



Gender and Justice Commission (GJCOM)

Friday, September 13, 2013 (8:45 a.m. – 12:15 p.m.)

AOC SeaTac Office

SeaTac, Washington

MEETING NOTES

Members Present: Chair, Chief Justice Barbara Madsen, Vice-Chair, Ms. Ruth Gordon
Judge Michael Evans, Dr. Margaret Hobart, Ms. Judith A. Lonquist, Judge Eric Lucas, Professor Taryn Lindhorst, Judge Richard Melnick, Judge Marilyn Paja, Judge Ann Schindler, Ms. Gail Stone, Judge Tom Tremaine, and Ms. Pam Dittman (AOC staff)

Guests: Ms. Kathy Bradley, Ms. Jennifer Creighton, Ms. Myra Downing, Mr. Joe Downing, Ms. Emily Henry, and Ms. Sam Pearlman

Members Absent: Ms. Sara Ainsworth, Ms. Laura Contreras, Judge Judy Rae Jasprica, Mr. Ron Miles, Judge Mark Pouley, Ms. Leslie Savina, Mr. David Ward

The meeting was called to order at approximately 8:45 a.m.

We do not have July meeting notes to approve as July's meeting was spent developing the Commission's work plan.

The Commission welcomes new member Professor Taryn Lindhorst, University of Washington. Dr. Lindhorst works on domestic violence and policy issues and will be assisting with updating the gender bias report. Additionally, Ms. Sam Pearlman was introduced as the new Seattle University Student Liaison.

COMMISSION BUSINESS

Recognition of Myra Downing

Myra Downing officially retired from AOC July 31, 2013. The Commission recognized Myra's dedication and enthusiasm.

Executive Director Recruitment

The recruitment was posted and approximately 20 applications were received. Interviews of the top five (5) candidates will be held at the end of the month. The interview panel will include the Chief, Ruth Gordon and the co-chairs of the Minority and Justice Commission, Judge Mary Yu, and Justice Charles Johnson.

New Member Recruitment

The Commission has two vacancies due to member resignations. Following discussion and looking at the Commission membership, members suggested recruiting for another court administrator and judicial officer from the courts of limited jurisdiction, in particular a municipal court judicial officer.

Follow-up:

If you know of anyone who would be a good fit with the Commission, please contact Pam Dittman. Membership Committee will meet to discuss nominations.

Work Plan Approval

The Commission members approved the work plan for the next year. A revised plan will be sent to members. The work plan is an ongoing document and in the future will identify and incorporate specific deliverables and timelines. The Commission is drawn into projects each year and these will be added as necessary. Below is a recap of items under the work plan.

Follow-up. Please contact Pam Dittman if you are interested in working on any of these Committees. Please check to ensure you are listed on your Committees of interest.

- DV Sentencing and Monitoring Project

The Center for Court Innovation was awarded the contract for this project. The contract included deliverables which will be incorporated into the work plan. The first deliverable will be sending a survey to the courts of limited jurisdictions' presiding judges and court administrators. The survey will be used to obtain initial information on how sentencing and monitoring are currently being handled in the various courts across the state and assist with site selection for more in-depth site visits.

- Stalking Order Legislation – ESHB1383 (§21)

The Commission was tasked with consulting various agencies to address and reduce confusion on types of protection orders a petitioner should ask for. As an update to the project, the subcommittee discussed several items such as having a simple decision tree or a web-based program that would help identify the correct order to be used. A stakeholders meeting will be scheduled for November or December.

Follow-up. With Terri's resignation, this sub-committee needs a new lead. If you are interested, please let Pam know as soon as possible. Convene stakeholder meeting.

- Effectiveness of Batterer's Intervention Programs (BIP) – Webinar

Work on this project will begin in the spring of 2014. Judge Paja has agreed to take the lead. If you would like to assist, please contact Pam.

- OVW- Sexual Assault Training Grant

We received a \$50,000 grant from the Office on Violence Against Women to develop and conduct two, one-day training sessions on sexual violence. The grant period is October 2013, thru September 2015. Work will begin on this grant in 2014.

- Custody and Child Welfare

Commission members discussed and the project falls between both the DV and Incarcerated Women and Girls' Committees. We will address the project in 2014.

- Dependency and Dissolution Proceedings – Incarcerated Women & Girls

Potentially this is a huge project. The project focuses on parental rights and family law proceedings of incarcerated women and girls. Judge Paja noted that the NAWJ has an incarcerated women's program and will research more on NAWJ's focus to see if it ties in with this Committee.

- Shackling Follow-up

With the assistance of AOC staff, we have compiled the responses to our public disclosure request. Sara Ainsworth will be reporting back on the project.

- Communications Committee
The Commission agreed that there needs to be a Communications Committee. Ruth Gordon agreed to Chair the Committee. Please contact Pam or Ruth if you would like to participate in this Committee.
- Legislative Work Committee
David Ward chairs this Committee. They meet regularly by conference call when the Legislature is in session.
- Tribal State Consortium Committee
The Tribal State Court Consortium will be meeting at Fall Conference and discussing the next steps.
- Judicial Reception
This is an annual event sponsored by the Commission. The National Association of Women Judges (NAWJ) and the Washington Association for Justice provide scholarship monies. The event this year is scheduled for November 13. A committee will be convened by Judge Paja to evaluate scholarship applications.
- Education Committee
Judge Melnick is Chairing and coordinating the efforts of this Committee.
- Research Agenda: Gender Bias Report
The Commission indicated the importance of updating this report. We need to identify if funding will be needed and if so, how much. Dr. Lindhorst has agreed to look at the past report and how it was designed and develop an updated study.
- Pipeline Project – Pending
The Commission submitted a grant application in collaboration with the Minority and Justice Commission and Margaret Fisher who conducts Street Law. Awards should be coming in late October or early November. If the grant is received, Margaret Fisher will head up the administration of this grant and its activities.
- DV and Firearms
This is an issue the Commission took on. It was realized that the issue is complicated and possible solutions are extremely costly. At this point, we do not have the capacity to address this issue. We will revisit mid-2014.
- Human Trafficking
The Commission has been looking at issues around human trafficking for several years. We will revisit in 2014.
- Gender Responsive Risks and Needs Assessment Tool
We will revisit in 2014 while being aware of the development of the Superior Court Management System.

STAFF REPORT

- Contracting for Monitoring and Sentencing Update
See above under work plan updates for more information.
- Judges & Law Student Reception

This year's reception has been scheduled for Wednesday, November 13, 2013, from 5:00 p.m. – 7:00 p.m. It will be held at the Law Offices of Graham and Dunn on Pier 70, Seattle. We encourage you to attend.

The National Association of Women Judges (NAWJ) and Washington Association for Justice (formerly Washington Trial Lawyers Association) each donated \$500 towards the scholarship. The application for scholarships has been released and will be reviewed by the end of October.

- Annual Conference Programs

The Commission is sponsoring several sessions at the annual judicial conference. (See the work plan for specifics.)

- STOP Grant Funds

We are managing two (2) STOP grants, both of which end as of May 31, 2014. Staff has identified approximately \$20,000-\$30,000 in funds we need to spend by the end of May 2014. Allowable activities under STOP grants are those addressing teen or adult domestic violence, sexual assault, trafficking, and stalking. We can NOT pay for any food items in relation to conferences or training activities and our funds cannot be used to pay for child-centric training (such as training for guardians ad litem). Additionally, the Commission prefers to not use funds to pay for advocates, but has instead focused on projects that have statewide impacts or can be replicated.

Members discussed areas where they would like to see the excess monies directed:

- Staffing

- Presently, 70 percent of the Program Coordinator's (Pam Dittman's position) salary and benefits are paid from STOP Grant funds.
- Members suggested charging 10-15 percent of the Executive Director's position (vacant) to the STOP Grant which would free some of the GJCOM budget funds for other projects that cannot be paid for out of STOP grant funds.

- Training

- Batterer Intervention webinar: allocate monies for a presenter if needed.
- DV & Family Law Training sessions: Replicate the domestic violence training the Commission helped design in 2009 which was held in Thurston County in 2012 and was a huge success. We could allocate funds to facilitate and pay for a training session in Eastern Washington.
- Tribal training in the areas of domestic violence, sexual assault, or stalking. Addressing full faith and credit and/or the new provisions of VAWA. Maybe use the funds to supplement the Tribal State Court Consortium efforts.
- Regional trainings that would focus on the underserved communities that have little to no funds for training or travel-related expenses. Include tribal judges, court teams of court clerks and administrators, judicial officers, as well as community partners which may help revitalize the coordinated community response (or lack thereof) in communities.
- Stalking Stakeholders meetings: Covering travel-related expenses.
- Follow-up on child maltreatment and domestic violence symposiums conducted a few years back. Justice Bobbe Bridge's (former) Commission on Children in Foster Care worked on the project. The symposiums were conducted in eight or nine regions with each region being asked to develop a protocol to be implemented in their region. Not every region has implemented their protocol and we could follow up with those regions
- In light of the conversation around the stalking order and reducing the confusion on which type of protection order a person should ask for, the Commission discussed whether the funds could be directed to creating a portal that coordinates the various individual county, service providers, website, etc. Pro se litigants could be more readily directed to the correct site and/or be provided assistance through some sort of decision tree or interactive tool. More research is needed.

WSBA/Implicit Bias

As a result of the WSBA membership study and their revitalization of diversity efforts, the WSBA is developing a CLE addressing implicit bias and asked both the Commissions to provide input into the development and planning of the session. Laura Contreras and Judith Lonquist have been participating in these calls. Members also discussed a project the Pattern Jury Instructions Committee was working on regarding implicit bias. Staff will check on this.

COMMITTEE REPORTS

- **Communications – Ruth Gordon, Chair**

Ruth indicated this Committee needs more members to participate. Ron Miles and Judge Lucas volunteered. Through discussion, it was indicated the Commission needs to take a more active role in communicating with various entities. Should we develop a Communications Plan addressing website review and maintenance; social media (Facebook); writing editorials; who we should be reaching out too, etc.? Staff will contact AOC's Public Information Office.

- **Domestic Violence – Judge Judy Jasprica, Chair**

Judge Jasprica was unable to make the meeting. Staff reported the Committee is working on the items identified in the work plan and has a standing conference call the first Thursday of every month at 12:15 p.m.

- **Education – Judge Rich Melnick, Chair**

The purpose of this Committee is to coordinate efforts across the various associations to identify, propose, and facilitate educational sessions. We ask that each of you be the conduit to your associations. If you are interested in assisting with the development of a session, please contact Judge Melnick.

- **DMCMA**

The Commission has been approached to put on a session at their spring conference. The suggestion was rework "How Far Would You Go" and also a domestic violence session.

- **Miscellaneous**

- Work with the WSBA and develop programs for law students and other attorneys.
- A topic of interest may be sexual trafficking and private cause of action.
- Other venues for same sex marriage and change in laws.

- **Incarcerated Women & Girls – Sara Ainsworth, Chair**

Gail Stone reported for Sara Ainsworth. Washington Appleseed is producing a reentry guide for offenders. They contacted staff and Committee members asking for their input on a chapter dedicated to addressing the unique needs of incarcerated women and family law issues. Commission members identified other groups also working on reentry – Conference of Chief Justices, NAWJ, National Center for State Courts, National Association of Counties to name a few.

- **Tribal State Court Consortium – Judge Tremaine and Judge Pouley**

At Fall Conference, the Commission is sponsoring an evening session to launch the Consortium effort and begin engaging tribal and state court judicial officers. Tribal members have indicated that communicating with state judicial officers is imperative in serving both communities.

Prior to Myra retiring, she worked with the Department of Commerce to solicit funds through the Grants to Encourage Arrest (GTEA) program. The Commission was notified that AOC was awarded \$20,000 to use for the Tribal State Court Consortium work. Additionally, STOP grant funds may be used to supplement the GTEA funds as long as within allowable activities.

- **Women in the Profession – Judith Lonquist, Chair**
 - You are encouraged to attend the 4th Annual Judicial Officer and Law Student Reception scheduled for Wednesday, November 13, at Graham & Dunn in Seattle. .
 - October is the 25th Anniversary of the Gender Bias report. Professor Lindhorst indicated we should consider identifying grant opportunities to update the report. We could possibly work with other groups such as Washington Women Lawyers or ask the Legislature. Originally, the report was part of a national movement and the Legislature allocated funds to assist with the development of the report.
 - The Chief suggested an item be added to the work plan developing a yearly program which promotes Women's History Month. For example, we have coordinated efforts with others on brown bag lunches, screening of films, etc.
- **Civil Legal Aid Workgroup – Ruth Gordon, Commission Liaison**

Ruth Gordon volunteered to be the Commission's liaison on this workgroup which is facilitated by Jim Bamberger from the Office of Civil Legal Aid (OCLA). OCLA released an RFP to have the Civil Legal Needs Study from 2003 updated. The RFP has been awarded and work will begin and completed by February 15, 2014. OCLA will be asking the Commission for funds to assist with the report. The Commission has supported this endeavor as the 2003 study indicated the biggest need for legal aid is among women and children. The Minority and Justice Commission is also being asked to provide funding to support the update.

MISCELLANEOUS

The Oversight Committee for the State Center for Court Research (WSCCR) is presently being reconfigured to include the Chairs of the Minority & Justice Commission and Gender & Justice Commission; the presidents of the DMCJA and SCJA; and the Director of the Office of Public Defense. It is hoped this reconfiguration will assist with a better coordination of efforts and allow for cross-over of needs to be met while assisting with identifying grant opportunities from outside entities to meet the research needs.

The Immigration Resource Guide was released. The Guide was developed from a grant from the State Justice Institute and was a collaborative effort between the Gender & Justice and Minority & Justice Commissions. As part of the Guide, a Colloquy Bench Card was developed and was sent to each judicial officer along with a letter from the Chief. The Guide will be made available at Fall Conference and online.

Judith Lonquist was instrumental in updating the Washington Employment Law Desk Book, which has everything you wanted to know about employment law in Washington State. You can receive a copy of the book, free of charge, by calling (206) 464-1011.

The meeting adjourned at approximately 11:30.