
Check	10/09/2022	King County District C...		(118.74)	4,489.70
Check	10/09/2022	Snohomish Co. Distric...		(216.89)	4,272.81
Check	10/09/2022	City of Spokane		(142.25)	4,130.56
Check	10/09/2022	Grant County		(143.55)	3,987.01
Check	10/09/2022	Federal Way Municipa...		(131.35)	3,855.66
Check	10/09/2022	Lisa Hardy (Court Ad...		(134.97)	3,720.69
Check	10/09/2022	Collaborative Parners ...		(4,705.50)	(984.81)
Transfer	10/09/2022		Funds Transfer	10,000.00	9,015.19
Check	10/09/2022	Clark County District		(88.60)	8,926.59
Check	10/09/2022	Karl Williams		(106.62)	8,819.97
Check	10/09/2022	Kent Municipal Court		(240.32)	8,579.65
Check	10/14/2022	Bogard & Johnson, LLC		(6,000.00)	2,579.65
Check	10/14/2022	Pierce County District ...		(179.64)	2,400.01
Check	10/19/2022	Rick Leo		(114.50)	2,285.51
Transfer	10/23/2022		Funds Transfer	(95.36)	2,190.15
Check	10/23/2022	Pierce County District ...		(393.76)	1,796.39
Check	10/26/2022	Collaborative Parners ...		(1,355.75)	440.64
<b>Total Bank of America - Checking</b>				<b>440.64</b>	<b>440.64</b>

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

Type	Date	Name	Memo	Amount	Balance
<b>Bank of America - Savings</b>					
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)
Deposit	08/30/2022		Interest	2.86	(27,103.86)
Transfer	09/30/2022		Funds Transfer	(5,000.00)	(32,103.86)
Deposit	09/30/2022		Interest	2.75	(32,101.11)
Transfer	10/03/2022		Funds Transfer	(10,000.00)	(42,101.11)
Transfer	10/09/2022		Funds Transfer	(10,000.00)	(52,101.11)
Deposit	10/31/2022		Interest	2.66	(52,098.45)
Total Bank of America - Savings				(52,098.45)	(52,098.45)
<b>Washington Federal (Spec Fund)</b>					
Deposit	07/31/2022		Interest	9.94	9.94
Deposit	08/31/2022		Interest	19.25	29.19
Check	09/14/2022	FM Public Affairs		(2,512.00)	(2,482.81)
Deposit	09/30/2022		Interest	19.26	(2,463.55)
Deposit	10/31/2022		Interest	26.27	(2,437.28)
Total Washington Federal (Spec Fund)				(2,437.28)	(2,437.28)
<b>Credit Cards</b>					
<b>Bank of America C. C.</b>					
Credit ...	07/12/2022	GroupGreeting		(101.74)	(101.74)
Credit ...	07/15/2022	Google *Ciara Prochask		(3.49)	(105.23)
Credit ...	07/15/2022	Google *Ciara Prochask		(3.49)	(108.72)
Credit ...	07/15/2022	Google *Ciara Prochask		(0.99)	(109.71)
Transfer	07/25/2022		Funds Transfer	109.71	0.00
Credit ...	07/26/2022	Buds Blooms		(94.86)	(94.86)
Transfer	08/01/2022		Funds Transfer	94.86	0.00
Credit ...	09/13/2022	Peters & Sons		(87.73)	(87.73)
Transfer	10/03/2022		Funds Transfer	87.73	0.00
Credit ...	10/14/2022	Peters & Sons		(95.36)	(95.36)
Transfer	10/23/2022		Funds Transfer	95.36	0.00
Credit ...	10/31/2022			7.97	7.97
Total Bank of America C. C.				7.97	7.97
Total Credit Cards				7.97	7.97
<b>Interest Income</b>					
Deposit	07/31/2022		Interest	(2.99)	(2.99)
Deposit	07/31/2022		Interest	(9.94)	(12.93)
Deposit	08/30/2022		Interest	(2.86)	(15.79)
Deposit	08/31/2022		Interest	(19.25)	(35.04)
Deposit	09/30/2022		Interest	(2.75)	(37.79)
Deposit	09/30/2022		Interest	(19.26)	(57.05)
Deposit	10/31/2022		Interest	(2.66)	(59.71)
Deposit	10/31/2022		Interest	(26.27)	(85.98)
Total Interest Income				(85.98)	(85.98)
<b>Mary Fairhurst National Leaders</b>					
Check	10/03/2022	City of Lakewood	American Bar Assn Annual Mee...	2,500.00	2,500.00
Total Mary Fairhurst National Leaders				2,500.00	2,500.00
<b>Fraud</b>					
Credit ...	07/15/2022	Google *Ciara Prochask	Google *Ciara Prochask 855-83...	3.49	3.49
Credit ...	07/15/2022	Google *Ciara Prochask		3.49	6.98
Credit ...	07/15/2022	Google *Ciara Prochask	Google *Ciara Prochask	0.99	7.97
Credit ...	10/31/2022		Fraud adjustment - credit	(7.97)	0.00
Total Fraud				0.00	0.00

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

Type	Date	Name	Memo	Amount	Balance
<b>Contract Grant Writer</b>					
Check	07/08/2022	Collaborative Parners ...	Invoice 1104	833.75	833.75
Check	08/02/2022	Collaborative Parners ...	Invoice 1114	2,682.50	3,516.25
Check	08/22/2022	Collaborative Parners ...	Invoice 1126	2,411.25	5,927.50
Check	09/14/2022	Collaborative Parners ...	Invoice 1134	1,825.55	7,753.05
Check	10/09/2022	Collaborative Parners ...	Invoice 1143	4,705.50	12,458.55
Check	10/26/2022	Collaborative Parners ...	Invoice 1149	1,355.75	13,814.30
Total Contract Grant Writer				13,814.30	13,814.30
<b>President's - Special Fund</b>					
Credit ...	07/26/2022	Buds Blooms	Flowers sent to Justice Madsen	94.86	94.86
Credit ...	09/13/2022	Peters & Sons	Flowers for Judge Smith	87.73	182.59
Credit ...	10/14/2022	Peters & Sons	Sent to Judge Logan	95.36	277.95
Total President's - Special Fund				277.95	277.95
<b>Special Fund Expense</b>					
Check	09/14/2022	FM Public Affairs		2,500.00	2,500.00
Total Special Fund Expense				2,500.00	2,500.00
<b>Prior Year Budget Expense</b>					
Check	07/08/2022	Sonial R. True	JASP	117.00	117.00
Check	07/08/2022	Opal Art Glass	President Line Item	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 Expense	1,520.00	3,127.21
Check	07/12/2022	Okanogan County Dis...	Spring Conference Presenter Pr...	394.63	3,521.84
Check	07/25/2022	Okanogan County Dis...	Judge Steyiner's Memorial Servi...	394.63	3,916.47
Check	07/26/2022	Kyle Mott	Public outreach committee line i...	176.00	4,092.47
Check	07/26/2022	Chelan County Distric...	Pro Tempore Line Item	600.00	4,692.47
Check	08/01/2022	Charles Short	President's special line item Lo...	300.00	4,992.47
Check	08/01/2022	Charles Short	Judge Steiner Memorial-Preside...	280.00	5,272.47
Total Prior Year Budget Expense				5,272.47	5,272.47
<b>Board Meeting Expense</b>					
Check	08/30/2022	Sun Mountain Lodge	Retreat Down Payment	3,000.00	3,000.00
Check	09/14/2022	FM Public Affairs		12.00	3,012.00
Total Board Meeting Expense				3,012.00	3,012.00
<b>Bookkeeping Expense</b>					
Check	07/08/2022	Pierce County Bookke...	Invoice 1246	318.00	318.00
Check	08/12/2022	Pierce County Bookke...		318.00	636.00
Check	09/12/2022	Pierce County Bookke...		318.00	954.00
Check	10/03/2022	Pierce County Bookke...	Invoice 1269	318.00	1,272.00
Total Bookkeeping Expense				1,272.00	1,272.00
<b>Judicial Assistance Committee</b>					
Credit ...	07/12/2022	GroupGreeting		101.74	101.74
Deposit	08/12/2022	Superior Court Judges...	Jasp Contribution	(8,000.00)	(7,898.26)
Check	10/03/2022	Susanna Neil Kanther...	3rd quarter, 2022	1,200.00	(6,698.26)
Total Judicial Assistance Committee				(6,698.26)	(6,698.26)
<b>Lobbyist Contract</b>					
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
Check	09/15/2022	Bogard & Johnson, LLC	September Payment	6,000.00	24,000.00
Check	10/14/2022	Bogard & Johnson, LLC		6,000.00	30,000.00
Total Lobbyist Contract				30,000.00	30,000.00
<b>President Expense</b>					
Check	10/19/2022	Rick Leo	10-11-22 Salary Commission m...	114.50	114.50
Total President Expense				114.50	114.50



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

Type	Date	Name	Memo	Amount	Balance
<b>Pro Tempore (Chair Approval)</b>					
Check	10/14/2022	Pierce County District ...	September 9th DMCJA Legislati...	179.64	179.64
Check	10/23/2022	Pierce County District ...	You've Been Served September...	393.76	573.40
Total Pro Tempore (Chair Approval)				573.40	573.40
<b>Public Outreach (ad hoc workgrp)</b>					
Check	10/09/2022	City of Puyallup	You've been served 9/21/22	71.45	71.45
Check	10/09/2022	King County District C...	You've been served 9/21/22	118.74	190.19
Check	10/09/2022	Snohomish Co. Distric...	You've been served 9/21/22	216.89	407.08
Check	10/09/2022	City of Spokane	You've been served 9/21/22	142.25	549.33
Check	10/09/2022	Grant County	You've been served 9/21/22	143.55	692.88
Check	10/09/2022	Federal Way Municipa...	You've been served 9/21/22	131.35	824.23
Check	10/09/2022	Lisa Hardy (Court Ad...	You've been served 9/21/22	134.97	959.20
Check	10/09/2022	Clark County District	You've been served 9/21/22	88.60	1,047.80
Check	10/09/2022	Karl Williams	You've been served 9/21/22	106.62	1,154.42
Check	10/09/2022	Kent Municipal Court	You've been served 9/21/22	240.32	1,394.74
Total Public Outreach (ad hoc workgrp)				1,394.74	1,394.74
<b>Treasurer Expense and Bonds</b>					
Check	09/28/2022	Liberty Mutual Insuran...	Bond Expense	140.00	140.00
Total Treasurer Expense and Bonds				140.00	140.00
<b>TOTAL</b>				<b>0.00</b>	<b>0.00</b>

## **Other current information not included in reports**

## 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 *	\$ 78,605.26	3,012.00	75,593.26
Bookkeeping Expense	\$ 3,500.00	1,272.00	2,228.00
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 <b>2023</b>	\$ 40,000.00		40,000.00
Contract Grant Writer	\$ 72,000.00	13,814.00	58,186.00
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**	\$ 19,653.00	1,302.00	18,351.00
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	30,000.00	42,000.00
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	2,500.00	2,500.00

Nominating Committee	\$ 100.00		100.00
President Expense	\$ 3,000.00	115.00	2,885.00
President's Expense - Special Fund	\$ 1,000.00	279.00	721.00
Pro Tempore (committee chair approval)	\$ 10,000.00	573.00	9,427.00
Professional Services	\$ 1,500.00		1,500.00
Public Outreach (ad hoc workgroup)***	\$ 2,394.74	1,395.00	999.74
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	140.00	-40.00
Trial Court Advocacy Board (TCAB) - dormant			0.00
Uniform Infraction Citation Committee (UICC)	\$ 1,000.00		1,000.00
Totals	\$ 361,853.00	\$ 54,402.00	\$ 307,451.00
Special Fund		\$2,500.00	
*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			
***Board approved move from the Board Expense to the Public Outreach line item. 1394.74			

updated 10-31-22



Statement of Account

PAGE 1 OF 2

Statement End Date October 31, 2022

Statement Begin Date October 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' 13319  
 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	0.844%
Interest Rate Effective 10/01/2022	0.600%
Interest Rate Effective 10/13/2022	0.995%
Interest Earned/Accrued this Cycle	\$26.27
Number of Days in this Cycle	31
Date Interest Posted	10-31-2022
Year-to-Date Interest Paid	\$113.61

Earn a better interest rate without having to tie up your money long-term.

With a Money Market account, you can earn more than a simple savings account, and maintain convenient access to your funds.

Check out our rising rates on wafdbank.com



<b>Beginning Balance</b>	<b>\$39,061.22</b>
Interest Earned This Period	+26.27
Deposits and Credits	+0.00
Checks Paid	-2,512.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
<b>Ending Balance</b>	<b>\$36,575.49</b>

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

WF-01 (8/19)

Visa may provide updated debit card information, including your expiration date and card number, with merchants that have an agreement for reoccurring payments. You may opt out of this service by calling 1-800-324-9375.

# DMCJA

## 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**  
COMMITTEE

**Judge Willie Gregory**  
CHAIR(S)

### PRINCIPAL ACTIVITIES OVER THE PAST MONTH

- Planning the bi-annual Pro-Tem training with WSBA. Identifying faculty presenters for the Pro-Tem training, which will take place next year, March 17-18, at UW Tacoma.
- Hosted the Executive Director of QLaw Foundation, Denise Diskin, and Oliver Webb, Executive Director of the Diversity Alliance of Puget Sound. ED Diskin and ED Webb provided a presentation to the committee about the impact of COVID 19 on the LGBTQ+ community, the experience of LGBTQ+ people in navigating institutions like the courts, and changes courts can make to be more equitable and inclusive.
- Discussions about Diversity efforts in our courtrooms.

### WORKS IN PROGRESS AND PLANNED FUTURE ACTIVITIES

- Diversity Committee Chair, Judge Willie Gregory and long-time committee member Judge Marilyn Paja were invited to participate as panelists at the upcoming Washington Initiative for Diversity Legal Executives Summit on November 17 @ 1:30-4:30pm. Judge Gregory and Judge Paja will be presenting on the work of the DMCJA Diversity Committee and their efforts to increase diversity on the bench through their bi-annual Pro-Tem Training.
- Continue planning the 2023 Pro-Tem training
- Continue to invite guests from the community to share information and have discussions with the committee members.

# 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 October 14<sup>th</sup>, the Legislative Committee meet via Zoom to discuss our 2023 approved legislative agenda. The co-chairs and our lobbyist, Melissa Johnson, led a discussion regarding potential bill sponsors, how to present the proposals to legislators, and additional outreach on the topics.

Judge Ringus, Judge Rivera, Commissioner Leo, and the DMCJA lobbyist, Melissa Johnson, met over Zoom with Representative Leavitt on October 10<sup>th</sup>, Representative Goodman on October 12<sup>th</sup>, BJA Legislative Liaison, Brittany Gregory, on October 17<sup>th</sup>, and Representative Davis on October 18<sup>th</sup> to discuss the upcoming session, anticipated legislation, and our legislative proposals.

The Committee had a ‘wrap-up’ discussion on the event held in collaboration with the Public Outreach Committee, ‘You’ve Been Served’ held on September 21<sup>st</sup>. Many committee members hosted local and state legislators to discuss court security, the current state of our CMS system, civil protection orders, and many other topics of interest. Judge Rivera presented information regarding courthouse security to the groups meeting statewide over Zoom.

The Committee discussed the Interbranch Advisory Committee meeting in Olympia on September 26<sup>th</sup> attended by Judge Ringus, on behalf of the DMCJA. The main topics included the proposed judicial branch budget, the status of the judiciary’s response to Blake, and proposed policy items of legislation.

### **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 December 2<sup>nd</sup>, 2022. We continue to plan our Legislative Day 2023 to be held in late January or early February, of 2023.



**DMCJA PUBLIC OUTREACH COMMITTEE MEETING  
MONDAY, OCTOBER 17, 2022  
4:00 P.M. – 5:00 P.M.  
ZOOM VIDEO CONFERENCE**

**MEETING MINUTES**

**Members Present:**

Co-Chair, Judge Beth Fraser  
Co-Chair, Judge Michelle Gehlsen  
Judge Scott Ahlf  
Judge Jennifer Azure  
Commissioner Deanna Crull  
Commissioner Eric Dooyema  
Judge Pauline Freund  
Judge Stephen Greer  
Judge Kevin Ringus  
Judge Whitney Rivera  
Melissa Johnson, Lobbyist

**Members Absent:**

Judge Douglas Fair  
Judge Tracy Flood  
Judge Angelle Gerl  
Judge Fred Gillings  
Judge Kyle Mott  
Judge Gloria Ochoa-Bruck  
Judge Paul Sander  
Judge James Smith

**Administrative Office of the Courts (AOC) Staff:**

Stephanie Oyler, DMCJA Primary Staff  
Antoinette Bonsignore, Esq.  
Dr. Brenden Higashi, PhD

**Call to Order and Welcome – Co-Chairs Judge Beth Fraser and Judge Michelle Gehlsen**

Judge Beth Fraser and Judge Michelle Gehlsen, Public Outreach Committee (Committee) Co-Chairs, called the meeting to order at 4:00 p.m. Judge Fraser welcomed the new DMCJA policy analysts, Dr. Brenden Higashi, PhD and Antoinette Bonsignore, Esq. and requested that they briefly introduce themselves. Judge Gehlsen gave a brief overview of the structure of the committee, including the purpose of the three subcommittees (Legislative Support, Community Engagement, and Toolkit).

**General Business**

**A. Minutes Approval – August 8, 2022 and September 12, 2022**

The minutes from August 8, 2022 and September 12, 2022 were previously distributed to members. The Committee moved, seconded, and passed a vote (“M/S/P”) to approve minutes for August 8, 2022 and September 12, 2022. Judge Ahlf, Commissioner Dooyema, and Judge Ringus abstained from the vote for both sets of minutes. Judge Azure abstained from the vote for the September minutes.

**Discussion**



## B. Subcommittee Project Updates and Discussion

### 1. Legislative Support

Judge Gehlsen reported that the You've Been Served event was successfully held on September 21 and thanked staff and Melissa Johnson for all of their work in planning the event. Judge Gehlsen noted that she has heard substantial positive feedback about the event and shared the following statistics: 13 courthouses participated, 10 state legislators (and additional staff) attended, and many local executives also participated. Total cost to the DMCJA was approximately \$1700 for meals reimbursements. Judge Gehlsen reminded the committee that the purpose of this event was for state and local policymakers to be invited to a courthouse to see and hear about the work of the judicial branch. Judge Gehlsen gave a brief overview of the event, which opened with brief remarks from the Chief Justice and remarks from Commissioner Leo, DMCJA President. Judges Rivera and Beall gave brief presentations on courthouse security and therapeutic courts, and then the participants had an opportunity to discuss these topics further in their local breakout rooms. Melissa Johnson reported that the benefit to this event was the amount of time that judicial officers were able to spend with legislators, as an hour and a half event is much longer than a regularly scheduled appointment. Judge Gehlsen noted that this committee should begin to think about how to expand the event next year and that this should be discussed at the next committee meeting.

**ACTION:** *Staff* will include discussion about a 2023 You've Been Served event on the next meeting agenda.

**ACTION:** *All* should spend some time thinking about the future of the event and be prepared to provide suggestions at the next meeting.

### 2. Community Engagement

Judge Gehlsen reported that the DMCJA Facebook page is now up and running, and gave special thanks to Judge Gerl and Judge Mott for their work on this project. The first post shared on Facebook is regarding Judge Crawford-Willis winning an Apex award from the Washington State Bar Association. Judge Gehlsen noted that Judge Gerl did give an update on the page during the fall Judicial Conference, and that Judge Jeffrey Smith had recently reached out to her to share that he mentioned the new Facebook page at a recent SCJA Board meeting and that they may want to partner on some specific content items. Judge Gehlsen shared that Judge Mott will be leaving the bench to go into private practice so he will be leaving the committee.

### 3. Toolkit

Judge Gehlsen reported that she attended the recent DMCMA Board meeting and asked that administrators and managers send both outreach materials and potential Facebook items to this committee. Judge Gehlsen noted that Renton Municipal shared a welcome video used by their court during one of the sessions of the fall Judicial Conference and asked staff to share the video with this committee at the next meeting. Judge Gehlsen noted that there is a lot of information that comes out to judicial officers each week and that it can be hard to keep up. Discussed ensued about the idea to do a one-pager or newsletter based on the important content of these emails.

DMCJA Public Outreach Committee  
Minutes for October 17, 2022

**ACTION:** *Judge Fraser and Judge Gehlsen* will meet with staff to discuss the idea of a newsletter or one-pager.

**ACTION:** *Staff* will discuss the newsletter with the DMCJA President.

C. All Committee Discussion

1. Next Steps

**Next Meeting:** Monday, December 12, 2022 from 4:00 p.m. to 5:00 p.m. via Zoom

**Adjourn**

There being no further business, the meeting adjourned at approximately 4:37 p.m.

# 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\*\***

**Rules**  
COMMITTEE

**Wade Samuelson, Cat McDowall**  
CHAIR(S)

### PRINCIPAL ACTIVITIES OVER THE PAST MONTH

IRLJ Amendments: The Rules committee approved changes to the IRLJs to bring it in compliance with the new legislation in ESSB 5226. We have submitted the proposal for decision at the Board meeting for November.

Proposed Amendment to CrLJ 6.13: Last month, we submitted to the Board a proposal to amend IRLJ 6.6 to allow a certificate for weight measuring devices. Feedback was received that suggested CrRLJ 6.13 should be amended as well, in order to bring it in alignment with IRLJ 6.6. The committee determined that a change to the criminal rule was not necessary, and decided not to propose this rule change.

Proposed Amendment to CrRLJ 7.4 and 7.5: We submitted “input” to the Supreme Court Rules Committee under GR 9, as requested by that committee, in the form of a letter. The committee made minor changes to Judge Steele’s proposal and we plan to submit a letter to the Supreme Court Rules Committee with our input.

#### Supreme Court Rules Committee actions:

- 1) Good news: Supreme Court adopted our proposed CrRLJ 3.3.
- 2) Bad news: Supreme Court adopted defense bar’s CrRLJ 7.6 proposal.
  - We strongly opposed this rule change, and submitted a comment in opposition. Judge Goodwin and Judge McDowall joined a workgroup at the request of Justice Johnson to try to work out agreed changes with the proponents. These discussions were not fruitful, and we sent a letter to Justice Johnson explaining why we could not agree.
  - The Supreme Court ignored our input and adopted these completely unworkable changes. Rules committee would like to submit a request for emergency stay, and are working on a proposal to submit to the DMCJA Board for that purpose. We are also trying to coordinate with WAPA and Misdemeanant Probation Association to see if they would join in the request for the stay.

DMCJA Priorities: The committee continued our plan to implement DMCJA Priorities, as described in last month’s update.

## **WORKS IN PROGRESS AND PLANNED FUTURE ACTIVITIES**

- GR 19 proposal regarding standards for video hearings in court
- Work with Supreme Court Rules and SCJA on updates to GR 9
- Review Rules to propose removing forms from Rules



**DMCJA Rules Committee Meeting**  
**Tuesday, September 27, 2022 (12:15 PM – 1:15 PM)**  
Via Zoom

**MEETING MINUTES**

**Members ( Attending):**

- Judge Catherine McDowall, Co-Chair
- Judge Wade Samuelson, Co-Chair
- Judge Eric Biggar
- Judge Karla Buttorff
- Commissioner Eric Dooyema
- Judge Pauline Freund
- Judge Angelle Gerl
- Judge Jeffrey Goodwin
- Commissioner Paul Nielsen
- Judge George Steele
- Judge Samuel Meyer
- Judge Lizanne Padula
- Andrea Belanger, DMCMA liaison
- Kati Dorman, DMCMA liaison, alternate

**AOC Staff ( Attending):**

- J Benway
- Ashley Tam

Judge Catherine McDowall called the meeting to order at 12:17 PM.

The Committee discussed the following items:

**1. Welcome and introductions**

Judge McDowall welcomed participants and introduced incoming AOC Staff Ashley Tam.

**2. Approve minutes from the August 23, 2022 Committee meeting**

With a minor scrivener’s error correction related to the meeting end time, the minutes of the August 23, 2022 Committee meeting were approved through consensus.

Next Step: Send to Tracy Dugas for October Board Meeting.

**3. GR 39 [Legal Financial Obligations]**

Jason Schwartz, speaking on behalf of a coalition, wanted to determine if DMCJA Rules Committee wanted to collaborate on changes to the Pattern Forms Committee’s version of the GR 39 Legal Financial Obligation rules. Judge McDowall shared her email response with the DMCJA Committee. Ashley Tam noted that these actual forms are currently being considered by the Pattern

Forms Committee (“PFC”) and that DMCJA also has two representatives on the PFC; they are Judge William Hawkins (who is also the chair of the Courts of Limited Jurisdiction Forms Subcommittee) and Judge George Steele. After some discussion about the DMCJA Rules Committee’s preference to not having court forms in court rules, to having a comprehensive set of forms located on the Washington Courts website, and to giving deference to Pattern Forms Committee on pattern forms, Judge McDowall identified three questions the DMCJA Rules Committee should answer:

Question 1: Does DMCJA Rules Committee need to provide a further response to Mr. Schwartz?

DMCJA Rules Committee Response: No.

Question 2: Would DMCJA like to propose a separate comment about the forms contained in GR 39 rather than providing a comment with Mr. Schwartz?

DMCJA Rules Committee Response: No.

Question 3: Does DMCJA want to propose (possibly with SCJA) that the text (copy of) forms be taken out of GR 39?

DMCJA Rules Committee Response: No, not right now, but they would like to further discuss such a proposal at a future meeting.

Next Steps: See #11, Future Project.

#### **4. Proposal to amend IRLJ 6.6**

The DMCJA Rules Committee proposed amendments to IRLJ 6.6, which they only wanted to proceed with, if the Department of Licensing (DOL) had also agreed to the proposal. At this meeting, it was reported that DOL did support the proposal for amendment. Upon reviewing proposed amendments to IRLJ 6.6, the DMCJA Rules Committee decided to change the title to “Speed and Weight Measuring Device: Design and Construction Certification” in order to account for the new provision being added about “weight.” The DMCJA Rules Committee agreed to move the new section and form from subsection (e) to after subsection (b), resulting in new subsection (c).

Next Steps: Judge Gerl was asked to present the DMCJA Rules Committee changes to DOL Liaison Committee for their review and approval. If they approve, then DMCJA Rules Committee will conduct an email vote before it is submitted to the DMCJA Board for review.

#### **5. UICC proposal to amend CrRLJ 2.1**

The DMCJA Rules Committee approved the proposed amendment to CrRLJ 2.1 submitted by Judge Kevin Ringus to replace “PCN” with “TCN” in the court rule. The PCN (a state criminal process control number) is no longer generated for use, and the replacement is the TCN (fingerprint transaction control number).

Next Steps: Submit to DMCJA Board for review.

**6. Proposal to amend CrRLJ 7.4 and CrRLJ 7.5**

The amendments for CrRLJ 7.4 and CrRLJ 7.5 were submitted by Judge George Steele both to the Supreme Court Rules Committee and DMCJA Rules Committee. The Supreme Court Rules Committee has provided them to DMCJA for review and input under the procedures of GR 9(f)(2). The purpose of this proposed amendment is to be consistent with the Superior Court's Court Rules by adding: "The court on application of the defendant or its own motion may in its discretion extend the time until such time as judgment is entered." To further provide consistency with the Superior Court's Court Rules, the DMCJA Rules Committee decided to propose a change to the filing date provision to 10 days ("A motion for arrest of judgment must be served and filed within 510 days after the verdict or decision.") No objections by Judge Steele on this proposed change.

Next Steps: Submit DMCJA Rules Committee response with DMCJA Board Meeting materials. J Benway, as Supreme Court Rules Committee staff, will ensure that the "10 days" changes are provided to the Supreme Court Rules Committee.

**7. Comment and response to IRLJ amendments**

The DMCJA's comment to the proposed IRLJ amendments included this statement: "DMCJA acknowledges that some amendments to the rules may be required by the new statute and our Rules Committee is working on a proposal that implements these changes." Judge Samuelson will work with Judge Ringus and Ashley Tam to draft proposed court rule amendments to address the minimum changes needed to comply with ESSB 5226.

Next Steps: Submit to DMCJA Rules Committee for review.

**8. Proposal to amend CrRLJ 3.4**

Judge McDowall informed the DMCJA Rules Committee members of the proposed amendment to CrRLJ 3.4 which was submitted to the Supreme Court Rules Committee. Judge McDowall explained that while the DMCJA Rules Committee purposefully struck language from CrRLJ 3.4, it had unintended consequences as some judges interpreted the change to remove their authority for remote hearings. As a result, the DMCJA has submitted a proposal for an expedited, technical change, adding back into CrRLJ 3.4 "(or remote appearance in the court's discretion)" to prevent further misinterpretation of the court rule's intent.

Status: No further committee action required.

**9. Proposal to amend CrRLJ 7.6**

The DMCJA Rules Committee was provided a copy of the response submitted by current co-chairs and the immediate past chair of the DMCJA Rules Committee to Justice Charles Johnson. The response detailed the results of the negotiations with the proponents to the amendments to CrRLJ 7.6.

Status: No further committee action required.

#### **10. Discuss DMCJA Priorities**

Status: Ongoing. We continue to implement the DMCJA Priorities.

#### **11. Other business (future projects?) and next meeting date**

A future project was added to the DMCJA Rules Committee's projects to work on when they have availability. The DMCJA Rules Committee plans to identify court rules which contain the text (copy of) pattern forms in them and impact the district and municipal courts. They will collaborate with SCJA and Pattern Forms Committee, as appropriate, to propose the removal of the text (copy of) forms contained in court rules. Court rules already identified with pattern forms in them include GR 39 (Legal Financial Obligations) and CrRLJ 4.2 (Statement on Defendant on Plea of Guilty).

The next Committee meeting is scheduled for Tuesday, October 25, 2022 at 12:15 p.m., via zoom video conference.

The meeting was adjourned at 1:15 p.m.





## DMCJA Bylaws Committee Report August 2022

### Committee Members:

Judge Hedine, Chair  
Judge Ebenger  
Judge Green

### AOC Staff:

Ms. J Benway

The DMCJA Board requested that the Bylaws Committee propose a Bylaws amendment to allow for ancillary Board members who meet the statutory definition for membership. To effectuate this purpose, the Bylaws Committee recommends the following amendment:

### Proposed amendments to DMCJA Bylaws Article III

#### **ARTICLE III – Membership**

### **Section 1. Eligibility for Membership:**

#### (a) Active Membership:

All duly elected or appointed and qualified judges, commissioners, and magistrates and General Rule 8 judicial officers of courts of limited jurisdiction in the state of Washington, as defined in RCW 3.02.010, shall be eligible to for active membership in the Association upon payment of regular dues and assessments.

#### (b) Associate Membership:

[Unchanged.]

#### (c) Fellow Members:

Duly elected or appointed and qualified judges of courts of limited jurisdiction, not organized as described in RCW 3.02.010, together with tribal court judges whether located within or outside the state of Washington, shall be eligible for fellow membership in the Association upon payment of regular dues and assessments, subject to approval of the Board of Directors. Fellow members shall be non-voting members and shall be ineligible to join the Board of Directors, but may attend workshops, seminars, and conventions on payment of proper registration fees.

### **Section 2. [Unchanged.]**

GENERAL RULE 9  
RULE AMENDMENT COVER SHEET  
PROPOSED AMENDMENT TO RULE IRLJ 6.6

1. Proponent Organization  
District and Municipal Court Judges' Association

2. Spokesperson & Contact Info

Judge Megan Valentine, Grays Harbor District Court  
(360) 249-3441  
Megan.valentine@graysharbor.us

3. Purpose of Proposed Rule Amendment

Allow for filing and judicial notice of public documents generated when weigh station scales are tested and calibrated for the purpose of foundation of commercial vehicle weights in traffic infractions and set forth the appropriate legal criteria for said documents.

This rule change would not remove any obligation of the WSP to ensure their scales are calibrated and maintained, but provides a more efficient manner of providing information for contested infraction hearings.

Proposed rule change promotes the purpose of the Infraction Rules for Courts of Limited Jurisdiction as stated in IRLJ 1.1(b) through a just, speedy and inexpensive mechanism for law enforcement to establish the foundation for weight measurements relied upon in determining an overweight commercial vehicle traffic infraction.

4. Is Expedited Consideration Requested? No, the regular publication cycle is fine.

5. Is a Public Hearing Recommended? No.

Proposed Rule Changes

IRLJ 6.6 SPEED AND WEIGHT MEASURING DEVICE: DESIGN AND CONSTRUCTION CERTIFICATION

(a) **In General.** This rule applies only to contested hearings in traffic infraction cases.

(b) **Speed Measuring Device Certificate; Form.** In the absence of proof of a request on a separate pleading to produce an electronic or laser speed measuring device (SMD) expert served on the prosecuting authority and filed with the clerk of the court at least thirty (30) days prior to trial or such lesser time as the court deems proper, a certificate in substantially the following form is admissible in lieu of an expert witness in any court proceeding in which the design and construction of an electronic or laser speed measuring device (SMD) is an issue:

CERTIFICATION CONCERNING DESIGN AND CONSTRUCTION OF ELECTRONIC SPEED MEASURING DEVICES OR LASER SPEED MEASURING DEVICES

I, \_\_\_\_\_ do certify under penalty of perjury as follows: I am employed with \_\_\_\_\_ as a \_\_\_\_\_. I have been employed in such a capacity for \_\_\_\_\_ years. Part of my duties include supervising the maintenance and repair of all electronic and laser speed measuring devices (SMD's) used by \_\_\_\_\_ (name of agency). This agency currently uses the following SMD's: (List all SMD's used and their manufacturers and identify which SMDs use laser technology.) I have the following qualifications with respect to the above stated SMD's: (List all degrees held and any special schooling regarding the SMD's listed above.) This agency maintains manuals for all of the above stated SMD's. I am personally familiar with those manuals and how each of the SMD's are designed and operated. On \_\_\_\_\_ (date) testing of the SMD's was performed under my direction. The units were evaluated to meet or exceed existing performance standards. This agency maintains a testing and certification program. This program requires: (State the program in detail.) Based upon my education, training, and experience and my knowledge of the SMD's listed above, it is my opinion that each of these electronic pieces of equipment is so designed and constructed as to accurately employ the Doppler effect in such a manner that it will give accurate measurements of the speed of motor vehicles when properly calibrated and operated by a trained operator or, in the case of the laser SMDs, each of these pieces of equipment is so designed and constructed as to accurately employ measurement techniques based on the velocity of light in such a manner that it will give accurate measurements of the speed of motor vehicles when properly calibrated and operated by a trained operator.

\_\_\_\_\_ (Signature) Dated: \_\_\_\_\_

**(c) Scale Certification of Inspection and Calibration; Form.** A certificate, in substantially the following form is admissible in lieu of a witness in any court proceeding in which the calibration and accuracy of a weigh station scale weight measuring is an issue:

SCALE TEST REPORT AND CERTIFICATION OF INSPECTION

I, \_\_\_\_\_ do certify under penalty of perjury as follows:

I am employed with \_\_\_\_\_ as a \_\_\_\_\_. Part of my duties include supervising the inspection and calibration of the traffic scales used by \_\_\_\_\_. I have the following qualifications with respect to scale calibration:

(list all training or special degrees regarding scale calibration)

On \_\_\_\_\_ (date) testing of the following scale was performed under my direction and the scale was evaluated to meet or exceed existing accuracy standards.

(List all scale identification information to indicate the location type and relevant parameters of the scale.)

Using the testing procedures set forth in Handbook 44 promulgated by the National Institute of Standards and Technology and test weights certified under oath as accurate as shown on the attached "Report of Calibration" under certification number(s) \_\_\_\_\_, and herein incorporated by reference, the above device met or exceeded the standards of accuracy.

\_\_\_\_\_  
(Signature) Dated: \_\_\_\_\_

~~(e)~~ **(d) Continuance.** The court at the time of the formal hearing shall hear testimony concerning the infraction and, if necessary, may continue the proceedings for the purpose of obtaining evidence concerning an electronic speed measuring device and the certification thereof or a weigh station scale and the certification of calibration thereof. If, at the time it is supplied, the evidence is insufficient, a motion to suppress the readings of such device shall be granted.

~~(d)~~ **(e) Maintaining Certificates as Public Records.** Any certificate, affidavit or foundational evidentiary document allowed or required by this rule can be filed with the court and maintained by the court as a public record. The records will be available for inspection by the public. Copies will be provided on request. The court may charge any allowable copying fees. The records are available without a formal request for discovery. The court is entitled to take judicial notice of the fact that the document has been filed with the court. Evidence will not be suppressed merely because there is not a representative of the prosecuting authority present who actually offers the document. Evidence shall be suppressed pursuant to subsection (c) of this rule if the evidence in the certificate, affidavit or document is insufficient, or if it has not been filed as required.

# 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
Friday, Nov 18, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Dec 9, 2022	12:30 – 3:30 p.m.	<b>Zoom Video Conference *updated*</b>
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.	<b>Board Retreat &amp; Monthly Board Meeting Location: Winthrop, WA</b>
June 4, 2023	9:00 a.m. – 12:00 p.m. (at Spring Program)	<b>Annual Business Meeting Location: TBD</b>

AOC Staff: Stephanie Oyler

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

Updated: October 18, 2022

n:\programs & organizations\dmcja\board\meeting schedules\2022-2023 dmcja bog meeting schedule\_draft.docx

## GR 9 COVER SHEET

### Suggested Amendment to the WASHINGTON STATE GENERAL RULES (GR)

#### GR9: Supreme Court Rulemaking Procedure

Submitted by the Superior Court Judges' Association and  
District and Municipal Court Judges' Association

October 14, 2022

---

- A. **Name of Proponent:** Superior Court Judges' Association  
District and Municipal Court Judges' Association
- B. **Spokespersons:** Judge Jennifer Forbes, President  
Superior Court Judges' Association
- Commissioner Rick Leo, President  
District and Municipal Court Judges' Association
- C. **Purpose:**

With the onset of COVID-19, emergency and permanent rule changes have been imposed at an increasingly high rate. Since March 2020, 68 Supreme Court orders, publishing one or more rules for comment, have been issued. Many substantively affect court authority and operations.

As currently adopted, GR 9(f)(2) contemplates forwarding proposed rules for consideration to the Washington State Bar Association, Superior Court Judges' Association, District and Municipal Court Judges' Association, and the Chief Presiding Judge of the Court of Appeals. Section (g)(3) requires all comments to proposed rule changes be submitted in writing. Finally, Section (i) provides a schedule for rule review and adoption and describes a four-month window in which interested parties have time to study rule changes and submit public comment.

Taken together, these elements of GR 9 suggest a foundational commitment to transparency, broad practitioner input, and deliberation. Nevertheless, the steep increase in rule amendments has reduced time for thoughtful consideration and input by court users – something the drafters of GR 9 likely could not have anticipated.<sup>1</sup>

Implicitly acknowledging that trial courts have an important voice in their operations, the framers of the Washington State Constitution vested superior courts with decision-making

---

<sup>1</sup> GR 9 was originally adopted in 1982 and was updated in 1984 and 2000. Since the last update more than two decades ago Washington courts have taken increasing steps towards improved public transparency. (See, e.g. GR 31). Our Courts have also taken a vigorous approach to improving access to justice – resulting in a significant increase in the rule amendment process.

authority for statewide rules (superior courts judges, “shall . . . establish uniform rules for the government of the superior courts”).<sup>2</sup> Using similar language, GR 9(a), was adopted for the purpose of “necessary *governance* of court procedure and practice and to promote justice by ensuring a fair and expeditious process.”

As we describe the proposed amendments to GR 9, we ask the Supreme Court to consider the constitutionally guaranteed role of superior courts in statewide rulemaking and urge consideration of how each court relates to another. A high-functioning court system with clear roles and relationships is best positioned to serve court users and the general public. The amendments proposed here seek to further this important collaborative process intended by the Washington State Constitution and GR 9 to the mutual benefit of all justice system partners.

The proposed amendments to GR 9 represent the joint efforts of the Superior Court Judges’ Association, District and Municipal Court Judges’ Association, and Washington State Bar Association. The Board of each association has voted to approve the amendments to the rule on behalf of their respective organizations. Due to the limited time frame, the Washington State Bar Association did not have time to vote on approval of the cover sheet. The Board of Governors will meet later in October, and may or may not vote to submit a supplemental cover sheet at that time.

### **Committee Membership**

As rulemaking has grown more complex, the current GR 9 rulemaking process has resulted in increasing frustration among trial courts and justice system partners who do not feel that the current rules process provides sufficient opportunity to participate meaningfully in rulemaking. The results can be rules that are confusing and/or difficult to implement. Trial courts and justice system partners have articulated these concerns to the Court and now seek to codify and expand upon informal improvements that have been made.

Amendments proposed herein increase the membership of the Rules Committee to include judicial officers from each level of court operations and the bar. A majority of rules most significantly affect trial courts and those who practice there. The rulemaking process would be more efficient if, when a rule amendment is suggested, it is considered in the first instance by judicial officers and practitioners responsible for current operations at the court level affected.

Washington is an outlier in the role of judges and attorneys in its rulemaking process. The nearby states of Oregon, California, and Idaho all include judges and attorneys in their state Rules Committees. Across the country, non-centralized court systems also purposefully involve trial court judges in the rulemaking process. In one example, the Indiana Supreme Court convenes a Committee on Rules of Practice and Procedure, comprised of trial court judicial officers, attorneys, and an Indiana University School of Law professor. Proposed rule amendments are submitted to the Rules Committee for quarterly review and public comment. The Rules

---

<sup>2</sup> Const. Art. IV. Section 24. In 1925, the Legislature further codified Supreme Court authority to make rules for all Washington courts, but was careful to provide that this grant of power “shall not be construed to deprive the superior courts of power to establish rules for their government supplementary to and not in conflict with the rules prescribed by the supreme court.” RCW 2.04.210.

Committee then “studies comments and submits a final draft of each proposal to the Court for consideration” with the Supreme Court retaining ultimate approval authority.<sup>3</sup>

Here in Washington, we have no such process. Before rules are published for review and comment, they may benefit from revisions initiated by the Rules Committee and coordinated with the rule proponents. If rules are strengthened at this early stage, each level of review thereafter creates less of a burden on the reviewing organization. It also is likely to decrease concerns raised by public comment as obvious confusion or problems have already been addressed. Further, where valid substantive comments are received, the Rules Committee must retain authority to determine when comments have merit, and make recommendations to adopt, amend, or reject a proposed rule accordingly.

### **Accessible Meetings**

With the rapid rise in rule changes, the rule adoption process cannot operate in a vacuum. The proceedings should be open to public view and welcome input. Under our proposal, the Supreme Court retains ultimate rulemaking authority. However, to maintain the respect of those governed by the rules, and to generate informed and constructive discussions around suggested and proposed rules, the Rules Committee should make its proceedings available for remote viewing to all court partners and public members who have an interest in rules governing their courts. Illinois,<sup>4</sup> Michigan,<sup>5</sup> and Maryland<sup>6</sup> are all examples of states that require public hearings by the Rules Committee or Supreme Court before adoption of rule amendments. We also ask that hearings held by the Supreme Court be open to the public.

### **Fiscal Notes**

Currently, there is no independent, objective analysis provided to the Supreme Court and justice system stakeholders on the financial implications of court rule amendments. Judicial Impact Fiscal Notes are a commonly used and well-understood tool used by the Administrative Office of the Courts (AOC) to convey fiscal impact to the Legislature regarding proposed legislation. Conferring with AOC before amending a rule will help the Rules Committee to better understand the potential scope of impact and allow for adjustments to the rule amendments that could reduce implementation costs to the trial courts.

### **Transparent Reasoning**

The public’s trust and confidence in the judiciary is rooted in open and transparent communication. Each day courts fulfill this duty by issuing written decisions that explain the reasons for court action. This role is no less important in the rule-making process – and we would argue that in establishing rules that will impact all justice system participants an open and transparent process brings on more significance. Without this, the justice system subjects itself to decreased perceptions of fairness. It also risks uneven implementation of rules if they are subject to differing interpretation and lack clearly stated objectives. Ad hoc advocacy to the Supreme

---

<sup>3</sup> This was a valuable lesson learned by the Court Recovery Task Force which met for 2 years to address court operations during the COVID crisis. An explicit finding of the CRTF is that the high level of communication and *collaboration among system partners* resulting in more effective emergency orders and innovation at all levels.

<sup>4</sup> Illinois Supreme Court Administrative Order, MR No. 10549(a).

<sup>5</sup> Michigan Administrative Order No. 1997-11(B).

<sup>6</sup> Maryland Rule 16-701(f).



Court or the Rules Committee limits the ability of others to provide additional data or context, answer questions, and arrive at practical solutions before a rule is adopted. A process where advocacy occurs in a non-transparent manner is the antithesis of what courts should stand for. A resulting lack of confidence can diminish the overall esteem in which all courts are held.

With an inclusive and transparent rulemaking process, court users and stakeholders maintain confidence in their justice system.

**D. Hearing:** A hearing is requested for a meaningful discussion on issues raised.

**E. Expedited Consideration:** Due to the impact of amendments to this rule on all other court rules, expedited consideration is requested.

## GR 9 - SUPREME COURT RULEMAKING

(a) Statement of Purpose. The purpose of rules of court is to provide necessary governance of court procedure and practice and to promote justice by ensuring a fair and ~~expeditious~~ considered process. In promulgating rules of court, the Washington Supreme Court seeks to ensure that:

- (1) The adoption and amendment of rules proceed in an orderly and uniform manner;
- (2) All interested persons and groups receive notice and an opportunity to express views regarding proposed rules;
- (3) There is adequate notice of the adoption and effective date of new and revised rules;
- (4) Proposed rules are necessary statewide;
- (5) Minimal disruption in court practice occurs by limiting the frequency of rule changes; ~~and~~
- (6) Rules of court are clear and definite in application, and
- (7) Public confidence in rulemaking is increased through transparency.

(b) Definitions. As used in this rule, the following terms have these meanings:

- (1) “Suggested rule” means a request for a rule change ~~or~~, a new rule that has been submitted to the ~~Supreme Court~~ Rules Committee, and a suggested rule amended by the Rules Committee.
- (2) “Proposed rule” means a suggested rule that the ~~Supreme Court~~ Rules Committee has ~~ordered published for public comment~~ referred to the Supreme Court for further action.
- (3) “Rules Committee” means the Supreme Court Rules Committee. Voting members of the Supreme Court Rules Committee shall be comprised of four Washington State Supreme Court Justices appointed by the Chief Justice, one judicial representative selected by the Washington State Court of Appeals, one judicial representative selected by the Superior Court Judges Association, one judicial representative selected by the District and Municipal Court Judges Association, and one attorney member selected by the Washington State Bar Association. Members shall serve three-year terms at the discretion of the appointing organization and may be re-appointed to successive terms. The names and positions of Rules Committee members shall be posted on the Supreme Court website.
- (4) “Supreme Court” means the full Washington State Supreme Court.
- (5) A “technical change” is one that corrects a clerical mistake or an error arising from oversight or omission.

(c) Request for Notification. Any person or group may file a request with the ~~Supreme Court Rules Committee~~ to receive notice of a suggested rule. The request shall be in such form as designated by the Rules Committee. The request may be limited to certain kinds of rule changes. The request shall state the name and address of the person or group to whom the suggested rule is to be sent. Once filed, the request shall remain in effect until withdrawn by the requestor or rescinded for cause by the Rules Committee. ~~or unless notice sent by regular, first-class U.S. mail is returned for lack of a valid address.~~

(d) Initiation of Rules Changes. Any person or group may submit to the ~~Supreme Court Rules Committee~~ a request to adopt, amend, or repeal a court rule. ~~The Supreme Court shall determine whether the request is clearly stated and in the form required by section (e) of this rule. If the Supreme Court determines that a request is unclear or does not comply with section (e), the Supreme Court may (1) accept the request notwithstanding its noncompliance, (2) ask the proponent to resubmit the request in the proper format, or (3) reject the request, with or without a written notice of the reason or reasons for such rejection.~~

(e) Form for Submitting a Request to Change Rules.

(1) The text of all suggested rules ~~should~~ shall be submitted on 8 1/2- by 11-inch line-numbered paper with consecutive page numbering and in an electronic form as may be specified by the Supreme Court. If the suggested rule affects an existing rule, deleted portions ~~should~~ shall be shown and stricken through; new portions ~~should~~ shall be underlined once.

(2) A suggested rule ~~should~~ shall be accompanied by a cover sheet and not more than 25 pages of supporting information, including letters, memoranda, minutes of meetings, research studies, or the like. The cover sheet ~~should~~ shall contain the following:

(A) Name of Proponent--the name of the person or group requesting the rule change;

(B) Spokesperson--a designation of the person who is knowledgeable about the proposed rule and who can provide additional information;

(C) Purpose--the reason or necessity for the suggested rule, including whether it creates or resolves any conflicts with statutes, case law, or other court rules;

(D) Hearing--whether the proponent believes a public hearing is needed and, if so, why;

(E) Expedited Consideration--whether the proponent believes that exceptional circumstances justify expedited consideration of the suggested rule, ~~notwithstanding the schedule set forth in section (i)~~ and, if so, why.

(f) Rules Committee Action on Consideration of Suggested Rules by Supreme Court.

- (1) Initial Considerations. ~~The Supreme Court Rules Committee shall initially determine whether the suggested rule is clearly stated and in the form required by section (e) of this rule. If the Rules Committee determines that a request is unclear or does not comply with section (e), the Rules Committee may accept the request notwithstanding its noncompliance, ask the proponent to resubmit the request in the proper format, or reject the request for noncompliance with section (e).~~
- (2) The Rules Committee shall determine whether a suggested rule has merit and, whether it the suggested rule involves a significant or merely technical change, whether the suggested rule should be amended, and ~~A “technical change” is one which corrects a clerical mistake or an error arising from oversight or omission. The Supreme Court shall also initially determine whether the suggested rule should be considered under the schedule provided for in section (i) or should receive expedited consideration for the reason or reasons to be set forth in the transmittal form provided for in section (f)(2). The Supreme Court Rules Committee may consult with other persons or groups in making this these initial determinations.~~
- (3) Rules Deemed Without Merit. ~~If the Rules Committee determines a suggested rule is without merit, the Rules Committee shall reject the suggested rule and shall notify the proponent in writing of the reason(s) for rejection.~~
- (4) Suggested Rules Amended by the Rules Committee. ~~If the Rules Committee amends a suggested rule, the suggested rule shall be returned to the proponent who shall have 30 days to comment on the proposed amendment.~~
- (5) Notice to Interested Parties. ~~After making its initial determination, and allowing time for comment on an amended suggested rule pursuant to section (f)(4), the Supreme Court Rules Committee shall forward each suggested rule and cover sheet, except those deemed “without merit”, along with a transmittal form setting forth such determinations, to the Washington State Bar Association, the Superior Court Judges Association, the District and Municipal Court Judges Association, and the Chief Presiding Judge of the Court of Appeals for their consideration. The transmittal shall include the cover sheet and any additional information provided by the proponent. The Supreme Court shall also forward the suggested rule and cover sheet to any person or group that has filed a notice pursuant to section (c), and to any other person or group the Supreme Court Rules Committee believes may be interested. The transmittal form shall specify a deadline by which the recipients may comment on the suggested rule. in advance of any determination under section (f)(3) of this rule. If the Supreme Court determines that the suggested rule should receive expedited consideration, it shall so indicate on the transmittal form. The form may contain a brief statement of the reason or reasons for such consideration.~~
- (6) Fiscal Note. ~~The Rules Committee may request a fiscal note from the Administrative Office of the Courts (AOC) for costs incurred by courts regarding the suggested rule.~~

~~(37) Action on Suggested Rules. Referral of Suggested Rules to Supreme Court. After the expiration of the deadline set forth in the transmittal form, the Rules Committee shall refer the suggested rule to the Supreme Court with a recommendation to either may reject the suggested rule, adopt a merely technical change without public comment, or order the suggested rule published for public comment, conduct a public hearing, and whether the suggested rule should receive expedited consideration.~~

(8) Rules Committee proceedings shall be available to the public to view remotely through TVW or similar remote viewing platform. The Rules Committee shall publish the dates and times of proceedings, and instructions to view the hearing remotely on such Internet sites as the Rules Committee may determine, including those of the Supreme Court and the Washington State Bar Association.

(g) Publication for Comment. Supreme Court Action on Proposed Rules

(1) The Supreme Court may order that a proposed rule be published for public comment. A ~~proposed rule shall be published for public comment~~ Publication shall occur in such media of mass communication as the Supreme Court deems appropriate, including, but not limited to, the Washington Reports Advance Sheets and ~~the Washington State Register. The proposed rule shall also be posted on~~ such Internet sites as the Supreme Court may determine, including those of the Supreme Court and the Washington State Bar Association. The ~~purpose statement cover sheet~~ required by section (e)(2)(C) shall be published along with the proposed rule. Publication of a proposed rule shall be announced in the Washington State Bar News.

(A)(2) Publication of a proposed rule in the Washington State Register shall not subject Supreme Court rule-making to the provisions of the Administrative Procedures Act.

(B)(3) All comments on a proposed rule shall be submitted in writing to the Supreme Court by the deadline set forth in section (i).

(C)(4) If a comment includes a related suggested rule, it ~~should~~ shall be presented in the format set forth in section (e).

(D)(5) All comments received ~~will~~ shall be posted on the Supreme Court website and kept on file in the office of the Clerk of the Supreme Court for public inspection and copying.

(2) The Supreme Court may, in its discretion, hold a hearing on a proposed rule. If the Supreme Court orders a hearing, it shall set the time and place of the hearing and determine the manner in which the hearing will be conducted. The Supreme Court may also designate an individual or committee to conduct the hearing. The Supreme Court shall publish, on its website and the Washington State Bar Association website, the dates and times of hearings.

(3) After consideration of the recommendations from the Rules Committee, review of comments received during publication of the proposed rule, and testimony and other evidence presented in any hearing ordered by the Supreme Court, the Supreme Court may adopt, amend, or reject the proposed rule, or take such other action as the Supreme Court deems appropriate.

(h) ~~Final Action by the Supreme Court~~, Publication and Effective Date.

~~(1) After considering a suggested rule, or after considering any comments or written or oral testimony received regarding a proposed rule, the Supreme Court may adopt, amend, or reject rule change, or take such other action as the Supreme Court deems appropriate. Prior to action by the Supreme Court, the court may, in its discretion, hold a hearing on a proposed rule at a time and in a manner defined by the court. If the Supreme Court orders a hearing, it shall set the time and place of the hearing and determine the manner in which the hearing will be conducted. The Supreme Court may also designate an individual or committee to conduct the hearing.~~

~~(2) Regarding action on a suggested rule:~~

~~(A) If the Supreme Court rejects the suggested rule, it may provide the proponent with the reason or reasons for such rejection.~~

~~(B) If the Supreme Court adopts the suggested rule without public comment, it shall publish the rule and may set forth the reason or reasons for such adoption.~~

~~(3) Regarding actions on proposed rules:~~

~~(1)(A) If the Supreme Court rejects a proposed rule, it may shall publish its reason or reasons for such rejection.~~

~~(2)(B) If the Supreme Court adopts a proposed rule, it may shall publish the rule along with the purpose statement from the cover sheet.~~

~~(3)(C) If the Supreme Court amends and then adopts a proposed rule, it may shall publish the rule as amended along with a revised purpose statement cover sheet.~~

(4) All adopted rules, or other final action by the Supreme Court for which this rule requires publication, shall be published in a July edition of the Washington Reports advance sheets and ~~in the Washington State Register immediately after such action. The adopted rules or other Supreme Court final also action shall also be posted on the Internet sites of the Supreme Court and the Washington State Bar Association immediately after such action. An announcement of such publication shall be made in the Washington State Bar News.~~

(5) All adopted rules shall become effective as provided in section (i) unless the Supreme Court determines that a different effective date is necessary.

(i) Schedule for Review and Adoption of Rules.

- (1) In order to be published for comment in January, as provided in section (i)(2), a suggested rule must be received no later than ~~October 15~~ September 1 of the preceding year.
- (2) Proposed rules published for comment shall be published ~~for comment~~ in January of each year.
- (3) Comments must be received by April 30 of the year in which the proposed rule is published.
- (4) Proposed rules ~~published in January and~~ adopted by the Supreme Court shall be ~~re~~published in July and shall take effect the following September 1.
- (5) All ~~suggested-proposed~~ rules will be considered pursuant to the schedule set forth in this section, unless the Supreme Court determines that exceptional circumstances justify more immediate action. The Supreme Court shall publish a statement identifying the exceptional circumstances relied upon to deviate from the normal schedule for review and publication with the Order to Publish for a proposed rule.
- (6) The Supreme Court, in consultation with the Washington State Bar Association, the Superior Court Judges Association, the District and Municipal Court Judges Association, and the Chief Presiding Judge of the Court of Appeals, shall develop a schedule for the periodic review of particular court rules. The schedule shall be posted on such Internet sites as the Supreme Court may determine, including those of the Supreme Court and the Washington State Bar Association.

(j) Miscellaneous Provisions.

- (1) The Supreme Court may adopt, amend, or rescind a rule, or take any emergency action with respect to a rule without following the procedures set forth in this rule. Upon taking such action or upon adopting a rule outside of the schedule set forth in section (i) because of exceptional circumstances, the Supreme Court shall publish the rule in accordance with sections (g) or (h) as applicable and shall publish a statement with the adopted, amended, or rescinded rule identifying the exceptional circumstances and reasons supporting emergency action.
- (2) This rule shall take effect on September 1, ~~2000~~ 2023 and apply to all rules not yet adopted by the Supreme Court by that date.

[Adopted effective March 19, 1982; Amended effective September 1, 1984; September 1, 2000;  
Amended \_\_\_\_\_ ]

The Supreme Court  
State of Washington

STEVEN C. GONZÁLEZ  
CHIEF JUSTICE  
TEMPLE OF JUSTICE  
POST OFFICE BOX 40929  
OLYMPIA, WASHINGTON 98504-0929



(360) 357-2030  
E-MAIL J\_S.GONZALEZ@COURTS.WA.GOV

November 10, 2022

Judge Jennifer Forbes, President  
Superior Court Judges' Association

Commissioner Rick Leo, President  
District and Municipal Court Judges' Association

Dear Judge Forbes and Commissioner Leo:

On behalf of the Washington Supreme Court, thank you for the proposal to amend GR 9, pertaining to state court rulemaking. We appreciate the effort and expertise that went into developing the proposal, and understand that the SCJA and the DMCJA are seeking to improve the rulemaking process. Nonetheless, the Court decided against moving the proposal forward.

The proposed amendments were given careful consideration, and were rejected on a narrow vote. Justice Madsen in particular supported the proposal. One reason the Court chose not to advance the proposal at this time is because the Rules Committee is initiating an internal review of rulemaking processes, which will likely include proposed revisions to GR 9. Other improvements that are planned or in-progress include an improved rules website, expanded notification capabilities, and increased sensitivity to fiscal and other impacts. I want to assure you that the Court is committed to improving its processes and recognizes the benefits of allowing broader participation in rulemaking.

As we engage in this internal review, we welcome the continued involvement and input of the SCJA and the DMCJA. As you know, the Rules Committee has been relying to a greater degree on the judicial associations to review proposals, and we are grateful for this resource. We look forward to greater cooperation and communication with the SCJA and the DMCJA on rules and other important issues.

Sincerely,

Chief Justice Steven González

Cc: Members, WSSC Rules Committee  
J Benway, WSSC Rules Committee Staff



# THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE SUGGESTED  
AMENDMENT TO CrRLJ 3.4—APPEARANCE OF  
THE DEFENDANT

---

**ORDER**

NO. 25700-A-1479

The District and Municipal Court Judges’ Association, having recommended the adoption of the suggested amendment to CrRLJ 3.4—Appearance of the Defendant, and the Court having considered the suggested amendment, and having determined that the suggested amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

**ORDERED:**

- (a) That the suggested amendment as attached hereto is adopted.
- (b) That pursuant to the emergency provisions of GR 9(j)(1), the suggested amendment will be expeditiously published in the Washington Reports and will become effective upon publication.

ORDER

IN THE MATTER OF THE SUGGESTED AMENDMENT TO CrRLJ 3.4—APPEARANCE  
OF THE DEFENDANT

DATED at Olympia, Washington this 10th day of November, 2022.



Johnson, J.



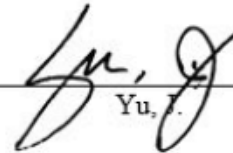
González, C.J.



Gordon McCloud, J.



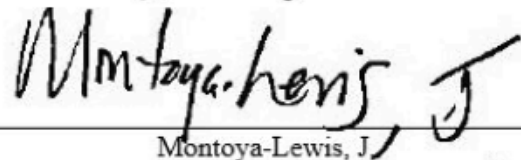
Madsen, J.



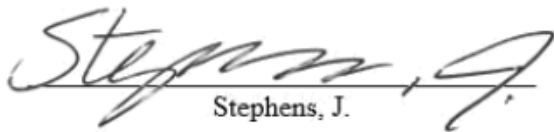
Yu, J.



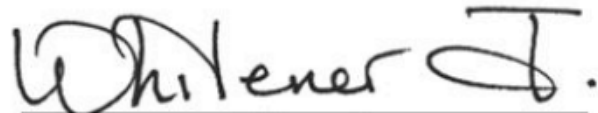
Owens, J.



Montoya-Lewis, J.



Stephens, J.



Whitener, J.

GENERAL RULE 9  
RULE AMENDMENT COVER SHEET  
PROPOSED TECHNICAL AMENDMENT TO CrRLJ 3.4

1. Proponent: DMCJA
2. Spokesperson & Contact Info: Commissioner Rick Leo, DMCJA President
3. Purpose of Proposed Rule Amendment:

DMCJA is requesting expedited consideration for a technical change to CrRLJ 3.4(c). When the current version of CrRLJ 3.4 was proposed, DMCJA struck through some language permitting judicial officers to allow remote appearances for several types of hearings including arraignments and sentencing. Remote appearances have proven to be a valuable tool in the administration of justice. Judicial officers should retain the discretion to permit remote appearances.

When the DMCJA proposed this change, we interpreted the “good cause” language of the rule to allow for courts to have discretion to continue to allow remote appearance for these types of hearings. However, we did not anticipate that some of our member courts would interpret the deletion of the remote appearance language to disallow those types of hearings.

DMCJA asks the Supreme Court Rules Committee to determine that this proposal is a technical change. GR 9(f) defines a technical change as “one which corrects a clerical mistake or an error arising from oversight or omission.” Eliminating the remote appearance option from CrRLJ 3.4(c) was an oversight. A modest language change from the rule is required because the term ‘remote appearance’ is used in the new rule.

Many judicial officers feel that the absence of the ‘or remote appearance in the court’s discretion’ language from Rule 3.4 has limited their ability to permit a remote appearance. This technical change would clarify that remote appearances, in the court’s discretion, are still permitted.

4. Is Expedited Consideration Requested? Yes. Expedited consideration is requested in order to avoid confusion and permit the current practice of remote appearances. As long as the Supreme Court Emergency Orders regarding COVID remain in place, Sections 8 and 10 of that Order permit remote appearances in the discretion of the Court. DMCJA requests expedited consideration to correct this oversight and requests a determination that this proposal is a technical change. This would promote a prompt amendment to the rule and clarification for judicial officers regarding remote hearings.

5. Is a Public Hearing Recommended? No.

### **CrRLJ 3.4 - APPEARANCE OF THE DEFENDANT**

**Sections (a) and (b): No changes.**

**(c) When Physical Appearance Is Required.** The defendant's physical appearance (or remote appearance in the court's discretion) is required at the arraignment (if one is held), at every stage of the trial including empaneling the jury, returning the verdict, imposing the sentence, and at hearings set by the court upon a finding of good cause, except as otherwise provided by these rules, or as excused or excluded by the court for good cause shown.

**Sections (d) and (e): No changes.**

# SAVE THE DATES

*Sponsored by:*

The Board for Judicial Administration's  
Court Education Committee



# 2023 COURT SYSTEM EDUCATION

(Events, dates, and locations may change. This list does not include dates for stand-alone webinars developed throughout the year)

2023 PROGRAM	DATE
Judicial College – Part I (in person)	January 29 – February 2
Judicial College – Part II (virtual)	February 6 - 7
County Clerks’ Spring Program	March 20 - 21
Appellate Court Spring Program	March 26 - 29
Superior Court Judges’ Spring Program	April 23 - 26
Superior Court Administrators’ Spring Program	April 23 - 25
District & Municipal Court Managers’ Spring Program & WA Court Administrators Academy (ARLJ 14)	May 7 - 10
Juvenile Court Administrators’ Spring Program	May 16 – 18
District & Municipal Court Judges’ Spring Program	June 4 - 7
64 <sup>th</sup> Washington Judicial Conference	September 17 - 20
Search & Seizure 4-Wk Online Program	TBD
Faculty Development	November

*On Behalf of the District and Municipal Court Judges' Association, you are invited to attend the following virtual presentation*

---



**Dates:** November 30, 2022

**Time:** 1:00 p.m. – 3:00 p.m.

**Faculty:** Dr. Yvonne Stedham

**Session Description: Mindfulness – What, Why, How:** In this two-hour session, participants will be introduced to an attention-focusing practice (mindfulness practice). Mindfulness cultivates the capacity to skillfully address uncertainty, stress, and anxiety. The session will be experiential as well as didactic. It will begin with an overview of what mindfulness is and a brief summary of the neuroscientific evidence in support of mindfulness benefits. The relationship between mindfulness and stress will be briefly covered. Participants will be guided in a couple of mindfulness practices such as the body scan.

**Register in advance for this presentation:**

<https://wacourts.zoom.us/meeting/register/tZlvfu6vrz0qHNyHtCP3HIKDWy59made0lJM>

After registering, you will receive a confirmation email containing information about joining the meeting. We encourage you to save the registration information to your calendar. You will also receive a confirmation email the morning of the session for your convenience.

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

Please contact Laura Blacklock at [laura.blacklock@courts.wa.gov](mailto:laura.blacklock@courts.wa.gov) if you have any questions.

**The Board for Judicial Administration’s Court Education Committee and the District and Municipal Court Management Association have scheduled two town hall forums on the new Courts of Limited Jurisdiction ARLJ 14 – Mandatory Continuing Court Administrator Education**

---

**Dates:** December 1<sup>st</sup> and 15<sup>th</sup>, 2022

**Time:** 12:15 p.m. – 1:00 p.m.

**Description:**

Presiding Judge and Administrator Teams are highly encouraged to attend one of two town hall forums to discuss the new rule for Courts of Limited Jurisdiction - ARLJ 14 - Mandatory Continuing Court Administrator Education (Supreme Court Order No. 25700-A-1450).

This rule goes into effect on January 1, 2023 and impacts all courts of limited jurisdiction. The town hall forums will review ARLJ 14 rule and draft standards as well as provide an opportunity to answer questions. (ARLJ 14 rule and draft standards are attached).

**Registration:**

Please Register below for one of these two forums. They will be repetitive in nature. Recording is not yet determined.

**Forum 1. Thursday, December 1, 2022 from 12:15 p.m. - 1:00 p.m. [REGISTER HERE](#)**

**Forum 2. Thursday, December 15, 2022 from 12:15 p.m. - 1:00 p.m. [REGISTER HERE](#)**

**Submit Questions:**

To assist us with preparing for the town hall forums, your assistance is needed. After reviewing the Rule and the draft Standards, please submit your questions via SurveyMonkey in the link below no later than **November 28, 2022**.

**SurveyMonkey Link: [CLICK HERE](#)**

**WASHINGTON STATE DISTRICT AND MUNICIPAL COURT ADMINISTRATOR  
MANDATORY CONTINUING EDUCATION STANDARDS  
Supreme Court Order [NO. 25700-A-1450](#)**

**Section 1: Organization and Administration**

**1. Supreme Court**

The Supreme Court is the rule-making authority for Washington's integrated judicial branch of government.

**2. Board for Judicial Administration (BJA)**

The Board for Judicial Administration (BJA) provides policy review and program leadership for the courts at large, including recommending rules to the Supreme Court that improve our state's judicial branch of government.

**3. Court Education Committee (CEC)**

The Court Education Committee (CEC) is a standing committee of the BJA and assists the Supreme Court and the BJA in developing educational policies and standards for the court system. The CEC provides budget and appropriation support, monitors educational programs' quality, coordinates in-state and out-of-state educational programs and services, recommends changes in policies and standards, and approves guidelines for accrediting training programs.

**4. Designee**

The Designee is the Court Administrator or equivalent employee designated by the presiding judge.

**5. Court Education Committee**

The responsibilities of the CEC will be to:

- a) Administer the Administrative Rule for Limited Jurisdiction (ARLJ) 14;
- b) Obtain the name of the "designee" from the presiding judge of each court of limited jurisdiction annually;
- c) Establish operating procedures consistent with this rule; and,
- d) Report and release names of the "designees" who have not complied with the rule to their presiding judge.

**6. Administrative Office of the Courts (AOC)**

- a) Under the direction of the Supreme Court and CEC, the Administrative Office of the Courts (AOC) shall develop guidelines for implementing the standards and develop, administer, and coordinate education programs throughout the state.



- b) The AOC shall coordinate all CEC education programs and provide support, guidance, and assistance. AOC shall provide support, guidance, and assistance to DMCMA education committees in planning, developing, implementing, and evaluating education programs consistent with established continuing education standards and requirements.
- c) The AOC shall maintain the official transcript for each Designee based on:
  - (i) attendance records at CEC accredited education programs;
  - (ii) approved non-CEC authorized or sponsor-accredited education programs submitted by the individual.
- d) Based on the official record, the AOC will report noncompliance annually to the CEC and the presiding judge of the appropriate court of limited jurisdiction.

## **Section 2: General Standards for Continuing District and Municipal Court Administrator Education**

### **1. Continuing District and Municipal Court Administrator Education (CAE)**

During their three (3)-year reporting cycle, each Designee must complete fifteen (15) hours of CAE credits, two (2) of which are in the area of ethics, and one and a half (1.5) are in the area of diversity, equity, and inclusion (DEI).

- a) At least nine (9) hours, of which at least one and a half (1.5) hours are in the area of ethics and (1) hour in the area of DEI, must be completed by attending accredited courses. "Attending" is defined as (1) presenting for, or being present in the audience at, an accredited CAE course; (2) presenting for, or participating through an electronic medium in, an accredited CAE course; or (3) participating through an electronic medium in an accredited CAE course pre-recorded where faculty are available to answer questions.
- b) Up to five (5) hours, of which up to one (1) hour are in the area of ethics and one (1) hour in the area of DEI, may be completed through self-study by listening to, or watching, pre-recorded accredited CAE courses. Designees completing credits by self-study must report them to the AOC.
- c) Up to five (5) hours, of which up to one (1) hour are in the area of ethics, and one (1) hour in the area of DEI, may be completed through teaching at accredited CAE courses and/or publishing administrative writing. A designee may complete up to three (3) hours of teaching credits for each hour of presentation. The CEC must approve credits for published administrative writing. Designees completing credits by teaching or writing must report them to the AOC.
- d) Designees may attend a combination of approved local, state, or national programs.

- e) A designee may complete credits through other courses that directly aid the Designee in performing their specific administrative duties and are approved by the CEC.

**2. Carry-Over**

- a) If a designee completes more than 15 such credit hours in a three-year reporting period, up to 5 hours of excess credits may be carried forward and applied to the Designee's education requirement for the following three-year reporting period. Carry-over credits do not apply to ethics or DEI requirements.

**3. Court Administrator Academy Attendance**

- a) Each Designee shall attend and complete the Court Administrator Academy program within 12 months of initial appointment.
- b) Each Designee holding this position for fewer than four years at the time this rule becomes effective shall attend and complete the Academy within 24 months.

**4. Credit Calculation**

Credit is calculated based on one credit for every 60 minutes of actual subject presentation/participation, not including introductions, overviews, and closing remarks.

## Section 3: Program Accreditation

### 1. Washington State Judicial Branch Sponsors

Attendance at any education program sponsored by the following shall be presumed to meet standards and be accredited:

- a) District and Municipal Court Management Association ([DMCMA](#))
- b) District and Municipal Court Judges Association ([DMCJA](#))
- c) Administrative Office of the Courts ([AOC](#))
- d) Association of Washington Superior Court Administrators ([AWSCA](#))
- e) Court Education Committee ([CEC](#))
- f) Court of Appeals ([COA](#))
- g) Misdemeanor Probation Association ([MPA](#))
- h) Superior Court Judges' Association ([SCJA](#))
- i) Washington Association of Juvenile Court Administrators ([WAJCA](#))
- j) Washington State Association of County Clerks ([WSACC](#))
- k) Washington State Bar Association ([WSBA](#))
- l) Washington State Supreme Court ([WSSC](#))
- m) Washington State Supreme Court Commissions

### 2. Other Education Sponsors

Attendance at any education program sponsored by the following shall be presumed to meet standards and be accredited:

- a) National Association for Court Management ([NACM](#))
- b) Conference of State Court Administrators ([COSCA](#))
- c) Hispanic National Bar Association. ([HNBA](#))
- d) International Association for Court Administration ([IACA](#))
- e) National Asian Pacific Bar Association ([NAPBA](#))
- f) National Association of Women Lawyers ([NAWL](#))
- g) National Association for Presiding Judges and Court Executive Officers ([NAPCO](#))
- h) National Bar Association ([NBA](#))
- i) National Conference of Women's Bar Associations ([NCWBA](#))
- j) National Consortium on Racial and Ethnic Fairness in the Courts ([NCREF](#))
- k) National Lesbian and Gay Lawyer Association ([LGBTQ+BAR](#))
- l) National Native American Bar Association ([NABA](#))
- m) North American South Asian Bar Association ([NASABA](#))
- n) Programs approved for Scholarships by CEC
- o) The Judicial Division of the American Bar Association ([ABA](#))
- p) The Judicial Divisions of all National Bar Associations
- q) The National Judicial College in Reno ([NJC](#))
- r) The National Center for State Courts ([NCSC](#))
- s) [Tribal Courts in Washington State](#) and [Washington Cities Insurance Authority](#)
- t) Washington State Association of Municipal Attorneys ([WSAMA](#))
- u) Washington State Risk Pool ([WCRP](#))

### 3. Other Continuing Professional Education Programs

For all other Continuing Professional Education Programs, please submit form XXX-XXX to [education@courts.wa.gov](mailto:education@courts.wa.gov) for possible credit.

#### **4. Basis for Accreditation of Courses**

Courses will be approved based on their content. An approved course shall have significant intellectual or practical content relating to the duties of the Designee.

- a) **Factors in Evaluating.** Factors to consider in evaluating a course include:
  - 1) The topic, depth, and skill level of the material;
  - 2) The level of practical and/or academic experience or expertise of the presenters or faculty;
  - 3) The intended audience; and
  - 4) The written, electronic, or presentation materials should be high quality, readable, carefully prepared, and distributed to all attendees before the course.

#### **5. Programs That Do Not Qualify**

The following activities will not qualify for CAE credit:

- a) Presenting to an internal organization. (cities, counties);
- b) Jury duty;
- c) Judging or participating in law school or mock trial competitions; and
- d) Serving on professional committees/associations.

#### **6. Appeals**

A designee may appeal to the CEC's denial of program/course accreditation. The appeal should be in the form of a letter addressed to the Chair of the BJA that outlines the basis for the Designee's request. The BJA Chair shall notify the Designee in writing of its decision to sustain or overrule the decision of the CEC.

### **Section 4: Responsibilities**

#### **1. Sponsors of Accredited Programs**

It is the responsibility of the Washington State judicial branch sponsors of a district and municipal court administrator's education program to report designee attendance and credits for all approved CAE courses to the AOC.

#### **2. Individuals**

- a) Individual Designee's responsibility is to file a report of their attendance, whether total or partial, for programs sponsored by Washington State Judicial Branch entities or other administrative and educational sponsors, as noted in Section 3 (1)(2).
- b) The individual Designee must submit requests for accreditation for other continuing professional education programs, credit for teaching, published administrative, legal writing, or self-study to the AOC.

### **3. Deadline**

Absent exigent circumstances, sponsors and individual designees must report attendance within 30 days after completion of a CAE activity.

## **Section 5: Certification**

### **1. Compliance**

In August each year, the AOC will send out a reminder of the end-of-the-year reporting requirement via district and municipal court administrator listservs. By December 31, the AOC will provide a progress report to every Designee of the programs they have attended during the previous calendar year. After reviewing that progress report, designees must either:

- a) Confirm it as an accurate record of their progress toward compliance with the rule; or
- b) Provide additional information on programs attended with accompanying documentation; and,
- c) File the report with the AOC on or before January 31 each year. If a designee does not respond by January 31, defaults will determine credits.

Based on the official record, the AOC will report the non-compliant to the CEC and the presiding judge of the appropriate court of limited jurisdiction.

### **2. Three-Year Reporting Periods**

Three-year reporting periods are as follows:

- a) Group 1 are those designees present as of January 1, 2023, and those who begin service every subsequent third year: 2026, 2029, 2032, 2035, 2038, 2041, 2044, 2047, 2050, etc.;
- b) Group 2 are those designees who begin service in 2024, 2027, 2030, 2033, 2036, 2039, 2042, 2045, 2048, 2051, etc.;
- c) Group 3 are those designees who begin service in 2025 and every subsequent third year: 2028, 2031, 2034, 2037, 2040, 2043, 2046, 2049, 2052, etc.

The three-year reporting period for each new Designee begins on January 1 or is closest to their appointment.

### **3. Delinquency**

Failure to comply with this rule's requirements may violate the Code of Judicial Conduct.

## Section 6: Approval

The Court Education Committee on October 14, 2022 approved these standards by Washington Supreme Court in Court Order [NO. 25700-A-1450](#).

Comments or suggestions regarding the standards or revisions can be sent to the Court Education Services unit supervisor at the AOC or the Chair of the CEC.

Approved by the CEC 10/14/2022  
[Adopted effective;]

Draft

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
June 9, 2022  
BY ERIN L. LENNON  
CLERK

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE PROPOSED NEW  
RULE FOR COURTS OF LIMITED JURISDICTION  
(ARLJ) [14]—MANDATORY CONTINUING  
COURT ADMINISTRATOR EDUCATION

---

)  
)  
)  
)  
)  
)  
)

**ORDER**  
NO. 25700-A-1450

The District and Municipal Court Management Association and the District and Municipal Courts Judges’ Association, having recommended the adoption of the proposed new rule for Courts of Limited Jurisdiction (ARLJ) [14]—Mandatory Continuing Court Administrator Education, and the Court having considered the proposed new rule, and having determined that the proposed new rule will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

- (a) That the proposed new rule as attached hereto is adopted.
- (b) That the proposed new rule will be published in the Washington Reports and will become effective January 1, 2023.

ORDER

IN THE MATTER OF THE PROPOSED NEW RULE FOR COURTS OF LIMITED JURISDICTION (ARLJ) [14]—MANDATORY CONTINUING COURT ADMINISTRATOR EDUCATION

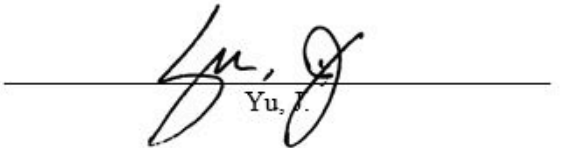
DATED at Olympia, Washington this 9th day of June, 2022.

  
González, C.J.

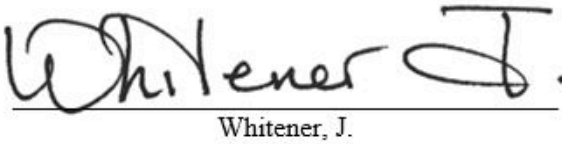
  
Johnson, J.

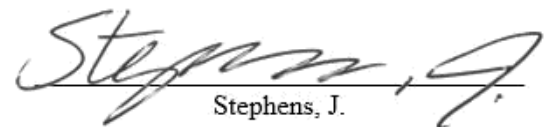
  
Gordon McCloud, J.

  
Madsen, J.

  
Yu, J.

  
Owens, J.

  
Whitener, J.

  
Stephens, J.



## ARLJ 14

### MANDATORY CONTINUING COURT ADMINISTRATOR EDUCATION

[NEW]

**(a) Purpose.** The protection of the rights of free citizens depends on the existence of an independent and competent judiciary. Courts require skilled court administrators to ensure an open, fair, and efficient justice system. This is particularly true in courts of limited jurisdiction—the court level the public most often turns to for services. This rule establishes minimum requirements for education and training of court administrators and equivalent employees in courts of limited jurisdiction.

**(b) Definitions.**

(1) “Court administrator,” as used in this rule, means the court administrator or equivalent employee in a court of limited jurisdiction to whom the presiding judge may delegate administrative functions described in GR 29(f). The presiding judge of each district and municipal court shall designate a minimum of one court administrator or equivalent employee per court to comply with this rule.

(2) “Designee,” as used in this rule, means the court administrator or equivalent employee as designated by the presiding judge.

(3) “CEC” means the Board for Judicial Administration’s Court Education Committee.

(4) “Academy” means the Washington Court Administrator Academy.

(5) “DMCMA” means the District and Municipal Court Management Association.

(6) “AOC” means the Administrative Office of the Courts described in chapter 2.56 RCW.

**(c) Minimum requirement.** Each designee shall complete a minimum of 15 credit hours of continuing education approved by the CEC every 3 years.

**(d) Court Administrator Academy Attendance.**

(1) Each designee shall attend and complete the Academy within 12 months of initial appointment.

(2) Each designee holding this position for fewer than 4 years at the time this rule becomes effective shall attend and complete the Academy within 24 months.

(3) The Academy shall consist of no fewer than 15 hours of education and shall include instruction about roles and responsibilities of court administration, ethics, GR 29, executive branch collaboration, court finances, human resources, and AOC resources and requirements.

(4) The Academy will be offered in conjunction with the annual DMCMA program that receives funding allocated by the CEC. Subject to the availability of CEC and AOC resources, the Academy may also be offered remotely.

(5) In the event of extreme hardship, a presiding judge may request on behalf of their designee a delay of not more than one year to complete the Academy.

(6) The local court jurisdiction's lack of adequate budgeting for the designee to attend the Academy shall not constitute an extreme hardship.

**(e) Accreditation.** The CEC shall, in consultation with the DMCMA and subject to the approval of the Washington Supreme Court, establish and publish the required curriculum and accreditation standards for the Mandatory Continuing Court Administrator Education.

**(f) Compliance.** Each designee shall confirm with the AOC on or before January 31 each year, in such form as the AOC shall prescribe, the designee's progress toward the minimum education requirements of section (c) of this rule during the previous calendar year. If the designee does not respond by January 31, their credits will be confirmed by default. A designee who does not have the requisite number of hours at the end of their three-year reporting period will have until March 1 to make up the credits for the previous three-year reporting period. These credits will not count toward their current three-year reporting period.

**(g) Noncompliance.** Notification of noncompliance shall be reported to the chair(s) of the CEC and the presiding judge of the appropriate court.

**(h) Effective date.** This rule becomes effective January 1, 2023.