



Gender and Justice Commission (GJCOM)
SeaTac Office
18000 International Blvd
Monday, September 11, 2017 (8:45 AM – 12:00 PM)

MEETING NOTES

Present: Justice Sheryl Gordon McCloud, Chair; Judge Marilyn Paja, Vice Chair, Judge Richard Melnick, Judge Cindy K. Smith, Ms. Leslie Savina, Ms. Gail Stone, Judge Eric Lucas, Ms. Josie Delvin, Ms. Jennifer Ritchie, Justice Susan Owens, Ms. Sonia M. Rodriguez True (via phone)

Guests: Ms. Elizabeth Hendren, Justice Faith Ireland, Ms. Callie Dietz

AOC Staff: Ms. Nichole Kloepfer, Ms. Kelley Amburgey-Richardson, Ms. Kathy Bradley, Ms. Michelle Bellmer

Excused: Ms. Grace Huang, Judge Michael Evans, Dr. Dana Raigrodski, Ms. Rita Bender, Ms. Trish Kinlow, Ms. Gail Hammer, Ms. Vicky Vreeland

CALL TO ORDER

The meeting was called to order at 8:50am.

May 12, 2017 Meeting Notes

Minutes approved and passed unanimously as presented.

Guest Speaker

- Ms. Callie Dietz, State Court Administrator, AOC
 - Ms. Dietz has recommended that GJCOM look into applying for technical assistance/planning grant from the State Justice Institute for the gender bias study.
 - Applications are due Nov 1st. The grant would be for a year or less, to help GJCOM be in the best position to submit a large grant proposal to conduct the study, with the idea that the Gender Bias Study will be published and used as an instrument for other states to conduct their studies.
 - The National Center for State Courts (Laura Klaversma) will consult with GJCOM and help GJCOM apply. They have been contacted and are reviewing GJCOM's materials.

Gender Bias Study – Justice Sheryl Gordon McCloud

- Report back from July 27th meeting
 - The study workgroup met on July 27th with additional stakeholders – Justice Madsen, Judge Kristin Richardson, Rob Mead, Laura Edmonston, and Erin Moody.
 - The group was able to take a year's worth of data and information, and crystalize it into priorities.
 - A consensus was reached about the topics to prioritize for the new study, and the group is excited to have reached this stage of the process.

➤ Advisory Committee

- The Advisory Committee for the study will be an influential group of statewide leaders in variety of categories.
- These individuals may participate in the grant planning process.

➤ Subcommittee breakdown and leaders

- The new study will include a race and poverty focus
- Subcommittee categories are:
 - Gender impact of barriers to getting into court
 - Gender impact of substantive legal doctrines – civil
 - Original study issues plus sexual harassment in the workplace
 - Gender impact of substantive legal doctrines – criminal
 - Gendered impact of substantive legal doctrines – juvenile
 - Treatment of lawyers, litigants, judges, and court personnel
 - New study will include jurors
 - Consequences after leaving the courthouse and gender
 - Follow-up on findings and recommendations
 - This will include what the status of each recommendation is
- Will be selecting leaders for each subcommittee. These will be the groups doing the intensive work on the study.

➤ Additional funding options

- Justice Gordon McCloud sent a letter to the Washington Pattern Instructions (WPI) Committee asking for their support for the study. They are open to receiving a specific funding request.

Washington Women Lawyers – Jennifer Ritchie

- The Washington Women Lawyers' Annual Conference will be held October 14th in Spokane.
- The WWL has a committee on incarcerated women that may be interested in being a part of the Gender Bias Study.

ACTION: Jennifer Ritchie will reach out to the WWL committee on incarcerated women to see if they would like to be part of the Gender Bias Study.

Tribal State Court Consortium – Judge Cindy K. Smith and Justice Susan Owens

➤ TSCC Regional Meeting

- Judge Smith and Justice Owens shared their favorable impressions of the recent TSCC Regional Meeting, held on the Colville Reservation.
- The report and minutes from this event are included in the meeting packet.

➤ TSCC Annual Meeting

- The TSCC Annual Meeting will be held on September 18th at fall judicial conference and is staffed by Commissions staff. All are invited to attend.
- The meeting will include dinner and a film screening and discussion of the film, Tribal Justice.

➤ Scholarships for tribal court judges

- In the past, scholarships have been provided by AOC for tribal court judges to attend the fall conference. This year, AOC decided not to provide funds for this.
- The TSCC wants tribal court judges to be able to attend, and they do not have funding without these scholarships. Many judges dropped out when funding was not provided.
- The Supreme Court determined that tribal court judges should be able to receive these scholarships.
- Ms. Callie Dietz will be working to personally reach out to those who dropped out and let them know about the funding.
- Funding will be provided in future years as well.

Incarcerated Women and Girls Committee – Gail Stone

➤ “Court Access for Incarcerated Parents” Convening

- There are many barriers that incarcerated parents face in trying to participate in their family law and/or dependency cases. There is no uniform, statewide procedure that courts use when an incarcerated parent wants to remotely participate in a hearing, trial, or other court proceeding.
- In June 2017, the IWG Committee, in partnership with the Coalition for Children of the Incarcerated, hosted a convening to find solutions that will facilitate participation.
- The objective was to remove barriers that exist institutionally within the courts and prison systems, and to create a statewide procedure for incarcerated parents to remotely participate in their family law and dependency cases.
- The event was attended by about 50 people from currently incarcerated parents, to family law and dependency attorneys, to judicial officers, to DOC leadership.
- Several workgroups were created during the event, and those groups will continue to work on issues identified. The group that is drafting a court rule for telephonic access has been the most active thus far.
- A draft report from the event is included in the packet.

➤ Success Inside & Out

- The Mission Creek Reentry Conference will be held on September 28 – 29th at the correctional facility.
- GJCOM sponsors this event in addition to NAWJ, and provides some staffing support.

➤ Reentry Simulation

- Members of the IWG Committee recently attended this event put on in Seattle.
- The Commission is considering sponsoring an education session like this at upcoming judicial conferences. Members of the Committee shared their experiences.
- Judge Lucas reports that a proposal has been submitted by an SCJA committee to conduct one of these at the SCJA 2018 Spring Program.

Communications – Judge Marilyn Paja

➤ Gender and Justice 2015 - 2016 Report

- The report was published in August, and a copy has been provided for everyone.
- It will also be distributed at fall conference.
- Judge Paja would like it to be distributed to all judicial officers, entities that are featured as partners in the report, and other potential partners. This should include NAWJ, Mission Creek, QLaw, and Coalition for Children of the Incarcerated.

➤ Women's History Month

- The committee needs to determine what the focus and audience for this year's event will be.
- The past few years, legislators have been invited but have not attended, because of the time it falls during legislative session.
- Commissioners should think about what the best approach is for an event like this, and provide input to the Communications Committee.
- Gail Stone suggested reaching out to retired legislator Mary Helen Roberts for her input on what her colleagues would find responsive and helpful.

➤ Gender and Justice Mission Statement

- A brief discussion was held about the need to make sure the Gender and Justice mission statement is inclusive of transgender individuals.

ACTION: Staff will distribute report by mail to judicial officers and other entities.

ACTION: Judge Paja will review the mission statement to see if revision is needed.

Education – Judge Rich Melnick

➤ Education Meetings

- The Committee will meet on September 27th in person at the AOC Olympia Office.
- Joint Commissions
 - Members of each Commission's leadership and Education Committee met recently to discuss ways the Commissions could collaborate more.
 - The group will meet again at fall conference to follow-up and consider how to continue to work together.

➤ Fall Conference – September 17 – 20th

- GJCOM is sponsoring two sessions and both are ready to go:
 - Impact of DV on Children – Dean Jeff Edleson
 - Transgender Parties and the Courts – Panel presentation
- Dean Edleson and Professor Suddha Shetty are also presenting a CLE for the Clark County Bar on the Hague Convention and DV.

➤ Appellate Conference

- Judge Melnick is working with Justice Stephens on a joint session with MCJOM on Collateral Consequences of Convictions.

➤ SCJA Spring Program

- Session proposals have been submitted:

- Court Access for Incarcerated Parents: Family Law & Dependency Cases
- Domestic Violence & Family Law Case Law Update

➤ DMCJA Spring Program

- Proposals are due at the end of September.
- The Education Committee plans to submit one on “Understanding Tech Misuse in DV Cases, Part 2,” because part 1 was very well received last year.
- Additional suggestions are welcome.

➤ Judicial College Planning

- The first meeting with faculty is scheduled for Thursday. Judge Anne Hirsh will shadow Judge Charles Short this year and will teach for 3 years after that.
- The planning group is using a memo from Leslie Savina about what judicial officers need to know about domestic violence as a basis for the session.

Chair Report

➤ Nominations Committee

- New Commissioners were selected by the Nominations Committee out of a pool of 19 excellent candidates:
 - Judge Anita Crawford-Willis, Seattle Municipal Court
 - Former ATJ Liaison to the Commission. ALJ before Municipal Court Judge. Very interested in working on Gender & Justice Study.
 - Ms. Riddhi Mukhopadhyay, Sexual Violence Legal Services of the YWCA of King and Snohomish Counties
 - Expertise in sexual assault, domestic violence, legislative work, LGBTQ issues, immigrant victim issues. Recent faculty for GJCOM-sponsored trainings.
 - Ms. Patricia Eakes
 - Private practice attorney who is principle in minority & woman owned law firm. Expertise in prosecution, defense. Extensive impressive work history.
 - Ms. Heather McKimmie, Disability Rights Washington
 - Expertise in: disability issues, incarceration, public defense and criminal appeals. Externed for Justice Gonzalez.
- We hope these four will join us in November for their first Commission meeting.
- Other candidates have been invited to participate in committee work and encouraged to apply again.

➤ HB 1163 Implementation

- Judge Paja is chairing this effort for GJCOM, and she is interested in selecting a Co-Chair, preferably a Superior Court Judge.
- The legislature allocated \$53,000 for this initiative. AOC has contracted with a half-time staff person.
- Stakeholders are convening for their first meeting on October 4th
 - Letters went out mid-August to those named in bill. A copy is in the meeting packet.
 - Letters also went out to organizations not named in the bill, including:

- Tribal judges
- Tribal treatment providers
- API Institute on Gender Based Violence
- Additional public defense agencies
- Judge Paja is interested in having a representative from MJCOM on the risk assessment workgroup.

BREAK

Guest Speaker

- Hon. Faith Ireland, Executive Committee, Gender & Justice Task Force 1987 - 1989
 - Justice Ireland spoke about the 1989 Gender and Justice in the Courts Report and the study process.
 - The purpose was to raise awareness and ability to talk about gender based issues in the judicial system.
 - They brought together people with the best knowledge and stakeholders (lawyers, judges, professors, social services).
 - One issue was creating a common vocabulary that could be used and carry meaning.
 - Stakeholders identified problem areas, custody issues, divorce, civil litigation, gender bias in legal profession, statutory law, etc.
 - The study found that elimination of gender bias in the judicial system was critical, and it still is.
 - After the study, the Implementation Committee functioned like GJCOM functions now, carrying out the recommendations, until GJCOM was officially formed in 1994. Justice Ireland chaired from 1989 – 1994.
 - Revisiting the study is a very timely effort.
 - In Justice Ireland's opinion, the biggest problem is pay inequity for women. In a study of pay inequity, Washington is Tier 3 – women are paid 71-80% of what men are paid for the same work. This has been studied for some time and WA has not moved very far.
 - Judge Paja asked if Justice Ireland would do an interview with AOC about the Gender Bias Study, and she would be open to that.

Vice Chair Report – Judge Marilyn Paja

- NAWJ Midyear Conference
 - The report written by Judge Paja to the Commission after attending the event is included in the packet.
 - At the conference, the NAWJ Board voted to support GJCOM's new gender bias study effort.

Staff Report – Kelley Amburgey-Richardson

- GJCOM Funding Overview Presentation
 - Gender & Justice receives two main sources of funds, the VAWA STOP grant and state general funds.
 - STOP funds are for DV, SA, Stalking, and general funds are for any purpose.

- The funds operate on different fiscal years, and sometimes activities move from one to the other depending on the time of year and other factors.
 - If you are planning a GJCOM event and need funds in addition to what was allocated in the budget, please contact staff to discuss options.
 - The STOP funds could support a significant project. GJCOM should be thinking about what this might be in the future.
- New fiscal year budget
- New year GJCOM (general funds) budget is in the packet. This fiscal year started July 1, 2017.
- 2017 STOP Grant
- GJCOM is on track to spend the allocated funds. If this changes, this will be an item on the November meeting agenda.
- 2018 STOP Grant
- The STOP grant funds some consistent activities each year, e.g., DV Symposium and other education programs, scholarships for judicial officers to attend national training, staffing for STOP activities.
 - It also funds one-time or occasional projects each year, such as bench guide updates or the DMCMA regional trainings that took place in 2017.
 - What projects would Commissioners like to include this year?
 - DV and firearms regional trainings
 - HB 1163 DV Workgroups
 - Set-Aside
 - In the past, GJCOM was required to devote a percentage of the total grant funds to sexual assault issues. This is no longer required, although it is expected that GJCOM will continue to focus on this issue.
 - GJCOM is now required to set-aside a percentage of total funds to assisting tribal courts with DV, SA, and Stalking issues. The TSCC Committee will be working to develop projects for these funds.

ACTION: Staff will solicit additional input about STOP grant projects via email, so that Commissioners who were not present have this opportunity.

The meeting adjourned at approximately 12:00pm.