



Gender and Justice Commission (GJCOM)
Friday, January 11, 2013 (8:45 a.m. – 12:15 p.m.)
AOC – SeaTac, 18800 International Blvd, SeaTac, WA

MEETING NOTES

Members Present: Chair, Chief Justice Barbara Madsen, Vice-Chair Honorable Ruth Gordon Ms. Sara Ainsworth, Judge Vickie Churchill, Ms. Laura Contreras, Ms. Terri Cooper, Judge Judy Rae Jasprica, Judge Cynthia Jordan, Ms. Judith Lonquist, Judge Richard Melnick, Mr. Ron Miles, Ms. Leslie Savina, Mr. David Ward, Judge Chris Wickham, Myra Downing and Pam Dittman (staff)

Guests: Mr. Jim Bamberger (AOC), Ms. Margaret Fisher (AOC), Ms. Grace Huang (WSCADV), Mr. Steve Pepping (NWADVTP), Ms. Jennifer Creighton (AOC)

Members Absent: Ms. Emily Henry, Dr. Margaret Hobart, Judge Mark Pouley, Judge Ann Schindler, Ms. Gail Stone

The meeting was called to order at approximately 8:55 a.m.

COMMISSION BUSINESS

STAFF REPORT – Myra Downing

- **STOP Grant**
The Commission received the STOP Grant for FY2012, in the amount of \$123,419. The funds provide for a staff position and in the past have funded portions of projects identified through the STOP Grant RFP process. It is anticipated that FY2012 funds will be used for one project that will have statewide impacts. The funds will be released by the end of the month.
- **Minority & Justice Commission (MJC)**
The collaboration between the two Commissions continues. Projects:
 - On December 20, the MJC brought together stakeholders to discuss juvenile disproportionality in the justice system. The MJC will continue to coordinate these efforts with the various stakeholders. The MJC will be presenting on disproportionate minority contact (DMC) to the Supreme Court in May 2013, with the focus on solutions.
 - The Collaborations Committee is working on identifying entities that are working on diversity issues.
 - Educational session proposals for conferences are being developed.
- **Diversity Stakeholder Meeting**
The challenges facing the legal profession create opportunities for the Washington State Bar Association (WSBA) and its membership to collaborate in productive ways to improve both the experience of practicing law and the product of that practice. With that in mind, the Commission is continuing its discussion with Minority Bar Associations regarding diversity in the legal profession and how best we can support and/or partner with the Association on issues such as recruitment and retention.
- **Civil Immigration Webinar**
On December 17, 2012, Grace Huang presented a webinar focusing on Civil Immigration issues. The webinar is available for viewing on the Inside Courts website. Additionally, the Civil Immigration Bench Guide has been completed and is being distributed on the website.

- Budget

The year-end budget report is being compiled by the Administrative Office of the Courts (AOC) Finance. The Commission was on target with its spending.
- Miscellaneous
 - Sexual Assault Bench Guide – The bench guide is in final edits. It is anticipated that it will be ready for distribution by April 2013.
 - Domestic Violence Bench Guide – The bench guide is being edited for content and inclusion of new laws. It is anticipated it will be ready for distribution by June 2013.
- Education Programs

The following proposals are being developed for the DMCJA, SCJA, and Fall Conferences.

 - DMCJA Proposals
 - *Domestic Violence. A nuts and bolts, hands on approach.*
 - SCJA Proposals
 - *How Far Will You Go* to effectively manage your courtroom
 - *Sexual Assault Protection Orders*
 - Fall Conference Proposals
 - *Gender Equality – Same Sex Marriage.*
 - *Bringing Human Rights Home.* This session will explore the use of human rights law and norms in the U.S. context. Speakers will illustrate the use of human rights concepts in the areas of worker's rights, juvenile life-without-parole cases, violence against women, as well as a number of other U.S. contexts. (Adapted from the National Association of Women Judges' 2012 Conference.)
 - *Lawyering & Justice – Emerging Issues of Nations in Transition.* Looks at challenges that women lawyers and judges are facing as the world around them changes. (Adapted from the National Association of Women Judges' 2012 Conference.)
 - *Power and Reach of the Internet.* The centrality of the cyber world to our lives poses special problems for justice, equality, and privacy. This panel addresses judicial ethics and staff management issues related to the use of social media, civil liberties and sentencing issues for those charged with internet-based crimes or whose sentences include prohibitions on internet use, proposals for law reform that better capture cyberstalking and internet-based sexual harassment, as well as First Amendment and privacy concerns in the context of internet regulation. (Adapted from the National Association of Women Judges' 2012 Conference.)
 - *The Impact of Other Laws on Court Decisions.* Judges render decisions every day, but those decisions may have unforeseen consequences or may even be unenforceable. This session may cover topics such as bankruptcy and immigration law and how these laws impact criminal, family, and commercial cases. (Adapted from the National Association of Women Judges' 2012 Conference.)
 - *Judging in an International Community.* The goal of any judicial system is to achieve justice. In our ever-shrinking and interdependent world. Often one cannot attain true justice without addressing cross-border components (county, city, bordering states, tribal). The session will discuss the challenges in these settings and discuss opportunities for judicial officers to consult with one another, in matters from business litigation, collections of judgments and family law and immigration matters. (Adapted from the National Association of Women Judges' 2012 Conference.)

CHAIR REPORT – Chief Justice Madsen

- **WSIPP Report**
The 2012 Legislature directed the Washington State Institute for Public Policy (WSIPP) to collaborate with the Commission and other subject matter experts on domestic violence in reference to treatment. The report has been released and can be found at <http://www.wsipp.wa.gov/pub.asp?docid=13-01-1201>
- **WAPA Spring Training**
Chief Justice Barbara Madsen has agreed to present at the Washington Association of Prosecuting Attorneys (WAPA) Spring Training Program on April 17, 2013.
- **Initiative for Diversity Council (IDGC)**
A half-day Managing Partner Summit has been scheduled. The session will identify strategies for recruiting and retention of women and people of color in the legal profession.
- **Board of Judicial Administration (BJA) Planning Update**
The BJA is discussing how to take a more active role in governing and what that means. Additionally, the BJA is working together to identify areas of intersect and how to enhance communication and collaboration amongst the various Commissions, Committees, and Associations.
- **Chair Appointment and Vacancies**
 - Ruth Gordon has agreed to assume the Vice-Chair position for the Commission.
 - Judge Jasprica has agreed to assume the Chair position for the Domestic Violence Committee.
 - The Commission will be looking to fill four (4) positions. Judge Alicia Nakata and Judge Stephen Brown resigned their Commission positions. Judge Chris Wickham and Judge Cynthia Jordan second terms have expired and they are ineligible for reappointment at this time.
 - The Chairs of the standing committees comprise the Executive Committee who will assess the letters of interest and make recommendations for appointments.

Action:

Myra will make contact with the Executive Committee to fill positions.

REPORTS – GUEST PRESENTATIONS

- **Jim Bamberger, Office of Civil Legal Aid (OCLA)**
OCLA Director, Jim Bamberger, provided copies of the Final Report of the Civil Legal Needs Study Scoping Group convened by the Washington State Office of Civil Legal Aid. The focus of the Scoping Group's work was to assess the need for and purpose of updating our understanding of the civil legal problems experienced by low-income Washingtonians. Mr. Bamberger explained that the civil legal problems of low-income Washingtonians were last documented in the [2003 Civil Legal Needs Study](http://www.courts.wa.gov/newsinfo/content/taskforce/CivilLegalNeeds.pdf) (<http://www.courts.wa.gov/newsinfo/content/taskforce/CivilLegalNeeds.pdf>) published by the Supreme Court Task Force on Civil Equal Justice Funding. In addition to determining that there is an imperative to update our collective understandings given the dramatic changes that have occurred since 2002-03, the Scoping Group's report outlines the focus, scope, and methodology that it recommends be employed in any such update. The Scoping Group's efforts were supported in substantial part by the Washington State Center for Court Research (WSCCR).

Mr. Bamberger reminded members that both the Washington State Gender and Justice and Minority and Justice Commissions were key partners in defining the focus and scope of helping underwrite the research effort associated with the 2003 Civil Legal Needs Study. At the time, the Gender and Justice Commission was particularly interested in ensuring that the civil legal problems of women and children, including domestic violence victims, received a high level of scrutiny in the design and execution of the study methodology. Mr. Bamberger noted that the results of the 2003 study were striking, not only with respect to the overall prevalence and substance of civil legal problems

experienced by low-income Washingtonians, but the clearly documented disproportionality of civil problems experienced by women, especially victims of domestic violence.

Mr. Bamberger requested that the Gender and Justice Commission join as a partner in the effort to update Civil Legal Needs Study. He indicated that OCLA will be forming a Blue Ribbon Committee to oversee the effort, and that he intended to seek appointments from key partner entities including, he hoped, both the Gender and Justice and Minority and Justice Commissions.

Action:

A Commission member is needed to represent the Commission on the Civil Legal Needs Study Scoping Group.

- Margaret Fisher, Diversity Pipeline Programs for Youth
Ms. Fisher presented the Diversity Pipeline Programs for Youth – Diversifying the Bench and Bar in Washington State. The Gender & Justice Commission has a long-standing commitment to bring diversity to the bench and bar and to further this end, Ms. Fisher was asked to explore and report on existing diversity pipeline programs for youth. Additionally, Ms. Fisher identified four (4) areas she is currently or will be working on:
 1. Contact “Other Programs” that reported, such as the Washington Young Lawyers who offer a program in Yakima.
 2. Present this report and findings at the Minority and Justice Commission’s February 1 meeting.
 3. Confirm with existing programs that they would like to have a strategic meeting (spring timeframe).
 4. Draft and submit a grant proposal to the Law School Advisory Council (LSAC) to assist with the strategic meeting (spring timeframe).
- Steven Pepping, Northwest Association of Domestic Violence Treatment Professionals (NWADVTP)
Mr. Pepping presented the NWADVTP’s position paper which was in response to the WSIPP meta-analysis that Legislature ordered. NWADVTP requested and met with WSIPP to open discussions regarding the current state of domestic violence issues in Washington and what it would take to make treatment more efficient and effective. Mr. Pepping also asked Chief Justice Madsen to present at NWADVTP’s annual conference to be held in the fall of 2013.

Action:

Follow-up with Mr. Pepping to participate in the DV Committee’s project on monitoring and sentencing practices.

COMMITTEE REPORTS

- NCHIP Update
Thurston County Superior Court received a grant from the National Criminal History Improvement Program (NCHIP) to assist with reducing duplicative and conflicting orders by providing judicial officers with images of orders. The grant allowed the court to solicit and acquire a vendor to develop a software program that that would be a “portal” linking the various imaging systems and subsequently, provide the images of all orders. The product should go “live” by the end of the month enabling users the opportunity to make comments and suggestions back to the vendor.
- WSBA CLE (DID THE CLE HAVE A TITLE THAT WE CAN INCLUDE HERE?)
The CLE, addressing domestic violence, was held on November 28, 2012, at the Washington State Bar Association’s (WSBA) CLE Training Center. There were approximately 80 individuals in attendance either at the facility or via live webcast. We are hoping to continue working with the WSBA CLE staff on future training events.

- **SJI Immigration Update**
The Criminal Immigration Bench Guide is in final edits. To complement the bench guide, three (3) bench cards were developed. They will be made available on the Commission's website.

COMMISSION DISCUSSION

At the November 2, 2012, Commission meeting, members began discussing priorities and projects. The conversation continued at this meeting. The Commission chose to rebrand its committees to cover a broader arena of topics.

- **Collaborations Committee** (Incarcerated Women and Girls, Tribal State Consortium, and Immigration Committees and their interests/projects are consolidated into this committee.)
Chair: Judge Mark Pouley
Purpose: To identify projects and/or topics of interest that intersect with the Gender & Justice and Minority & Justice Commissions while promoting cross-collaboration. This Committee would address matters such as Tribal State Consortium work, trafficking, and immigration issues.
- **Law and Practice Committee** (Formerly the Gender Equality Committee)
Chair: Judith Lonquist
Purpose: To look at the practice of law and promote legal equality in the system and between genders.
- **Domestic Violence**
Chair: Judge Judy Jasprica
Purpose: To work on issues involving gender violence (domestic violence, sexual assault, and stalking).
- **Access to Courts** (This is a new committee.)
Chair - Judge Churchill
Purpose
To address issues covering access to justice and how the courts serve the people.
Potential Topics of Interest
Obstacles to Justice related to Immigration
- **Education** (This is a new committee.)
Chair - Judge Melnick
Purpose
To solicit ideas, formulate proposals, and coordinate educational efforts for the various conferences and trainings.

Action:

Continue discussion identifying specific projects to work on.

Meeting concluded at 12:15 p.m.