



GENDER AND JUSTICE COMMISSION (GJCOM)

AOC SEATAC OFFICE – SUITE 1106
18000 INTERNATIONAL BLVD, SEATAC WA
FRIDAY, JANUARY 9, 2015 (8:45 A.M. – 12:00 P.M.)

MEETING NOTES

Members Present: Chief Justice Barbara A. Madsen, Chair; Justice Sheryl Gordon McCloud, Vice-Chair; Ms. Laura Contreras (via telephone), Ms. Josie Delvin, Ms. Grace Huang, Ms. Judith A. Lonquist, Judge Eric Lucas, Judge Marilyn Paja, Judge Mark Pouley, Ms. Leslie Savina, Ms. Gail Stone, Judge Tom Tremaine, Mr. David Ward, Ms. Danielle Pugh-Markie, Supreme Court Commissions Manager, and Ms. Pam Dittman, Program Coordinator

Members Excused: Ms. Sara Ainsworth, Judge Michael Evans, Dr. Margaret Hobart, Judge Judy Jasprica, Ms. Trish Kinlow, Professor Taryn Lindhorst, Judge Richard Melnick, Mr. Ron Miles, Judge Ann Schindler, Ms. CaroLea Casas (Student Liaison, University of Puget Sound), Ms. Alexandra Kory (Student Liaison, Seattle University, Law School)

CALL TO ORDER

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

COMMISSION BUSINESS

Chair Report – Chief Justice Barbara A. Madsen

- November 14, 2014 Meeting Notes
The November 14, 2014, meeting notes were adopted as amended per corrections offered prior to and during the meeting.
- GJCOM Order
Every five (5) years, the Commission needs to ask the Supreme Court to renew the Order granting the Commission's continued existence and work. The Order would be submitted for the February en banc for approval and signature by the Justices. When the 2010 Renewal Order was submitted, we revisited the number of members, which has been and currently is 21 members. We are asking for no changes to the make up or structure of the Commission and its membership, including size unless you all believe we should expand. Members present indicated the current 21 member structure is good and suggested to leave as is.
Action: Staff will work on drafting the Renewal Order and submit to the Chief's administrative assistant, Julie Keown.
- Informed Voters, Fair Judges Video
Once again, we tried to play this video for the membership and the equipment was not working correctly. You can view the video at <http://ivp.nawj.org/>.

Action: Staff will contact AOC IT staff and let them know of the problem. (Update: IT staff were unable to replicate the problem. A meeting is in the offing between users of the room and equipment and IT staff.)

Staff Report – Danielle Pugh-Markie and Pam Dittman

Activities & Updates

- Action Items from last meeting

Staff were tasked with several action items during the last meeting and we would like to provide you feedback on those items.

- 1) **Action Item:** Locate the documentary “Anita” and provide options on how to support a showing of this documentary. We can purchase the documentary for less than \$25 and the website provides ideas on how to show the film as a community screening event. The idea would be to partner with others for logistics and spreading the word.

Do a screening the evening prior to the Judicial Officer & Law Student Reception, which is going to be at Gonzaga University this year, and work with the University or local NAWJ members to help promote and attend.

Do something in conjunction with International Women’s Day, March 8, 2015.

Action: Staff will work with Judge Paja, Justice Debra Stephens, Washington Association of Justice, Washington Association of School Administrators (WSLA), Washington Women Lawyers (WWL), Office of Public Defense (OPD), Washington Association of Prosecuting Attorneys (WAPA), Minority Bars, and women centers at colleges.

Action: Work with Thurston County WWL and others to put something on in the Supreme Court Courtroom.

- 2) **Action Item:** Names for vacancies. Danielle has received a few, but still needs some additional leads so she can follow up. The slots that are available are: 1) an attorney who is strong on gender issues and enhancing women in the legal profession; and 2) representation from Eastern Washington as Laura Contreras’ term is up.

Action: Laura is speaking with several individuals to see if anyone is interested and will relay names to Danielle. (Update: Laura has forwarded names to Danielle.)

Action: Judith Lonquist will speak with Vicki Vreeland, the incoming president to Washington State Association for Justice.

- 3) **Action Item:** Model policy on rescission and modification of the no contact orders. Judge Melnick and Ron Miles are the leads on this project and have sent us the responses they received.

Action: Staff to compile responses by March.

- 4) **Action Item:** Continue work with Mission Creek Corrections Facility.

Action: Danielle and Judge Paja to touch base and then reach out to the facility for planning the next event.

Action: The Commission decided this project should be housed with the Incarcerated Women & Girls Committee and Judge Paja indicated she would like to continue to be involved and possibly be the lead for this project.

5) **Action Item:** Fundamentals of domestic violence training.

Action: Danielle will touch base with Judge Paja on this program. Danielle will email people at the American Bar Association (ABA). Grace may also be of assistance.

6) **Action Item:** Public records request to all law enforcement agencies on how they have addressed HB 1840, or if there have been model policies created. Grace mentioned that David Martin, King County Prosecuting Attorney's Office, and Jake Fawcett, Washington State Coalition Against Domestic Violence (WSCADV), have been collecting some of the best practices on surrender of weapons and may have more information.

There was continued discussion as to whether it would be beneficial to send out a public disclosure request to all law enforcement agencies, courts, etc., to inquire what process they have instituted in regards to the surrender of weapons requirements under HB 1840. Staff indicated there are staffing constraints to be able to make this happen. Leslie Savina indicated there is a website through Seattle University, Access to Justice Institute, where one can post a project that they would like completed. Law students may (or may not) contact you to get more details on the project and decide whether they would be interested in working on it.

Action: Staff to follow up with Judge Jasprica so she knows the status of this project as the Commission agreed the DV Committee should take ownership of this project and begin gathering information. At that point, we may be able to work with law students to help gather this information.

- Intimate Partner Sexual Assault (IPSA): The Hidden Dimension of Domestic Violence
On December 3, 2014, we conducted a 45 minute webinar on IPSA. This webinar was an additional piece of our Office on Violence Against Women, sexual assault grant project. The presenter was Lynn Hecht Schafran of the National Judicial Education Program (NJEP). Approximately 42 persons participated. While we only received five evaluations from participants, they did find the program informational and useful. We did notice the geographical diversity of participants, which lends well to the discussion on developing other webinars. We are exploring the idea and topics that would work well in this short time frame.
- Enhancing Courts' Response to Adult Victim Sexual Violence
This one and a half day workshop will be held February 9-10, 2015, in Tukwila and February 12-13, 2015, in Spokane. We have been sending out emails and making phone calls to beef up attendance. The workshop is free and we are offering scholarships to assist with travel-related costs and to cover court's cost for pro tempores. The workshop was specifically designed and developed for judicial officers only. (Update: On January 20, 2015, the decision was made to cancel the February 12-13, 2015, workshop due to

low enrollment. Registrants were given the opportunity to attend the February 9-10, 2015, workshop and all travel-related costs would be covered.)

Faculty consists of Judge Elizabeth Burns, Judge Raquel Montoya-Lewis, and Judge Patty Connolly Walker as the judicial faculty; Dr. Christopher Wilson from Portland will talk about the neurobiology of trauma; Dr. Christmas Covell to talk about sex offender treatment management; and Claudia Bayliff from NJEP will talk about the language of sexual violence. Dr. Wilson will also be talking about vicarious trauma and trauma-informed courts. (Update: On January 16, 2015, Judge Montoya-Lewis indicated with her new duties as judge in Whatcom County Superior Court, she would be unable to continue in her role as faculty. Judge Mark Pouley stepped in as her replacement.)

- Logo Update

Danielle and Pam will be meeting with CaroLea Casas and Leanne Gan to discuss the logos submitted and provide more insight and assistance in directing Leanne on what we are looking for. If Leanne is unable to design something the Commission is pleased with, we may want to set aside funds in the upcoming biennium to secure a professional graphic designer to design a logo for us.

- Legislative Luncheon – March 13, 2015

Danielle has been working with the Chief and Vice Chair on developing this year's legislative luncheon. Staff are reaching out to Secretary of State, Kim Wyman to see if she is interested in partnering with us and assisting in reaching out to women legislators. It was suggested that members who have relationships with legislators also make personal contact and invite them to the luncheon.

Members discussed the location of the luncheon with suggestions of the Columbia Room and the Chief's Reception Room. The Columbia Room is located in the Capitol Building and is open to the public so there may be extraneous foot traffic. The Chief's Reception Room is at the Temple where we held the event last year. Members indicated the preference to have the luncheon in the Chief's Reception Room again this year.

The Chief noted that during the new legislator luncheon, many of the new faces are predominantly women with social service backgrounds who may be interested and supportive of the work we do. We also need to work with Dr. Lindhorst on a plan to update the 1989 Task Force Report and the 1991 Glass Ceiling survey.

Members suggested that we do something as a precursor to the luncheon, where we may want to reach out to them beforehand and ask them if they have anything they would like for us to focus on or need help with.

It was also suggested that maybe we show commonality through historical perspective of women in leadership and within in our state. For example: In 1900, there were X amount of women in Congress, X amount of women judges, etc. Then show correlation to 1989, when the report was released, there were X amount of women in Congress, X amount of women judges, etc.

We should also talk about the connections we have made through legislation. For instance, let the legislators know what happens when the GJCOM is named/tasked to do something in conjunction with legislation and what that means to us and how it is played out in the trenches. We would be talking about how the GJCOM is doing some of the work and provide updates and show how it's the connection that we have to their work and how we move it forward. Also, maybe we should ask Judge Theresa Pouley if she would be interested in speaking about VAWA 2013 and the connection between the Legislature and the courts.

Action:

- If you have contacts with any female legislators, let Danielle know. Grace, Gail, David, and Josie will help make contact with legislators they work with.
 - Staff contact Kim Wyman and continue planning.
 - Staff contact Dr. Lindhorst re: update to task force report and survey.
 - Staff create a save-the-date card/flyer.
- Budgets
The meeting packet includes the latest budgets for the Commission and the FFY14 STOP grant. The budget for GJCOM goes through June 30, 2015, and the STOP grant budget is for this calendar year. You may notice that we had a slight increase in our STOP grant funds. The requirements changed this year and we are required to allocate 25 percent of STOP grant funds to sexual assault projects, work, staff time, etc. This work cannot be comingled with domestic violence work.

Guest Speaker & Exploratory Projects

National Association of Women Judges (NAWJ) 2016 Conference – Justice Susan Owens
We invited Justice Owens to speak to us today, because in 2016 Washington State is hosting the NAWJ Annual Conference and Justice Owens is acting in the role as Chair for this event. The exact dates are not known yet, but it will be in October 2016, and will be held at The Seattle Sheraton.

The NAWJ's Annual Conference provides cutting edge educational programs, many of which have been brought back for the benefit of Washington judges over the years. It is attended by 200 to 300 judicial officers and others and there is usually a contingent of international judicial officers.

- Fundraising Needs
 - Establish a "friends committee" to help raise the funds.
 - Identify co-chairs for this committee.
 - We need to raise a minimum of \$200,000, some of which is used for scholarships for the international judges to attend.
- Opportunities
Usually the Conference provides an overview of the location and items indigenous to the state as part of the welcome package for attendees. We would like to see this as a statewide effort and not only local to Seattle. The welcome package usually has goodies

indigenous to Washington State such as side trips people can take, food, etc. We will need people to help call law firms etc., to find out who could help provide.

We may also be able to loop in the three law schools and law students to assist, whether it be to provide helping with directions, staffing information tables, etc.

The 2015 NAWJ Conference is being held in Salt Lake City and we will be in charge of hosting a hospitality night, which is used to showcase Seattle and drum up interest and enthusiasm for people to attend.

- **Friends Committee**
Usually members are from the bar who not only ask for donations from larger entities like the universities, Microsoft, Starbucks, Boeing, Costco, Amazon, Seahawks, Nordstrom, etc., but also reach out to friends and host smaller venues to help garner interest and funding. For example, at a previous NAWJ Conference, there was a session on labor trafficking and one of the hotel chains along with a big pharmaceutical company co-sponsored the session and came in and spoke about why the topic was important to them from their perspective. These events tend to highlight the work of the NAWJ and in this case, if the GJCOM is working really closely with the NAWJ, maybe highlight the work of the Commissions.

Action: Contact the Chief, Justice Owens, and/or Danielle if you have ideas or are interested in volunteering.

Committee Reports

- Communications Committee (Ron Miles, Chair)
Pam Dittman reported for Ron Miles who was unable to make this meeting. The Communications Committee held its first conference call in December to discuss the work plan.
 - Annual Report
The Committee approved the work plan, made some adjustments to the timelines associated with projects, and have begun working on the 2014 Annual Report. Pam, with Committee input, designed a mock up for this report. We have provided it to you for your perusal. We are drafting the verbiage for the report, the welcome letter from the Chief, and several other areas.

We pose these questions to you: what may be missing, what should we highlight, and what topics should be in the “looking ahead” piece.

Members indicated they would like to see:

- 1) An explanation for where the funding for the Commission comes from and the relationship between the STOP grant funds and the Office on Violence Against Women.
- 2) A recognition of our partners on projects. This shows that we are not treading new ground or duplicating efforts, and are working with others on the issue and for a common goal.

- 3) Cover art. Justice Gordon McCloud mentioned she has a copy of a 1985 lithograph by Linda Hawkin-Israel and we may be able to check with the artist and see if she would give us permission to use the image on our report.
- 4) Looking forward.
Members discussed a write up for the need to revise the 1989 task force study and glass ceiling survey given the amount of time that has passed and societal changes and how new changes are affecting gender in our courts. Highlights of what we plan on talking about to the women legislators, maybe history of the Commission and how we continue to answer tasks from the 1989 report, technology and privacy (non-consensual pornography, Back Page, webcams on law enforcement officers, threatening speech on social media, etc.), a “wish list.” Also the work we will be doing in 2015 with the Tribal State Court Consortium.

Action: Judith Lonquist personally knows Linda Hawkin-Israel and will speak to her about using the artwork and possibly providing a write up of the inspiration behind the piece. Linda’s other projects were discussed and we may want to ask her to be a speaker at Commission events, such as the Legislative Luncheon.

- Mission Statement
One of the other projects that the Communications Committee also talked about, is resurrecting the work Ron started in 2012 on revising the Mission and Vision to be more concise and easier to convey. We will continue to work through this and plan on presenting options to the Commission in the future.
- Domestic Violence Committee (Judge Judy Jasprica, Chair)
Pam Dittman reported for Judge Jasprica who was unable to attend this meeting. The Center for Court Innovation conducted three site visits to Spokane, Cowlitz, and Benton-Franklin Counties in December 2014. They were able to observe domestic violence court proceedings and conducted interviews with judicial officers, court administrators, probation, law enforcement, and advocacy groups. The draft report is due mid-February at which time the Committee will review it and make any suggestions. The plan is the Committee will use the report as direction for future Committee work.
- Education Committee (Judge Rich Melnick, Chair)
Danielle Pugh-Markie presented on behalf of Judge Melnick who was unable to attend. Danielle provided an overview of several programs the Commission is supporting in the upcoming months. We will have sessions at Judicial College on domestic violence, protection orders, and the *In Her Shoes* simulation. Additionally, the Interpreter and Minority & Justice Commissions both have sessions.

David Ward has agreed to be faculty for the Abusive Litigation Session at the Superior Court Judges’ Association (SCJA) Conference and we’re identifying a judge to co-present with him. Grace Huang will present on the DV manual update/firearms session and Danielle is working with Judges Anne Hirsch and Elizabeth Berns on the firearms piece for that session. We will be co-sharing that session with an update about Court Appointed Special Advocates (CASA), which Danielle is getting more information on what that entails to see how we can dovetail our sessions into that.

For the District and Municipal Court Judges' (DMCJA) Conference we also secured a 90-minute time slot for a session on DV and firearms. For the Appellate Conference, the topic is Feminist Legal Theory and Dr. Dana Raigrodski, University School of Law, will be the faculty. Her bio is included in the meeting packet.

Fall Conference will be a joint effort with the American Judicial Association (AJA) and is being held October 4-7, 2015 at The Sheraton Seattle. Danielle has been asked to work with National Association of State Judicial Educators to develop sessions on DV and cultural competency. Danielle is working with Judge Catherine Shaffer and Judge Libby Hines, Ann Arbor District, Michigan. There is discussion on having one major Conference theme for AJA members and that will also pertain to Washington judicial officers along with making some sessions available and Washington-specific and would include the business meeting.

- Incarcerated Women & Girls (Sara Ainsworth, Chair)
Sara was unable to attend today so Pam provided an update. Sara and Pam will be scheduling a conference call to discuss next steps and how to pull together a small sub-committee that will focus on specific areas that we can collaborate on to fix, such as access to forms or notification of court dates. And then we will discuss adding in Mission Creek as another project for the year. Members brought up that they would like to see a continued discussion with Department of Corrections on bringing in domestic violence services/advocacy to women housed at Mission Creek as this is not something currently being addressed. Since Mission Creek is the last stop prior to re-entry, it is important for the women to understand how to recognize how DV has affected them, how to reintegrate into the community, what skills may be needed, support groups, etc.

There was also discussion during this update about the overlap with the Minority and Justice Commission (MJCOM) and the Tribal State Court Consortium and how the disproportionality of peoples of color are being incarcerated. We may want to collaborate on a project with MJCOM to evaluate and identify the disproportionality and if there is, how might we address it. Danielle indicated she had met with Justice Yu prior to this meeting and MJCOM is talking about re-entry and how the upcoming Supreme Court Symposium being held May 28, 2015, is focusing on re-entry for both women and children.

The group also asked if there was any way to inquire or find out if the crime the person is incarcerated for has a direct relationship to DV or SA. For example, assaulting their abuser.

Leslie Savina mentioned that her colleague Elizabeth Hendren, who participates in a work group, holds a legal clinic a few times each month at Mission Creek. She indicated that there is no access to legal materials at Mission Creek and that there is supposed to be the ability for them to be transported to Purdy to access their legal materials, which isn't happening. Maybe with a more formal request from GJCOM, this may be able to move forward.

Action: Staff follow up with Sara, re: next steps and the Mission Creek project and follow up with Department of Corrections on the Gender Responsive Initiative and having a staff person be a guest speaker at GJCOM meeting.

- Tribal State Court Consortium (TSCC) (Judges Mark Pouley and Tom Tremaine)
The first TSCC regional meeting will be held on Wednesday, February 26. It is being hosted by the Suquamish Tribe. Judge Cindy Smith is assisting with the logistics. Judges Pouley, Smith, and Tremaine have assisted with identifying which tribes to invite and a letter will be going to those tribal courts along with their state court counterparts from all court levels. The agenda is pretty ambitious and we are in discussions with Jerry Gardner and at least one of his colleagues from the Tribal Law and Policy Institute to help facilitate the afternoon portions.

Members asked if we could also ask someone from the Tulalip Tribe, i.e., Judge Theresa Pouley, to come speak to the GJCOM regarding issues that they are seeing around the enhanced jurisdiction, impact on surrounding community, and if there are ways state courts can support the efforts. It would be interesting to hear what is happening on DV and SA cases and what exactly is covered in the new enhanced jurisdiction provisions. It's unlikely we will see a lot of tribes start prosecuting these cases come March. There is much planning needed and tribes are evaluating their infrastructure.

Tulalip, as a pilot site, has been prosecuting these cases under the new enhancements since February 2014 and have had two things come up. The first is they don't have jurisdiction over the children or crimes against the children. But there's also a push nationally to amend VAWA to include children. The other thing that happens is usually there are other crimes that co-occur with the DV crime (drug, property, etc.) that are outside the tribe's jurisdiction. It's a conversation that we're going to have to entertain, which is even though the tribes are going to have more jurisdiction to prosecute DV cases, there is the potential for overlap and coordination being needed between a tribe and the county. The other pilot sites are the Umatilla Tribe and Pasqua Yacqui. For more information on the Tribal Implementation of VAWA, go to: <http://www.ncai.org/tribal-vaawa/pilot-project-itwg/pilot-project>.

- Women in the Profession (Judith Lonnquist, Chair)
Judith reported that the Committee has three projects: Judicial Officer & Law Student Reception, evaluations, and update to the 1989 Task Force Report including the 1991 Glass Ceiling Survey.
 - Reception: In the past we have held the event in the Spring, but the past few years, we moved it to Fall because of timing. This year we are proposing holding the reception in Spokane. Fall tends to be very busy with dinners and events, but by holding it later in the year, Judge Paja has been able to ask for additional monies from NAWJ as their budget cycle ends at the end of the calendar year and we can ask to tap into unspent funds. If we hold the event in the Spring, we will only be able to ask NAWJ for one, \$500 scholarship.

With moving the event to the Fall, NAWJ has been able to provide two, \$500 scholarships and this year, we were able to secure a third one after the fact and

awarded it to Miss Erica Evans who was the third choice applicant. We were able to do a small ceremony where Judge Karen Donahue was able to present it to Erica at the King County Courthouse.

After discussion, Commission members agreed to continue to hold the reception in the Fall and suggested early November or October. Members also suggested we reach out to the Washington Women Lawyers to see if they would like to donate towards the scholarship. We are planning to hold the reception at Gonzaga and need to begin planning for the event, such as a showing of the movie Anita that will draw students and judicial officers.

Action:

- Staff contact Gonzaga Women Lawyers Caucus.
 - _____ contact Washington Women Lawyers to see if they would like to donate.
 - Judge Paja will contact NAWJ.
- Glass Ceiling Survey: This is a large project and on hold for the moment. See comments in Legislative Luncheon (above).
 - Judicial Evaluations: We are still looking at the judicial evaluation tool and committed to having it adopted statewide.

Action: Please let the Chief and Danielle know if you would be interested in chairing this Committee as Judith will be leaving the GJCOM in June when her second term is up.

Miscellaneous:

The Commission team is designing a stand-alone brochure/insert highlighting the collaboration efforts amongst the Commissions. The intent of the brochure is to provide a very quick, clean, way to highlight the work of each Commission (Minority and Justice, Interpreter, and Gender and Justice), who the team is, and what our collective work has been over the year and what we're looking forward to as well. Each Commission is planning on having its annual report ready by the end of February.

The Chief indicated we should also include the Commission on Children in Foster Care because we have collaborated with them on projects such as the Tribal and Court Consortium and a training on the commercial sexual exploitation of children. It's an important Commission in regards to juvenile justice issues and we ought to include them.

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