



Gender and Justice Commission (GJCOM)

Friday, December 6, 2013 (8:45 a.m. – 12:15 p.m.)

AOC SeaTac Office
SeaTac, Washington

MEETING NOTES

Members Present: Chief Justice Barbara Madsen, Chair; Ms. Ruth Gordon, Vice-Chair; Ms. Sara Ainsworth, Ms. Laura Contreras, Dr. Margaret Hobart, Judge Judy Jasprica, Ms. Judith A. Lonquist, Judge Richard Melnick, Mr. Ron Miles, Judge Marilyn Paja, Judge Mark Pouley, Ms. Leslie Savina, Judge Ann Schindler, Ms. Gail Stone, Judge Tom Tremaine, Mr. David Ward, Ms. Pam Dittman (AOC staff), and Paula Malleck-Odegaard (AOC staff)

Guests: Mr. Jim Bamberger, Ms. Liz Thomas

Members Absent: Judge Michael Evans, Judge Eric Lucas, Professor Taryn Lindhorst

The meeting was called to order at approximately 8:55 a.m. Introductions were made. The meeting notes from September 13, 2013 were approved.

COMMISSION BUSINESS

CHAIR REPORT

Supreme Court Commission Coordinator

Danielle Pugh-Markie has accepted the Supreme Court Commissions Coordinator position supporting the Gender & Justice and Minority & Justice Commissions. Danielle begins January 2, 2014.

Funding Requests

- Judicial Institute Sponsorship

The Commission has been asked to help sponsor the 2014 Judicial Institute in the amount of \$500. The event is hosted by the Initiative for Diversity and being held at Seattle University School of Law on February 8, 2014. The Institute focuses on bringing more diverse candidates to the bench.

The Commission membership agreed to sponsor the event at \$500.

- SCJA Spring Conference

The Commission will be sponsoring a plenary session "Domestic Violence & the Internet" at Spring Conference. Professor Mary Anne Franks presented at 2013 Fall Conference and the SCJA asked to have her come back for a session at SCJA Conference. Judge Melnick is requesting funds to assist with faculty costs. Additionally, there was a suggestion to host a CLE or provide other opportunities for Professor Franks to present on this topic and the initiative she is working on in conjunction with her time here in Washington.

The Commission membership agreed to support up to \$2,000 from STOP Grant monies to bring Professor Franks to participate in the SCJA Spring Conference and possibly other associated meetings.

Judge Melnick, David Ward, and Sara Ainsworth have agreed to work as a sub-committee to address hosting other venues or sessions capitalizing on Professor Franks' expertise and willingness to conduct other trainings while in the area.

- **Judicial Officer Enhanced DV Training**
The Commission has historically provided scholarships to judicial officers to attend Enhancing Judicial Skills in DV Cases presented by the National Judicial Institute on DV and several other entities. These scholarships are paid through STOP Grant funds when available. The Commission also discussed providing these training opportunities to the Tribal Court Judges; especially, if their tribes do not receive STOP grant monies.

Commission members agreed to fund at least five judicial officers to attend the February or April training.

Pam will collect the letters of interest and will provide them to the sub-committee who will evaluate and make the final decision. The sub-committee will include: Chief Justice Madsen, Judge Jasprica, Sara Ainsworth, Judge Melnick, Ruth Gordon, Judge Pouley, and Judith Lonquist.

Commission Meetings

2014 Meeting Schedule

The schedule for 2014 was provided. Members discussed whether to conduct the March meeting in Olympia or in SeaTac. It was suggested since March is Women's History Month, to hold a luncheon and invite the women legislators, women Supreme Court Justices, and also the Governor's wife, Trudy Inslee. It was suggested to begin the meeting at 9:30 a.m. The meeting schedule will be updated to reflect this change.

The Chief and Judith Lonquist will lead the sub-committee to arrange this and develop a program for the Women's History Month event.

Please note, the September meeting was moved to accommodate the DV Symposium held each year in King County. The Symposium will be held at the Seattle University, September 11 and 12, 2014.

STAFF REPORT

Island County was provided \$700 in STOP grant funds to update their court brochure for clients.

GUEST SPEAKER

Civil Legal Aid Needs Update Study

Jim Bamberger and Liz Thomas reported on the Civil Legal Aid Needs Study project and timeline. As background, a study was conducted ten years ago with support from the Supreme Court, the State Bar Association, and others. The legal landscape has changed since then and an update to the report is needed. Liz Thomas, incoming President of the Legal Foundation of Washington, which provides civil and legal aide throughout the state, discussed the impact of the internet and issues surrounding privacy and access of employers' information and demographics in state and the impact on legal aide. A cost of approximately \$350,000-\$375,000 is needed to update the study. Presently, the Legal Foundation of Washington and OCLA have each committed \$100,000 towards the update. The request to the Commission is to commit \$25,000 over a 2-year period or \$12,500 per fiscal year.

The Commission has asked to table the vote on this request until a more thorough review of the budget can be completed. We will continue the discussion at the January 10, 2014 Commission

COMMITTEE REPORTS

- **Women in the Profession - Judith Lonquist, Chair**

The Fourth Annual Law Student and Judicial Officer Reception was held on November 13, 2013 at the Law Offices of Graham and Dunn on Pier 70, Seattle. Two scholarships were awarded and made possible by the National Association of Women Judges and the Washington Association for Justice (formerly Washington Trial Lawyers Association). Approximately, 30 law students and 50 judicial officers were in attendance. Pictures of the reception will be posted on the Gender and Justice Web site. Members discussed the possibility of having the reception in the spring to attract more students.

- **Communications – Ruth Gordon, Chair**

We have a very rough draft of the 2011 and 2012 Annual report. We will work on it along with 2013. We are also working on updating the Commission's webpages with new photos and information where we can.

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

- ESHB1383 – Stalking Protection Orders

The Committee will be convening a Stakeholders Meeting on Monday, December 9, to review the variety of protection, no-contact, and anti-harassment orders and make suggestions to how to ease the confusion on which type of order a petitioner should be asking for. A report is due back to the Legislature in the new year.

- Judicial College

Judge Jasprica and Judge Wickham will be presenting on DV101 and types of orders during Judicial College on January 29, 2014. They also will be facilitating the In Her Shoes exercise that all attendees participate in.

- DV Video

Judge Jasprica is working with the Pierce County Sheriff's Department to update the short video we use for many of our presentations.

- Sexual Assault Grant

We received a 2-year grant to provide sexual assault training to judicial officers and court staff. We will begin working on that in the new year.

- Sentencing & Monitoring Project

This project is moving forward. We are presently working with the Center for Court Innovation to design a survey that will be sent to the presiding judges and court administrators and managers at the courts of limited jurisdiction.

- Interpreters

Judge Jasprica attended a 2-day workshop on language access in domestic violence cases. A program is being developed for training of interpreters in domestic violence cases which would provide an overall understanding of domestic violence issues. We plan on working with the Interpreter Commission to develop this program.

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

- The Fall Conference

The evaluations of the sessions the Commission sponsored at Fall Conference are in the meeting packet. All our sessions were well-received. Proposals for 2014 Fall Conference are due January 10. At this time, the Commission is proposing sessions on trafficking, immigration and family law, incarcerated women and girls, and sexual assault in the military.

Leslie Savina suggested we also propose a session on Adverse Childhood Effects (ACEs) and will draft a proposal.

- DMCMA Conference – Former Commission member, Terri Cooper asked that the Commission put on the “How Far Should We Go” session. The DMCMA approved this session and we will begin working with them.
- DMCJA Conference – The theme of this conference will be DUIs. It is unknown if any of the sessions proposed by the DMCJA Diversity Committee will be chosen or worked in.
- SCJA Conference – We are proposing to bring Professor Franks back to do another session on the Power & Reach of the Internet and focus on cyber stalking and sites that host revenge porn.

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

This Committee is focused on three (3) primary issues: 1) follow-up on shackling legislation, 2) host a meeting on access to justice for incarcerated parents, and 3) alternatives to sentencing for parents.

The Committee, through AOC, initiated a public records request to city and county jails, Department of Corrections, and juvenile rehabilitation facilities asking for incidents related to the shackling of pregnant girls and women. Responses have been coming in and Judge Evans and Sara are going through them and will report back to the Commission.

The Committee is in the initial planning stages to host a meeting for stakeholders who work in the criminal justice system which would address access to justice issues for incarcerated parents. The goal is to bring stakeholders together, identify gaps, and propose solutions which may involve systemic change. We are looking at holding this meeting in February.

The last project is one on implementation of recent legislation allowing alternative sentencing for parents. According to a report, legislation has been poorly implemented. More details will be available at the January meeting and a recommendation to the Commission on how we can become involved will be forthcoming.

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

The Commission and the Tribal State Court Consortium hosted a meeting at Fall Conference. The session was facilitated by Judge Theresa Pouley, Judge Patricia Clark (Retired), and moderated by Fred Fisher and Judge Thorne of the Casey Foundation. Mr. Fisher and Judge Thorne are working on developing state and tribal court roundtables working groups in different parts of the country.

The goal of the meeting was to not only ascertain interest in a tribal state court consortium, but to also encourage discussion on ways to proceed. Approximately 25 conference attendees participated. The attendees identified next steps such as identify project(s) that should be pursued, identify areas of intersect between tribal and state court judges, how to develop the membership, identify immediate short-term steps such as opening the dialogue on regional basis for judicial officers who did not attend; develop a contacts list; prepare and distribute the meeting summary; and develop a more concrete proposal on what a consortium looks like. Other suggestions were to work on how to do governance for the courts; create a culture of information and a way for judges to collaborate when the case is cross-jurisdictions. For example, in truancy cases, there is no mechanism in place for state and tribal courts to cross-collaborate and there is a need to find informal processes to be able to co-convene the case. Also, tribal courts, clerks, and staff have limited training and resources for training. Ways to interact or include them in statewide training initiatives would be a great way to cross-collaborate.

The Chief proposed that we schedule another consortium meeting and send a letter to attendees who were at the meeting. Additionally, we need to identify staff and contacts at the Governor's Office on Indian Affairs and include them in the next steps.

Finally, \$20,000 of grant funds were secured for continued work on the Tribal State Court Consortium. The Tribal Law and Policy Institute has formed an effort a separate organizational structure "Walking on Common Ground." (<http://www.walkingoncommonground.org/>)

Workgroups – David Ward

Attorney General Bob Ferguson, convened a domestic violence advisory group. Law enforcement and advocates from around the state attended. During the meeting, Marna Miller, Washington State Institute of Public Policy, presented the WSIPP report on batterer intervention programs

Representative Roger Goodman continues to convene his ad hoc group. The meeting agenda included areas of legislation on firearms, writs of habeas corpus, and a proposal on a statewide commission working on the prevention of domestic violence

MISCELLANEOUS

The Commission had a discussion about the movement towards evaluation of judicial officers and the appearance that there is a bias against women and women of color in the judicial selection and elections. Professor John Martin suggested that we bring this may be an issue the Commission should explore and act upon. Judith Lonquist indicated she will inquire with the Washington Women Lawyers and League of Women Voters who may be interested in partnering on some sort of project.

ADJOURNED

The meeting adjourned at approximately 12:15 p.m.