



WASHINGTON
COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

WASHINGTON STATE SUPREME COURT

**GENDER AND JUSTICE
COMMISSION**

MEETING

FRIDAY, DECEMBER 6, 2013

**AOC SEATAC – LOWER LEVEL
CONFERENCE ROOM
SEATAC, WASHINGTON**

**WASHINGTON STATE SUPREME COURT
GENDER AND JUSTICE COMMISSION**

2013-2014

CHAIR

Honorable Barbara A. Madsen
Washington State Supreme Court

VICE-CHAIR

Honorable Ruth Gordon
Jefferson County Clerk

MEMBERS

Ms. Sara L. Ainsworth
University of Washington School of Law

Mr. Ronald E. Miles
Spokane County Superior Court

Ms. Mirta Laura Contreras
NW Immigrant Rights Project

Honorable Marilyn G. Paja
Kitsap County District Court

Honorable Michael H. Evans
Cowlitz County Superior Court

Honorable Mark W. Pouley
Swinomish Tribal Court

Dr. Margaret Hobart
WSCADV

Ms. Leslie J. Savina
Northwest Justice Project

Honorable Judy Rae Jasprica
Pierce County District Court

Honorable Ann Schindler
Court of Appeals Division I

Professor Taryn Lindhorst
University of Washington

Ms. Gail Stone
King County Executive's Office

Ms. Judith A. Lonquist, P.S.
Attorney at Law

Honorable Tom Tremaine
Kalispel Tribal Court

Honorable Eric Z. Lucas
Snohomish County Superior Court

Mr. David Ward
Legal Voice

Honorable Rich Melnick
Clark County Superior Court

Vacant
Executive Director



WASHINGTON
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GENDER AND JUSTICE COMMISSION
 SEATAC OFFICE BUILDING – LOWER LEVEL CONFERENCE ROOM
 FRIDAY, DECEMBER 6, 2013 (8:45 A.M. – 12:30 P.M.)
 CHIEF JUSTICE BARBARA MADSEN, CHAIR
 HONORABLE RUTH GORDON, VICE CHAIR

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WASHINGTON
COURTS

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 Batterers' 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 contract has not yet been awarded and work will begin and be completed by February 15, 2015. 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.

From: Erica Chung [<mailto:director@initiativefordiversitywa.org>]
Sent: Tuesday, October 15, 2013 11:08 AM
To: Madsen, Justice Barbara A.
Cc: Dittman, Pam; Keown, Julie
Subject: WID: Judicial Institute Sponsorship - Gender and Justice Commission
Importance: High

Hello Chief Justice Madsen:

Now that we are set with the event date and moving forward with the planning process, we wondering if the Gender and Justice Commission can sponsor the Judicial Institute?

We have several levels to choose from. However, as one of the judicial commission, we were wondering if the Gender and Justice Commission could sponsor at the Advocate Level of \$500 or higher? The funds will go towards a great cause with lasting impact and change. Please see attached letter, information sheet, and sponsorship form.

Please let me know if you have any questions. Thank you very much for your support.

Erica S. Chung
Executive Director
cell: (206)720-4996
fax: (866) 486-6670
director@initiativefordiversitywa.org

INITIATIVE FOR DIVERSITY | Post Office Box 1985 | Seattle, Washington 98111-1985
www.initiativefordiversitywa.org

JUDICIAL INSTITUTE

Scheduled Date: February 8, 2014
Location: Seattle University School of Law

Purpose

The Judicial Institute is committed to addressing the concerns that an extremely low number of minority lawyers pursue judicial careers through the appointment or election processes and the need for continued diversification of the respective court benches. Our mission is to encourage qualified minority attorneys to seek judicial positions, through a comprehensive education and mentorship program. Our goal is the promotion of court benches which reflects the richness and diversity of the communities and populations served by our judicial system throughout the State of Washington.

Next scheduled event

The Judicial Institute is an all-day training event scheduled for **February 8, 2014 at Seattle University School of Law**. Instructors will include judges, former MBA judicial evaluation committee members, judicial election consultants, and former and present Governor's Counsels discussing various topics including: the life of a superior/district/municipal court judge, getting yourself ready and preparing your CV, the Governor's judicial appointment process, and various aspects of judicial elections. In addition, participants (Fellows) will be assigned judicial mentors who will provide feedback and guidance throughout the year.

Application Process

We are searching for diverse candidates who are considering a position on a district or municipal court in 2014. We hope that each participating MBA will recommend and encourage at least two highly qualified and interested candidates to participate and potentially run for office.

Interested applications will be asked to submit a cover letter, resume and condensed questionnaire adapted from the governor's questionnaire.

2012 Statistics

The following is the 2012 Judicial Institute Participant Profile:

- 25 participants were selected. They represent 11 minority groups from 8 different counties
- 4 participants became judges. Three superior court judges and one tribal court judge representing three counties-King, Kitsap, and Spokane.

The following organizations contributed to the event in 2012: ABAW, FLOW, KABA, LBAW, LMBA, MAMAS, MELAW, NIBA, QLAW, SABAW, Seattle University School of Law, VABAW, WWL, WWL Foundation, the Minority and Justice Commission and WSBA.

Questions

For further information, please contact:

- Erica Chung, Initiative for Diversity, 206-720-4996 or director@initiativefordiversitywa.org
- Fé Lopez, SU Law, 206-398-4290 or lopezf@seattleu.edu

Enhancing Judicial Skills in Domestic Violence Cases Workshop

Upcoming Dates:

December 8-11, 2013
Santa Fe, New Mexico

February 9-12, 2014
New Orleans, Louisiana

April 27-30, 2014
San Francisco, CA

The National Judicial Institute on Domestic Violence (NJIDV), a partnership of the U.S. Department of Justice, Office on Violence Against Women, the National Council of Juvenile and Family Court Judges, and Futures Without Violence (formerly the Family Violence Prevention Fund), offers hands-on, highly interactive workshops that will provide an essential foundation for new and experienced state, tribal and territorial judges and judicial officers to enhance their skills in handling civil and criminal domestic violence cases. Judicial participants will leave the workshop with greater knowledge and skills for handling cases involving domestic violence.

A judge participant in this workshop will be better able to:

- Evaluate impact of violence on adult victims and children who witness violence.
- Identify the protection and restoration requirements of domestic violence victims.
- Describe patterns of batterer conduct, assess dangerousness of specific batterers, and impose effective intervention and accountability mechanisms for batterers.
- Resolve difficult evidentiary issues and apply an understanding of domestic violence to judicial fact-finding.
- Identify administrative and community barriers to accessing/achieving justice in DV cases
- Devise methods of overcoming barriers to justice, become motivated to work to remove barriers, and use information regarding available community resources to assist in removing barriers.
- Recognize and apply ethics rules that govern participation in extrajudicial activities, e.g., domestic violence councils, legislative proposals, local court rulemaking, and education programs of non-judge providers.
- Define culture and cultural competence, enhance respect for the dynamics of difference, and identify ways in which culture is relevant in the courtroom.

- Recognize cultural misinformation and avoid assumptions about a person or facts of a situation based on misinformation.
- Identify and evaluate potential biases that might influence courtroom demeanor or interpretation of facts and making of decisions in DV cases.
- Identify common decision-making points where understanding DV might affect how you make decisions and what you decide.
- Draft and issue effective orders that (a) stop violence, (b) protect adult victims & children, (c) require appropriate batterer treatment in criminal and civil DV cases, and (d) facilitate enforcement in DV cases.
- Assess the impact of domestic violence on cases involving sentencing, custody and visitation issues.
- Evaluate batterer intervention programming and information regarding appropriate treatment/intervention options.
- Identify the potential benefits of conducting review hearings (in conjunction w/ probation services) to monitor batterer conduct in DV cases.

WHO SHOULD ATTEND?

Participation is open to new and experienced state, tribal and territorial judges and judicial officers wishing to enhance their skills in handling civil and criminal domestic violence cases. Participation is limited to 50 judges and judicial officers. Applications will be reviewed on a first-come, first-served basis.

REGISTRATION

To apply to attend, please [click here](#) or contact Brianne Smith at (775) 784-1559 or e-mail bsmith@ncjfcj.org.

Participants are responsible for their own lodging, travel arrangements, and costs. For more information on the workshop, travel, and lodging, please visit www.njidv.org, or contact the registrar.

Washington State Supreme Court Gender and Justice Commission Scholarship Information

The Washington State Supreme Court Gender and Justice Commission provides funding support for judicial officers to increase or enhance their skills in managing domestic violence (DV), sexual assault, and stalking cases. Those applying for funds must demonstrate that the training is directly related to their current or upcoming professional responsibilities and are of direct benefit to the state court system.

Programs that qualify

- Must be offered out-of-state
- Address DV, sexual assault or stalking
- Offered by a recognized educational program

Funding

The Commission may provide up to \$2,000 for assistance. Funds can be used for registration and travel-related costs. Depending on available funds, applicants may ask for pro tem reimbursement. The amount will be determined after assessing each accepted application.

Selection Criteria

- The course is one that is not offered within Washington State
- There is a geographical balance among the judicial officers selected
- There is a balance among the types of courts

Priority will be given to judicial officers who have:

- Never taken part in or received a scholarship from the Commission
- Demonstrated a need or interest in receiving training on DV, sexual assault or stalking
- Current or future court assignments relevant to the training topic

Funding Requirements for Judicial Officer Selected to Receive a Scholarship

- 100% attendance.
- Complete a conference summary report that includes what they learned, new ideas formulated, and how they intend to apply the learning when they return to the bench.

Revised 11.15.2013

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**Washington State Supreme Court Gender and Justice Commission
Scholarship Application**

Name		Telephone Number	
Court			
Court Address		Email Address	
Title of Course			
Course Sponsor			
Location		Dates	
How does the content of this course relate to your responsibilities in the court system?			
Have you ever received funding from the Commission? If so, when and for what course?			
Estimated Costs			
Tuition (<i>if applicable</i>)			
Registration Fee			
Airplane (<i>estimated</i>)			
Lodging (<i>estimated</i>)			
Per Diem			
Pro Tem			
TOTAL			
Please remember to submit your conference summary report upon conclusion of your training.			

Please return application, conference summary report, and upon return, travel expense form and supporting documentation to:

Gender & Justice Commission Staff
 Administrative Office of the Courts
 1112 Quince Street SE, PO Box 41170
 Olympia, WA 98507
Pam.dittman@courts.wa.gov
 360.704.4031

Revised 11.15.2013

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Gender and Justice Commission Meeting Schedule

2014

Date	Time	Location
Friday, January 10, 2014	8:45 a.m. – 12:30 p.m.	AOC SeaTac Office
Friday, March 14, 2014	Option 1: 10:00 a.m. – 1:30 p.m. Option 2: 8:45 a.m. – 12:30 p.m.	Option 1: Temple of Justice, Olympia Option 2: AOC SeaTac Office
Friday, May 9, 2014	8:45 a.m. – 12:30 p.m.	AOC SeaTac Office
Friday, July 11, 2014	8:45 a.m. – 12:30 p.m.	AOC SeaTac Office
Friday, September 5, 2014	8:45 a.m. – 12:30 p.m.	AOC SeaTac Office
Friday, November 14, 2014	8:45 a.m. – 12:30 p.m.	AOC SeaTac Office

AOC Staff: Danielle Pugh-Markie, Executive Director
Pam Dittman, Program Coordinator

Updated November 27, 2013

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Washington State Gender and Justice Commission
FFY11 STOP GRANT TO THE COURTS
QUARTERLY PROGRESS REPORT

Award No. ICA12276	Date Report Prepared: 9/17/13
Project: Create and produce domestic violence informational and educational brochures and posters.	Report No.: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4
	Reporting Period: Jul y, August, Sept
	Final Report <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Grantee: Island County Superior Court	Subgrantee:

REPORT (Attach additional pages if necessary.)

(1) Project activities during the reporting quarter.

Finalized education brochure in collaboration with Island County Superior Court, Court Clerk, District Court and Citizens Against Domestic Abuse

(2) Any significant problems that developed.

No, once final edits were approved, the product was sent to the publisher for printing.

(3) Activities scheduled during the next reporting period.

None, completed project

Submitted by:

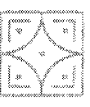
Name:	Brooke Powell
Title:	Administrator
Phone Number:	360-240-5595
e-mail address:	brookep@co.island.wa.us

STOP THE VIOLENCE

ISLAND COUNTY COURT'S GUIDE

STOP
Domestic violence, sexual
assault, dating violence,
and stalking crimes

*Confused about which order to
file? Review this brochure for
information on the different
options you have and identify
which order best fits your
situation.*



Nature of Proceeding: Civil, under RCW 26.50.030
RCW 26.50.010(1), RCW 9A.46.110, RCW (A.61.260)

Who May Obtain One: A person who has been seriously
abused, annoyed, or harassed by a course of conduct by a
partner, family member, or household member (19.99.020),
including dating relationships. Anyone 16 years or older may
file on their own behalf. Parents, guardians, guardian ad
litem, or next friends can file on behalf of minors.

Jurisdiction:
Temporary Protection Order – District, or Superior Court.
Permanent Order (DVPO) – limited to Superior Court. If there is
a family law action pending or if the case involves children or
an order to vacate home.

Cost to Person Filing (Petitioner): No filing or Service Fee

Receives Notice: The respondent may be served notice by the
law enforcement or through a second party when the petitioner
arranges for. In limited circumstances, certified mail or
publication may be authorized by the court.

Consequences if Order is Knowingly Violated: Violators of
an order may subject the violator to arrest and may result in
criminal or contempt charges. If an order is violated, the
petitioner should notify the police immediately.

Duration: Orders are typically granted for one year.

Forms: www.courts.wa.gov/forms



Island County Superior Court
Clerk of the Court
JANET R. AUSTIN
400 Park Street
Cortesville, WA 98242
PH: (360) 835-3355
FAX: (360) 835-3355

Island County District Court
600 State Avenue
Oak Harbor, WA 98276
PH: (360) 675-2908

www.courts.wa.gov/forms

Additional Information to Consider

- There are a few other types of less commonly used protection orders outside of the scope of this pamphlet. These include **Vulnerable Adult Protection Orders**, **No-Contact Orders**, and **Restraining Orders**. If you think one of these may apply, more information can be found in their corresponding RCW's available at www.courts.wa.gov/forms
- Many Tribal Courts have similar civil and criminal court orders. Check with your local Tribal Courts for details.
- The Clerks of the Courts cannot provide legal advice. If you need assistance from an advocate, contact CADA at (360) 675-2232 or 1-800-215-5669.

Other resources:

- Navy Fleet & Family Services Naval Legal Service Office Northwest (360) 257-2126/2127
- CLEAR (Coordinated Legal Education, Advice & Referral System) at 1-888-201-1014
- Washington Coalition of Sexual Assault Programs
1-360-754-7583
www.wcsap.org

Nature of Proceeding Civil, under RCW 10.14

Who May Obtain One A person who has been seriously alarmed, annoyed or harassed by conduct which serves no legitimate or lawful purpose. Parties are not married, have not lived together and have no children in common, but may be acquaintances (example: coworker, neighbor).

Jurisdiction District Court. Limited provision for referring cases to Superior Court. District, or Superior Court for enforcement.

Cost to Petitioner Contact court for fees

How does the Respondent Receive Notice?

Same as a Domestic Violence Protection Order.

Consequences if Order is Knowingly Violated
Gross Misdemeanor. Possible criminal charges or contempt if knowingly violated.

Maximum Duration of Order

Temporary Anti-Harassment Order – typically up to 14 Days
Permanent Anti-Harassment Order – typically 1 year.

Forms www.courts.wa.gov/forms

Nature of Proceeding Civil or criminal, in context of pending criminal action or as a condition of sentence, under RCW 7.90.

Who May Obtain One A person who is a victim of nonconsensual sexual conduct or nonconsensual sexual penetration, including a single incident, (who does not qualify for a domestic violence protection order) may petition for a civil order. Minors under the age of 16 may have a parent or guardian file on their behalf. The court may initiate issuance on behalf of victims of sex offenses when criminal charges are filed.

Jurisdiction District or Superior Court. See RCW 26.50.020(5).

Cost to Petitioner No Filing or Service Fees.

How does the Respondent Receive Notice? Notice of civil order served on the respondent. Notice of criminal order given to defendant verbally and in writing when order is entered.

Consequences if Order is Knowingly Violated

Mandatory arrest for violating restraint and exclusion provisions. Possible criminal charges of contempt. Class C felony if assault or reckless endangerment, otherwise

Gross Misdemeanor.

Duration typically up to 2 years.

Forms www.courts.wa.gov/forms



WASHINGTON SUPREME COURT
2014 CIVIL LEGAL NEEDS STUDY UPDATE COMMITTEE

Justice Charles Wiggins, Chair (WA Sup. Ct.)
Justice Steven González (WA Sup. Ct.)
Attorney General Robert Ferguson
Chief ALJ Lorraine Lee
Judge Lesley Allan (Chelan County)
Justice Anita Dupris (Colville Tribes)

Ruth Gordon (Jefferson County)
David Keenan (Seattle)
Elizabeth Thomas (Seattle)
Ninfa Quiroz (Seattle)
Sally Pritchard (Spokane)
Virla Spencer (Spokane)

November 20, 2013

Hon. Barbara A. Madsen, Chair
Washington State Gender and Justice Commission
PO Box 41170
Olympia, WA 98504-1170

Re: 2014 Civil Legal Needs Study Update
Request for Financial Support from the Gender and Justice Commission

Dear Chief Justice Madsen,

Please accept this letter as a request on the part of the Washington Supreme Court's 2014 Civil Legal Needs Study Update Committee (CLNS Update Committee) for the Gender and Justice Commission's help in underwriting a comprehensive update of the landmark 2003 Washington State Civil Legal Needs Study (2003 CLNS). This initiative is designed to update our understanding of the substance, prevalence and consequences of civil legal problems experienced by low income and vulnerable people throughout Washington State. It will be a major undertaking. We anticipate the total one-time cost of this project to be about \$350,000.

The Gender and Justice Commission (Commission) was a supporter and co-underwriter of the 2003 CLNS. We respectfully request that the Commission once again become a CLNS sponsor, contributing \$25,000 over the biennium (\$12,500 per fiscal year). Your continued support will help us document the civil legal problems facing low income women, including issues experienced by victims of domestic violence, immigrant women and women reentering society from the juvenile and adult criminal justice systems.

The CLNS Update Committee has secured an initial commitment of \$100,000 from OCLA and is awaiting a like commitment from the Legal Foundation of Washington (final action expected November 22nd). We are working with Attorney General Ferguson (a member of the CLNS Update Committee) to secure a commitment of cy pres or other discretionary funds. The Washington State Bar Association has again agreed to help fund the study, and we are asking other local bar and tribal justice communities to help underwrite the effort. Given that women, children and members of racial and ethnic communities are disproportionately represented in the ranks of the poor and that they experience a disproportionate number of civil legal problems, we are asking the Gender and Justice and Minority and Justice Commissions for underwriting support as well.

Re: Civil Legal Needs Study Update
November 20, 2013
Page 2

The current effort represents a once-in-a-decade investment that is necessary to support and sustain our efforts to identify and address the most critical civil justice needs of low income individuals, families and communities – matters of longstanding concern to the Supreme Court and its commissions. On behalf of the CLNS Update Committee, we respectfully request that the Gender and Justice Commission contribute \$25,000 to this effort.

Sincerely,

2014 CIVIL LEGAL NEEDS STUDY UPDATE COMMITTEE

/S/

/S/

Justice Charles Wiggins
Chair

Elizabeth Thomas
Project Finance Committee Chair

C: Ruth Gordon, GJC Representative to CLNS Update Committee
Jim Bamberger, OCLA Director

PROPOSAL #1 – DMCJA Spring Conference 2014 - Pending

Sponsored by:

- **Lead:** DMCJA Diversity Committee
- **Co-sponsors:** Gender & Justice and Minority & Justice Commissions

Topic/Title: Enhancing Cultural Competency in the Courts – Examining Implicit Bias in Judicial Decision Making

Potential Faculty: *TBD*

Description of Session:

This highly interactive session will define cultural competence and implicit bias. The purpose of the session is to identify and learn about best practices in dealing with cultural competency and implicit biases in a manner that promotes equity and inclusion in the courts. Attendees will engage in mock courtroom scenarios on emerging issues involving cultural competence and implicit bias. By the end of the session, attendees will have developed and analyzed possible solutions to addressing implicit bias and ways to be more culturally competent in the courtroom. This session is intended to build off of the session taught by Peggy Nagae and Benita Horn at Judicial College, by examining some of the new topics in the law that raise the issues of cultural competence and implicit bias.

Objectives:

As a result of this session, judicial officers will be able to:

- Identify situations where cultural competence needs to be addressed, by exploring perceptions and judgments that inhibit cultural competency.
- Build awareness around when implicit bias can effect judicial decision making, and develop concrete ways to deal with it so that it doesn't lead to inequities.
- Leave with tools on how to address implicit bias and cultural incompetency by making interventions.
- Sustain what is learned in the session by transferring knowledge and skills back to the courtroom.

Proposal #2 - Accepted
DMCMA Spring Conference 2014

Sponsored by: Gender & Justice DV Committee

Topic/Title: How Far Would You Go

Potential Faculty: *TBD*

Plenary Choice (1.5 hours)

Description of Session:

The session would be an interactive session with group discussions, scenarios, and speakers looking at unexpected and challenging circumstance that happen in the courtroom, in the courthouse, at the counter, etc. and discuss court decorum, fairness, and strategies for handling unexpected or difficult situations.

Objectives:

Attendees would leave the session with tools and information and would be better able to:

- Assess when something has “gone too far”
- Define your role
- Identify possible response that can mitigate future problems
- Identify potential dilemmas that come into play in each scenario

PROPOSAL #2 – DMCJA Spring Conference 2014 - Pending

Sponsored by:

- **Lead:** DMCJA Diversity Committee
- **Co-sponsors:** Gender & Justice and Minority & Justice Commissions

Topic/Title: Maintaining Fairness in Jury Selection – How to be Prepared for a Batson Challenge

Potential Faculty: TBD

Description of Session:

This session will cover what judges should do when presented with a Batson challenge, in order to guarantee that fairness in jury selection is maintained. There will be a discussion around best practices in dealing with Batson challenges, allowing time for judges to learn from one another about the best practices used in their courtrooms. Judges who attend the session will leave with tools, such as a bench card or checklist, detailing these best practices. There will be a mock courtroom scenario where judges will be able to witness a Batson challenge and a demonstration on what a proper judicial colloquy looks like. There will also be a brief discussion around the issues raised in State v. Saintcalle, the WA Supreme Court case that addressed the issue of racial discrimination in jury selection through preemptory challenges—which is the case that prompted the idea for this education session proposal.

Objectives:

As a result of this session, judicial officers will be able to:

- Walk away with a tool (either checklist or benchcard) detailing best practices in dealing with Batson challenges.
- Learn from other judges about practices used in their courtrooms for dealing with Batson challenges and maintaining fairness for both parties.
- Understand how a colloquy in a Batson challenge looks like through a mock courtroom scenario.
- Understand the different perspectives around the use of preemptory challenges that was raised in the State v. Saintcalle WA Supreme Court opinion.

PROPOSAL #1 – DMCJA Spring Conference 2014 - Pending

Sponsored by:

- **Lead:** DMCJA Diversity Committee
- **Co-sponsors:** Gender & Justice and Minority & Justice Commissions

Topic/Title: Enhancing Cultural Competency in the Courts – Examining Implicit Bias in Judicial Decision Making

Potential Faculty: *TBD*

Description of Session:

This highly interactive session will define cultural competence and implicit bias. The purpose of the session is to identify and learn about best practices in dealing with cultural competency and implicit biases in a manner that promotes equity and inclusion in the courts. Attendees will engage in mock courtroom scenarios on emerging issues involving cultural competence and implicit bias. By the end of the session, attendees will have developed and analyzed possible solutions to addressing implicit bias and ways to be more culturally competent in the courtroom. This session is intended to build off of the session taught by Peggy Nagae and Benita Horn at Judicial College, by examining some of the new topics in the law that raise the issues of cultural competence and implicit bias.

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- Build awareness around when implicit bias can effect judicial decision making, and develop concrete ways to deal with it so that it doesn't lead to inequities.
- Leave with tools on how to address implicit bias and cultural incompetency by making interventions.
- Sustain what is learned in the session by transferring knowledge and skills back to the courtroom.

PROPOSAL #2 – DMCJA Spring Conference 2014 - Pending

Sponsored by:

- **Lead:** DMCJA Diversity Committee
- **Co-sponsors:** Gender & Justice and Minority & Justice Commissions

Topic/Title: Maintaining Fairness in Jury Selection – How to be Prepared for a Batson Challenge

Potential Faculty: TBD

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- Understand the different perspectives around the use of preemptory challenges that was raised in the State v. Saintcalle WA Supreme Court opinion.

Proposal #2 - Accepted
DMCMA Spring Conference 2014

Sponsored by: Gender & Justice DV Committee

Topic/Title: How Far Would You Go

Potential Faculty: *TBD*

Plenary Choice (1.5 hours)

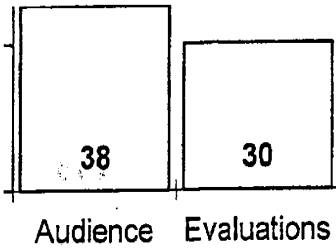
Description of Session:

The session would be an interactive session with group discussions, scenarios, and speakers looking at unexpected and challenging circumstance that happen in the courtroom, in the courthouse, at the counter, etc. and discuss court decorum, fairness, and strategies for handling unexpected or difficult situations.

Objectives:

Attendees would leave the session with tools and information and would be better able to:

- Assess when something has “gone too far”
- Define your role
- Identify possible response that can mitigate future problems
- Identify potential dilemmas that come into play in each scenario



55th Washington Judicial Conference

Monday, September 23, 2013

SESSION EVALUATION

Session:	Same Sex Marriage
Faculty:	Judge Johanna Bender, Ms. Jennie Laird, and Mr. David J. Ward

Please include narrative comments, as well as numeric rating on a 5-point scale.
 (5 = Excellent; 4 = Good; 3 = Average; 2 = Below Average; 1 = Poor; N/A = Not Applicable)

EFFECTIVENESS

	5	4	3	2	1	
1. The objectives of the course were clear.	23	7	-	-	-	4.77
2. The objectives of the course were achieved.	22	8	-	-	-	4.73
3. The faculty engaged me in meaningful activities.	21	8	1	-	-	4.67
4. I gained important information or skills.	1	6	2	-	-	3.89
5. The faculty made a clear connection between the course and the work place.	22	6	1	-	-	4.72
Average:						4.56

COMMENTS:

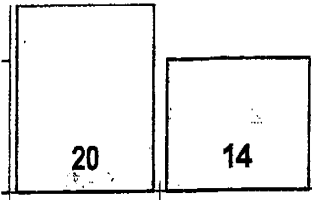
- Steve Dwyer looked very sharp in his suit.
- Very good context. Presenters were good.
- Excellent.

COMMUNICATION SKILLS

	5	4	3	2	1	
1. The faculty was well prepared.	23	6	-	-	-	4.79
2. The presentation was organized.	23	6	-	-	-	4.79
3. Written materials enhanced the presentation.	21	4	3	-	1	4.52
4. Audiovisual aids were used effectively.	14	3	3	-	3	4.09
5. The presentation kept my interest throughout.	21	6	1	1	-	4.62
						Average: 4.56

COMMENTS:

- Very Good.
- Excellent. (1)
- Excellent presentation. Thanks.
- Much of the information was useful and easy to understand.
- Excellent speakers, presentation and context. Way to represent DMCJA Judge Bender!
Great job by all.
- Very well presented. Thorough. Overcame technical problems.
- Excellent, informative presentation by all 3 presenters.



Audience Evaluations

55th Washington Judicial Conference

Monday, September 23, 2013

SESSION EVALUATION

Session:	Emerging Issues of Nations in Transition
Faculty:	Judge Patricia Hall Clark, Mr. Fred Fisher, Chief Judge Mark W. Pouley, and Associate Justice Theresa M. Pouley

Please include narrative comments, as well as numeric rating on a **5-point scale**.
(5 = Excellent; 4 = Good; 3 = Average; 2 = Below Average; 1 = Poor; N/A = Not Applicable)

EFFECTIVENESS

	5	4	3	2	1	
1. The objectives of the course were clear.	13	-	1	-	-	4.86
2. The objectives of the course were achieved.	12	1	1	-	-	4.79
3. The faculty engaged me in meaningful activities.	13	1	-	-	-	4.93
4. I gained important information or skills.	12	1	-	-	-	4.92
5. The faculty made a clear connection between the course and the work place.	12	2	-	-	-	4.86
Average:						4.87

COMMENTS:

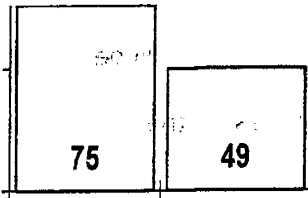
- Definitely needed and will benefit so many facets of the legal system.
- I appreciate the sessions regarding tribal courts and the possibilities for tribal and state judges' collaboration.
- Should provide thumbnail PowerPoint slide so we can take adjacent slides.

COMMUNICATION SKILLS

	5	4	3	2	1	
1. The faculty was well prepared.	14	-	-	-	-	5.00
2. The presentation was organized.	14	-	-	-	-	5.00
3. Written materials enhanced the presentation.	9	4	-	-	1	4.43
4. Audiovisual aids were used effectively.	12	1	1	-	-	4.79
5. The presentation kept my interest throughout.	14	-	-	-	-	5.00
						Average: 4.84

COMMENTS:

- Awesome presentation, need more of these types of sessions. Loved the faculty!
- Presenters were very wonderful and engaging.
- Great speakers – very interesting and useful to my future rotation.
- Providing a copy of the PowerPoint to participants would be very helpful.
- Good.



Audience Evaluations

55th Washington Judicial Conference

Monday, September 23, 2013

SESSION EVALUATION

Session:	Power and Reach of the Internet – Part I
Faculty:	Professor Mary Anne Franks, Mr. Paul J. Lawrence, and Chief Justice Barbara Madsen

Please include narrative comments, as well as numeric rating on a **5-point scale**.
(5 = Excellent; 4 = Good; 3 = Average; 2 = Below Average; 1 = Poor; N/A = Not Applicable)

EFFECTIVENESS

	5	4	3	2	1	
1. The objectives of the course were clear.	30	12	6	1	-	4.45
2. The objectives of the course were achieved.	31	13	4	1	-	4.51
3. The faculty engaged me in meaningful activities.	26	4	12	4	-	4.13
4. I gained important information or skills.	33	10	6	-	-	4.55
5. The faculty made a clear connection between the course and the work place.	29	14	5	-	-	4.55
Average:						4.43

COMMENTS:

- Franks was superb!
- Professor Franks was fantastic!
- Mary Franks was awesome! Good issues raised.
- Great thought provoking session. Thanks
- Tip of the iceberg.
- One of the best ever.
- Excellent presentation.
- Professor Franks was an A Plus! Plus! Although, we didn't have her materials. Mr. Lawrence was good, but not much stimulating information.
- Professor Anne Franks' rocks! As articulate, informed and up to date on material as any speaker I've heard in the past 10 years of attending these conferences. And she was not hesitant to challenge the states good philosophy on blind liberalism in favor of free speech at the cost of the good of man/woman-kind. A very balanced presenter of what is in the public interest is an area where individual "rights" are destroying our culture, individual by individual. Bring her back.

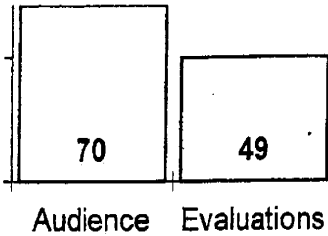
- First amendment versus privacy always interesting, but was not clear as to how this will be dealt with in the work place.
- Would have liked more focus on results of most prominent and for recent cases on the subject.

COMMUNICATION SKILLS

	5	4	3	2	1	
1. The faculty was well prepared.	39	8	-	-	-	4.83
2. The presentation was organized.	34	8	5	-	-	4.62
3. Written materials enhanced the presentation.	13	9	9	2	-	4.00
4. Audiovisual aids were used effectively.	10	2	5	3	-	3.95
5. The presentation kept my interest throughout.	40	6	1	-	-	4.83
	Average:					4.45

COMMENTS:

- Very interesting.
- Excellent.
- Outstanding presentation.
- Great faculty discussion.
- Outstanding speaker.
- Professor Franks was excellent.
- Excellent speakers, particularly Professor Franks.
- Professor Franks is very informative. She does speak a bit fast though.
- Professor Franks may be the best speaker I've ever heard at a CLE/CJE. Very informative, wish there was more time.
- I appreciated Mr. Lawrence's PowerPoint printed in the materials. Professor Franks was brilliant.
- This should have been a plenary session, rather than the search warrant review.
- Organizes of the conference should have planned that this session would be heavily attended (a larger room would have been nice) – given the other choices provided during this time.
- The room was way too small and the video screen too low to see well.



55th Washington Judicial Conference

Monday, September 23, 2013

SESSION EVALUATION

Session:	Power and Reach of the Internet – Part II
Faculty:	Professor Mary Anne Franks, Mr. Paul J. Lawrence, and Chief Justice Barbara Madsen

Please include narrative comments, as well as numeric rating on a **5-point scale**.
 (5 = Excellent; 4 = Good; 3 = Average; 2 = Below Average; 1 = Poor; N/A = Not Applicable)

EFFECTIVENESS

	5	4	3	2	1	
1. The objectives of the course were clear.	28	9	9	-	-	4.41
2. The objectives of the course were achieved.	28	9	9	-	-	4.41
3. The faculty engaged me in meaningful activities.	29	6	9	2	-	4.35
4. I gained important information or skills.	31	11	3	1	-	4.57
5. The faculty made a clear connection between the course and the work place.	32	9	4	1	-	4.57
Average:						4.46

COMMENTS:

- Great session. Very thought provoking.
- Great session, good challenges.
- Maybe less law and more education. Put the judges in the schools to know the kids who will be adults. Sometimes education does not come from home and so get to the kids anyway you can.
- Excellent in every way.
- Very interesting speakers and information. I think it would have been more helpful to be a forum to discuss what is currently going on in our courts and share ideas.
- Thank you Professor Franks.
- It seemed a little all over the place, but very interesting.
- The objective of provoking thought and enhancing sensitivity was certainly met.
- Professor Franks is fantastic.
- Good discussion of the issues and challenges. Would have liked some best practices or remedies, if possible.

COMMUNICATION SKILLS

	5	4	3	2	1	
1. The faculty was well prepared.	39	8	-	-	-	4.83
2. The presentation was organized.	34	8	5	-	-	4.62
3. Written materials enhanced the presentation.	13	9	9	2	-	4.00
4. Audiovisual aids were used effectively.	10	2	5	3	-	3.95
5. The presentation kept my interest throughout.	40	6	1	-	-	4.83
						Average: 4.45

COMMENTS:

- Thought provoking.
- Both presenters were excellent and engaging. Very useful presentations. Makes me want to research the topics.
- Fascinating and relevant. Paul and Anne Marie were excellent.
- This session raised important questions and generated great conversation. Thanks
- Thank you. Will continue to discuss these issues.
- Would have been very helpful if faculty had collected actual tools that could be used by trial court judges. An instruction or proposed statement that each juror would sign, etc. We see these issues every day. I would like to have heard more about what courts are currently doing in response.
- Again, Professor Franks was tremendously interesting – great speaker.
- Thought provoking discussion.
- Thank you for bringing Professor Franks.
- Very interesting topic.



1200 Fifth Avenue
Suite 600
Seattle, WA 98101

Justice... Professionalism... Service... Since 1886

October 25, 2013

206.267.7100 Phone
206.267.7099 Fax
www.kcba.org

Washington State Gender and Justice Commn and
Washington State Minority and Justice Commn
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

RE: Sponsorship for KCBA's Reverend Dr. Martin Luther King, Jr. Luncheon

Dear Committee Members:

The King County Bar Association is pleased to bring **Diane Nash** to Seattle as our speaker for the 2014 Reverend Dr. Martin Luther King, Jr. Luncheon on January 17, 2014, from 12:00 noon to 1:15 pm at the Seattle Sheraton Hotel.

Diane Nash: One of two people who conceptualized and formed Southern Christian Leadership Conference's (SCLC's) initial strategy for the Selma Right-to-Vote movement, as well as participated in its development until its conclusion; the Selma movement was one of the major efforts that resulted in the Voting Rights Act. For this work, she and her co-strategist received SCLC's highest award (Rosa Parks Award) in 1965, which was presented by the late Dr. Martin Luther King, Jr.

Your support of this annual luncheon will help our legal community celebrate Dr. King's legacy and also underwrites the cost of this event. Your organization's name will be noted in the publicity about the luncheon along with other firms and organizations making similar contributions. Sponsors will also be recognized at the program, in the *KCBA Bar Bulletin*, and on the KCBA website. The sponsorship levels for 2014 are:

- **Platinum, \$1,500** (includes 6 complimentary seats)
- **Gold, \$1,000** (includes 4 complimentary seats)
- **Silver, \$650** (includes 2 complimentary seats)
- **Bronze, \$300** (includes 1 complimentary seat)

To follow up on our request, a member of the Reverend Dr. Martin Luther King, Jr. Luncheon Committee will contact you to discuss sponsorship opportunities. On behalf of the Committee, we thank you in advance for your consideration of our request and we look forward for your support of this luncheon honoring Dr. King's legacy.

Sincerely,

Honorable Richard A. Jones, Co-Chair
Rev. Dr. Martin Luther King, Jr. Luncheon Committee

Karen W. Murray, Co-Chair
Rev. Dr. Martin Luther King, Jr. Luncheon Committee

Enclosure: Sponsorship Form



Sponsorship and Table Reservation Form
2014 Rev. Dr. Martin Luther King, Jr. Luncheon
Friday, January 17, 2014 | Noon-1:15 p.m.
Registration opens at 11:30 a.m.
Sheraton Hotel | 1400 Sixth Avenue, Seattle
Keynote Speaker: Diane Nash

Firm/organization name: _____

Contact name: _____

Contact phone: _____ Contact e-mail: _____

2014 Sponsor Opportunities

All sponsors will be recognized by support level in publicity materials at the luncheon and in the Bar Bulletin. All sponsors also receive complimentary luncheon seats as indicated. Each seat costs \$50 and there are a total of 10 seats at each table.

Table with 4 rows: Platinum \$1,500 Sponsor (includes 6 complimentary seats), Gold \$1,000 Sponsor (includes 4 complimentary seats), Silver \$650 Sponsor (includes 2 complimentary seats), Bronze \$300 Sponsor (includes 1 complimentary seat). Includes a callout box: 'The final date for table and sponsorship orders is January 7, 2014.'

Tables

Number of tables @ \$500 each = \$_____ (Tables seat 10 this year. If you are a sponsor, deduct \$50 from the price of the first table for each seat included in your sponsorship.) Tables are available on a first-come, first-served basis.

For additional explanation, please see back page.

Total payment included = \$ _____

Please make checks payable to King County Bar Association, or provide credit card information:

Visa/MC/AMEX _____ Exp: _____

Name on card: _____

Signature: _____

For additional questions, please contact Denise Medlock, Senior Manger, Continuing Legal Education & Events at DeniseM@kcba.org or 206.267.7004.

Sponsorship of the 2014 Rev. Dr. Martin Luther King, Jr. Luncheon is not a tax-deductible charitable contribution.

Special thanks to our lead sponsor:



**SEATTLE
UNIVERSITY
SCHOOL OF LAW**

Please return form and payment to:

King County Bar Association
Attn: 2014 Rev. Dr. Martin Luther King, Jr. Luncheon
1200 Fifth Avenue, Suite 600
Seattle, WA 98101
Questions: 206.267.7004

2014 Rev. Dr. Martin Luther King, Jr. Luncheon Sponsorship & Table Reservations

- ◆ All sponsors will be recognized by support level in publicity materials at the luncheon and in the *Bar Bulletin*.
- ◆ All sponsors also receive complimentary luncheon seats as indicated.
- ◆ Each seat costs \$50 and there are a total of 10 seats at each table.

	Platinum Sponsor 6 free seats at \$50 each	Gold Sponsor 4 free seats at \$50 each	Silver Sponsor 2 free seats at \$50 each	Bronze Sponsor 1 free seat at \$50
Sponsorship	\$1,500	\$1,000	\$650	\$300
Table Cost (10 seats)	\$500	\$500	\$500	\$500
Deduction for free seats	(\$300)	(\$200)	(\$100)	(\$50)
Total for Sponsorship plus 1 Table	\$1,700	\$1,300	\$1,050	\$750

- ▶ For each additional seat, please add \$50.
- ▶ For each additional table, please add \$500.
- ▶ If you would like to simply sponsor the event without purchasing additional seats, then your total is \$1,500, \$1,000, \$650, or \$300 for Platinum, Gold, Silver, and Bronze sponsorship levels.

Diane Nash: One of two people who conceptualized and formed Southern Christian Leadership Conference's (SCLC's) initial strategy for the Selma Right-to-Vote movement, as well as participated in its development until its conclusion; the Selma movement was one of the major efforts that resulted in the Voting Rights Act. For this work, she and her co-strategist received SCLC's highest award (Rosa Parks Award) in 1965, which was presented by the late Dr. Martin Luther King, Jr.

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Sponsorship of the 2014 Rev. Dr. Martin Luther King, Jr. Luncheon is not a tax-deductible charitable contribution.

Judge sentences Kent pimp to 35 years in prison

by STEVE HUNTER, *Kent Reporter Courts, government reporter*

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Shacon Barbee received an exceptional prison sentence of 35 years for pimping girls in Kent and Seattle.

King County Superior Court Judge Patrick Oishi on Friday in Kent followed the state's recommendation to add nearly nine years to the standard sentence range against Barbee for two counts of promoting sexual abuse of a minor. Barbee reportedly made as much as \$192,000 during one eight-month period of pimping.

"I thought about this trial and sentencing and how I would describe it and there are so many words to describe what this case is about," Oishi said. "There was an incredible amount of greed, an incredible amount of manipulation and an incredible amount of a lot of people being hurt, especially young women.

"I think your actions that hurt people are going to continue for years and decades. I do find there are substantial and compelling reasons justifying the exceptional sentence as well as that the jury has found beyond a reasonable doubt the aggravating circumstance (of ongoing abuse against one of the girls)."

After a five-week trial, a jury convicted Barbee, 34, on Sept. 18 of two counts of promoting commercial sexual abuse of a minor; two counts of second-degree promoting prostitution; one count of leading organized crime; two counts of first-degree theft; and one count of second-degree theft.

Barbee asked the court to postpone the sentencing for another week so some of his family could be present, but Oishi denied that request. The sentencing already had been rescheduled from Nov. 8 at the request of the defense.

Valiant Richey, King County senior deputy prosecuting attorney, told the court Barbee deserves a lengthy sentence.

"He preys on girls and young women," Richey said. "He's targeting them because they are the perfect people to exploit. He uses his charm, you can see that evident with how he gives them pep talks, but he also admitted he uses violence and uses manipulation. And why was he doing all of this? There was some personal gratification from having sex with these girls but really it was all about money.

"It wasn't about relationships and the girls believed it was about relationships. They loved him or wanted to believe that they loved him. But he did it to get money."

Kent Police arrested Barbee in December 2010. He reportedly made as much as \$192,000 during one eight-month period as a pimp in Kent and Seattle, according to charging papers. He has remained in custody since his arrest at the county jail at the Maleng Regional Justice Center with bail set at \$500,000.

A then 19-year-old prostitute told detectives that she earned about \$2,000 per week mainly from working along Pacific Highway South in Kent and Denny Way in Seattle. She gave all of that money to Barbee.

Barbee started pimping in January 2007 and had more than 40 women who worked for him, according to charging papers. Richey said even in the county jail, Barbee tried to stay connected to the pimping world.

"He calls his buddies and asks them to play pimping songs to him over the phone," Richey said about the hundreds of jail calls investigators listened to. "That's not remorse. He is embedded in this life and he will never give it up. He's in jail for 2 1/2 years and what's he want to do with his time? Listen to pimping songs."

Richey said one of the girls that worked for Barbee remains involved in prostitution.

"She's clearly not out of the life and may not ever be out of the life because of how entrenched she became because of her involvement with Mr. Barbee," Richey said. "One young lady said she couldn't do this anymore and he said to her what are you going to do, give away your body for free?"

Richey asked for the extra years because of Barbee's abuse of two girls specifically for promoting sexual abuse of a minor.

"That's the only way there can be some justice for those girls who came in to testify and did all of the things that were so hard for them to do," Richey said.

Richey said one of the girls in a letter to the court wrote, "Justice cannot instill a conscience in Mr. Barbee but it can protect society and other young women from him."

Defense Attorney Brian Todd, appointed by the court to represent Barbee who had no money to hire an attorney, argued his client should not receive an exceptional sentence because some of the girls already were involved in prostitution before meeting Barbee.

"Some of these girls in the past had histories prior to Mr. Barbee and I bring that up because Mr. Richey is painting Mr. Barbee as going after these girls when they may not have predisposed to do something it looks like (two of the girls) were predisposed to do that and (one of the girls) continues to do that.

"A sentence within the standard range would serve as punishment and deterrence and safety of the community for the time he is in there. We would ask not to impose an exceptional sentence."

An 18-year-old prostitute told detectives she had been associated with Barbee since she was 13 and began working for him at age 16. Barbee paid for online ads and hotel rooms for the woman and transported her to the "dates."

Barbee would use text messages to communicate with women he groomed to work for him, according to charging documents. He would give them tips on how to manipulate a man, including one message with the title "Why does a hoe need a pimp?"

Barbee would often wake up at noon and be out on the streets until 2 a.m.. He would take the women shopping for clothing, lingerie and shoes. He paid for one of the women to get her nails done every other week at the cost of \$30 and her hair done once a month at a cost of \$100. He also spent money on hotels, cars and Las Vegas trips for his personal pleasure.

"There was a mountain of evidence against you," Oishi said. "There was an overwhelming case presented against you. There is no other way to describe it."

Oishi complimented Barbee about his behavior in court.

"As far as Mr. Barbee, I want to commend you," Oishi said. "This was a long process. You were never a problem. You were always polite and a gentleman throughout the entire process. Considering how long you were in custody and how long this trial was, your ability to keep it together trial should be recognized."

Barbee has a long criminal history, including juvenile convictions for second-degree attempted rape of a child in 1996; taking a motor vehicle once in 1996 and four times in 1995. He has adult convictions for failing to register as a sex offender in 1998 and 2006; unlawful possession of a firearm in 1999; communicating with a minor for immoral purposes in 1999; possessing stolen property in 1998; and taking a motor vehicle in 1997.

Police used an undercover prostitution sting at the Hampton Inn in Kent to catch Barbee. Kent Police seized \$18,000 in cash from a Burien storage unit used by Barbee. Police also seized his Toyota Avalon and a Mercedes S420.

That cash and the cars are in Kent Police evidence. Now with the case done, Kent Police and the city are in the process of getting the case and cars under criminal forfeiture because of the organized crime part of the sentencing, said Eric Steffes, the lead detective on the case.

Steffes said Kent Police Chief Ken Thomas will make the final decision about what to do with the case and cars. He said options include using the money to help the victims in the case. He said the department will try to return the Avalon to one of the women, who Barbee force to sign the car's ownership over to him.

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Winner of Nine Pulitzer Prizes

Opinion

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Guest: Treat sexually exploited children as victims, not prostitutes

Washington state must do more to ensure child victims of sex trafficking are in fact treated as victims of sexual exploitation, according to guest columnists Jeanne Kohl-Welles and Debra Boyer.

By Jeanne Kohl-Welles and Debra Boyer

Special to The Times



EVERY night in King County, 300 to 500 children are out on the streets, lured and forced into prostitution.

We must do more to ensure child victims of sex trafficking are in fact treated as victims of sexual exploitation and provided protection and services — a lifeline essential to helping them get off the streets.

Our state has taken major steps to combat human trafficking, but there is a major barrier to services for commercially sexually exploited children. Child victims of sex trafficking who have been forced into prostitution continue to be treated as offenders and placed in the juvenile-justice system rather than provided services afforded other victims of child sexual abuse and sexual assault.

While we still need better data-collection methods, we know that since 2008, 210 children have been arrested as prostitutes in Washington.

While we've made policy changes to better support these victims, their legal status remains unclear. As they go through the justice system, they yo-yo back and forth between being treated as victims and as criminal offenders.

Offender-focused treatment for these sexually exploited children results in mistrust of those responsible for their well-being and safety. That mistrust drives them back to pimps and traffickers.

The juvenile-justice system has never been completely successful in addressing this problem. It still falls short of offering the noncriminal response needed by traumatized and exploited children.

We need to move children who are exploited sexually and commercially out of the juvenile-justice system, which is designed to work with criminals.

We need to formally and legally redefine them. They are not offenders, they are victims — a status already established under federal law. They would still be arrested and charged if they committed another crime — stealing a car, or selling drugs, for instance.

But children are not prostitutes. They are prostituted through coercion, not choice, and the law should reflect that. If we take this step, both symbolically and legally, we can reduce mistrust of service providers and reduce the chances of child victims returning to the streets and pimps.

We should legally define this type of sexual exploitation as what it is, child abuse, and place it under the purview of Child Protective Services. That agency, along with Adolescent Services provided through the state Department of Social and Human Services and community-based services, could provide housing and treatment for child victims as they come off the streets.

Next legislative session, we expect legislation will be introduced to redefine victims and provide additional support for them. We're going to work with advocates, prosecutors, agencies and the victims themselves to find exactly what solutions will work best. This is the next step in protecting trafficked children and reducing the sexual exploitation of children.

Judge our society by how we take care of our most vulnerable. Few are more vulnerable than sexually exploited children.

State Sen. Jeanne Kohl-Welles, D-Seattle, left, has sponsored legislation combating human trafficking and child exploitation. Debra Boyer is the author of the study "Who Pays The Price?" on child-sexual exploitation in Washington.



Family jailed for refusing to testify against dad

Castle Rock man on trial in case of violent domestic abuse; wife, son, 17, daughter, 13, spend time behind bars before relenting

11 HOURS AGO • BY TONY LYSTRA / THE DAILY NEWS

A Castle Rock mother and her two teenage children were jailed Wednesday morning after they refused to testify against their husband and father in a frighteningly violent domestic assault case. By Thursday evening, after more than 24 hours behind bars, all three relented and agreed to take the witness stand at a future date.

Mother and 17-year-old son were expected to be released Thursday night and the 13-year-old girl could be released this morning, those close to the case said.

Joel H. Darvell, 36, faces up to two decades in prison if he is convicted of choking his wife, pistol whipping his teenage son and firing a single gunshot into a wall on April 27. His trial began in Cowlitz County Superior Court on Tuesday, but it quickly ground to a halt when the prosecution's key witnesses — Darvell's 34-year-old wife and their two children — failed to show up in court to testify.

Judge Michael Evans issued warrants for Darvell's wife and the couple's children. The boy was arrested Wednesday and brought to court, and the mother and daughter later appeared on their own volition. All three refused to testify against Darvell, so Evans held them in contempt. The three were handcuffed and led away.

The boy and girl spent Wednesday night in the Cowlitz County Juvenile Center, and their mother was held in the Cowlitz County Jail. The jury pool was dismissed and the matter was rescheduled for next week. Darvell, who has posted bail, walked out of the courtroom — a free man, for now.

The court faced a troubling irony: A man accused of attacking his family was set free and his alleged victims were now in jail.

"I have never seen anything like this," said attorney Bruce Hanify, who has been practicing law for nearly 30 years and is representing the 13-year-old girl.

Attorneys representing the mother and her children said it was unclear exactly why they refused to testify.

"This has been extraordinarily hard on the mother and the two children," said John Hays, who is representing Darvell's wife. "The prosecutor wants to put the defendant in prison for over 20 years, and (his family members) really do not want that."

The U.S. Constitution usually protects spouses from having to testify against each other, but an exception is made when one of their children is a crime victim, Hays said.

A police report describes a chaotic and brutal scene at the Darvell's Castle Rock home in the early morning hours of April 27. Police said Darvell and his wife had been drinking with a 22-year-old woman. Then Darvell's son awoke sometime after midnight to the sound of his parents arguing. When he got out of bed, the boy saw his father, naked from the waist down, strangling his mother, according to the report.

The boy told police he tackled his dad, hoping to protect his mother. But Darvell grabbed a .45-caliber semi-automatic handgun from the floor and "shoved it into (the boy's) face," according to the report. Darvell then pointed the gun to the side and fired a single shot, injuring no one, then pointed the weapon at his son's head again.

The boy told police "he was terrified and scared for his life, fearing that his dad would shoot him," according to the report.

Darvell then struck his son on the left cheek with the gun, and lead the boy at gunpoint into the living room where he struck him again, this time on the top of the head, again with the handgun, police said.

The 22-year-old woman with whom the Darvells had been drinking was seen moving naked through the fray and at one point jumped out of the girl's bedroom window, according to the report. The young woman was later found passed out in a nearby car and was too drunk to speak, police said.

By the time Castle Rock Police got to the home they found Darvell unconscious on his bed. Officers handcuffed him before he awoke and seized a .45 pistol, which sat on a nearby shelf, according to the report.

Darvell faces charges of first-degree assault with a firearm, second-degree assault with a firearm and fourth-degree assault. He is expected to be back in court Oct. 17, when a new trial may be scheduled.

On Thursday, Darvell's teenaged son, handcuffed and wearing juvie-issue sweats, was brought back to court. He appeared with his newly appointed attorney, Kevin Blondin. Darvell's wife, wearing green jail scrubs, appeared via video link from the jail. She appeared sitting next to her attorney, John Hays. Darvell, accompanied by his own attorney, watched from the gallery.

Both mother and son told Judge Evans that they had changed their minds and had agreed to testify. Evans ordered that they be immediately released and reunited. The judge warned them, however, that if they once again changed their minds and refused to testify he could jail them again.

The girl was not in court Thursday because, according to Hanify, her attorney, she showed no sign of relenting. But, later in the evening, Hanify said the girl had agreed to testify and would likely tell Judge Evans as much at a hearing today. The girl was expected to spend Thursday night in the detention center.

Judge Evans said in court Thursday that he would allow the girl's mother to see her in detention.

“I recognize (she) is 13-years-old, and I don’t have any problems with her mom visiting her tonight,” he said.

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Local News

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Wash. court says gun limits OK before conviction

Washington's high court upheld a state law Thursday that prohibits some suspects in serious criminal cases from possessing a firearm before they have been found guilty of a crime.

By MIKE BAKER

Associated Press

SEATTLE —

Washington's high court upheld a state law Thursday that prohibits some suspects in serious criminal cases from possessing a firearm before they have been found guilty of a crime.

The state Supreme Court said in a 5-4 ruling that the law did not violate the Second Amendment rights of a man who was eventually convicted of unlawful possession of a firearm.

Justices in the majority opinion wrote the law is limited in scope and duration.

"The State has an important interest in restricting potentially dangerous persons from using firearms," Justice Steven Gonzalez wrote in the majority opinion.

The law prohibits people from having a firearm if they have been released on bond after a judge found probable cause to believe the person has committed a serious offense.

The case was brought to the Supreme Court by Roy Steven Jorgenson, who authorities said was found with two guns in his car while he was free on bond after a judge had found probable cause to believe Jorgenson had shot someone.

In one of the dissenting opinions, Justice Charles Wiggins wrote that the Legislature may reasonably regulate the right to bear arms. But he said those regulations must comport with due process.

The "law impermissibly denies Jorgenson his fundamental right to bear arms without due process of law," Wiggins wrote. He said he would have sent the case back for dismissal of Jorgenson's convictions of unlawful possession of a firearm.

The majority opinion acknowledged the significant burden the law places on people charged with serious offenses. Unlike a law that bans loaded weapons in national parks, the state law substantially impedes a person from exercising the right to self-defense, the justices said.

But justices pointed to other court rulings that upheld bans on firearm possession that do not require specific conclusions that a person is dangerous. That includes a ban on firearm possession by noncitizens who are unlawfully in the country, a firearm ban affecting those dishonorably discharged from the armed forces, and firearm limits for those who have renounced U.S. citizenship.

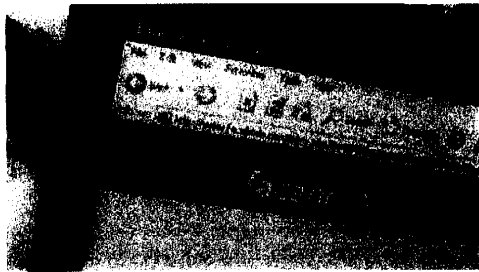
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What are legal options for cyber-bullying victims?

Victims, parents should take action

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By Judge Thomas A. Jacobs, Special to [THELAW.TV](#)

The Internet has given the traditional schoolyard bully an opportunity to become a cyber-bully. Cyber-bullying is defined as the use of electronic communication to convey intimidating or harassing messages. This can be done through email, text, blogs and social networking sites such as Facebook, Twitter, YouTube and Instagram.

The majority of states have laws against cyber-bullying or what's called electronic harassment. Schools are mandated to implement anti-bullying policies and some are authorized to discipline students who violate the rules. Most teenagers are skilled users of all things digital. Their parents, however, fall behind when it comes to evolving technologies. If a student becomes a target of a cyber-bully, what can be done? What legal options are available to the student and parents?

The victim and his or her parents can and should take action. Ignoring the bully will not put an end to the attacks and they can grow into a cyber-mob. If the bully is known, the parents may attempt to discuss the situation with him and his parents. The parents should also notify the principal with a request that the school's bullying policies be adhered to. Schools have addressed cyber-bullying of classmates and teachers through suspension and expulsion in the appropriate case.

Schools are charged with providing a hostile-free learning environment and failure to do so may have legal consequences. Some recent cases have resulted in civil lawsuits brought against the bully, parents, school districts and administrators. Depending on the facts of the case, a variety of legal theories may be pursued including negligence, physical or mental harm, invasion of privacy, defamation of character and intentional infliction of emotional distress.

Another way to deal with a cyber-bully is to seek an Order of Protection from a court. Sometimes referred to as a restraining order or injunction, a violation of the order may result in contempt and possible jail time. The order can restrict a person from all contact with another person or set limitations on the type of contact, frequency and location. Once in place, a protective order will last a specified period of time but may be renewed if necessary.

Finally, if the acts of the bully constitute a crime under relevant statutes, the police may become involved. Crimes including intimidation, threatening, harassment, stalking or impersonation may be filed against the bully in juvenile or adult court. Penalties for conviction include probation, community service, counseling, jail or prison.

It is also possible for the parents of the bully to be prosecuted if their behavior contributed to the acts of their child. For example, as this article is being written, an investigation is underway in Lakeland, Fla., regarding the suicide of 12-year-old Rebecca Sedwick in September 2013. Two young girls have been charged with aggravated stalking and the parents of one may be charged with contributing to the delinquency of a minor.

Speaking of suicide, the bullycide phenomenon is a global concern. Too many teens turn to their friends or remain silent when cyber-bullying starts. Some take their lives out of fear, frustration and loneliness. No parent should lose a child on account of the digital antics of a few. Parents must be vigilant by not looking the other way and understand that cyber-bullying is a health issue as well as a legal one. They need to know their kids' passwords to all of their accounts and monitor them regularly. Age appropriate trust must be built between parent and child so that the teen knows they can tell their parents if cyber-bullying occurs, without fear of losing their cell phone or Facebook account. Netiquette should be an ongoing conversation among family members.

The author, Judge Thomas H. Jacobs, was an Arizona assistant attorney general from 1972–1985 where he practiced criminal and child welfare law. He was appointed to the Maricopa County Superior Court in 1985 where he served as a judge pro tem and commissioner in the juvenile and family courts until his retirement in 2008. He also taught juvenile law for 10 years as an adjunct professor at the Arizona State University School of Social Work. He continues to write for teens, lawyers and judges through his books published by Thomson West and Free Spirit Publishing, Inc. He also writes regularly for teens, parents, and educators on youth justice issues while answering readers' questions at his website AsktheJudge.info.

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