



**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

January 13, 2023

**VIA ZOOM
VIDEO CONFERENCE**

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2022-2023

DATE	TIME	MEETING LOCATION*
Friday, July 8, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Aug 12, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Sept 9, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Oct 14, 2022	12:30 – 3:30 p.m.	Zoom Video Conference
Friday, Nov 18, 2022	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Dec 9, 2022	12:30 – 3:30 p.m.	Zoom Video Conference *updated*
Friday, Jan 13, 2023	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, Feb 10, 2023	12:30 – 3:30 p.m.	Zoom Video Conference
Friday, March 10, 2023	12:30 – 3:30 p.m.	ZOOM Video Conference
Friday, April 14, 2023	12:30 – 3:30 p.m.	AOC SeaTac Facility 18000 International Blvd, Suite 1106 Zoom Available
May 5-6, 2023	12:00 p.m. – 5:00 p.m. 8:00 a.m. – 3:00 p.m.	Board Retreat & Monthly Board Meeting Location: Winthrop, WA
June 4, 2023 June 6, 2023	9:00 a.m. – 12:00 p.m. 12:00 p.m. – 2:00 p.m.	Board Meeting Annual Business Meeting Location: Spokane, WA (at Spring Program)

AOC Staff: Stephanie Oyler

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

Updated: November 17, 2022

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DMCJA BOARD MEETING
FRIDAY, JANUARY 13, 2023
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE

PRESIDENT RICK LEO

AGENDA	PAGE
1. Presentation A. Conference Presentation – Judge Tam Bui and Judge Beth Fraser B. Blake Update - Sharon Swanson, AOC Blake Implementation Manager	1
2. General Business A. Minutes for November 18, 2022 B. Treasurer Report for October and November – Judge Anita Crawford-Willis C. Special Fund Report for October and November – Judge Karl Williams	14 19 30
3. Liaison Reports A. Superior Court Judges’ Association (SCJA) – Judge Samuel Chung, President-Elect B. District and Municipal Court Management Association (DMCMA) – Ellen Attebury, President C. Misdemeanant Probation Association (MPA) – Regina Alexander, Representative D. Washington State Association for Justice (WSAJ) – Mark O’Halloran E. Washington State Bar Association (WSBA) – Brent Williams-Ruth & Erik Kaeding F. Administrative Office of the Courts (AOC) – Dawn Marie Rubio, State Court Administrator G. Board for Judicial Administration (BJA) – Judge Tam Bui, Judge Dan Johnson, Judge Mary Logan, Judge Rebecca Robertson H. Judicial Information System Update (JIS) – Arsenio Escudero, JIS Business Liaison, AOC	33
4. Standing Committee Reports A. Bylaws Committee Report – Judge Kristian Hedine B. Diversity Committee Report – Judge Willie Gregory C. DOL Liaison Committee Report – Judge Angelle Gerl D. Education Committee Report – Judge Jeffrey R. Smith E. Judicial Assistance Services Program (JASP) – Judge Mary Logan F. Legislative Committee Report – Judge Kevin G. Ringus and Judge Whitney Rivera G. Public Outreach Committee Report – Judge Michelle K. Gehlsen H. Rules Committee Report – Judge Catherine McDowall and Judge Wade Samuelson 1. Minutes from October 25, 2022 Meeting I. Therapeutic Courts Committee Report – Judge Fred Gillings and Judge Jenifer Howson	35 36 38



BLAKE REFUND BUREAU District & Municipal Court Judges Association

**Sharon Swanson, Blake Implementation Manager
Administrative Office of the Courts
December 9, 2022**

SB 5693 – AOC Blake provisions:



- AOC is directed to: contract with cities & counties for the reimbursement of funds for resentencing costs; and
- Collaborate with court clerks, administrators to prepare comprehensive reports, *based on available court records*, of all cause numbers impacted by State v. Blake;
- Establish a process to locate and notify individuals of available refunds as well as inform of the application process to claim the refund and issue payment.
- Assist with resentencing of Blake impacted individuals.

Blake Team



- **Scheduling Referee: Hired.**
- Help prioritize the resentencing of incarcerated individuals. Three groups of people who require resentencing:
 - 1) Possession **only** charge in active sentence;
 - 2) Possession + additional charges in active sentence;
 - 3) Possession in criminal history.
- Assist in coordinating possession vacations across counties for individuals who need resentencing;
- Monitor caseload and coordinate with Courts, DOC, defense attorneys, clerks & WAPA.

Blake Team



- District & Municipal Court Coordinator
 - Assist with the review of local ordinances to determine if ordinance was adopted by reference to RCW or without mens rea.
- Superior Court Coordinator
 - Assist clerks and administrators to help build the lists of cause numbers.



Blake Team

- Contracts specialist
- Financial Analyst – Hired
- Business Analyst – IT focus
- Communications – help with outreach to contact Blake impacted individuals – 2023 hiring goal.

LFO Aid Pool = Blake Refund Bureau



- Create secure system for clerks and individuals to provide sensitive information.
 - Need to compile enough information to confirm identity of person and current address.
- Create secure storage location that is also searchable.
 - Who has been paid
 - Amount
 - Cause number
 - Date of conviction, vacation, refund.



Current Blake Reimbursement process:

- AOC issued Interagency Reimbursement Agreements with **39** counties and **109** municipalities.
- Agreement's provide for reimbursements for costs associated with the processing of **Vacate** orders and **LFO** reimbursements.
 - Extraordinary costs
- Each jurisdiction submits an A-19 and supporting documentation as “backup” to illustrate the costs associated with Blake work.
 - AOC processes and issues refunds for these costs.

Refund Bureau – July 1, 2023



- Begin processing LFO refunds directly.
 - Requires certification of amount of refund ordered by a Court.
 - Once a person receives a vacate of conviction and is determined to be eligible for a refund, that information will be sent to AOC, uploaded into database for public to search and apply to AOC for reimbursement.
- AOC will continue to reimburse local governments for extraordinary expenses:
 - Judicial, clerk, prosecution related costs tied to resentencing, vacating and certifying LFO obligations and collection costs.
 - *Defense costs for municipalities.*

Considerations / Challenges:



- Currently, AOC has appropriations to reimburse cities, counties, individuals.
- What exactly is included in an LFO?
 - AOCs role is to facilitate reimbursements. However, we also need to keep robust records in the event the Legislature or a Court expands existing definition of LFO.
 - Fraud concerns also require detailed record keeping and annual security costs to manage site.

Comprehensive reports challenges:



- “Based on *available* court records going back to 1971”
- State has had at least 3 record keeping systems for superior courts alone:
 - SCOMIS (1977 – 1993)
 - JIS (1994 – 1995)
 - Odyssey (2015 – 2018)
 - Is a paper file considered an available court record?
 - Retention schedule – 7 years (*Municipal courts*)

Comprehensive reports challenges:



- Blake decision (1971 – 2021)
 - RCW 69.50.401 (c) (1971 – 1979)
 - RCW 69.50.401 (d) (1979 – 2003)
 - RCW 50.4013 (1) (2003 – 2021)
- The online record keeping lacks specificity as to which subsection a person was charged under.
 - Must pull historical files to confirm if a Blake related charge is included.

Blake Reimbursements to date:



- **Superior Courts:**

- Costs associated with resentencing: \$4,186,701
- Costs to reimburse LFO payments: \$5,301,114

- **Municipal Courts:**

- Costs associated with resentencing: \$0.00
- Costs associated with LFO payments: \$196

- *Contracts were entered in June / July, 2022 with Municipal Courts.*

- *Municipalities in the process of setting up Blake teams, generating reports to determine which cases qualify.*

Questions?



- Sharon.Swanson@courts.wa.gov
- 360.890.0991



DMCJA Board of Governors Meeting
Friday, November 18, 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
Commissioner Paul Wohl
Judge Tam Bui, BJA Representative
Judge Mary Logan, BJA Representative
Judge Rebecca Robertson, BJA Representative

Members Absent:

Judge Catherine McDowall
Judge Karl Williams
Judge Dan B. Johnson, BJA Representative

Guests:

Judge Samuel Chung, SCJA
Judge Michelle Gehlsen, Public Outreach Chair
Judge Angelle Gerl
Regina Alexander, MPA Liaison
Ellen Attebury, DMCMA Representative

AOC Staff:

Stephanie Oyler, Primary DMCJA Staff
J Benway, Principal Legal Analyst
Antoinette Bonsignore, DMCJA Policy Analyst
Tracy Dugas, Court Program Specialist
Brenden Higashi, DMCJA Policy Analyst

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 12:34 p.m.

PRESENTATION – Judge Angelle Gerl

2023 Chief Justice Mary Fairhurst National Leadership Grant Recipient Judge Angelle Gerl shared her experience at the Annual National Association of Women Judges Conference.

GENERAL BUSINESS

A. Minutes

The minutes from the October 14, 2022 meeting were previously distributed to the members. Commissioner Leo asked if there were any changes that needed to be made to the minutes. There being no changes, 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 was not present, but the special fund statement was included in the packet.

LIAISON REPORTS

A. Superior Court Judges' Association (SCJA)

SCJA President-Elect Judge Samuel Chung reported that SCJA, along with representatives from DMCJA, Court of Appeals, and the Supreme Court, recently presented to the Salary Commission to request a salary increase for judicial officers. The Commission made an initial recommendation of a 7% increase for judicial branch salaries, and they will hold monthly meetings with public comment until February when they will finalize the recommendation. Judge Chung reported that SCJA and DMCJA have also been working together on a recommendation to the Supreme Courts Rules Committee regarding adding association representatives to their committee, but this request was denied. Judge Chung shared that SCJA is starting a work life balance workgroup, and that they will be incorporating wellness programs for judges. The SCJA all day Legislative Committee meeting will occur in early September, where they will set priorities for the 2023 legislative session, and Judge Chung will share more details at the next DMCJA Board meeting. Judge Chung continues to seek opportunities for collaboration between SCJA and DMCJA.

B. District and Municipal Court Management Association (DMCMA)

DMCMA President Ellen Attebury reported that two town hall events will be held in December to educate judges and administrators on the new ARLJ 14 requirements for mandatory administrator education and the academy in May. Commissioner Leo congratulated Ellen on winning the Court Manager of the Year award from the Council on Court Management.

C. Misdemeanant Probation Association (MPA)

Representative Regina Alexander reported that she did not have an update today.

D. Washington State Association for Justice (WSAJ)

Representative Mark O'Halloran was not present.

E. Washington State Bar Association (WSBA)

Representative Gov. Brent Williams-Ruth was not present.

F. Administrative Office of the Courts (AOC)

State Court Administrator Dawn Marie Rubio was not present.

G. Board for Judicial Administration (BJA)

Judge Tam Bui reported that BJA held a meeting earlier today, and also congratulated Ellen Attebury on winning the Court Manager of the Year award at that meeting. Judge Bui reported that Judicial College will begin on January 29, 2023 and will have both in-person and virtual portions, along with Learning Management System self-paced components. Judge Bui shared that one of the primary topics at the BJA meeting today was language access, and that the Interpreter Commission shared both long- and short-term goals. With many recent retirements, there are concerns about how to get new interpreters into the pipeline. Judge Robertson reported that the BJA Court Security Task Force is continuing to advocate for local and state joint funding, and are waiting for the most recent budget forecast. Judge Robertson reported that Policy and Planning Committee are working on a series of webinars for how to present budget requests to local funders. Judge Logan reported that BJA Budget and Funding Committee is continuing to receive information from Chris Stanley at AOC, and that he has shared recently that the budget process may be more difficult this year versus last year's supplemental budget, due to there being less funds available than everyone had initially hoped. Judge Logan noted that each of the DMCJA funding requests has strong advocates, and that it will be very important to continue those discussions and requests for support.

H. Judicial Information System (JIS)

AOC JIS Business Liaison Arsenio Escudero was not present. Commissioner Leo explained that ITG Request 1339, Therapeutic Court Case Management, has been pulled by the requestor (Dr. Mikala Meize-Bowers) because she learned that the new CLJ-CMS would cover most of the same needs when it goes live.

STANDING COMMITTEE REPORTS

A. Bylaws Committee

Judge Kristian Hedine was not present.

B. Diversity Committee

Judge Willie Gregory was not present but a report from the committee is provided in the packet.

C. DOL Liaison Committee

Judge Angelle Gerl reported that the DOL Liaison Committee is continuing to work on several projects, including supporting an amendment to IRLJ 6.6 that will allow for certificate of weight measuring devices. The committee is working with AOC to submit an ITG request that will allow a link to official death records from Department of Health with JIS records.

D. Education Committee

Judge Jeffrey R. Smith reported that committee now has a draft schema for the 2023 DMCJA Spring Program, and that he is excited that the event will be held in person, in Spokane at the Centennial Hotel in June. Judge Smith shared that they are currently searching for a keynote speaker for Sunday, and that depending on the cost of the speaker, they may request additional funding from DMCJA. Discussion ensued about potential keynote speaker options.

E. Judicial Assistance Services Program (JASP)

Judge Mary Logan reported that JASP recently held a training for new counselors, and that due to the large number of participants they decided to hold a basic skills training, which was well received. JASP continues to work on building out a new platform regarding anger management.

F. Legislative Committee

Judge Kevin Ringus reported that a written report from the Legislative Committee is in the packet, but that the next meeting date will be December 9 and not December 2 as stated on the report. Judge Ringus shared that the committee has received some questions from legislators regarding Blake impacts, and that staff had recently sent a request to the DMCJA listserv to ask judicial officers to provide feedback on both Blake and protection order impacts. Judge Rivera reported that the DMCJA Lobbyist, Melissa Johnson, has really been an asset to the Association especially as it relates to providing information to the Co-Chairs.

G. Public Outreach Committee

Judge Michelle K. Gehlsen reported that the committee's October 17, 2022 draft minutes are included in the packet. Judge Gehlsen thanked Commissioner Leo and Judge Robertson for their work on the Salary Commission presentation, and thanked the Legislative Committee for putting together the upcoming Legislative Day on January 31. Judge Gehlsen reported that the DMCJA Facebook page is now up and running, that the committee is still accepting presentations for the Toolkit, and that they are considering sending out a monthly one-page newsletter.

H. Rules Committee

Judge Wade Samuelson was not present but minutes from the September 27, 2022 committee meeting are included in the packet.

- I. **Therapeutic Courts Committee**
Judge Jenifer Howson was not present.

ACTION

- A. **Bylaws Committee Proposal to amend to include “fellow” memberships**
The Board moved, seconded, and passed a vote (M/S/P) to send this proposal to members for a vote at the Annual Meeting in June, and to establish a workgroup to answer some of the logistical questions that may arise about how this membership level would work in practical terms. Workgroup members will include Judge Short, Judge Oaks, Judge Smith, Judge Ringus, and the group will be staffed by Antoinette Bonsignore.
- B. **Rules Committee Proposal re: IRLJ 6.6 GR 9**
M/S/P to approve this proposal from the DMCJA Rules Committee and submit to the Supreme Court Rules Committee.
- C. **Ratification of vote to confirm endorsement of ITG 1349 – Pacific City/Algona Muni KCD-Court Management System (CMS) to Enterprise Data Repository (EDR) Data Exchange**
M/S/P to ratify the previous email vote to confirm endorsement of ITG 1349.
- D. **Ratification of vote to approve to submit Rules Committee Proposed IRLJ amendments**
M/S/P to ratify the previous email vote to approve to submit Rules Committee proposed IRLJ amendments.
- E. **Rules Proposal Re: CrRLJ 7.6**
M/S/P to submit the letter as previously circulated to Board members with the addition of a line about the letter being sent on behalf of the entire Board. The letter is to be sent to the Chief Justice with a cc to the Supreme Court Rules Committee Co-Chairs, Justice Johnson and Justice Yu.

DISCUSSION

- A. **Staff at DMCJA Retreat**
Commissioner Leo explained that AOC may be willing to cover the costs for all four DMCJA staff to attend the Retreat in May if each staff person is handling different tasks for the event. Discussion ensued about the importance of having all staff attend this event.
- B. **DMCJA Logo – Survey Results and Funding for New Proposal**
Commissioner Leo explained that since there was no consensus on the logo options previously provided, he had asked Tracy Dugas to research the option of hiring a graphic design firm to create a logo. Tracy reported that the cost for a full package, which provides unlimited versions and revisions, is \$599. Commissioner Leo noted that since this cost was not included in the 2022-2023 DMCJA budget, the Board would need to vote to expend the funds. This item will carry over to Action for the December meeting.
- C. **December Board Meeting Via Zoom – SeaTac Office still closed**
Commissioner Leo explained that the AOC office in SeaTac continues to be closed for public meetings, so the December Board meeting which had been tentatively scheduled for in person, will be held via Zoom only instead. The next tentative in-person meeting is February. Discussion ensued about other venue options if the Board would still like to meet in person prior to the Retreat. Tracy Dugas will research venues and associated costs for presentation at the next Board meeting.
- D. **Rules Proposal Re: CrRLJ 7.6**
Commissioner Leo and Judge Goodwin explained that the recently adopted proposals for CrRLJ 7.6 rule amendments are problematic for many reasons, and that Judge Goodwin has drafted a letter to explain the issues that courts of limited jurisdiction will face if these the changes are effective on January 1, 2023 as currently ordered, and to request a stay. Judge Goodwin noted that the DMCJA

Rules Committee did provide comments to the Supreme Court Rules Committee on this proposal but that the concerns expressed in those comments were not addressed by the Supreme Court. M/S/P to move this item to Action today.

INFORMATION ITEMS

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

- A. Rules Committee Proposed Changes to GR 9
- B. 2023 Court System Education Save the Dates
- C. Webinar: Mindfulness – What, Why, How: November 30, 2022
- D. Kitsap District Court [Protection Orders Bench Binder Documents](#)
- E. [CLJ Caseload Dashboard](#) – *This is in beta/testing phase still*
- F. Webinars for Presiding Judges: ARLJ 14 Town Hall: December 1, 2022 & December 15, 2022

OTHER BUSINESS

- A. Attendee Information Sharing
- B. The next DMCJA Regular Board Meeting is scheduled for Friday, December 9, 2022 from 12:30 p.m. to 3:30 p.m. via Zoom video conference.

The meeting was adjourned at 2:27 p.m.

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

SUMMARY OF REPORTS

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

For the Period Ending December 31, 2022

Please find attached the following reports for you to review:

- Statement of Financial Position
- Monthly Statement of Activities.
- Bank Reconciliation Reports
- Transaction Detail Report (year-to-date)
- Special Fund Bank Statement
- Current Budget Balance

Please contact me if you have any questions regarding the attached.

PLEASE BE SURE TO KEEP FOR YOUR RECORDS

Washington State District And Municipal Court Judges Assoc.
Statement of Financial Position
As of December 31, 2022

	Dec 31, 22
ASSETS	
Current Assets	
Checking/Savings	
Bank of America - Checking	13,762
Bank of America - Savings	289,964
Washington Federal (Spec Fund)	36,710
Total Checking/Savings	340,436
Total Current Assets	340,436
Fixed Assets	
Accumulated Depreciation	(703)
Computer Equipment	579
Total Fixed Assets	(124)
TOTAL ASSETS	340,312
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
Credit Cards	
Bank of America C. C.	(8)
Total Credit Cards	(8)
Total Credit Cards	(8)
Total Current Liabilities	(8)
Total Liabilities	(8)
Equity	
Unrestricted Earnings	107,290
Unrestricted Net Assets	305,296
Net Income	(72,266)
Total Equity	340,319
TOTAL LIABILITIES & EQUITY	340,312

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

	Jul 22	Aug 22	Sep 22	Oct 22	Nov 22	Dec 22	TOTAL
Ordinary Income/Expense							
Income							
2023 Special Fund	0.00	0.00	0.00	0.00	0.00	550.00	550.00
Interest Income	12.93	22.11	22.01	28.93	32.41	33.48	151.87
Total Income	12.93	22.11	22.01	28.93	32.41	583.48	701.87
Gross Profit	12.93	22.11	22.01	28.93	32.41	583.48	701.87
Expense							
Mary Fairhurst National Lead...	0.00	0.00	0.00	2,500.00	2,318.72	0.00	4,818.72
Fraud	7.97	0.00	0.00	(7.97)	0.00	0.00	0.00
Contract Grant Writer	833.75	5,093.75	1,825.55	6,061.25	1,116.50	1,189.00	16,119.80
President's - Special Fund	94.86	0.00	87.73	95.36	0.00	0.00	277.95
Special Fund Expense	0.00	0.00	2,500.00	0.00	0.00	0.00	2,500.00
Prior Year Budget Expense	4,692.47	580.00	0.00	0.00	0.00	0.00	5,272.47
Board Meeting Expense	0.00	3,000.00	12.00	0.00	0.00	0.00	3,012.00
Bookkeeping Expense	318.00	318.00	318.00	318.00	318.00	318.00	1,908.00
Judicial Assistance Committee	101.74	(8,000.00)	0.00	1,200.00	0.00	0.00	(6,698.26)
Lobbyist Contract	12,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	42,000.00
President Expense	0.00	0.00	0.00	114.50	0.00	0.00	114.50
Pro Tempore (Chair Approval)	0.00	0.00	0.00	573.40	0.00	734.70	1,308.10
Professional Services	0.00	0.00	0.00	0.00	0.00	800.00	800.00
Public Outreach (ad hoc wor...	0.00	0.00	0.00	1,394.74	0.00	0.00	1,394.74
Treasurer Expense and Bonds	0.00	0.00	140.00	0.00	0.00	0.00	140.00
Total Expense	18,048.79	6,991.75	10,883.28	18,249.28	9,753.22	9,041.70	72,968.02
Net Ordinary Income	(18,035.86)	(6,969.64)	(10,861.27)	(18,220.35)	(9,720.81)	(8,458.22)	(72,266.15)
Net Income	<u>(18,035.86)</u>	<u>(6,969.64)</u>	<u>(10,861.27)</u>	<u>(18,220.35)</u>	<u>(9,720.81)</u>	<u>(8,458.22)</u>	<u>(72,266.15)</u>

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Bank of America - Checking, Period Ending 12/31/2022

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						12,327.69
Cleared Transactions						
Checks and Payments - 7 items						
Check	12/04/2022		Dino W Traverso, PL...	X	-800.00	-800.00
Check	12/05/2022		Collaborative Parner...	X	-1,189.00	-1,989.00
Check	12/06/2022		King County District ...	X	-244.90	-2,233.90
Check	12/16/2022		Bogard & Johnson, ...	X	-6,000.00	-8,233.90
Check	12/16/2022		King County District ...	X	-489.80	-8,723.70
Check	12/16/2022		Pierce County Book...	X	-318.00	-9,041.70
Check	12/28/2023		Collaborative Parner...	X	-797.50	-9,839.20
Total Checks and Payments					-9,839.20	-9,839.20
Deposits and Credits - 2 items						
Deposit	11/30/2022			X	476.00	476.00
Transfer	12/16/2022			X	10,000.00	10,476.00
Total Deposits and Credits					10,476.00	10,476.00
Total Cleared Transactions					636.80	636.80
Cleared Balance					636.80	12,964.49
Register Balance as of 12/31/2022					636.80	12,964.49
New Transactions						
Checks and Payments - 1 item						
Check	01/04/2023		Collaborative Parner...		-2,139.75	-2,139.75
Total Checks and Payments					-2,139.75	-2,139.75
Total New Transactions					-2,139.75	-2,139.75
Ending Balance					-1,502.95	10,824.74

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Bank of America - Savings, Period Ending 12/31/2022

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						299,961.12
Cleared Transactions						
Checks and Payments - 1 item						
Transfer	12/16/2022			X	-10,000.00	-10,000.00
Total Checks and Payments					-10,000.00	-10,000.00
Deposits and Credits - 1 item						
Deposit	12/31/2022			X	2.50	2.50
Total Deposits and Credits					2.50	2.50
Total Cleared Transactions					-9,997.50	-9,997.50
Cleared Balance					-9,997.50	289,963.62
Register Balance as of 12/31/2022					-9,997.50	289,963.62
Ending Balance					-9,997.50	289,963.62

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

Date	Name	Memo	Amount	Balance
Bank of America - Checking				
07/08/2022	Collaborative Parners Initiative, LLC		(833.75)	(833.75)
07/08/2022	Pierce County Bookkeeping		(318.00)	(1,151.75)
07/08/2022	Sonial R. True		(117.00)	(1,268.75)
07/08/2022	Opal Art Glass		(1,010.21)	(2,278.96)
07/11/2022	Bogard & Johnson, LLC		(6,000.00)	(8,278.96)
07/11/2022	Bogard & Johnson, LLC		(6,000.00)	(14,278.96)
07/11/2022		Funds T...	12,000.00	(2,278.96)
07/12/2022	City of Tukwila		(2,000.00)	(4,278.96)
07/12/2022	Okanogan County District Court		(394.63)	(4,673.59)
07/25/2022	Okanogan County District Court		(394.63)	(5,068.22)
07/25/2022		Funds T...	10,000.00	4,931.78
07/26/2022	Kyle Mott		(176.00)	4,755.78
07/26/2022	Chelan County District Court		(600.00)	4,155.78
08/01/2022	Charles Short		(300.00)	3,855.78
08/01/2022		Funds T...	(94.86)	3,760.92
08/01/2022	Charles Short		(280.00)	3,480.92
08/02/2022	Collaborative Parners Initiative, LLC		(2,682.50)	798.42
08/12/2022	Pierce County Bookkeeping		(318.00)	480.42
08/12/2022		Jasp Co...	8,000.00	8,480.42
08/15/2022		Funds T...	5,000.00	13,480.42
08/15/2022	Bogard & Johnson, LLC		(6,000.00)	7,480.42
08/22/2022	Collaborative Parners Initiative, LLC		(2,411.25)	5,069.17
08/30/2022	Sun Mountain Lodge		(3,000.00)	2,069.17
09/12/2022	Pierce County Bookkeeping		(318.00)	1,751.17
09/14/2022	Collaborative Parners Initiative, LLC		(1,825.55)	(74.38)
09/15/2022	Bogard & Johnson, LLC		(6,000.00)	(6,074.38)
09/28/2022	Liberty Mutual Insurance		(140.00)	(6,214.38)
09/30/2022		Funds T...	5,000.00	(1,214.38)
10/03/2022		Funds T...	10,000.00	8,785.62
10/03/2022	City of Lakewood		(2,500.00)	6,285.62
10/03/2022	Susanna Neil Kanther-Raz		(1,200.00)	5,085.62
10/03/2022		Funds T...	(87.73)	4,997.89
10/03/2022	Pierce County Bookkeeping		(318.00)	4,679.89
10/09/2022	City of Puyallup		(71.45)	4,608.44
10/09/2022	King County District Court		(118.74)	4,489.70
10/09/2022	Snohomish Co. District Court		(216.89)	4,272.81
10/09/2022	City of Spokane		(142.25)	4,130.56
10/09/2022	Grant County		(143.55)	3,987.01
10/09/2022	Federal Way Municipal Court		(131.35)	3,855.66
10/09/2022	Lisa Hardy (Court Administrator)		(134.97)	3,720.69
10/09/2022	Collaborative Parners Initiative, LLC		(4,705.50)	(984.81)
10/09/2022		Funds T...	10,000.00	9,015.19
10/09/2022	Clark County District		(88.60)	8,926.59
10/09/2022	Karl Williams		(106.62)	8,819.97
10/09/2022	Kent Municipal Court		(240.32)	8,579.65
10/14/2022	Bogard & Johnson, LLC		(6,000.00)	2,579.65
10/14/2022	Pierce County District Court		(179.64)	2,400.01
10/19/2022	Rick Leo		(114.50)	2,285.51
10/23/2022		Funds T...	(95.36)	2,190.15
10/23/2022	Pierce County District Court		(393.76)	1,796.39
10/26/2022	Collaborative Parners Initiative, LLC		(1,355.75)	440.64
11/10/2022	Airway Heights Municipal Courts		(2,238.92)	(1,798.28)
11/10/2022		Funds T...	10,000.00	8,201.72
11/10/2022	Pierce County Bookkeeping		(318.00)	7,883.72
11/10/2022	Action Legal Group PLLC		(79.80)	7,803.92
11/14/2022	Collaborative Parners Initiative, LLC		(1,116.50)	6,687.42
11/15/2022	Bogard & Johnson, LLC		(6,000.00)	687.42
11/30/2022		Deposit	476.00	1,163.42
12/04/2022	Dino W Traverso, PLLC		(800.00)	363.42
12/05/2022	Collaborative Parners Initiative, LLC		(1,189.00)	(825.58)
12/06/2022	King County District Court		(244.90)	(1,070.48)
12/16/2022	Pierce County Bookkeeping		(318.00)	(1,388.48)
12/16/2022	Bogard & Johnson, LLC		(6,000.00)	(7,388.48)
12/16/2022	King County District Court		(489.80)	(7,878.28)
12/16/2022		Funds T...	10,000.00	2,121.72
Total Bank of America - Checking			2,121.72	2,121.72

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

Date	Name	Memo	Amount	Balance
Bank of America - Savings				
07/11/2022		Funds T...	(12,000.00)	(12,000.00)
07/25/2022		Funds T...	(109.71)	(12,109.71)
07/25/2022		Funds T...	(10,000.00)	(22,109.71)
07/31/2022		Interest	2.99	(22,106.72)
08/15/2022		Funds T...	(5,000.00)	(27,106.72)
08/30/2022		Interest	2.86	(27,103.86)
09/30/2022		Funds T...	(5,000.00)	(32,103.86)
09/30/2022		Interest	2.75	(32,101.11)
10/03/2022		Funds T...	(10,000.00)	(42,101.11)
10/09/2022		Funds T...	(10,000.00)	(52,101.11)
10/31/2022		Interest	2.66	(52,098.45)
11/10/2022		Funds T...	(10,000.00)	(62,098.45)
11/30/2022		Interest	2.49	(62,095.96)
12/16/2022		Funds T...	(10,000.00)	(72,095.96)
12/31/2022		Interest	2.50	(72,093.46)
Total Bank of America - Savings			(72,093.46)	(72,093.46)
Washington Federal (Spec Fund)				
07/31/2022		Interest	9.94	9.94
08/31/2022		Interest	19.25	29.19
09/14/2022	FM Public Affairs		(2,512.00)	(2,482.81)
09/30/2022		Interest	19.26	(2,463.55)
10/31/2022		Interest	26.27	(2,437.28)
11/30/2022		Last bu...	(476.00)	(2,913.28)
11/30/2022		Interest	29.92	(2,883.36)
12/30/2022		Deposit	550.00	(2,333.36)
12/31/2022		Interest	30.98	(2,302.38)
Total Washington Federal (Spec Fund)			(2,302.38)	(2,302.38)
Credit Cards				
Bank of America C. C.				
07/12/2022	GroupGreeting		(101.74)	(101.74)
07/15/2022	Google *Ciara Prochask		(3.49)	(105.23)
07/15/2022	Google *Ciara Prochask		(3.49)	(108.72)
07/15/2022	Google *Ciara Prochask		(0.99)	(109.71)
07/25/2022		Funds T...	109.71	0.00
07/26/2022	Buds Blooms		(94.86)	(94.86)
08/01/2022		Funds T...	94.86	0.00
09/13/2022	Peters & Sons		(87.73)	(87.73)
10/03/2022		Funds T...	87.73	0.00
10/14/2022	Peters & Sons		(95.36)	(95.36)
10/23/2022		Funds T...	95.36	0.00
10/31/2022			7.97	7.97
Total Bank of America C. C.			7.97	7.97
Total Credit Cards			7.97	7.97
2023 Special Fund				
12/30/2022	Corinna Harn	Deposit	(25.00)	(25.00)
12/30/2022	Michael Finkle	Deposit	(25.00)	(50.00)
12/30/2022	Samuel G. Meyer	Deposit	(25.00)	(75.00)
12/30/2022	Kelley Olwell	Deposit	(25.00)	(100.00)
12/30/2022	Donald W. Engel	Deposit	(25.00)	(125.00)
12/30/2022	Carolyn Jewett	Deposit	(25.00)	(150.00)
12/30/2022	Lisa O'Toole	Deposit	(25.00)	(175.00)
12/30/2022	Lorrie Towers	Deposit	(25.00)	(200.00)
12/30/2022	Tam Bui	Deposit	(25.00)	(225.00)
12/30/2022	Paul Nielsen	Deposit	(25.00)	(250.00)
12/30/2022	Jeffrey Goodman	Deposit	(25.00)	(275.00)
12/30/2022	Marcus W. Naylor	Deposit	(25.00)	(300.00)
12/30/2022	Thomas M. Ellington	Deposit	(25.00)	(325.00)
12/30/2022	Karl Williams	Deposit	(25.00)	(350.00)
12/30/2022	Brett Buckley	Deposit	(25.00)	(375.00)
12/30/2022	Angela Anderson	Deposit	(25.00)	(400.00)
12/30/2022	Charles Short	Deposit	(25.00)	(425.00)
12/30/2022	Sonya L. Langsdorf	Deposit	(25.00)	(450.00)

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

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>	<u>Balance</u>
12/30/2022	Wade Samuelson	Deposit	(25.00)	(475.00)
12/30/2022	David A Larson	Deposit	(25.00)	(500.00)
12/30/2022	Jessica A Giner	Deposit	(25.00)	(525.00)
12/30/2022	David Ebenger	Deposit	(25.00)	(550.00)
Total 2023 Special Fund			(550.00)	(550.00)
Interest Income				
07/31/2022		Interest	(2.99)	(2.99)
07/31/2022		Interest	(9.94)	(12.93)
08/30/2022		Interest	(2.86)	(15.79)
08/31/2022		Interest	(19.25)	(35.04)
09/30/2022		Interest	(2.75)	(37.79)
09/30/2022		Interest	(19.26)	(57.05)
10/31/2022		Interest	(2.66)	(59.71)
10/31/2022		Interest	(26.27)	(85.98)
11/30/2022		Interest	(2.49)	(88.47)
11/30/2022		Interest	(29.92)	(118.39)
12/31/2022		Interest	(2.50)	(120.89)
12/31/2022		Interest	(30.98)	(151.87)
Total Interest Income			(151.87)	(151.87)
Mary Fairhurst National Leaders				
10/03/2022	City of Lakewood	America...	2,500.00	2,500.00
11/10/2022	Airway Heights Municipal Courts		2,238.92	4,738.92
11/10/2022	Action Legal Group PLLC		79.80	4,818.72
Total Mary Fairhurst National Leaders			4,818.72	4,818.72
Fraud				
07/15/2022	Google *Ciara Prochask	Google ...	3.49	3.49
07/15/2022	Google *Ciara Prochask		3.49	6.98
07/15/2022	Google *Ciara Prochask	Google ...	0.99	7.97
10/31/2022		Fraud a...	(7.97)	0.00
Total Fraud			0.00	0.00
Contract Grant Writer				
07/08/2022	Collaborative Parners Initiative, LLC	Invoice ...	833.75	833.75
08/02/2022	Collaborative Parners Initiative, LLC	Invoice ...	2,682.50	3,516.25
08/22/2022	Collaborative Parners Initiative, LLC	Invoice ...	2,411.25	5,927.50
09/14/2022	Collaborative Parners Initiative, LLC	Invoice ...	1,825.55	7,753.05
10/09/2022	Collaborative Parners Initiative, LLC	Invoice ...	4,705.50	12,458.55
10/26/2022	Collaborative Parners Initiative, LLC	Invoice ...	1,355.75	13,814.30
11/14/2022	Collaborative Parners Initiative, LLC	Invoice ...	1,116.50	14,930.80
12/05/2022	Collaborative Parners Initiative, LLC		1,189.00	16,119.80
Total Contract Grant Writer			16,119.80	16,119.80
President's - Special Fund				
07/26/2022	Buds Blooms	Flowers ...	94.86	94.86
09/13/2022	Peters & Sons	Flowers ...	87.73	182.59
10/14/2022	Peters & Sons	Sent to ...	95.36	277.95
Total President's - Special Fund			277.95	277.95
Special Fund Expense				
09/14/2022	FM Public Affairs		2,500.00	2,500.00
Total Special Fund Expense			2,500.00	2,500.00

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

Date	Name	Memo	Amount	Balance
Prior Year Budget Expense				
07/08/2022	Sonial R. True	JASP	117.00	117.00
07/08/2022	Opal Art Glass	Preside...	1,010.21	1,127.21
07/12/2022	City of Tukwila	Pro Te...	480.00	1,607.21
07/12/2022	City of Tukwila	Board M...	1,520.00	3,127.21
07/12/2022	Okanogan County District Court	Spring ...	394.63	3,521.84
07/25/2022	Okanogan County District Court	Judge S...	394.63	3,916.47
07/26/2022	Kyle Mott	Public o...	176.00	4,092.47
07/26/2022	Chelan County District Court	Pro Te...	600.00	4,692.47
08/01/2022	Charles Short	Preside...	300.00	4,992.47
08/01/2022	Charles Short	Judge S...	280.00	5,272.47
Total Prior Year Budget Expense			5,272.47	5,272.47
Board Meeting Expense				
08/30/2022	Sun Mountain Lodge	Retreat ...	3,000.00	3,000.00
09/14/2022	FM Public Affairs		12.00	3,012.00
Total Board Meeting Expense			3,012.00	3,012.00
Bookkeeping Expense				
07/08/2022	Pierce County Bookkeeping	Invoice ...	318.00	318.00
08/12/2022	Pierce County Bookkeeping		318.00	636.00
09/12/2022	Pierce County Bookkeeping		318.00	954.00
10/03/2022	Pierce County Bookkeeping	Invoice ...	318.00	1,272.00
11/10/2022	Pierce County Bookkeeping	Invoice ...	318.00	1,590.00
12/16/2022	Pierce County Bookkeeping		318.00	1,908.00
Total Bookkeeping Expense			1,908.00	1,908.00
Judicial Assistance Committee				
07/12/2022	Group Greeting		101.74	101.74
08/12/2022	Superior Court Judges Association	Jasp Co...	(8,000.00)	(7,898.26)
10/03/2022	Susanna Neil Kanther-Raz	3rd quar...	1,200.00	(6,698.26)
Total Judicial Assistance Committee			(6,698.26)	(6,698.26)
Lobbyist Contract				
07/11/2022	Bogard & Johnson, LLC	June Pa...	6,000.00	6,000.00
07/11/2022	Bogard & Johnson, LLC	July Pay...	6,000.00	12,000.00
08/15/2022	Bogard & Johnson, LLC	August ...	6,000.00	18,000.00
09/15/2022	Bogard & Johnson, LLC	Septem...	6,000.00	24,000.00
10/14/2022	Bogard & Johnson, LLC	October...	6,000.00	30,000.00
11/15/2022	Bogard & Johnson, LLC	Novemb...	6,000.00	36,000.00
12/16/2022	Bogard & Johnson, LLC	Decemb...	6,000.00	42,000.00
Total Lobbyist Contract			42,000.00	42,000.00
President Expense				
10/19/2022	Rick Leo	10-11-2...	114.50	114.50
Total President Expense			114.50	114.50
Pro Tempore (Chair Approval)				
10/14/2022	Pierce County District Court	Septem...	179.64	179.64
10/23/2022	Pierce County District Court	You've ...	393.76	573.40
12/06/2022	King County District Court	10/14/2...	244.90	818.30
12/16/2022	King County District Court		244.90	1,063.20
12/16/2022	King County District Court		244.90	1,308.10
Total Pro Tempore (Chair Approval)			1,308.10	1,308.10
Professional Services				
12/04/2022	Dino W Traverso, PLLC		800.00	800.00
Total Professional Services			800.00	800.00

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

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>	<u>Balance</u>
Public Outreach (ad hoc workgrp)				
10/09/2022	City of Puyallup	You've ...	71.45	71.45
10/09/2022	King County District Court	You've ...	118.74	190.19
10/09/2022	Snohomish Co. District Court	You've ...	216.89	407.08
10/09/2022	City of Spokane	You've ...	142.25	549.33
10/09/2022	Grant County	You've ...	143.55	692.88
10/09/2022	Federal Way Municipal Court	You've ...	131.35	824.23
10/09/2022	Lisa Hardy (Court Administrator)	You've ...	134.97	959.20
10/09/2022	Clark County District	You've ...	88.60	1,047.80
10/09/2022	Karl Williams	You've ...	106.62	1,154.42
10/09/2022	Kent Municipal Court	You've ...	240.32	1,394.74
Total Public Outreach (ad hoc workgrp)			1,394.74	1,394.74
Treasurer Expense and Bonds				
09/28/2022	Liberty Mutual Insurance	Bond Ex...	140.00	140.00
Total Treasurer Expense and Bonds			140.00	140.00
TOTAL			0.00	0.00

Other current information not included in reports



Statement of Account

PAGE 1 OF 2

Statement End Date December 31, 2022

Statement Begin Date December 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' 13547
 JUDGE MICHELLE K GEHLEN
 10116 NE 183RD ST
 BOTHELL, WA 98011-3416

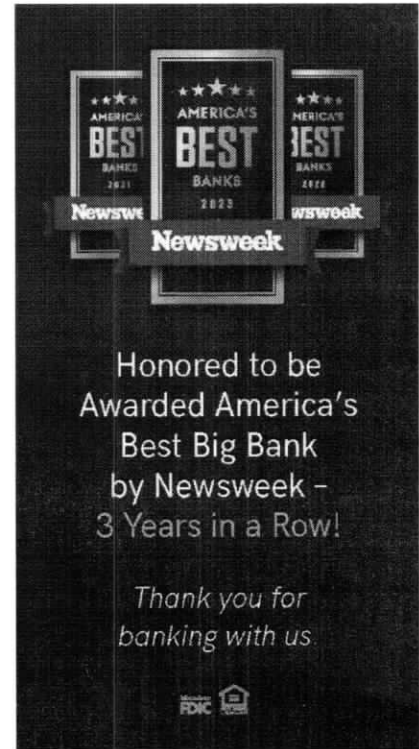
For questions or assistance with your account(s), please call 800-324-9375, stop by your local branch, or send a written request to our Client Care Center at 9929 Evergreen Way, Everett WA 98204.

Business Premium Money Market Summary - # [REDACTED]

Annual Percentage Yield Earned for this Statement Period	1.000%
Interest Rate Effective 12/01/2022	0.995%
Interest Earned/Accrued this Cycle	\$30.98
Number of Days in this Cycle	31
Date Interest Posted	12-31-2022
Year-to-Date Interest Paid	\$174.51

Beginning Balance	\$36,605.41
Interest Earned This Period	+30.98
Deposits and Credits	+550.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$37,186.39

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



Interest Earned This Period

Date	Description	Amount
12-31	Credit Interest	30.98
Total Interest Earned This Period		30.98

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 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	\$ 28,605.23	3,012.00	25,593.23
Bookkeeping Expense	\$ 3,500.00	1,908.00	1,592.00
Bylaws Committee	\$ 250.00		250.00
Conference Calls/Zoom	\$ 100.00		100.00
Conference Planning Committee	\$ 4,000.00		4,000.00
Conference (Spring) <u>Incidental</u> Fees For Members for 2023	\$ 40,000.00		40,000.00
Contract Grant Writer *	\$ 122,000.00	18,259.00	103,741.00
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	42,000.00	30,000.00
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	4,819.00	181.00

Nominating Committee	\$ 100.00		100.00
President Expense	\$ 3,000.00	115.00	2,885.00
President's Expense - Special Fund	\$ 1,000.00	278.00	722.00
Pro Tempore (committee chair approval)	\$ 10,000.00	1,308.10	8,691.90
Professional Services	\$ 1,500.00	800.00	700.00
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	\$ 361,852.97	\$ 75,336.10	\$ 286,516.87
Special Fund		\$2,500.00	
*To include \$50,000 carryover from Board meeting expense 2021-2022 budget			
** To include \$8000,00 from the SCJA and carryover of any remaining funds from 2021-2022 budget			
***Board approved move from the Board Budget line item to the Public Outreach line item. 1394.74			

updated 12-31-22



WASHINGTON COURTS

January 2023

District & Municipal Court Judges' Association Meeting

Submitted by Arsenio Escudero, ISD CLJ Business Liaison

Administrative Office of the Courts

JIS Report

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

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

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

The updates are:

- a. Completed all the development JABS, Proxy and Odyssey API changes. Development work for PODS Proxy is completed.
- b. QA testing for JABS, Proxy and Odyssey API Changes completed.
- c. User Acceptance Testing was completed. Judges that were doing the UAT did not have the bandwidth to complete all of the testing due to other priorities and holidays, however, they made the best attempt to complete as much testing as possible.
- d. Deployed all changes for JABS, Proxy, and Odyssey API to Production as of 12/30/2022.
- e. A few additional features for auditing and logging were implemented with the Production release.
- f. A few additional features for Error message display in JABS were implemented as of 1/1/2023.
- g. PODS team was able to successfully connect with 12 out of the 15 3rd Party DMS courts.
- h. Work on connecting with the remaining 3 counties (Benton, Clark and Klickitat) will commence in January 2023.
- i. Document images from 36 out of 39 Superior courts are accessible as 1/1/2023.

SB 5226

All the changes related to ESSB 5226 have been successfully deployed as planned. JABS, ETP applications are working as designed. No known issues at this time.

ITG 1338 – Store and Provide Access to Historical RightNow Ticket Data

This ITG is to archive RightNow tickets information. This request was made to help streamline research time. AOC is working to create requirements for this ITG, which will be integrated into an analysis.

ITG 1351 – Enhance New DOL Feed to Include Date of Death Information

This ITG would allow for courts to have date of death information as part of future DOL records person matching in order to close case files. This ITG is currently pending endorsement by the DMCMA Endorsement group. The DMCMA Endorsement group has been deliberating the endorsement process and has yet to decide on this ITG.

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

The Legislative Committee held its last meeting on December 9th, 2022. We discussed the items moving forward in the legislative agenda.

Judge Ringus attended the Interbranch Advisory Committee meeting on December 12th. This was a Zoom meeting that focused on the budget process for the upcoming legislative session.

Judge Ringus, Judge Rivera, Commissioner Leo, and the DMCJA lobbyist, Melissa Johnson, met over Zoom with Representative Simmons on December 19th to discuss the upcoming session, anticipated legislation, and our legislative proposals.

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.

While the Legislative Committee has concluded its work, the Legislative Executive Committee will begin meeting weekly on January 9th as we work through the legislative session. Our Legislative Day 2023 will be held on Tuesday, January 31st, in Olympia.

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****

<u>Rules</u>	<u>Wade Samuelson, Cat McDowall</u>
COMMITTEE	CHAIR(S)

PRINCIPAL ACTIVITIES OVER THE PAST MONTH

Guest Speaker: Judge Laurel Gibson: Judge Gibson requested that the committee review CRLJs to give more clarity to procedures for pro se litigants. Judge Gibson will work with Judge McDowall or other committee members to bring specific proposals to the committee to review.

Proposed “Fix” to GR 22: The committee discussed the need to “fix” GR 22 to clarify that any treatment records ordered by the court may be protected from broad public disclosure. Judge Goodwin will solicit input from the MPA and begin to work on language that clarifies/provides that all therapeutic records (whether submitted in a therapeutic court or not) will be protected.

Remote Hearings Workgroup Collaboration: Judge Gerl asked the committee to review CRLJ and CrRLJ rules to determine where changes might be needed to accommodate the likely continued use of remote proceedings as we emerge from the pandemic. The committee will continue to review and work with Judge Gerl to identify needed amendments or changes.

Supreme Court Rules Committee actions:

1. Rejected the extremely problematic proposals by WDA/NJP regarding the IRLJ rules.
2. Adopted the DMCJA’s proposed changes to the IRLJ rules (drafted by Judge Samuelson – thank you!)
3. Rejected DMCJA’s specific GR 9 proposals, but is actively working to review the Court’s rulemaking procedures
4. Adopted our “technical” amendment to CrRLJ 3.4, clarifying that trial courts have discretion to allow required appearances to occur via remote proceedings.
5. Status of request for Emergency Stay of CrRLJ 7.6. Thank you to the Board for approving the language prepared by Judge Goodwin and requesting the emergency stay. Rules committee has been approached by other member courts expressing additional concerns about the implementation of the new rule, and we have encouraged member courts to separately request an emergency stay to try to convince Supreme Court to indefinitely stay the new rule. Stand by for updates.

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
- Review of IRLJ 3.1 (Judge Freund)



DMCJA Rules Committee Meeting
Tuesday, October 25, 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):

- Ashley Tam
- Antoinette Bonsignore

Judge Wade Samuelson called the meeting to order at 12:17 PM.

The Committee discussed the following items:

1. Welcome and introductions

Judge Samuelson welcomed participants and introduced incoming AOC Staff member Antoinette Bonsignore.

2. Approve minutes from the September 27, 2022 Committee meeting

The minutes from the September 27, 2022 Committee meeting were approved and adopted through consensus.

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

3. Decide: IRLJ amendments to comply with [ESSB 5226](#) (Judge Samuelson)

ESSB 5226 goes into effect on January 1, 2023, and implements sweeping changes to infraction proceedings. The proposed changes from NJP exceeded the language of ESSB 5226. Accordingly, Judge Samuelson, Judge Ringus, and Ashley Tam drafted proposed court rule amendments to address the minimum

changes needed to comply with ESSB 5226 and accurately reflect the legislative intent of ESSB 5226.

Next Steps: The proposal was approved by the BOG and was then submitted to the Supreme Court Rules Committee for review.

4. Inform: Proposal to amend IRLJ 6.6

Decide: Similar proposal to amend [CrRLJ 6.13\(d\)](#) Speed Measuring Device: Design and Construction Certification

Amendment to IRLJ 6.6 would not be a substantive change. The proposal regarding the certification for experts would include weight-measuring devices.

CrRLJ 6.13 requires the certification of expert reports to be admissible as evidence. Should we amend CrRLJ 6.13 to include speed and weight measuring devices? The IRLJ could be incorporated into the CrRLJ proposal to amend both rules. The amendment is needed for infraction cases, but is it necessary for criminal cases? Judge Samuelson asked whether we need to propose the amendment for criminal matters. Judge Goodwin does not believe such an amendment is necessary. Judge McDowall agreed with Judge Goodwin, stating that the amendment for criminal cases is unnecessary. Judge Samuelson then asked if there were any objections to not including an amendment for criminal cases; there were no objections.

Decided: The Rules Committee politely declines to amend the criminal rule to reflect a change in the infraction rule.

5. Proposal to amend CrRLJ 2.1 has been submitted

The only change was replacing “PCNs” with “TCNs.”

6. Rules Committee Input to Supreme Court re: Proposal to amend CrRLJ 7.4 and CrRLJ 7.5

The Rules Committee has submitted its approval of the proposal to the Supreme Court to amend CrRLJ 7.4 and 7.5, and they are considering the proposal under GR 9. The Supreme Court is considering the proposal and may send the proposal out for comment.

7. Inform: Supreme Court Adopted CrRLJ 3.3 Time for Trial Proposal

The Supreme Court adopted a new version of CrRLJ 3.3, which allows defense counsel to continue trial dates on behalf of the defendant.

8. Supreme Court Adopted Washington Defender Association's CrRLJ 7.6 Probation Proposal

The Supreme Court adopted a proposed change to CrRLJ 7.6 regarding the revocation of probation and the procedures involved for such revocation. The new rule requires that the defendant be physically present in certain circumstances and that a hearing be held within two weeks of the defendant's arrest if the defendant is in custody on the matter. These provisions are concerning to several jurisdictions represented on the committee.

There was a lengthy discussion regarding how courts would be able to comply with the new rule and whether a stay of its enforcement could be obtained, pending some potential revision.

Judge Samuelson moved that the co-chairs prepare a letter to the BOG asking the BOG to request an emergency stay from the Supreme Court; the motion was unanimously approved.

The Rules Committee packet for the DMCJA Board meeting must be delivered by November 4th. Consequently, members of the Rule Committee need to submit all objections regarding the new rule to the co-chairs by October 28th. The BOG letter must go out before the next Supreme Court en banc hearings on November 29th.

Next Steps: Commissioner Leo is coordinating with Judge Goodwin regarding the necessary next steps for submitting a request for an emergency stay of the proposal to the Supreme Court Rules Committee.

9. Discuss: DMCJA Priorities

Further discussion is needed regarding rules infringing upon the independence of the CLJ. The CLJ must not simply become a ministerial body.

Status: Ongoing: We are continuing to implement the DMCJA Priorities.

10. Other business and future projects

- **GR 19 proposal regarding standards for video hearings in court**
- **Work with Supreme Court Rules and SCJA on updates to GR 9**
- **Review court rules to identify forms to be removed from the court rules (Commissioner Nielsen)**

Status: Judge Samuelson: There is nothing urgent on this list. A review is needed to identify forms to be removed from the court rules. If any member of the Rules Committee has further projects to add to this list, please forward them to the Co-Chairs.

11. The next Committee meeting is scheduled for Tuesday, November 22, 2022, at 12:15 p.m., via zoom video conference.

Judge Samuelson adjourned the meeting at 1:16 p.m.

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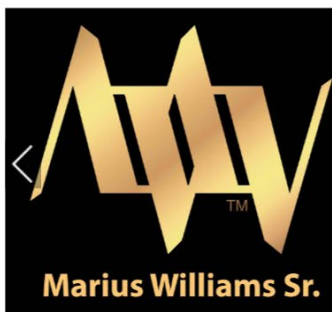
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Dear Commissioner Leo,

As Washington YMCA Youth & Government programs embark on the **76th Youth Legislature Session and our 36th year of Mock Trial** programming, we are reminded of the traditions and mission that has led us to today; **Teach democratic values and skills to youth through hands-on experiences.**

We are also reminded of the impact achieved by those who engage in our program. A few impact outcomes worth noting; a sense of belonging, a chosen family, feeling of empowerment to make change, and the confidence to speak up and be heard.

This year, youth came together both virtually and in person to experience firsthand what civics means to their generation. Whether it was in the zoom courtrooms or debating their bill ideas amongst a room full of their peers in Olympia, youth were engaged and passionate about current events.

"I definitely changed in the best way possible, I learned so much and I got to meet so many people. I cannot wait for next year!!"
-9th Grade Youth Legislature Participant

"Being a part of these civics programs inspires you to be a more active citizen. You are more invested in government, and it motivates you to want to make change."
-Senior in Mock Trial Program

Our goal is to sustain our programs and the impact they provide. To make this possible, we ask for the continued support of the Washington District and Municipal Court Judges Association by donating \$2,500. Your contribution directly supports youth across the state and displays an invaluable commitment to their future.

[DONATE TODAY!](#)

Thank you for your consideration. Please don't hesitate to reach out with questions. I can be reached at awetzel@seattleyymca.org.

Sincerely,

Amber Wetzel
Executive Director
WA YMCA Youth & Government

Kelly Evans
Board Chair

Council on Independent Courts

Policy and Procedure Manual

I. Purpose and Powers

The purpose of the Council on Independent Courts (CIC) is to protect, promote, and maintain the respect and dignity of Courts of Limited Jurisdiction as a co-equal branch of local government. The CIC:

1. Provides a knowledge base of laws and principles on the importance of independent Courts of Limited Jurisdiction;
2. Provides advice and counsel to all three branches of local government on issues affecting independent Courts of Limited Jurisdiction;
3. Responds to threats to independent Courts of Limited Jurisdiction within the bounds of its powers and responsibilities;
4. Provides recommendations to the board of the District and Municipal Court Judges' Association on further actions needed to be taken in response to threats to independent Courts of Limited Jurisdiction.

II. Guiding Principles

Paragraph 1 of the Preamble to the Code of Judicial Conduct best sets forth the guiding principles of the CIC:

“An independent, fair, and impartial judiciary is indispensable to our system of justice. The United States legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of men and women of integrity, will interpret and apply the law that governs our society. Thus, the judiciary plays a central role in preserving the principles of justice and the rule of law. Inherent in all the Rules contained in this Code are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system.”

In sum, judicial independence and public confidence in the judiciary are inextricably intertwined.

Judicial independence provides the equal opportunity for justice and fairness that is desired by the citizens of our communities. Judicial independence is built on a foundation of accountability directly to the people we serve.

Judicial independence is not absolute; it must be tempered with overarching principles that rely upon checks and balances among the three co-equal branches of government. Trust and confidence in the judiciary is achieved and judicial independence is preserved when the decisions reached by judges are based upon application of the facts to the law as well as the competent administration of the judicial branch.

Judges are required by the Code of Judicial Conduct to protect judicial independence and public confidence against external pressures intended to influence their decisions on or off the bench as well as internal threats caused by their own conduct, the conduct of other judges, and the conduct of court staff.

Members of the legislative and executive branches should support an independent judiciary because to do so increases public confidence in local government as a whole, especially in jurisdictions where government officials appoint and retain judges. Thus, members of the other branches of government can also play *“...a central role in preserving the principles of justice and the rule of law”* and they can *“...individually and collectively...respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system.”*¹

¹ Preamble to the Code of Judicial Conduct

Therefore, the CIC shall seek adherence by others to the following principles:

1. Courts and court services shall be established and organized in compliance with Article IV of the State Constitution, all applicable court rules, and all valid enabling laws.
2. The election, appointment, termination, and/or retention of judges shall comply with Article IV of the State Constitution, all applicable court rules, and all valid enabling laws.
3. Only judges and court staff shall manage courts.

III. Guidelines for Action by the Council on Independent Courts

The CIC should consider acting if any of the following guidelines have been violated.

1. Proper Formation and Organization of Courts

Sec.	Guideline	Authority
(a)	A municipal court should not be terminated during the active term of office of a judge serving that court.	The terms of office in RCW 3.50.040 , RCW 3.50.050 , and RCW 35.20.150 should be construed in harmony with termination provisions.
(b)	A redistricting plan that reduces the salary or shortens the term of any district court judge shall not be effective until the next regular election for district judge.	RCW 3.38.040(1)
(c)	A city cannot terminate a contract for court services with a county until the end of the district court judge's term of office.	RCW 3.50.810(2) RCW 35.20.010(3)
(d)	A county cannot terminate an agreement for court services with a city without at least one-year's notice.	RCW 3.50.810(3) RCW 35.20.010(4)
(e)	A court should not be terminated because of the outcome of cases or decisions made by the judge.	General principles of judicial independence

2. Election, Appointment, and Retention of Judges

Sec.	Guideline	Authority
(a)	Judges must be selected for appointment in a fair, non-partisan, and open public process.	General principles of judicial independence
(b)	Local public officials from other branches of government should not attempt to influence judicial elections in the course of their official duties.	General principles of judicial independence
(c)	A district court judge's full term of office is four years and shall not be shortened.	RCW 3.34.070 RCW 3.38.040(1)
(d)	Both elected and appointed municipal court judges serve a term of four years	RCW 35.20.150 RCW 3.50.040 RCW 3.50.050
(e)	Contracts signed by appointed judges shall comply with GR 29(k) and GR 29(l).	GR 29(k) and GR 29(l)
(f)	A municipal court judge's salary and/or other compensation shall be set by ordinance, not by contract.	RCW 3.50.080 RCW 35.20.160
(g)	A judge's salary or other compensation may not be reduced during the judge's term of office.	Wash. Const. Art. XI, Sec. 8

(h)	The outcome of cases or decisions made by an appointed judge should not be the basis for non-renewal unless it can be shown that the decisions reached are contrary to the law or court rules.	General principles of judicial independence
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3. Proper Management of Courts

Sec.	Guideline	Authority
(a)	Judges must control proposal of the budget, the management of the budget, and the management of the court.	GR 29(f)
(b)	Courts must be adequately staffed with judges, support staff, and resources.	RCW 3.58.050 RCW 35.20.120 RCW 3.50.080
(c)	Only presiding judges can appoint pro tem judges.	RCW 3.34.130 RCW 35.20.200 RCW 3.50.090
(d)	The presiding judge must have sole control of the hiring, retention, and working conditions of all court staff. This includes control of labor negotiations relating to hiring, retention, and working conditions of court staff. Nothing prevents the presiding judge from voluntarily seeking the advice and assistance of the other branches of government in personnel matters. The other branches should not interfere with the judge's duty and power to engage in collective bargaining in good faith with union staff over working conditions and other GR 29 duties and powers.	GR 29(f) RCW 3.54.020 RCW 35.20 RCW 3.50.080 RCW 49.08 <i>Zylstra v. Piva</i> , 85 Wn.2d 743, 539 P.2d 823 (1975) <i>In the Matter of the Salary of the Juvenile Director</i> , 87 Wn.2d 232 552 P.2d 163 (1976) <i>Spokane County v State</i> , 136 Wn.2d 663, 966 P.3d 314 (1998) <i>WSCCCE v. Hahn</i> , 151 Wn.2d 163, 86 P.3d 774 (2004)
(e)	The court manages the probation department.	ARLJ 11 RCW 10.64.120
(f)	The court manages the collection of fines, costs, forfeitures, and other assessments.	RCW 3.02.045 RCW 3.62.040 RCW 35.20.220 RCW 3.50.100
(g)	Only courts can supervise violation bureaus.	RCW 3.30.090 RCW 3.50.030 RCW 35.20.131
(h)	Courts will decide cases on the merits consistent with laws and court rules regarding fines, costs, and other assessments. Courts will not serve as mere revenue generators for local government.	General principles of judicial independence

IV. Initiation of Council on Independent Courts Action

If there is a violation of any CIC guideline then any person, including members of the CIC, may request that the CIC act pursuant to Sections IV and V. Upon receipt of the request for action, the CIC shall meet as soon as practicable via email. A conference call or virtual meeting may be set if email is inadequate. The CIC shall follow these protocols in determining how to respond to a request for CIC action.

1. The CIC will make an initial determination by majority vote of the CIC members participating whether there is good reason to believe that one or more guidelines have been violated;
2. The CIC shall advise the presiding judge of the affected court(s) and the complainant of the CIC's concerns and issues raised by the circumstances.
3. The CIC Chair will appoint a member of the CIC to act as the lead to review and respond to the alleged violation and/or to gather further information, if needed;
 - a. No review may take place over the objection of the affected presiding judge(s) unless the DMCJA Board approves the review;
 - b. The DMCJA Board should call an emergency meeting to make the decision unless a regular meeting is scheduled for less than ten (10) days from the request for approval to proceed.
4. The CIC Lead may seek the assistance of other CIC members;
5. The CIC Lead has the authority to take any necessary action(s) that is/are within the Approved CIC Lead Actions provided below;
 - a. The CIC must approve any action that varies from the approved actions;
 - b. No action may be initiated that would result in the threat of or initiation of litigation or the filing of a complaint with any judicial or administrative body unless the DMCJA Board approves such action;
 - c. The DMCJA Board should call an emergency meeting to make the decision unless a regular meeting is scheduled for less than five (5) days from the request for approval.

V. Actions Allowed with Approval of DMCJA President

A CIC Lead is authorized to take the following actions on behalf of the CIC with further approval by the DMCJA President:

1. Interview anyone with relevant information;
2. Conduct factual and data research;
3. Make public disclosure requests;
4. Prepare position papers that may not be submitted for publication without CIC approval;
 - a. Template position papers shall be used whenever possible.
 - b. In case of an emergency requiring an expedited response, the President may approve the publication without CIC approval.
5. Communicate with public officials and members of the public;
 - a. Template correspondence shall be used whenever possible.
6. Appear and speak at public meetings before county or city legislative bodies;
7. Organize others to appear at public meetings and/or to correspond with public officials;
8. Draft Op-Eds/Letters to the Editor, but such writings may not be submitted for publication without CIC approval;
9. Recommend other actions to the CIC.



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Thurston County District Court
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November 28, 2022

VIA EMAIL

Honorable Steven C. González
Chief Justice of the Washington State Supreme Court

Honorable Charles W. Johnson
Honorable Mary I. Yu
Washington Supreme Court Rules Committee Co-Chairs

Re: Request for Emergency Stay of CrRLJ 7.6

Dear Chief Justice González, Honorable Charles W. Johnson and Honorable Mary I. Yu,

The Board of Directors of the DMCJA has voted unanimously to request a stay of the amendments to CrRLJ 7.6 for the reasons set forth below.

The DMCJA Rules Committee has identified several issues with CrRLJ 7.6 as adopted by the Court in its October 13, 2022 order. The DMCJA submitted a comment in opposition to the original proposal submitted by WDA, objecting to a number of provisions.¹ The version published for comment differed in several substantive ways from the version ultimately adopted by this Court. The new language in several sections is extremely problematic for our membership, and proves to be completely unworkable, if not impossible, for our member courts to implement. Therefore, the DMCJA respectfully requests an emergency stay of the order adopting this rule.

The first new change appears in new subsection (c), which added the underscored language below:

(c) . . . The defendant has the right to be physically present at all contested hearings and any hearing at which the prosecution seeks to detain the defendant. The court has discretion to allow the defendant to appear through counsel or remotely.

This additional language partially addresses one of the concerns raised by DMCJA in our original comment in opposition, i.e., limiting the right of the defendant to be physically present to only contested hearings. However, this additional language creates added burden on courts who will have no notice of whether the prosecution will be seeking to detain the defendant. At many hearings, defense attorneys present new evidence to the prosecutor, causing the prosecutor to change their position about release/detention at the hearing.

Therefore, significant resources will be wasted by needlessly transporting defendants to court when their appearance would otherwise not be required.

The additional language is also problematic because it refers only to when “the prosecution” seeks to detain the defendant. In many of our member courts, the prosecuting attorney does not appear at probation hearings unless specifically requested by the court. The trial court makes the decision on whether to detain or release the defendant pending the hearing without input from the prosecuting attorney. The new rule remains silent on whether courts seeking to detain a defendant on the court’s own motion would need to have the defendant physically present in court.

The second problematic change appears in subsection (f). These changes, which were adopted without publication for comment, will prove extremely difficult to implement for probation review hearings. The especially problematic additional language is underscored below:

(f) Rights of the Defendant Unless Waived. The defendant is entitled to be represented by a lawyer, and a lawyer shall be appointed for a defendant financially unable to obtain one. Before a probation hearing, the probationer shall be advised of the nature of the alleged violation and provided discovery of evidence supporting the allegation including names and contact information of witnesses. If the defendant seeks to cross examine witnesses, the defendant shall give notice at least three days before the hearing. A defendant who gives such notice shall have the right to confront adverse witnesses unless the court specifically finds good cause for not allowing confrontation. At the hearing, the defendant shall have the right to present evidence and cross-examine any witnesses.

When probation believes that a defendant has violated a sentencing condition, a hearing is scheduled and the defendant is summonsed. The defense is now permitted to wait until three days prior to the hearing to assert a confrontation right. It is simply not possible to secure the presence of witnesses upon three days notice. In order to have witnesses available, all possible witnesses will need to be subpoenaed for every contested probation review hearing at the time the hearing is set. There is tremendous potential in that process for wasted resources and unnecessary impacts on witnesses.

The DMCJA and other court users were not provided the opportunity to comment upon these late additions to the CrRLJ 7.6 amendments submitted by the proponent. For the reasons set forth above, we respectfully request a stay of these rule amendments until interested parties have an opportunity to comment.

Sincerely,



Commissioner Rick Leo
DMCJA President

cc: Judge Catherine McDowall, DMCJA Rules Committee Co-Chair
Judge Wade Samuelson, DMCJA Rules Committee Co-Chair
Antoinette Bonsignore, DMCJA Rules Committee Staff
Stephanie Oyler, DMCJA Primary Staff

The Supreme Court
State of Washington

STEVEN C. GONZALEZ
CHIEF JUSTICE
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December 2, 2022

VIA EMAIL ONLY

Commissioner Rick Leo
President, District and Municipal Court Judges' Association
Snohomish County District Court
415 E Burke Ave
Arlington, WA 98223-1010
rick.leo@snoco.org

Re: Request for Emergency Stay of CrRLJ 7.6

Dear Commissioner Leo,

Thank you for your letter of November 28, 2022, seeking an emergency stay of CrRLJ 7.6. I appreciate your concerns, and I wanted to let you know what steps we have taken in the few days since we received that letter.

I immediately referred the letter to the chairs of our Rules Committee. As you know, the Rules Committee oversaw (1) initial consideration of Washington Defender Association's (WDA's) proposed revisions; (2) initial review of comments following publication; (3) based on those comments, referral back to both WDA and DMCJA for further consideration; and (4) referral to the full En Banc court on a 4-1 vote in favor of adoption.

Upon receipt and consideration of your recent letter, the Rules Committee members (1) spent time considering your concerns individually; (2) reached out to the initial proponent and other supporters of the amendments to inform them about your letter; (3) obtained their initial input about your concerns; and (4) convened an emergency Rules Committee meeting.

That Rules Committee meeting was held today. After a full discussion, the Committee voted unanimously against an immediate stay. We also voted unanimously to forward your letter and our Rules Committee recommendation to the En Banc court, for consideration by all nine Justices in the normal course, at our February 8 Administrative En Banc.

We welcome any further input you may have in advance of that meeting. Because DMCJA was only one participant in the process, we are also welcoming input from the proponent and their supporters. Materials for the February 8, 2023, En Banc should be emailed to me and my Judicial Assistant, Ashley Lipford (ashley.lipford@courts.wa.gov), by Monday, January 30, 2023. We have enclosed a copy of your November 28, 2022 letter for the WDA, who is cc'd on this correspondence, and other proponents so that they have an adequate opportunity to respond.

In the meantime, I wanted to convey to you the Rules Committee's understanding of the two particular unpublished additions to subsections (c) and (f) that your letter addresses. The additions to subsection (c) occurred after WDA and DMCJA met. They seem to accommodate DMCJA's concern that the original proposal would have recognized defendants' right to physical presence at *all* hearings; they address that by limiting the right to physical presence to contested hearings and hearings where the prosecution will seek detention. The additions to subsection (f) that you reference also occurred after WDA and DMCJA met. They seem to accommodate DMCJA's concern that the prosecution is entitled to notice if the defense will deny the infraction and put the state or city to its burden of proof; they address that by requiring at least three days' notice. My understanding is that the defendant usually gives notice that they will contest (rather than admit) a violation at the initial appearance – usually weeks before the contested hearing. In other words, my understanding is that notice of intent to put the prosecution to its burden of proof is usually provided weeks in advance, not days in advance, but that the rule never officially required any notice at all before the new amendments.

Again, we welcome DMCJA's further input for all of the Justices to consider. And we welcome WDA's, and other supporters', further input for all the Justices to consider, also.

Sincerely,



Steven C. González

cc: **VIA EMAIL ONLY**

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