



GENDER AND JUSTICE COMMISSION

AOC SEATAC FACILITY

MONDAY, SEPTEMBER 11, 2017 (8:45 AM – NOON)

JUSTICE SHERYL GORDON MCCLOUD, CHAIR

JUDGE MARILYN PAJA, VICE CHAIR

Agenda

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8:45AM – 9:00 AM CALL TO ORDER

- Approval of May 12, 2017 Meeting Notes

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9:00 – 9:15 AM GUEST SPEAKER (via phone)

- Ms. Callie Dietz (*tentative*)

State Court Administrator, AOC

9:15 – 10:45 AM COMMITTEE AND PROJECT UPDATES

- **Gender Bias Study**

- Report back from July 27th meeting
- Advisory Committee selections
- Subcommittee breakdown and leaders

Justice Gordon McCloud &
Committee

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- **Tribal State Court Consortium**

- Regional meeting
- “An Evening of Collaboration” Meeting and film screening

Justice Susan Owens

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- **Incarcerated Women and Girls Committee**

- Report back from “Court Access for Incarcerated Parents” Convening
- Reentry Simulation

Ms. Gail Stone & Committee

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- **Communications**

- Gender and Justice 2015 - 2016 Report

Judge Paja

- **Education**

- Joint Commissions Education Meetings
- Upcoming education programs
 - Fall Conference
 - Appellate Conference
 - SCJA
 - DMCJA
 - Judicial College

Judge Melnick & Committee

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10:45 – 11:00 BREAK



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MONDAY, SEPTEMBER 11, 2017 (8:45 AM – NOON)

JUSTICE SHERYL GORDON MCCLOUD, CHAIR

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11:00 – 11:15 AM GUEST SPEAKER

- Hon. Faith Ireland Executive Committee, Gender & Justice Task Force

11:15 – 12:00 PM CHAIR AND STAFF REPORTS

- **Staff Report** Ms. Kelley Amburgey-Richardson **27**
 - GJCOM funding overview
 - New fiscal year budget
 - Protection order forms translation update
- **Chair Report** Justice Gordon McCloud
 - Nominations Committee meeting
 - New Commissioners will attend Nov. meeting
 - HB 1163 Implementation **29**
- **Vice Chair Report** Judge Paja
 - NAWJ Midyear Conference **31**

APPENDIX

- Gender & Justice Meeting Dates 2018 **33**

The Incarcerated Women and Girls Committee will be meeting in the room adjacent directly after the Commission meeting.



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

MEETING NOTES

Present: Justice Sheryl Gordon McCloud, Chair; Judge Marilyn Paja, Vice Chair; Ms. Grace Huang, Judge Richard Melnick, Dr. Dana Raigrodski, Judge Cindy K. Smith, Ms. Rita Bender, Judge Michael Evans, Ms. Leslie Savina, Ms. Emily Cordo, Ms. Vicky Vreeland, Ms. Gail Stone, Ms. Emily Miner, Ms. Anela Ramic, Judge Eric Lucas, Ms. Gail Hamer, Ms. Trish Kinlow, Ms. Josie Delvin

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

Excused: Judge Judy Jasprica, Judge Anita Crawford-Willis, Judge Mark Pouley, Ms. Sonia M. Rodriguez True, Mr. David Ward, Ms. Jennifer Ritchie

CALL TO ORDER

The meeting was called to order at 8:45am.

March 3, 2017 Meeting Notes

Minutes approved and passed unanimously as presented.

Education

General

- The Education Committee met March 27th and had a productive conversation about the goals of the Committee and planning for future and ongoing programs.
- Some issues discussed were: making sure we are vetting speakers properly, balanced programs, not advocating positions, allocating money appropriately among the programs, alternative training formats (e.g webinars), development of a Committee mission.
- The conference calendar is being revised so the Committee can use it throughout the year to plan ahead for submitting and developing session proposals.

DV Symposium

- September 7-8 at Seattle University School of Law. GJCOM provides funding for the Symposium that is used for (1) scholarships/travel reimbursement for judicial officers to attend and (2) faculty for judicial sessions.
- Grace Huang is presenting a session on “Enhanced Safety for Immigrant Survivors in Current Political Climate.” She is also writing an article for the WSBA newsletter on this issue, and will share with GJCOM.
- Justice Gordon McCloud shared that Chief Justice Fairhurst recently sent a letter to Homeland Security requesting arrests not be made the court house. Letter can be accessed [here](#).

Family Law Mid-Year Conference

- This is sponsored by the family law section of WSBA. Private family law attorneys statewide attend.
- David Ward is presenting a session on DV and other gender equity issues. The session is still in development with conference organizers.
- This is the first time GJCOM will present to this audience. GJCOM is reimbursing travel.

Judicial College

- A shadow faculty member needs to be selected for Judge Charles Short. The faculty member will shadow him this year, and then present with Judge Lori Kay Smith next year.
- After feedback from the Education Committee, Judge Melnick is working with the Judicial College Deans and staff to select the shadow faculty.

DMCMA Line Staff Trainings

- Seven Locations: Burlington, Lacey, Seatac, Gig Harbor, Cle Elum, Pasco, and Spokane.
- Participants were line staff in a variety of positions, who interact frequently with the public. Most participants were women.
- Trish Kinlow and Emily Cordo reported that the 7 programs were well received and thought provoking for front line staff when interacting with customers who may have experienced trauma.
- Evaluations will be summarized and distributed.

Appellate Judges' Conference

- GJCOM sponsored a 3 hour workshop on collegiality provided by 2 federal judges.
- This was well received. Evaluations are forthcoming and will be shared.

SCJA Spring Conference

- April 25th, 1:45 – 4pm in Spokane, WA. Judge Evans was the GJCOM liaison.
- This session focused on procedural fairness and cultural competence in protection order proceedings.
- There were some challenges with this session. Evaluations are forthcoming.

DMCJA Spring Conference

- The event is June 6th, 10:15 – 11:45am, Spokane, WA. Judge Jasprica is the GJCOM liaison.
- The focus is on Technology Misuse in Domestic Violence Cases (e.g. cyberstalking) and the presenter is Ian Harris from the SafetyNet Project of the National Network to End Domestic Violence.

Fall Conference

- Two proposals were accepted.
- Transgender People and the Courts: Ensuring Respect and Fairness (David Ward is the GJCOM liaison) – Sept 19th, 8:30 – 10am, Vancouver, WA. This is a four person panel discussion.
- DV and Children (Leslie Savina is the GJCOM liaison) – Sept 18th, 10:30 – 12, Vancouver, WA. Professor Jeff Edleson is the faculty for this session. He is also presenting a CLE to the Clark County Bar Association on Hague Convention issues with Sudha Shetty.

- It was suggested that the DV session include discussion of children’s entry into the juvenile justice and child welfare systems.

Upcoming Meetings

- June 19th CEC (Court Education Committee) at SeaTac.
- June 21st – Joint Commissions Education Committee meeting with MJCOM and IC at the AOC Office in Olympia.

Miscellaneous

- Vicky Vreeland suggested the DV Leave Act as a future topic for an education session.

Gender Bias Study

Embedded librarian

- Laura Edmonston, Reference Librarian with the Washington State Law Library, explained her role as an embedded librarian with this project.
- She and Rob Mead, State Law Librarian, will be coordinating an effort with volunteers. They are developing a questionnaire to send to volunteers to determine the best fit for each person. Volunteer attorneys and law students will be revisiting the original topic areas of the 1989 report, including literature review and statutory updates.

Progress on scoping

- The committee is summarizing issues and conducting interviews with experts in the field.
- The committee would like input from the Commission about which topics should be prioritized.
- Justice Gordon McCloud distributed an outline of the potential study topics, and asked that Commission members send their feedback to her or Kelley Amburgey-Richardson.

ACTION: Please send your feedback to Kelley or Justice Gordon McCloud.

Funding update

- The Task Force is considering applying for an SJI grant that is due in October.
- Research is being conducted into the amount of funds needed and the type of staffing needed for this project (e.g. researcher, project coordinator, etc).

Tribal State Court Consortium

Update on regional meeting

- The event will be July 21, 9am-4pm, at the Colville Tribal Government Center. Save the Date will be disseminated soon.
- The Guest of Honor is Judge B.J. Jones. As more information becomes available it can be found [here](#).
- Inviting (29 tribes and state court) Also tribal court judges. 40-50 people usually attend.
- Lodging and travel reimbursement will be provided to those who attend.
- For more information on the event contact Cynthia Delostrinos.

Incarcerated Women and Girls Committee

“Court Access for Incarcerated Parents” Convening

- The committee report is attached to the packet on page 8.
- This event is planned for Monday, June 26th from 9am – 3pm at the AOC SeaTac facility.
- There will be a planning Committee with IWGC members and members of the Children of Incarcerated Parents Taskforce.

Kiosks and Legal Resource Availability

- Legal resource availability at Mission Creek is an issue. There is no law library, and currently no access to internet for forms. When attorneys come for clinic, they bring forms, but this is not often enough and if the form is incorrect there is no way to obtain the correct one until the next clinic.
- Rob Mead, State Law Librarian, is working on a related issue and would be a good contact.
- Kiosk update: the grant was secured, but there is an ongoing issue with DOC approval of the websites to be allowed which has stalled the installation. In contact with Secretary Sinclair.

Juvenile Defense Guidelines

- The committee is waiting to receive the latest draft. Once this is received, will revise its comments.

Law Student/Judicial Reception

Planning Update

- Scholarships to 2 students from NAWJ and WSAJ, traditionally given to women. Event rotates among the three law schools.
- Students from the UW Women’s Law Caucus, Vicky Vreeland (WSAJ, GJCOM), and Judge Donohue (NAWJ) are planning this event with GJCOM staff.
- The event is scheduled for November 1st. Input from the Commission was requested about the event location – law firm or UW. Commission members preferred the UW location for student participation.

Communications

Annual Report

- Biennial work rough draft, will have completed at the end of May.
- There is an interest in using artwork displayed in the Temple of Justice, and Kelley is reaching out to artist for permission.
- If you have GJCOM suggestions or things to submit send them to Kelley.

NAWJ

- Judge Paja coordinated with NAWJ to have a report about the new Gender Bias Study on their midyear meeting agenda. She will be present at the meeting. The goal is primarily to ask NAWJ to be a partner, including in requests for funding from outside agencies.

Women's History Month Reception

- The event was held on March 3rd at the Temple of Justice. Legislators RSVP'd but did not attend.
- Commission discussed whether the event format/date/location should be changed to make it easier or more attractive for legislators to attend or whether focus/audience/goal of event should change.
- Fridays are not going to work for the legislature. Middle of the week would be better, and need to consider the right time during session so there are less conflicts. Justice Owens suggests January.
- Legislative staff are also a good target audience if legislators themselves cannot attend.
- Another option would be to make this a community press event. Market GJCOM in Olympia, bring in state agencies in. Invite DOC, DSHS, showcase women's programs, where they intersect with GJCOM.

ACTION: The Communications Committee will consider options to present to GJCOM for next year's event.

Guest Speaker

Remote Access for DVPO hearings

- Materials are in the packet starting on page 9.
- The guest speaker, Brooke Hays, was unable to join the meeting via phone.
- Leslie Savina was familiar with the issue, and summarized the request for the Commission.
- Staff have conveyed that the current year's G&J STOP budget does not set aside funding for grants of this type to counties.
- The issue is likely happening in other rural counties, and it is beneficial for Commission members to be aware of it and consider what the Commission may be able to do to assist.
- There were concerns about the request for funding. There are other methods of remote access, such as skype, that are available free of cost.

ACTION: Judge Evans and Ms. Savina volunteered to continue work on this issue. Staff will provide support.

Chair Report

New Member Nominations

- The membership terms chart is in packet on page 15.
- There are 2 vacancies this summer and 5 more next year.
- The Nominations Committee will convene in the coming months, and are accepting resumes from interested individuals and recommendations from other GJCOM members.
- Submit your recommendations to Kelley Amburgey-Richardson and she will package this information and provide to the Committee.

Committee Memberships

- The committee chart is in the packet on page 16.
- GJCOM is a working Commission, and all members should participate on a Committee.
- If you would like to join a new Committee, or switch Committees, please let the Chairs and/or staff know.

- Committee Chairs should submit a short written report of current projects at least a week prior to GJCOM meetings for inclusion in the meeting packet and for task/record keeping.

HB 1163 Implementation

- Relevant sections of the bill are in the packet starting on page 17.
- This bill passed the legislature. It requires GJCOM to convene two workgroups on DV risk assessment and DV perpetrator treatment and write reports to the legislature.
- This is also an opportunity to connect with new partners for the Gender Bias Study work.
- The Chairs are working with staff on an implementation plan for the work required by the bill.
- A GJCOM appointed member will be needed to sit on the workgroups.

Miscellaneous

- The packet includes letters sent by GJCOM to the WA State Congressional delegation on VAWA funding, and the ATJ Board on the draft State Plan for the Delivery of Civil Legal Aid.
- Positive response has been received from the VAWA letter. The ATJ Board did not adopt GJCOM's comments in the draft plan.

Vice Chair Report

BJA Resolution - Language Access

- A copy of the letter sent by Chair on behalf of GJCOM is in the packet on page 20.
- GJCOM's letter supports the renewal of the resolution, and asks for language supporting translation of DV/SA forms. The Interpreter Commission is leading the request for this Resolution renewal.

Data Dissemination Committee - VAWA Workgroup

- VAWA workgroup is being convened by staff to this Committee at AOC.
- This group is being convened to determine whether AOC is in violation of VAWA by its publication of certain DV victim information online.
- GJCOM will monitor progress of this workgroup and report back.

Staff Report

Conference Scholarships

- Ms. Amburgey-Richardson asked the Commission's guidance on selecting recipients for scholarship awards to judicial officers and court staff to attend national trainings.
- General guidance discussed: (1) limit the amount to \$1500 or less depending on cost/location so more individuals may receive support, (2) provide conference support only to individuals who have not received funds for this in the past three years, (3) require the recipient to report back – write a short report for the meeting packet, and attend an Education Committee call to share any emerging issues or outstanding presenters.

GJCOM Funding Overview (tabled for next meeting)

The meeting adjourned at approximately 12:00pm.

2017 Washington State Gender Bias Study

BACKGROUND

In 1987 the Washington State Legislature mandated the Administrative Office of the Courts to initiate measures to prevent gender bias in the state court system. After two years of research, public hearings, and surveys, the Gender and Justice Task Force concluded gender bias existed in the Washington State court system and described the extent of that bias in its final report, *Gender and Justice in the Courts, Washington State, 1989*. The Washington State Supreme Court Gender and Justice Commission was created as a result of the report, and was tasked with monitoring and implementing the recommendations from the report.

ISSUE

The extent of gender bias in the court system in Washington State, and the forms it currently takes, have not been studied since 1989. Much has changed since, such as advancements in technology and delivery systems in the courts, mass incarceration, immigration, increases in user fees, and the current status of women litigants, lawyers, judges, and court personnel. To our knowledge, no state has revisited such a study.

PROPOSED SCOPE

An Update on the Original Report

The original report focused on the status of litigants in three areas:

- Domestic violence and rape
- Consequences of divorce
- Economic consequences in wrongful death cases and attorney fee awards in discrimination cases

The report's other major focus was on the treatment of lawyers, litigants, judges, and court personnel including:

- Courtroom treatment of litigants and legal professionals
- Credibility of women in the courtroom
- Acceptance of women in the legal and judicial communities
- Court personnel practices and procedures

New Areas of Gender Bias in the Courts

The Gender and Justice Commission recognizes that much has changed since 1989, and proposes to focus the new report on the justice system's impact on women, particularly on women in poverty. In addition to revisiting the original study's focus areas, this would include taking into consideration the many changes that affect our legal system such as:

- Developments in technology
- How legal services are provided
- Delivery systems
- User fees
- Incarceration rates
- Immigration

From an access to justice perspective, the new study would look particularly at how one's gender impacts opportunities, barriers, and outcomes, as well as at the intersection of gender bias and race, immigration status, language, age, and sexual orientation.

We understand that this will require looking at:

- What happens inside the courtroom
- Circumstances that force individuals into court or compel them to seek the courts as a forum
- Consequences after a court case, with special attention to legal financial obligations and mass incarceration

CONCLUSION

Revisiting the *Gender and Justice in the Courts* study is an undertaking which will require considerable resources and the support of state and national stakeholders. We believe that Washington State's efforts would lead the way for other states to revisit their gender bias studies, and that our model could serve as a template for replicating these efforts across the nation.

POTENTIAL STATE STAKEHOLDERS

- Administrative Office of the Courts
- Access to Justice Board
- ACLU of Washington
- Interpreter Commission
- District and Municipal Court Judges' Association
- Gonzaga University School of Law
- Legal Foundation of Washington
- Legal Voice
- Mother Attorneys Mentoring Association
- Minority & Justice Commission
- Northwest Immigrant Rights Project
- Northwest Justice Project
- Office of Civil Legal Aid
- Office of Public Defense
- Seattle University School of Law
- Superior Court Judges' Association
- University of Washington School of Law
- Washington Association of Prosecuting Attorneys
- Washington Coalition of Sexual Assault Programs
- Washington State Association for Justice
- Washington State Center for Court Research
- Washington State Coalition Against Domestic Violence
- Washington State Court Appointed Special Advocates
- Washington Women Lawyers

POTENTIAL NATIONAL STAKEHOLDERS

- American Bar Association
- Association of Prosecuting Attorneys
- Legal Momentum
- National Association of Criminal Defense Lawyers
- National Association of Women Judges
- National Association of Women Lawyers
- National Center for State Courts
- National Crime Victim Law Institute

Washington Tribal State Court Consortium (TSCC)

Dear Colleagues:

The Eastern Regional meeting of the Tribal State Court Consortium was recently held at the Colville Tribal Government Center. While this was our fourth Regional meeting, it was the first meeting of the consortium held on the eastern side of the state, but certainly will not be the last. The Colville and Kalispel Tribes graciously hosted the meeting and provided a beautiful setting, wonderful food, and a very warm welcome to all who attended! Consortium members were delighted with the reception and very grateful to our hosts.

The meeting was well attended by both state and tribal court judges. Chief Judge BJ Jones was the presenter. Judge Jones has been a tribal court judge for over 25 years and currently serves as the Chief Judge for Sisseton-Wahpeton in South Dakota, and Prairie Island in Minnesota. He is also the Director of the Tribal Judicial Institute at the University of North Dakota Law School.

Judge Jones gave a lively presentation on the value of Tribal State Court Consortiums. This was followed by a group discussion of various issues that arise in Washington and suggestions on how we might address them. The meeting concluded with a tour of both the Colville Tribal Court and the Colville Tribal Court of Appeals which included both history and new innovations and plans for the future. Attached you will find meeting notes and a PDF of Judge Jones' presentation. Thank you to the Confederated Tribes of the Colville Reservation and the Kalispel Tribe of Indians for hosting the first regional meeting on the eastern side of the state, and to the Minority and Justice Commission, the Gender and Justice Commission for their ongoing support of the Consortium.

Sincerely,

Judge Lori Kay Smith
King County Superior Court

Chief Judge Cindy Smith
Suquamish Tribal Court

I. Welcoming Remarks

Chief Justice Anita Dupris and Chairman Michael Marchand welcomed guests to the Confederated Tribes of the Colville Reservation. This is the first TSCC regional meeting held in eastern Washington and there was great appreciation for our hosts and their support staff for organizing the meeting. Judge Cindy K. Smith and Judge Lori K. Smith called the TSCC Eastern Regional Meeting to order at 9:20 a.m. Attendees introduced themselves and a brief history of the Consortium was provided:

The Tribal State Court Consortium (TSCC) is a collaboration of the Minority and Justice Commission, Gender and Justice Commission, Administrative Office of the Courts, and tribal courts across Washington State. Created in 2013, TSCC aims to expand and increase communication and cooperation between state and tribal court judicial officers. TSCC provides an open, transparent forum where state and tribal court judicial officers can come together and discuss jurisdictional issues, gaps in services, and ways to develop lasting partnerships.

The goal of the meeting is to discuss the importance and value of tribal state court consortia, learn about the ways that other states have organized their consortia, and discuss cross-jurisdictional issues and ways that they can be addressed.

II. “The Value of Tribal State Court Consortia”

Chief Judge B.J. Jones, Director, Tribal Judicial Institute at the University of North Dakota Law School

- Judge Jones remarked on the collaboration of tribal courts and state courts in Washington. He urged tribal courts to continue to build relationships with the state judiciary as a way to protect tribal sovereignty because we have a federal administration that may not consider it a priority. State courts also increase their credibility when they protect tribal sovereignty.
- It is almost like a mystery to many state jurists about what tribal court judges do. It is important that they understand that state courts and tribal courts have the common objective to serve all people. Tribal courts must also recognize the credibility gap that they have with the tribes that they serve.
- Amongst many Native people, the perception is that federal courts are too harsh, state courts are racist and unfair, and tribal courts are corrupt. Historically, the federal government has created a lot of distrust between states and tribes. We have a lot of historical accounting to do. It is the duty of all judges to disabuse Native people of these perceptions.
- The federal, state, and tribal court systems can collaborate. Please utilize resources available at <https://www.walkingoncommonground.org/>
- Judge Jones gave an example of how we all should ask the questions that need to be asked. He signs 50 warrants a day for individuals who are delinquent on payment of fines and fees, but he has no accurate knowledge of their ability to pay. Thousands of non-Indians also use tribal courts, some of them are other people of color. We must also care about how they are served.
- Some of the issues that he has seen in his court in South Dakota involve the cross-jurisdictional usage, production, and sale of drugs; inter-tribal disputes (tribes not honoring each other’s

orders); and language barriers. He was involved in an effort to provide jury instructions translated into the Dakota language.

- Tribal courts also have the pressure of having to conform and resolve issues like state courts. State court approach is more outcome driven and tribal courts are more process driven. Justice Dupris commented that the practices adopted in both court systems can have roots in shared cultural values, like respect for elders.
- State courts can learn from tribal courts about how to serve pro se litigants. Tribal courts seem to do a better job. They have forms for everything from summary probate, guardianship, and even disputes about burials available at the courthouse. The issue of how to serve pro se litigants has become more important as legal aid resources are being cut.
- The Committee on Tribal and State Court Affairs is a standing committee formed in 1994 and maintained by the North Dakota Supreme Court. Members include tribal and state court judges, clerks, and court administrators. Information about other state consortia can be found at <https://www.walkingoncommonground.org/state.cfm?topic=6#alpha-SD>
- Judge Jones suggested the group read a Gonzaga Law Review article on Public Law 280 because it is a confusing law: <https://litigation-essentials.lexisnexis.com/webcd/app?action=DocumentDisplay&crawlid=1&doctype=cite&docid=47+Gonz.+L.+Rev.+801&srctype=smi&srcid=3B15&key=30ef6ab437af613f21764bc6ae87909e>
- Recently release Department of Interior ICWA regulations will also require more discussion.

Issues in Washington

Judge Jones opened the floor to discuss issues judges have faced in Washington:

- Justice Dupris shared that the Colville Tribal Court of Appeals recently ruled 2-1 that parental kidnapping statutes of the Uniform Child Custody Jurisdiction and Enforcement Act did not apply because the tribe had declined jurisdiction.
- Many cross-jurisdictional child custody issues were discussed. Custody cases have a lot of full faith and credit issues.
- Tribal courts must follow tribal law, and if the tribal council hasn't adopted certain laws, then the courts cannot follow it. Children who live on reservations, but parent has custody in Washington state court, courts have to determine which court is the child's home court. State lawyers may also need tribal court judges to communicate with them to follow requirements that are required of state lawyers by law, which adds another layer of complexity.
- Tribal courts can modify state court orders, but there are concerns that some people may treat tribal courts as enclaves that they rush to if they don't like state court orders.
- State courts have to consider tribal court decisions when they are considering whether to hold people in contempt for not following the state court order.
- When considering transfers, judges should ask attorneys whether child's funding will be diminished or they will lose access to tribal services as a result. Both state and tribal court judges have to ask before requesting or accepting transfer. For example, guardianship program

funding may be contingent on the case staying in the state court's jurisdiction and a transfer may cause funding cuts. Court administrators should be invited to future meetings to clear up the funding questions.

- Child placement is difficult because some tribal courts are prohibited from placing a child in the same residence as individuals with certain felony convictions.
- The group discussed Washington Superior Court Civil Rule 82.5. Judge Jones encouraged future discussions because it is unclear in the rule how we are supposed to find out if another judge isn't honoring an order. What is the burden of persuasion? What exactly constitutes not recognizing or implementing orders?
- Access was eliminated for tribal courts to access state system to enter orders. Swinomish Tribal Court has an agreement with Skagit County to be able to enter orders that will go into the 911 dispatch system. Changes in leaderships can cause a breakdown in the system because these arrangements aren't institutionalized. Some tribes are able to enter orders into the NCIC system, but unsure if NCIC connects with the state system.
- There is also an issue of police not enforcing orders if they see that it is not from the county. This is a major victim safety issue and violates full faith and credit laws. Tribal court orders are supposed to be enforced and honored even if they are not registered. We need to include law enforcement in the Consortium.
- Judge Doucet (Lummi Tribal Court) explained a situation involving child support. When the state courts see an obligor is a tribal member, they automatically send it to tribal courts even while the custody case is still ongoing in state court. Is this a requirement of the IV-D program? Maybe it's an assumption that these individuals have tribal assets? Some of these tribal members don't have any income and don't even live on the reservation. It may be inconvenient for that tribal member to have to come to tribal court.
- Each tribe has a list of Qualified Expert Witnesses. Would it be possible for tribes to come together to create lists? Would create a larger pool to draw from.

Courthouse Tours

Justice Dupris gave a courthouse tour of the Colville Tribal Court of Appeals and Judge Sophie Nomee gave a courthouse tour of the Colville Trial Court. Judges were able to learn about each court's practices and history. Judges were also able to learn more about the Colville Tribal Court Healing to Wellness Program and probation services.

Judges returned to the Colville Government Center for closing remarks and evaluations. Meeting adjourned at 3:30 p.m.

THE WASHINGTON TRIBAL STATE COURT CONSORTIUM

Presents a Special Film Screening for the 2017 Fall Judicial Conference

TRIBAL JUSTICE

September 18, 2017

5:30 p.m. – 8:30 p.m.

The Heathman Lodge

Vancouver, WA



Tribal Justice is a documentary feature about a little known, underreported but effective criminal justice reform movement in America: the efforts of tribal courts to create alternative systems of justice.

Tribal Justice challenges the entrenched cultural narrative of Native Americans as hopeless dependents unable to better their own circumstances. Our stories show our featured judges asserting tribal sovereignty and invoking their own traditions to heal their people and raise them out of poverty and inequality.

A discussion about the Washington State Tribal Court Consortium will follow the screening.

All are welcomed and encouraged to attend. Food will be provided at the event.

Please RSVP through the Judicial Conference registration form or

by email: Cynthia.Delostrinos@courts.wa.gov

Court Access for Incarcerated Parents

June 26, 2017
SeaTac, WA
8:30am – 3:00pm

PURPOSE

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. The purpose of this convening was to find solutions that will facilitate participation, and will help keep families together.

OBJECTIVE

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.

EVENT REPORT

Welcoming Remarks

Justice Gordon McCloud, Chair, Gender and Justice Commission

Justice Gordon McCloud welcomed the gathered group of stakeholders and thanked them for taking the time to develop solutions to the barriers incarcerated parents face when trying to participate in their family law and dependency cases. She reviewed statistics on incarceration, to bring attendees onto the same page about who is impacted by these barriers. Justice Gordon McCloud emphasized the importance of involvement from state agencies that have the ability to make policy and practice changes that will improve access for incarcerated parents, through partnership with advocacy groups.

Introductions and Format/Framing for the Day

Gail Stone, Chair, Incarcerated Women and Girls Committee

Ms. Stone oriented everyone to the purpose and objectives for the day. The focus is on developing solutions to identified barriers. During the registration process, individuals were asked to share why they were interested in participating in the event. Ms. Stone read aloud several responses anonymously, to highlight the fact that individuals from divergent perspectives – corrections, courts, attorneys, and parents themselves – were all invested in the same goal of improving access for incarcerated parents.

Panel Discussion: Navigating the System

Jeannie Macnab, Facilitator

Panelists

- Elizabeth Hendren, Family Law Attorney, Northwest Justice Project
- D'Adre Cunningham, Incarcerated Parents Project Attorney, Washington Defender Association
- Commissioner Jennie Laird, Pierce County Superior Court
- Susie Leavell, Parenting Sentencing Alternatives Administrator, WA DOC
- Alise Hegle, Children's Home Society, and formerly incarcerated parent
- Cheryl Strong, formerly incarcerated parent
- Tanya Quinata, currently incarcerated parent (via phone)

The purpose of this panel was to hear perspectives from attorneys who represent or assist incarcerated clients, a judicial officer who hears these cases, the Department of Corrections, and current and formerly incarcerated parents who were directed affected by this issue.

Ms. Hendren, Ms. Cunningham, and Commissioner Laird presented a short summary of the legal and policy framework that currently governs court access for incarcerated parents in family law and dependency cases.

The panel then discussed their own observations and/or experiences related to the following barriers to court access.

Previously-Identified Barriers to Court Access for Incarcerated Parents

Original list prepared by Elizabeth Hendren, Northwest Justice Project

- **Court-appointed attorney:** Attorneys are appointed for dependency cases, but not family for law cases. Additionally, federal funding for legal aid prohibits representation in court of incarcerated individuals, so indigent parents with family law cases seldom have an attorney.
- **Access to a law library:** Minimum-security prisons and most county jails do not have a law library. DOC will not usually transport parents from minimum-security prisons to a prison with a law library for a family law issue. 65.22% of judges and commissioners surveyed in 2016 thought incarcerated parents have access to legal research.
- **Mandatory court forms:** Family law cases require pleadings to be filed on mandatory forms, however these forms are not available in minimum-security prisons and jails. 46.38% of judges and commissioners surveyed in 2016 thought incarcerated parents have access to these forms.
- **Transportation:** DOC does not provide transportation to family law hearings/trials.
- **Internet access:** Incarcerated parents have no internet access, however 21.74% of judges and commissioners surveyed in 2016 thought they do.
- **Email access:** Incarcerated parents do not have regular email access. They can only send electronic messages through JPay, however most courts do not have JPay accounts.

- **Legal mail:** Sometimes important, time-sensitive legal mail is not clearly identified as such and is processed by the prison as regular mail, which can be very slow.
- **Telephonic appearances:** Currently each county has a different local rule for requesting a telephonic appearance, and not all the rules are possible to complete without internet access, email, or money for multiple phone calls. When telephonic appearances are arranged, some counties give a multi-hour window to expect the call from the court, which is burdensome to DOC staff who are expected to work with multiple people.
- **Access to court-ordered services:** Sometimes the court orders parents to complete services or treatment that is not available to them at their facility, and sometimes the parents' lack of compliance with the court ordered services is used against them.
- **Eligibility for parenting sentencing alternatives:** if a parent may lose their child in a dependency case, this is a significant barrier to overcome to get into these programs.
- **Phone calls with attorneys:** There is not usually a way for court-appointed attorneys to call into a prison to speak with their client for an urgent issue. Additionally, calls out are expensive; not all incarcerated parents can afford to pay to call out and not all law offices accept collect calls. Some DOC counselors will facilitate calls between incarcerated parents and their attorneys, but others refuse, saying that it is against DOC policy for them to do so.
- **Phone calls and mail to DSHS Social Workers, CASAs, and GALs:** Similar to calls with attorneys, sometimes parents need to communicate with social workers or evaluators working on their cases and can't due to the high cost of prison phone calls. Additionally, parents can't send free legal mail to social workers and evaluators as they can to attorneys.
- **Child visitation:** At the 2014 Stakeholders' meeting, attorneys reported some courts seeming unaware of visitation options through DOC or being unwilling to allow incarcerated parents to have court-ordered visitation with their children. This was echoed in the 2016 court survey, where 16.87% of judges and commissioners surveyed answered "no" the question "Do you believe visits with a parent in jail or prison can be in the best interests of the child?"
- **Lack of information:** Parents don't know what is happening in their family law/dependency case.

Potential Solutions Identified

- The Department of Corrections could amend its policy to include family law as a type of legal matter requiring access to a law library.
- Incarcerated parents should be able to access technology to participate in video visits with their children.
- Family impact statements are very helpful and should be used.
- Develop a statewide unified rule for telephone appearance.

- Create a guide for DOC counselors of available resources to help incarcerated parents with these issues. Have a resource “navigator” for parents in each facility.
- Install kiosks with access to pre-approved legal resources in minimum security prisons.
- Implement advanced planning with attorneys for incarcerated parents’ telephone appearances. Courts may sign an order requiring appearance by telephone or otherwise. Courts should have all the information/evidence necessary to make decisions in these matters.
- Increased funding.
- Legal mail is a helpful tool. It is defined by policy, and could be amended to include other entities that can send confidential mail to incarcerated people.

Successful practices that could be institutionalized

- When incarcerated parents file a pro se notice of appearance, this puts court on notice that they want to participate even if they haven’t figured out how to file a response yet. It has been observed to have an impact on whether the court would conduct hearings without them.
 - Court must be aware that this has been filed, so would need to be noted in system.
 - Some court are more particular about how notice of appearance is written.
- Plain language forms may be helpful for improving access. It will be helpful to revisit this later when they have been in use for a while.
- DOC asks at intake if the individual is a parent. Other facilities, including juvenile facilities, could implement this, and provide appropriate resources.
- Law school clinics and pro bono attorneys are really helpful, but more are needed. Legal aid providers operate with restricted funding that does not allow them to represent incarcerated individuals.

Prepare for Afternoon Session

Jeannie Macnab, Facilitator

- A list of the identified barriers was posted on the wall. Each participant was given sticky dots to place next to the barriers they were most interested in working in depth on solutions for in the afternoon.
- The barriers that participants chose were:
 1. Access to legal resources
 2. Telephonic appearances
 3. Phone calls and mail to DSHS Social Workers, CASAs, GALs
 4. Rules and procedures vary by county
 5. Lack of information – parents don’t know what is happening with their family law/dependency case
 6. Parents don’t have money for stamps, phone calls, email and they do not have the ability to incur debt

Small Group Work

Jeannie Macnab, Facilitator

- Participants broke out into five small groups to identifying a practical solutions to a specific barrier. Barriers three and five were combined into one group.
- Participants chose a group based on their interest or ability to make change in that area. The facilitator helped with ensuring all perspectives were represented in each group for the most effective results.
- Each group worked to identify potential solutions, choose the most effective solution, and then develop a work plan for achieving it, including identifying other partners needed.

Small Group Share Back

Barrier #1 Access to Legal Resources

Solution: Remove barriers to law library/ legal research access by providing multiple avenues to legal research.

Next steps: Provide mobile library. Install kiosks. Improve coordination/communication with outside research services such as the state law library. Create guides or other resources to maximize time allowed for legal research. Change DOC policy about access to include pending dependency/family law cases after impact review (i.e. allow access to law library without changing custody classification).

Barrier #2 Telephonic appearances.

Solution: Propose statewide general rule governing telephonic appearances.

Next steps: draft rule, and aim is to have draft by Sept 1. DOC draft policy by July 31st and look into video capabilities. All provided to stakeholders in September for review and to prepare for submitting rule. Propose general rule winter 2017/18. If rule is implemented, cross training will be necessary to ensure all agencies are aware of the policy and process changes.

Barriers #3 and #5 Parents don't know what is happening in their family law/dependency case and don't have telephone or email access to social workers, CASAs, GALs, and others involved in the case.

Solution: Create a plain language guidebook about family law and dependency processes and where to seek additional information. This will help the incarcerated parent navigate the system.

Next Steps: Individuals in this group divided up sections to draft. Those involved in advocacy groups with parents offered to reach out to the parents and seek their input on the guide. Ms. Hendren from NJP will provide list of links included on the kiosks for inclusion.

Barrier #4 –Rules, policies, and procedures vary by county

Solution: Change them or create statewide rule or law to include mandatory appointment of counsel for incarcerated parents in dependency actions, without requiring affirmative request or pre-screening for indigence

Next steps: Collect data from OPD. Draft rule or legislation to propose. Obtain legislative buy-in.

Barrier #6 - Parents do not have money for stamps, phone calls, email and they do not have the ability to incur debt

Solution: Change DOC policy 590.500 to include all legal issues as priority for access. Alternatively, clarify the definition of civil rights issue to include additional case types.

Next steps: Request that DOC review the policy. Obtain feedback from other stakeholders. DOC also noted that it will seek an AG opinion about the definition of civil rights issues in the policy.

Thank You and Adjournment

Rita Bender, Member, Incarcerated Women and Girls Committee

Ms. Macnab closed the facilitated discussion and thanked everyone for their participation. On behalf of the Incarcerated Women and Girls Committee of the Gender and Justice Commission, Ms. Bender thanked participants for their time and commitment to making change.

Mary Helen Roberts invites anyone who is interested in continuing to work on these issues to also attend the Children of Incarcerated Parents Workgroup, which meets on the first Wednesday of every month at the AOC Seatac Office.

PROPOSED SESSION TITLE: Court Access for Incarcerated Parents: Family Law & Dependency Cases		STATUS: <input type="checkbox"/> Received Date: _____ <input type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted Why: _____
PROPOSED BY: Gender and Justice Commission CONTACT NAME: Kelley Amburgey-Richardson, Commission Staff CONTACT PHONE: (360) 704-4031 CONTACT EMAIL: kelley.amburgey-richardson@courts.wa.gov		TARGET AUDIENCE: <input checked="" type="checkbox"/> Experienced Judges <input checked="" type="checkbox"/> New Judges <input checked="" type="checkbox"/> Experienced Commissioners <input checked="" type="checkbox"/> New Commissioners
PROPOSED DURATION: <input checked="" type="checkbox"/> 90 Minutes <input type="checkbox"/> 3 Hours <input type="checkbox"/> 2 Hours <input type="checkbox"/> Other:	SESSION TYPE: <input checked="" type="checkbox"/> Plenary <input checked="" type="checkbox"/> Choice	IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, maximum number:
TOPIC AREA:		
<input type="checkbox"/> Criminal Law <input checked="" type="checkbox"/> Family Law <input type="checkbox"/> Civil Law <input type="checkbox"/> Ethics <input type="checkbox"/> Evidence <input type="checkbox"/> Decision-Making	<input type="checkbox"/> Courtroom Skills <input type="checkbox"/> Good Communication <input checked="" type="checkbox"/> Pro Se Litigants <input type="checkbox"/> Juvenile Law <input checked="" type="checkbox"/> Dependencies <input type="checkbox"/> Constitutional Law	
REQUIRED COMPONENTS <i>The session must address the following essential areas of information:</i>		
Substantive Knowledge	Administrative/Procedural	Skills, Attitudes & Beliefs
<ul style="list-style-type: none"> Barriers to court access facing incarcerated parents RCWs impacting incarcerated parent access to family law and dependency cases 	<ul style="list-style-type: none"> Current procedures for court access for incarcerated parents Proposed statewide procedure/rule 	<ul style="list-style-type: none"> Incarcerated parent access to family law/dependency cases as an access to justice issue Importance of incarcerated parent access to their children when safe and appropriate

RECOMMENDED FACULTY, INCLUDING CONTACT INFORMATION:

Ms. Elizabeth Hendren, Northwest Justice Project – elizabethh@nwjustice.org

Ms. Alise Hegle, Children’s Home Society and formerly incarcerated parent -- alise.hegle@chs-wa.org

Commissioner Jennie Laird, King County Superior Court, Family & Juvenile Court – jennie.laird@kingcounty.gov

Ms. Susie Leavell, Program Administrator, Parenting Sentencing Alternatives, DOC – srleavell@doc1.wa.gov

SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course and how the information will apply to their work in the courts (*this information will be included in the program flyer as your session description*).

This session will build upon the 2016 SCJA conference session entitled, *Children of Incarcerated Parents: Keeping Families Connected*. As a result of that session and other work of the Incarcerated Women and Girls Committee, the Gender and Justice Commission convened a group of almost fifty stakeholders in June 2017. The objective for this event 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. Faculty will present on what was learned at the event, and their progress toward creating a statewide procedure.

LEARNING OBJECTIVES: Describe what participants will be able to do or say as a result of this session.

Participants will:

- Increase their knowledge of the barriers facing incarcerated parents and possible solutions;
- Understand the current structure for incarcerated parent access and how it varies across the state; and
- Be prepared to discuss potential upcoming procedure or rule changes with their colleagues and courts staff.

FUNDAMENTALS COVERED: Describe the case law, best practices, or “nuts and bolts” that will be addressed during the session.

This session will cover the current framework for incarcerated parent access to family law and dependency proceedings, including DOC policy, local rules, and various courts’ practices. Faculty will present on some promising practices for parental access, and will share their progress toward a statewide procedure to address this.

PARTICIPANT RESOURCES: Describe the resources faculty will recommend participants reference when handling the key issues described in this session (*e.g., bench books, checklists, bench cards, websites, organizations, agencies, etc.*).

Faculty will provide short summaries of each of the following for participants to reference:

- Summary of barriers to court access
- Summary of relevant family law and dependency RCWs
- Overview of relevant local rules
- Draft summary of statewide procedure or rule

PROPOSED TEACHING METHODS AND ACTIVITIES: Describe how the session will be presented to actively engage the audience in the education (*e.g., small/large group discussion, hypotheticals, case study review, role play, lecturette, etc.*).

This session will include visual aids, brief case studies and redacted examples of court orders, and large group discussion.

ANTICIPATED COST:

Faculty travel and lodging is estimated at \$1500.

FUNDING RESOURCES:

The Gender & Justice Commission will cover all faculty travel expenses.

PROPOSED SESSION TITLE: Domestic Violence and Family Law: Case Law Update		STATUS: <input type="checkbox"/> Received Date: _____ <input type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted Why: _____
PROPOSED BY: Gender and Justice Commission CONTACT NAME: Kelley Amburgey-Richardson, Commission Staff CONTACT PHONE: (360) 704-4031 CONTACT EMAIL: kelley.amburgey-richardson@courts.wa.gov		TARGET AUDIENCE: <input checked="" type="checkbox"/> Experienced Judges <input checked="" type="checkbox"/> New Judges <input checked="" type="checkbox"/> Experienced Commissioners <input checked="" type="checkbox"/> New Commissioners
PROPOSED DURATION: <input checked="" type="checkbox"/> 90 Minutes <input type="checkbox"/> 3 Hours <input type="checkbox"/> 2 Hours <input type="checkbox"/> Other:	SESSION TYPE: <input checked="" type="checkbox"/> Plenary <input checked="" type="checkbox"/> Choice	IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, maximum number:
TOPIC AREA:		
<input type="checkbox"/> Criminal Law <input checked="" type="checkbox"/> Family Law <input type="checkbox"/> Civil Law <input type="checkbox"/> Ethics <input type="checkbox"/> Evidence <input type="checkbox"/> Decision-Making	<input type="checkbox"/> Courtroom Skills <input type="checkbox"/> Good Communication <input type="checkbox"/> Pro Se Litigants <input type="checkbox"/> Juvenile Law <input type="checkbox"/> Dependencies <input type="checkbox"/> Constitutional Law	
REQUIRED COMPONENTS <i>The session must address the following essential areas of information:</i>		
Substantive Knowledge	Administrative/Procedural	Skills, Attitudes & Beliefs
<ul style="list-style-type: none"> Updated case law (see cases listed below) Review of statutes related to DV 	<ul style="list-style-type: none"> Technical review of DVPO process and best practices 	<ul style="list-style-type: none"> How exposure to domestic violence affects children.

RECOMMENDED FACULTY, INCLUDING CONTACT INFORMATION:

Ms. Leslie Savina, Advocacy Coordinator, NW Justice Project – lsavina@nwjustice.org

Mr. David Ward, Legal and Legislative Counsel, Legal Voice – dward@legalvoice.org

SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course and how the information will apply to their work in the courts (*this information will be included in the program flyer as your session description*).

In recent years, a number of new cases (see list of cases below in “Fundamentals Covered” section) have resulted in an updated legal landscape for domestic violence issues in family law proceedings. Some of the issues this session will cover include, (1) children’s exposure to domestic violence, and (2) domestic violence protection orders involving children. Faculty for this session have been involved in many of these cases, and will be able to present on the holdings, share promising practices, and take questions.

LEARNING OBJECTIVES: Describe what participants will be able to do or say as a result of this session.

Participants will:

- Understand the updated legal landscape related to domestic violence issues in family law proceedings as it relates to the recent cases (*see below*); and
- Be able to apply new case law when these issues come before their courts.

FUNDAMENTALS COVERED: Describe the case law, best practices, or “nuts and bolts” that will be addressed during the session.

This session will provide an overview of the following new case law involving domestic violence issues in family law proceedings:

- *Rodriguez v. Zavala*, WA Supreme Court (June 29, 2017) - establishes that exposure to domestic violence harms children and that a parent’s fear of harm for a child comes within the definition of “domestic violence” for purposes of a petition for a domestic violence protection order
- *Juarez v. Juarez*, 195 Wn. App 880, 382 P. 3d 13 (2016) - ruled that failure to grant year-long domestic violence protection orders (DVPOs) is an abuse of discretion that fails to fulfill the legislative intent to provide safety for victims.
- *Maldonado v. Maldonado*, Court of Appeals (Div. I) – holding that the trial court abused its discretion “by failing to state in writing the particular reasons why the other two children were not included in the protection order and by denying protection on the basis that relief could be obtained in another...action.”
- *In Re The Parentage of L.H. and C.H.*, Court of Appeals (Div II) – finding “that the trial court abused its discretion when it declined to enter a finding... [of] a domestic violence history because it

wanted to protect” the perpetrator from collateral consequences.

- Apr. 6, 2017 - In re Marriage of Black
<http://www.courts.wa.gov/opinions/?fa=opinions.disp&filename=929947MAJ>

“The final parenting plan awarded Charles sole decision-making authority regarding the children's education and religious upbringing. But the record shows that the trial court considered Rachelle's sexual orientation as a factor when it fashioned the final parenting plan. Further, improper bias influenced the proceedings. This bias casts doubt on the trial court's entire ruling, and we are not confident the trial court ensured a fair proceeding by maintaining a neutral attitude regarding Rachelle's sexual orientation. Accordingly, we reverse.”

- Jan. 12, 2017 - Aiken v. Aiken
<http://www.courts.wa.gov/opinions/?fa=opinions.disp&filename=926310MAJ>

The WA Supreme Court holds no statutory right to cross-x a child in a dvpo proceeding. Like Gourley, the decision is narrow and based on the particular facts of the case. But the court held fast to the principle that testimony/cross-x is not a right, only something to be considered on a case-by-case basis.

- Jan 3, 2017 - Rebecca Nelson, Appellant V. James Duvall, Respondent
<http://www.courts.wa.gov/opinions/?fa=opinions.disp&filename=734164MAJ>

Ms. Nelson was intoxicated to the point of no memory when she was raped by another student during her freshman year at UW. The trial court denied the sexual assault protection order because respondent said she consented and Ms. Nelson had no memory, no evidence to the contrary. The Court of Appeals, Div. I, remanded to the trial court to determine whether Ms. Nelson had capacity to consent to sexual conduct.

PARTICIPANT RESOURCES: Describe the resources faculty will recommend participants reference when handling the key issues described in this session (*e.g., bench books, checklists, bench cards, websites, organizations, agencies, etc.*).

- Case summaries
- Hypothetical scenarios
- Bench cards from updated DV bench guide

PROPOSED TEACHING METHODS AND ACTIVITIES: Describe how the session will be presented to actively engage the audience in the education (*e.g., small/large group discussion, hypotheticals, case study review, role play, lecturette, etc.*).

This session will include visual aids, hypotheticals, case study review, and large group discussion.

ANTICIPATED COST:

Faculty travel and lodging is estimated at \$1000.

FUNDING RESOURCES:

The Gender & Justice Commission will cover all faculty travel expenses.

Gender & Justice Commission
Budget July 1, 2017 - June 30, 2018

Commission Expenses	Proposed Budget	FY16-17
Commission Meetings	Travel-related costs for members (lodging, per diem, mileage, airfare, etc.) (<i>July, Sept, Nov, Jan, March, May</i>)	\$11,500
General Operating Expenses	Printing, conference calls, supplies, etc.	\$3,000
Staff Travel & Training	Registration Fees, Travel-related costs workshops, tuition reimbursement	\$3,000
Communications	Annual Report	\$700
Education Programs		
	<i>Appellate Conference</i>	\$1,000
	<i>DMCJA Conference</i>	\$3,000
	<i>Fall Conference (Sept. 2017)</i>	\$8,000
	<i>Poverty simulation</i>	\$1,000
	<i>Judicial College (STOP Sponsored)</i>	
	<i>SCJA Conference (STOP sponsored)</i>	
Sponsorships/Events	Judicial Officer & Law Student Reception	\$1,000
	Women's History/Legislative Reception	\$1,500
	Tribal State Court Consortium	\$7,500
	<i>Tribal Judges to Judicial College</i>	
	<i>TSCC Regional Meetings / Fall Mtg</i>	
	<i>Tribal Judges to SCJA Conference</i>	
	<i>Tribal Judges to Fall Conference</i>	
	Color of Justice	\$500
	IWGC Committee Mtg Support	\$300
	Mission Creek - Success Inside & Out	\$1,000
Requests	Gender Bias Report - <i>Undetermined</i>	

Starting Budget	\$50,000
All Allocated Commission Expenses	\$43,000
<i>Unallocated</i>	\$7,000

Updated 6.28.2017

STOP BUDGET FFY16

January 1, 2017 - December 31, 2017

		Total = \$144,038	\$106,268 <small>(max amt)</small>	\$37,770 <small>(min amt)</small>
			DV Projects	SA Projects
Salaries & Benefits	Staff		\$32,604	\$10,777
Office Supplies, Copies, Printing	<i>Supplies, Copies, etc. Benchguides (printed, flash drive, DVD/CD)</i>		\$2,500	\$500
Staff Training & Education	<i>Staff to attend local and national conferences & training events</i>		\$500	\$500
Committee Meetings	<i>Support travel-related & pro tem costs for in-person Committee mtgs DVPT Advisory Group (BIP WAC revisions)</i>		\$3,500	\$500
Scholarship Support	<i>Scholarships for judicial officers & court staff to attend trainings. Covers lodging, airfare/mileage, meals OR Staff may calculate costs & provide a maximum coverage amount Enhancing Judicial Skills in DV (Judicial Officers) Continuing Judicial Skills in DV (Judicial Officers) NCJFCJ National Conference (Judicial Officers) Children's Justice Conference (Court Personnel)</i>		\$4,000	\$0
Education Programs	<i>Monies for support of educational sessions Judicial College (January 2017) SCJA Spring Conference (April 2017) Fall Conference (September 2017) (G&J FY 18 Budget)</i>		\$2,500 \$2,000 \$0	\$0 \$500 \$0
	<i>Other: Line Staff Training</i>			\$9,400
Requests	<i>Requests from others for support Mission Creek 2017 DV Symposium (Judicial Officers & Court Personnel) SA Benchguide - KCSARC - Bench Guide Update Management SA Benchguide - Chapter (Claudia Bayliff) SA Benchguide - Editor (Judge Yule) Translation of DV/SA Forms, Instructions</i>		\$1,500 \$10,000 \$0	\$7,600 \$5,000 \$5,000 \$0
Legislative Requests	<i>HB 1163 - Convene workgroups, write legislative reports (contract staff time)</i>		\$45,000	
		SUB-Totals per portion of grant	\$104,104	\$39,777
		Total	\$143,881	
		Non-dedicated Funds	\$157	

Updated 5.5.2017

Washington State Supreme Court Gender and Justice Commission

COMMISSION MEMBERS

Honorable Sheryl Gordon McCloud, Chair
Washington State Supreme Court

Honorable Marilyn G. Paja, Vice Chair
Kitsap County District Court

Ms. Rita L Bender
Skellenger Bender, P.S.

Honorable Josie Delvin
Benton County Clerk

Honorable Michael H. Evans
Cowlitz County Superior Court

Ms. Gail Hammer
Gonzaga University School of Law

Ms. Grace Huang
API Institute on Gender-Based Violence

Honorable Judy Rae Jasprica
Pierce County District Court

Ms. LaTricia Kinlow
Tukwila Municipal Court

Honorable Eric Z. Lucas
Snohomish County Superior Court

Honorable Rich Melnick
Court of Appeals, Division II

Honorable Susan Owens
Washington Supreme Court

Dr. Dana Raigrodski
University of Washington School of Law

Ms. Jennifer Ritchie
Washington Women Lawyers

Ms. Leslie J. Savina
Northwest Justice Project

Honorable Cindy K. Smith
Suquamish Tribal Court

Ms. Gail Stone
King County Executive's Office

Ms. Sonia M Rodriguez True
True Law Group. P.S.

Ms. Victoria L Vreeland
Vreeland Law PLLC

August 14, 2017

Subject: E2SHB 1163 – Domestic Violence Workgroups

To Whom it May Concern:

We are writing to request your participation in recently established legislative workgroups concerning domestic violence perpetrator treatment and risk assessment.

In the 2017 session, the Washington State Legislature passed **E2SHB 1163 – Concerning Domestic Violence**, which went into effect on July 23, 2017. Sections Seven and Eight of that law task the Administrative Office of the Courts, through the Washington State Supreme Court Gender and Justice Commission, with convening statewide workgroups. That legislation names your organization and/or entity as a participant.

The Washington State Supreme Court Gender and Justice Commission (Commission) was established in 1994 and it is charged with addressing gender based violence as it relates to the courts. The Commission receives federal Violence Against Women Act STOP Grant funds set aside for the courts to accomplish this important work.

We use these STOP grants to develop and produce resources and education programs for court staff and judicial officers in the area of gender based violence. The Commission has worked collaboratively with many court and community stakeholders to accomplish its work, and has played an essential role in convening stakeholders in discussions around domestic violence in the courts.

The Commission is therefore named as the convening body for these new legislatively mandated workgroups on perpetrator treatment and risk assessment. We plan to convene the E2SHB 1163 workgroups for an initial meeting on **Wednesday, October 4, 2017**, at the Administrative Office of the Courts office located in SeaTac, WA. The law specifically named your organization or entity as one of the required participants of one (or both) of the workgroup(s).


August 14, 2017

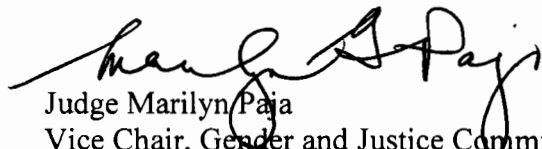
Page 2

Please submit, by August 31, 2017, the name(s) of the individual(s) who will represent your organization or entity on the workgroups. Names and contact information may be provided electronically to Ms. Kelley Amburgey-Richardson, Court Program Analyst to the Commission, at kelley.amburgey-richardson@courts.wa.gov. Please direct any questions about the workgroups to Ms. Amburgey-Richardson.

We look forward to your organization's participation in the workgroups.

Sincerely,


Justice Sheryl Gordon McCloud
Chair, Gender and Justice Commission
Washington State Supreme Court


Judge Marilyn Paja
Vice Chair, Gender and Justice Commission
Kitsap County District Court

Enclosures:
E2SHB 1163

Kitsap County District Court
State of Washington



CLAIRE A. BRADLEY
JUDGE, DEPARTMENT 1

JEFFREY J. JAHNS
PRESIDING JUDGE, DEPARTMENT 2

614 DIVISION STREET
PORT ORCHARD, WA 98366
360-337-7109

MARILYN G. PAJA
JUDGE, DEPARTMENT 3

kitsapgov.com/dc KCDC@co.kitsap.wa.us

STEPHEN J. HOLMAN
JUDGE, DEPARTMENT 4

CLINT L. CASEBOLT
COURT ADMINISTRATOR

August 30, 2017

The Honorable Justice Sheryl Gordon McCloud
Chair, Washington State Gender & Justice Commission
P.O. Box 40929
Olympia,
WA 98504-0929

Re. National Association of Women Judges Midyear Conference

Dear Justice McCloud:

I thank the Gender & Justice Commission for providing the registration fee for me to attend the Midyear Conference of the National Association of Women Judges (NAWJ) held June 7 and 8, 2017 in Los Angeles California. The costs can be high to the attendee, so this partial assistance was greatly appreciated and should be acknowledged.

It was my honor to represent the Gender & Justice Commission at this meeting of the NAWJ Board, of which I am also a member.

First, I wish to report back to the Commission specifically about the presentation that I made to the Board of the NAWJ asking for support of the Washington State Gender Bias Study. Attached is a copy of your letter that was provided to the Board as I explained the broad scope of the endeavor being surveyed by the Commission.

I am pleased to report that the imprimatur of the NAWJ as the "leading voice of women judicial officers in the US" is available to us as we begin further outreach. The NAWJ Board was enthusiastic about our project, and unanimously voted to lend its support to the Gender & Justice Commission in our upcoming effort in grant-writing and fund-raising for the Washington State

Gender Bias Study and to act as a supporter or partner in these applications upon request. The support is, at this time, non-monetary.

Coordination may be made through Ms. Marie Komisar, NAWJ Executive Director, and through the NAWJ President, Judge Diana Becton. I have copied both with this letter.

The Commission may further be interested to know that the education components of the NAWJ Midyear Conference were excellent. In a very busy day we participated in a session on elder law (specifically as the capacity of persons may be masked by the effects of multiple prescription and OTC drugs), a second and outstanding panel presentation concerning both historical and futurist perspectives on e-communications beyond the current entertainment and news models, and finally a truly remarkable discussion about implicit and explicit bias in the media.

This last session on implicit and explicit bias in the media, included a major movie studio production executive, a UCLA social science professor who has studied the issue and possible solutions extensively, a script-writer turned agent turned commentator actively involved with the 'Oscars So White' protest, and a movie studio executive from another legendary company who leads a broad-based Director's workshop. While this session focused on the movie and television/e-production companies, (appropriate for a conference held in Los Angeles), the discussion itself was extraordinary and very much applicable to many industries. (As a personal side note, I could envision a similar presentation and open dialogue among some of our Seattle-based tech company executives that would be riveting.)

Thank you very much for the opportunity to attend this Conference and to report back so positively about future support from the National Association of Women Judges.

Sincerely,

Judge Marilyn Paja
NAWJ Vice President of Districts and
Gender & Justice Commission Vice Chair

Encl. (PDF on e-transmittal)

Cc: The Honorable Judge Diana Becton, President NAWJ

Cc: Ms. Marie Komisar, NAWJ Executive Director

Cc: Ms. Cynthia Delostrinos, JD, Washington State Administrator of the Courts (AOC)
Manager of Commissions

Cc: Ms. Kelley Amburgey-Richardson, JD, AOC Court Program Analyst to Gender & Justice
Commission

Gender and Justice Commission Meeting Schedule

2018

**Meetings are held at
AOC SeaTac Office
18000 International Blvd
11th Floor, Suite 1106**

Meeting Time: 8:45 AM to Noon

2018 Meetings Dates

- January 26th
- March 2nd (*Location may be Temple of Justice, Olympia*)
- May 4th
- June 21st (*Thursday*)
- September 7th
- November 2nd

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