



GENDER AND JUSTICE COMMISSION

AOC SEATAC FACILITY

FRIDAY, JANUARY 25, 2018 (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 & WELCOME

- Welcome & Approval of November 2, 2018 Meeting Notes Judge Marilyn Paja, Vice Chair

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9:00 – 10:00 AM COMMITTEE AND PROJECT UPDATES

- **Gender Bias Study** Dr. Dana Raigrodski & Ms. Kelley Amburgey-Richardson
 - Updated scope and plan
- **Tribal State Court Consortium** Judge Cindy K. Smith
 - Planning for 2019 activities
- **Incarcerated Women & Girls Committee** Ms. Elizabeth Hendren
 - Yakima Jail transfers discussion
 - Beyond Pink Conference Ms. Heather McKimmie
- **Liaison & Representative Reports** Ms. Jennifer Ritchie
 - Washington Women Lawyers
 - Access to Justice Board Mr. Sal Mungia
- **Education Committee** Judge Melnick & Committee
 - Updates on upcoming programs 9
 - Judicial College
 - SCJA Spring Program
 - AWSCA Spring Program
 - DMCJA Spring Program
 - New proposals submitted 11
 - Annual Fall Judicial Conference

10:00 AM – 10:15 AM GUEST SPEAKER

- Legislative Proposal: Refining DV Definition Ms. Dory Nicpon, Assoc. Director Judicial & Leg. Relations, AOC

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JUSTICE SHERYL GORDON MCCLOUD, CHAIR

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10:30 AM – 10:45 AM **BREAK**

10:45 AM – 11:00 AM **GUEST SPEAKER**

- | | | |
|---|---|-----------|
| <ul style="list-style-type: none"> ➤ Court Education & Interpreter Funding Task Forces | <p>Ms. Jeanne Englert, Manager
Board for Judicial Admin., AOC</p> | <p>34</p> |
|---|---|-----------|

11:00 AM – 11:30 AM **COMMITTEE AND PROJECT UPDATES, Continued**

- | | |
|---|--|
| <ul style="list-style-type: none"> ➤ Domestic & Sexual Violence Committee <ul style="list-style-type: none"> ➤ Pattern forms changes (DV & Firearms) ➤ Updates to Sexual Violence Bench Guide ➤ Communications Committee <ul style="list-style-type: none"> ➤ 2nd Annual Women’s History Month CLE ➤ Discussion Items | <p>Ms. Erin Moody & Committee</p> <p>Judge Marilyn Paja</p> <p>All</p> |
|---|--|

11:30 AM – 12:00 PM **CHAIR AND STAFF REPORTS**

- | | |
|---|---|
| <ul style="list-style-type: none"> ➤ Vice Chair Report <ul style="list-style-type: none"> ➤ DMCJA Board Meeting presentation ➤ Washington State Women’s Commission Event ➤ Staff Report <ul style="list-style-type: none"> ➤ Legislative session reports | <p>Judge Paja</p> <p>Ms. Kelley Amburgey-Richardson</p> |
|---|---|

APPENDIX

- | | |
|--|---------------------|
| <ul style="list-style-type: none"> ➤ GJCOM Budgets ➤ 2019 Gender & Justice Meeting Dates | <p>38</p> <p>39</p> |
|--|---------------------|

The Incarcerated Women & Girls Committee will meet in the large conference room immediately following the Commission meeting.



Gender and Justice Commission (GJCOM)
SeaTac Office
18000 International Blvd
Friday, November 2, 2018 (8:45 AM – 12:00 PM)

MEETING NOTES

Present: Justice Sheryl Gordon McCloud, Chair, Judge Marilyn Paja, Vice Chair, Ms. Sydney Bay (UW Liaison), Judge Anita Crawford-Willis, Ms. Josie Delvin, Ms. Macaulay Dukes (SU Liaison), Judge Michael Evans, Ms. Gail Hammer, Ms. Elizabeth Hendren, Ms. Grace Huang, Ms. Trish Kinlow, Judge Eric Lucas (via phone), Judge Rich Melnick, Ms. Erin Moody, Mr. Sal Mungia (ATJ Board Liaison), Dr. Dana Raigrodski, Ms. Sonia Rodriguez True, Judge Cindy K. Smith, Ms. Vicky Vreeland, Ms. Cassidy Wisley-Paul (SU Liaison)

Guests: Ms. Rebecca Glasgow, Ms. Michelle Gonzalez, Mr. Kevin Flannery (via phone)

AOC Staff: Ms. Kelley Amburgey-Richardson, Ms. Michelle Bellmer, Mr. Curtis Dunn

Absent: Ms. Patty Eakes, Justice Susan Owens, Ms. Heather McKimmie, Ms. Riddhi Mukhopadhyay

CALL TO ORDER

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

September 7, 2018 Meeting Notes

Minutes approved as presented.

WELCOME & INTRODUCTIONS

- Justice Gordon McCloud opened the meeting and welcomed those present.
- Introduced Michelle Gonzalez, who will be joining the meeting later as guest speaker on behalf of the Washington State Women’s Commission.
- Ms. Amburgey-Richardson provided a staffing update. A new administrative assistant has been hired. She will start later this month. Mary Lou Boles is an experienced assistant who has also done program coordination. She will be getting up to speed on the work of all three Commission so she can best support our team and the Commission members.
- Justice Gordon McCloud reflected on recent violent events. It is difficult to fight for equal rights and equality, and she appreciates the work of the Commission members.

COMMITTEE & PROJECT UPDATES

Domestic & Sexual Violence Committee – Ms. Erin Moody, Co-Chair.

- The Committee has reviewed the recommendations from Judge Levinson and Sandra Shanahan related to firearms and pattern forms revisions and has agreed on a few to recommend that the Commission take up.

- Received about 14 different recommendations, and selected 2-3 to work on. This will be presented to the Commission, after it is reviewed by the committee.
- The proposals gave the committee an opportunity to talk to other stakeholders like the Washington State Association of Sheriffs and Police Chiefs (WASPC).
- Judge Lucas recommended the committee talk with Judge Plese in Spokane.
 - Ms. Moody had a very helpful conversation with her and Spokane's successful efforts.
 - Spokane's major problem is that they have too many surrendered guns and not enough storage.
 - There are regular firearms surrender meetings in Spokane and Judge Plese invited members of the committee to participate.
- First in-person meeting will be next week. Some agenda items are:
 - Process for making sure that the DV Manual for Judges and the Sexual Offense Bench Guide are updated regularly.
 - How can we individualize accountability of members, and assign projects that are appropriate to people's backgrounds and knowledge?

ACTION: Committee will submit a formal request to the Commission re: advocating for the selected pattern forms revisions.

Tribal State Court Consortium – Judge Cindy K. Smith, Co-Chair

- Annual Meeting was held in September in conjunction with the Fall Judicial Conference. Dinner was served and the committee discussed ongoing projects such as a court rule and protection order enforcement.
- Attendance was good, but it was recommended that in the future this meeting be planned as a lunch or an education session during conference, to allow others to attend.
- Workgroup updates:
 - Joint jurisdiction court – early conversations between Tulalip Tribe and Snohomish Superior Court on wellness court for youth involved in cases in both jurisdictions.
 - Justices Owens and Madsen requested WA AG's opinion on two questions:
 - Does Washington have an obligation to enforce protection orders issued by the courts of other states or by Indian tribal courts? Yes.
 - If Washington has such an obligation, is registration of a protection order in a Washington state court a prerequisite to enforcement? No.
 - You can read the opinion here <https://www.atg.wa.gov/ago-opinions/state-obligation-enforce-protection-orders-issued-courts-other-states-or-tribal-courts>
 - JABS/JIS - tribal court information is not integrated and the information doesn't show. This is a conversation that we should be having. Curtis Dunn can assist with this.
- The TSCC has also been discussing a more formalized structure, this is ongoing.
- A call is scheduled with the Co-Chairs soon to discuss next steps.

ACTION: Mr. Dunn will look into the issue of tribal court information and JABS/JIS.

Incarcerated Women & Girls Committee – Ms. Elizabeth Hendren & Committee

- Success Inside & Out

- The conference was held on October 11-12th. The Commission and NAWJ helped plan and sponsored the event. Many judicial officers attended, and facilitated roundtable discussions on practical information like relief from LFOs, including Judge Paja.
- Commission members Elizabeth Hendren and Heather McKimmie participated in tabling at the resource fair.
- Justice Gordon McCloud spoke to the women on Friday about hope, freedom, and access to information.
- The judicial participation is very important, because for people who are incarcerated, often the judge was the last person that they have interacted with in the system. Having the judges inside helps.
- How is impact of conference measured?
 - There is an evaluation done after and women always report how meaningful the judicial participation is.
 - Maybe there should be a survey after 2 -5 years after the release, to find out what was helpful.
- Legal Information Computer (kiosk) is up and running.
 - Ms. Hendren will start training DOC staff volunteers soon.
 - This wouldn't be possible without GJCOM's commitment and involvement.
 - DOC structure presents number of obstacles that were not known until these conversations happened, including – union contracts, staff, training, etc. We appreciate their commitment to conversation, training, and moving forward with the project.
 - There have been conversations about expanding to other minimum security facilities. These are men's facilities and may present different access to justice issues.
 - Commission would like to hear a follow-up on this, see what usage is like over time.

Judicial Officer & Law Student Reception – Ms. Vicky Vreeland, Ms. Cassidy Wisley-Paul, Ms. Macaulay Dukes

- The 7th Annual event was held this Monday. Attendees enjoyed remarks by Dean Clark, Justice Gordon McCloud, and representatives from NAWJ (Judge Karen Donohue) and WSAJ (Ms. Vicky Vreeland). A \$1,000 scholarship was awarded to Ms. Cassidy Wisley-Paul.
- Event was well done and well attended. The speakers were great and the event encouraged the conversation about gender and justice. The space worked well, especially having seating for the formal portion of the program.
- SU students attended UW event last year. Excitement led to early planning. Committee sent out initial email and reminders earlier and this may have contributed to great turnout.
- Fewer people applied for the scholarship. Why might this be? SU has a new internal site for information sharing and it has caused confusion because students don't know how to access it as easily as previous options. This won't be an issue in the future.
- Discussion about how impactful this program is for students.
 - Should we do events more often, even if we can't provide scholarships?
 - There might be consequences of doing this. It could impact participation, especially without scholarships.

- Student liaisons thinks that it's better to collaborate together, especially for UW and SU. It might be helpful to set up an ad hoc committee to review the need, the program, etc.
- Washington Women Lawyers (WWL) would be interested in presenting a scholarship, as long as it is open to all law school students, and not just a selected school. Could we present a scholarship to a student from each school every year, and just rotate the venue? Gonzaga presents a geographical challenge for attendance.

ACTION: Law student liaisons will continue discussion and report back to the Commission about how to build on the success of this event.

Liaison/Representative Reports

- Washington Women Lawyers – Ms. Jennifer Ritchie
 - Recent CLE: Gender & Credibility Determinations. Suggestion to include these materials in OneDrive where materials are gathered for Gender Bias Study. Ms. Ritchie will review and then share.
 - Discussion about trial advocacy and moot court classes.
 - Some mock trial judges would comment on women's voices, clothes, hair, especially an issue for women of color
 - Important to have volunteer judges be people who understand gender and race issues.
 - Implicit bias must be part of conversation about credibility. Should be acknowledged directly.

ACTION: Law student liaisons discuss ideas for guidelines/best practices for mock trial judges. Continue the discussion on this and come back to Commission with recommendations.

- Access to Justice Board – Mr. Sal Mungia
 - BJA's Public Trust & Confidence Committee is looking for new members. Apply or encourage others to apply.
 - ATJ Board coordinates efforts between different alliance members, including fundraising. Funding protocols existed for a long time, and it took years to change them and secure stable funding. Currently in the process of making recommendations to the Legal Foundation of WA.
 - Important to get out in the community and let them know what resources are out there. Recent civil legal aid providers' event in Tacoma, community wide back to school event (some of the partners included Tacoma Housing Authority, Food Bank, CLS). There are plans to do this event again next year.
 - Mr. Mungia recommends taking the [Implicit Association Test](#).

GUEST SPEAKER

Ms. Michelle Gonzalez, Washington State Women's Commission (WSWC)

- The Women's Commission existed for many years, but it was decommissioned at some point.

- HB 2751, sponsored by Representative Beth Doglio, passed in 2018 creating this new version of the Commission. The bill provides two years of state funding.
- The purpose of the WSWC is to:
 - Improve the wellbeing of women, by enabling them to participate fully in all fields of endeavor, assisting them in obtaining governmental services, and promoting equal compensation and fairness in employment for women.
 - Address issues relevant to the problems and needs of women, such as domestic violence, child care, child support, sexual discrimination, sexual harassment, equal compensation and job pathways opportunities in employment, and the specific needs of women of color.
- Oversight and funding for Washington's celebration of the 2020 National Suffrage Centennial rests with the WA State Historical Society. In the bill, the WSWC can make recommendations.
- Structure of the WSWC
 - First meeting was in October. The purpose of this meeting was to establish priorities and assure focus, and set the tone for what they want to do.
 - The focus is on Washington State Agencies, since it is the largest employer in the state.
 - People can volunteer and sign-up on the website when it is finished.
 - Nine commissioners appointed by Washington State Governor. The commissioners – all women – come from different backgrounds.
 - There are five committees:
 - Centennial Celebration
 - Gender-based Violence and Sexual Harassment
 - Healthcare
 - Economic Opportunity I (corporate boards, carrier-connected workforce, education)
 - Economic Opportunity II (childcare- access and affordability, which is on the governor's priority list, housing/homelessness, working poor)
- The committees will meet and determine work plans for the year. The WSWC should meet 5 times in 2019 and they are in the process of selecting the dates.
- Points of connection: gender based violence, sexual harassment model policy development.
- Grace Huang is a member of both Commissions and can serve as an informal liaison.

ACTION: Ms. Gonzalez will connect with Erin Moody, who is developing a model sexual harassment policy for the courts.

Note: Important to acknowledge that not all women obtained the right to vote in 1920. Per Judge Cindy K. Smith, a quick review of the Washington historical society info on this states that "Native American women, immigrant Asian women, and those who could not read and speak English were barred from the ballot box." <http://www.washingtonhistory.org/files/library/equalrights.pdf>

Education Committee - Judge Melnick & Committee

- Report back from recent programs
 - Fall Conference

- Programs on Procedural Justice and Immigration's Impact on the Judiciary received good evaluations.
- Presentation of immigration issues – interesting questions, it would be great to have more opportunities to explore civil issues.
- DMCMA Line Staff Conference
 - David Ward and colleagues presented on Transgender People and the Courts.
 - The training was phenomenal, very well received. Provided 101 information and practical tips. Validated good practices and suggested improvements. Evaluations revealed some biases.
 - Discussed presenting this to other groups. We submitted it for AWSCA, have not heard back yet. Ms. Delvin suggest presenting this to court clerks.
- Updates on upcoming programs
 - Judicial College – shadow selected
 - Judge Patti Connolly Walker was selected as a shadow for Judge Lori Kay Smith. She will shadow in 2019 and then teach with Judge Anne Hirsch.
 - Expecting 60 new judicial officers. Commissioners attend but not pro tem judges.
 - Discussion about how best to get ongoing DV education to court commissioners, who handle most protection order cases.
 - Commissioners attend JC but often cannot attend other conferences due to local funding limitations and need to keep court running.
 - Topic for next education committee meeting, we have a new member who is a commissioner.
 - SCJA Spring Program
 - The G&J session proposal on Title 26 GALs was accepted (in the packet). Focus on bias, recognizing it in reports and testimony, addressing in court.
 - Related issues: GALs go through training, but how often and what is covered? Differs from county to county. Is there a role for the Commission in GAL training? Recent statewide training – we can request agenda, curriculum.
 - The DV session we proposed was not accepted, but it is anticipated the G&J Ed. Committee will be asked to participate in planning a different DV session on firearms.
 - DMCJA Spring Program
 - The G&J session proposal on the Neurobiology of Trauma was accepted and will be the opening plenary.
 - The DV Trial session was also accepted and will include development of mini bench book on legal issues.
 - Two additional programs G&J may have insight about were accepted, DV treatment and sexual harassment. We may have an opportunity for input.
- The committee will be scheduling a meeting to plan for these programs.

ACTION: Ms. Amburgey-Richardson will share evaluations from recent programs with the Commission.

Gender Bias Study – Justice Gordon McCloud, Chair

- Update on study progress
 - The National Center for State Courts has provided a report of their work on Task One of the contract project, which was to review the effectiveness of the recommendations from the 1989 study.
 - Justice Gordon McCloud and staff met about the report and the need to provide feedback to NCSC. We will be scheduling a call with the task force to discuss next steps.

ACTION: Please let Justice Gordon McCloud or Ms. Amburgey-Richardson know if you would like to participate in this effort.

DISCUSSION ITEMS

Pattern forms & gender

- Mr. Kevin Flannery, clerk to Justice Gordon McCloud, provided an overview.
 - At the September Commission meeting, Jill Mullins from the Pattern Forms Committee presented on about updates needed to pattern forms to be inclusive of LGBTQ people, including the new “x” gender marker.
 - It was requested that the Commission help with these updates, by convening or contributing to a work group of stakeholders. In addition, Jill suggested that a style guide would be a helpful resource.
 - A group of volunteers met via phone recently to discuss how the Commission may contribute to this effort and related issues that may need addressing.
 - The issue is important, but there was no consensus about how to move forward, what role the Commission might play. We don’t have the resources to rewrite 800+ pattern forms, but we can make recommendations.
 - On the call, discussed practical obstacles to implementing pattern forms changes in Odyssey. The issue is that the system is asking for a specific identifiers, to verify person’s identity.
 - If that’s the goal, how do we do that in the best way? Is identifying gender necessary?
 - How do we correctly identify a person in a respectful manner?
- Pattern Forms Committee sets its priorities, it’s not the Commission’s role to do this. If they want to prioritize and work on this issue, GJCOM could provide input.
- Some options for involvement might be:
 - Sending a letter saying GJCOM thinks this issue is important, copy to trial court associations and pattern forms staff.
 - Contributing best practices information
 - Contacting national groups with expertise to see if resources have been developed
- Discussed need to connect with staff to the Pattern Forms Committee and its leadership to get clarity on what is being asked of GJCOM.

ACTION: Ms. Amburgey-Richardson will connect with Ms. Merrie Gough, AOC staff to the Pattern Forms Committee, and report back.

CHAIR & STAFF REPORTS

Chair Report – Justice Gordon McCloud

- Ms. Becca Glasgow is here as a guest today, but we hope she will be joining the Commission as a member soon.

Vice Chair Report – Judge Paja

- Report back from recent NAWJ Conference in San Antonio. Sessions were interesting and topics may be adapted for Washington State judges.
 - Potential topics:
 - Neuroscience of trauma
 - Federal judges talking about federal courts and the current events and how does that impact judicial decision making process.
 - Mental health in courts, especially how it impacts women in court.
- Women’s History Month CLE
 - Last year was the first annual partnership with WWL, WSBA to put this on. Planning has begun for 2019 CLE.
- Recognized ATJ Board Liaison Sal Mungia who also participates on the LFO Consortium, and recently served as faculty with Judge Paja for a DMCJA Conference session.

The meeting adjourned at approximately 12:05 p.m.



**Gender and Justice Commission
Education Committee
2019 Judicial Conference Sessions**

Conference	Session	Liaison(s)
Judicial College Vancouver, WA	Domestic Violence: Applying Context to Orders January 30, 2019 2:30 – 5:15 p.m. <u>Faculty:</u> Judge Lori Kay Smith Judge Anne Hirsch <u>Shadow:</u> Judge Patti Connolly Walker	Judge Rich Melnick, G&J Ed. Committee Commissioner Indu Thomas, Judicial College Assistant Dean
Association of Washington Superior Court Administrators Spring Program Spokane, WA	Transgender People & the Courts: Ensuring Respect and Fairness April 29, 2019 10: 15 – 11:45 a.m. <u>Suggested faculty:</u> David Ward, Legal Voice Jeremiah Allen, TRANSform WA Isyss Honnen, TRANSform WA Dusty LeMay, Lavender Rights Project	David Ward, G&J Ed. Committee TBD, AWSCA
Superior Court Judges Association Spring Program Spokane, WA	Understanding the Role & Scope of Title 26 GALs April 30, 2019 3:45 – 5:00 p.m. (choice) <u>Faculty:</u> Judge Anne Hirsch Commissioner Michelle Ressa GAL, TBD	Commissioner Jonathon Lack, G&J Ed. Committee David Ward, G&J Ed. Committee Claire Carden, G&J Ed. Committee Commissioner Tami Chavez, SCJA

<p>Superior Court Judges Association Spring Program Spokane, WA</p>	<p>Reducing Gun Violence by Upholding Protection Order Related Firearm Laws April 30, 2019 8:30 – 10:00 a.m. (choice)</p> <p><u>Faculty:</u> Sandra Shanahan Christopher Anderson Kimberly Wyatt TBD (Judge, Defense Attorney)</p>	<p>Judge Michael Evans, G&J Ed. Committee</p> <p>Judge Dean Lum, SCJA</p>
<p>District and Municipal Court Judges Association Spring Program Stevenson, WA</p>	<p>Neurobiology of Trauma June 2, 2019 1:30 – 5:00 p.m.</p> <p><u>Faculty:</u> Dr. Chris Wilson Judge Shaun Floerke</p> <hr/> <p>Handling a DV Trial June 3, 2019 1:15 – 3:30 p.m.</p> <p><u>Faculty:</u> Judge Nevin</p>	<p>Judge Anita Crawford-Willis, G&J Ed. Committee</p> <p>Judge Charles Short, DMCJA</p> <hr/> <p>Judge Marilyn Paja, G&J Ed. Committee</p> <p>Judge Kevin McCann, DMCJA</p>

Annual Conference Committee Session Proposal Form

61st Washington Annual Judicial Conference

September 22-25, 2019

The Heathman Lodge

Vancouver, Washington

PROPOSAL DEADLINE: January 11, 2019 to Judith.Anderson@courts.wa.gov

TOPIC AREA:

Educational programs need to relate to the entire judiciary at all court levels. Be specific regarding what will be covered, why it will be covered and how it relates to the judicial officers daily roles and responsibilities

PROPOSED SESSION TITLE: From Trafficked to Safety: Identifying & Effectively Responding to Sexual Exploitation (*tentative*)

STATUS:

Received Date: _____
 Accepted
 Not Accepted
 Why: _____

PROPOSED BY: Washington State Supreme Court Gender & Justice Commission
CONTACT NAME: Kelley Amburgey-Richardson (staff to Commission)
CONTACT PHONE: (360) 704-4031
CONTACT EMAIL: kelly.amburgey-richardson@courts.wa.gov

TARGET AUDIENCE:

Experienced Judges
 New Judges
 Court Level:

PROPOSED DURATION:

90 Minutes
 3 Hours
 Other: _____

SESSION TYPE:

Plenary
 Choice
 Colloquium
 Other: _____

IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS?

Yes
 No
 If yes, maximum number: ---

REQUIRED COMPONENTS

The session must address the following essential areas of information:

Substantive Knowledge	How it Relates to Their Work	Skills, Attitudes & Beliefs
<ul style="list-style-type: none"> Washington State and national data on sex trafficking, impact on diverse populations Overview of WA trafficking laws and emerging legal issues Examples of court based programs (intervention, diversion) Alternatives to court based interventions 	<ul style="list-style-type: none"> Judicial officers in WA encounter victims of sex trafficking in their courtrooms in a variety of case settings. Understanding the legal issues that may arise will encourage a more nuanced or multidimensional approach. Understanding the unique dynamics at play in trafficking will improve access to justice. 	<ul style="list-style-type: none"> Address bias against those who have experienced trafficking or engage in sex work. Impact of trauma and why victims of trafficking may make what appear to be counterintuitive choices. Strategies for addressing legal issues that may arise. Understanding of why one dimensional approaches often fail.

Proposals due by January 11, 2019 to Judith.Anderson@courts.wa.gov

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RECOMMENDED FACULTY (Include contact information):

TBD, two National or Washington State experts who can speak to dynamics of sex trafficking and explore divergent view points on how it should be addressed by the courts.

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*).

The issue of sex trafficking is often reported on by the media and portrayed in television and movies, but how prevalent is it and who is impacted? Leading experts will discuss the data and dynamics of sex trafficking and present divergent viewpoints on court and community based intervention models. They will engage judicial officers to problem solve how they would respond to scenarios that may arise in the courtroom and provide resources.

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

Participants will:

- Understand the Washington State and national data on sex trafficking
- Be better prepared to identify when a party to a case may be experiencing trafficking and think through considerations that may impact their participation
- Understand emerging legal issues related to sex trafficking and strategies for addressing them
- Have examples of creative court based interventions and community resources to consider implementing, making referrals in their courtrooms

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

- Data on sex trafficking and commercial sexual exploitation in WA and nationally, with particular focus on the OR-WA-Canada corridor, sex trafficking of minors, link to domestic violence, and specific gender, race, sexuality, and poverty indicators.
- Examples of the settings where judicial officers may encounter sex trafficking victims and the multifaceted legal issues that may arise.
- Overview of key WA legislation addressing sex trafficking and/or commercial sexual exploitation, including recent developments on criminal no-contact orders, extended statute of limitation, ability to vacate convictions.
- Examples of WA specific multi-agency cooperation and services in the area of sex trafficking, as well as court based programs for intervention and diversion.

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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.).

- Office of Crime Victims Advocacy resources and WA state data on sex trafficking
- Checklist or bench card for judicial officers while on the bench
- List of agencies in communities across WA that provide direct services to trafficking victims and are equipped to serve as a resource to the court and/or provide local trainings

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.).

- Introduction to dynamics, data by faculty
- Followed by brief lecture sections/debate among faculty on hot button issues with questions/hypotheticals posed to participants after each (e.g., “what would you do if you saw this in your courtroom?”)
- Use of responder units or other polling software

DIVERSITY AND INCLUSION: Describe how the session will incorporate issues of diversity and inclusion into the topic. (Consider different perspectives and experiences relating to gender, ethnicity, race, nationality, sexuality, socio-economic status, ability, language, age, etc.)

Sex trafficking affects both men and women, with a large number of victims coming from communities of color, people living in poverty, and the LGBTQ community. This presentation will incorporate these issues of diversity throughout.

If you need assistance with this question, please let us know and we can connect you with a representative who can help with identifying ways to incorporate diversity and inclusion into your topic.

ANTICIPATED COST:

\$3,000 for travel and any national speaker costs.

FUNDING RESOURCES:

G&J Commission will cover all costs.

Proposals due by January 11, 2019 to Judith.Anderson@courts.wa.gov

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The Heathman Lodge

Vancouver, Washington

PROPOSAL DEADLINE: January 11, 2019 to Judith.Anderson@courts.wa.gov

TOPIC AREA:		
<i>Educational programs need to relate to the entire judiciary at all court levels. Be specific regarding what will be covered, why it will be covered and how it relates to the judicial officers daily roles and responsibilities</i>		
PROPOSED SESSION TITLE: Uncovering Our Biases - Native Americans, Tribal Courts, and Understanding the Crisis of Missing and Murdered Indigenous Women in Washington State	STATUS: ___ Received Date: _____ ___ Accepted ___ Not Accepted Why: _____	
PROPOSED BY: The Tribal State Court Consortium (jointly supported by the Minority and Justice and Gender and Justice Commissions) CONTACT NAME: Cynthia Delostrinos CONTACT PHONE: 360-705-5327 CONTACT EMAIL: Cynthia.Delostrinos@courts.wa.gov	TARGET AUDIENCE: <input checked="" type="checkbox"/> Experienced Judges <input checked="" type="checkbox"/> New Judges <input checked="" type="checkbox"/> Court Level: All	
PROPOSED DURATION: <input type="checkbox"/> 90 Minutes <input checked="" type="checkbox"/> 3 Hours <input checked="" type="checkbox"/> Other: <u>2 hrs</u>	SESSION TYPE: <input checked="" type="checkbox"/> Plenary <input type="checkbox"/> Choice <input type="checkbox"/> Colloquium <input type="checkbox"/> Other: _____	IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, maximum number: ---
REQUIRED COMPONENTS		
<i>The session must address the following essential areas of information:</i>		
Substantive Knowledge	How it Relates to Their Work	Skills, Attitudes & Beliefs
<ul style="list-style-type: none"> • We will raise the awareness of judicial officers of the common biases, myths, and misperceptions that society has created about Native Americans, their culture and their heritage, so that we can begin to dismantle those beliefs towards more fair and equitable decision making. • We will share more information about the epidemic of missing 	<ul style="list-style-type: none"> • There are Native Americans who access the courts all across Washington State. There 29 tribes in Washington State, and 52 tribal judges and justices across Washington State. • By uncovering and addressing commonly held perceptions, beliefs, and prejudices about Native Americans, we allow for more fact-based and neutral decision making, which can 	<ul style="list-style-type: none"> • Raising awareness and uncovering bias towards Native Americans. • Sharing alternative views of the function of courts from the perspective of tribal court judges. • Realizing that our tribal courts and tribal judges are an important partner for state courts. • Understand why there is an epidemic of missing and murdered indigenous women.

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<p>and murdered indigenous women in Washington State, and what the state has been doing to address the issue.</p> <ul style="list-style-type: none"> Judges will learn about tribal court practices. What are the core values, laws, and rules that guide and govern tribal judges' decision making? How does that differ across tribes? There are many rehabilitative and therapeutic practices that state courts are starting to implement that were originally modeled off of tribal court practices, such as peacemaking circles and restorative justice. Share the work of the Tribal State Court Consortium and upcoming projects, scholarships, and resources available. Will also hear about the new proposed court rule allowing communication between tribal and state court judges. Invite judges to join in the work of the Consortium 	<p>lead to more equitable outcomes.</p> <ul style="list-style-type: none"> Many courts are looking for alternative ways of doing court business to be more effective in ensuring public safety, better outcomes for those who touch the courts, and a healthy and more equitable judicial system. Many are looking at tribal court practices because of their rehabilitative and holistic healing values. The TSCC provides education, scholarships, networking between tribal court judges and state court judges, and is a forum to discuss cross-jurisdictional issues. Many judges don't know that the TSCC exists and is a resource to them. This will be an opportunity for all judges to join in the discussion and get involved. 	
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RECOMMENDED FACULTY (Include contact information):

We have not yet reached out to potential faculty. Below are suggested faculty that we will narrow down and then begin to reach out to once we are given notice that the proposal has been accepted. Many of the proposed faculty are individuals that we have prior relationships with, and would be easy to reach out to.

WA State Tribal Judges – Justice Anita Dupris (Colville Tribal Court), Judge Cindy Smith (Co-chair of the Tribal State Court Consortium, Chief Judge of the Suquamish Tribal Court), Mary Cardoza (Lummi Tribal Court), John Haupt (Makah Tribal Court)

Judges who run a successful joint-jurisdiction court in California – Judge Christine Williams (Chinook Springs Band of Tribal Indians), Judge Suzanne Kingsbury (El Durado County Superior Court)

National Tribal Judge Consultants - Judge Bill Thorne (Utah Court of Appeals), Judge BJ Jones (Tribal Court Judge and Director of the Tribal Judicial Institute at the University of North Dakota School of Law)

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Tribal Councilmembers: President Fawn Sharp (President of the Quinault Indian Nation, President of the Affiliated Tribes of the Northwest Indians), Chairman Leonard Forsman (Suquamish Tribe), Chairman Brian Cladoosby (Swinomish Indian Tribal Community)

Murdered and Missing Indigenous Women: Deborah Parker (Tulalip Tribes Board of Directors, National Indigenous Women's Resource Center), Washington State Patrol Representative who has been working on implementation of HB 2951 re: Missing and Murdered Indigenous Women

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*).

Washington State is home to 29 different tribes across the state, all with different cultures, traditions, and histories. While we all live in the beautiful state of Washington, there continues to exist a lack of understanding of people who are Native American, their cultures, and their values.

Washington data has consistently shown that Native American people are disproportionately represented in the criminal justice system, juvenile justice system, and child welfare system. Native American women are disproportionately affected by domestic violence, sexual assault, and a recent report showed that Washington was one of the worst in the nation at solving cases of missing and murdered Native American women—a responsibility that falls within the justice system.

The purpose of this session is to help dispel some of the commonly held myths and misperceptions of Native Americans, take a look into the judicial practice of tribal courts, how they dispense justice in a culturally responsive way, and examine how our systems are both similar and different. Participants will also begin to understand why there is a crisis of missing and murdered indigenous women in Washington state and what courts can do to be a part of the solution.

Participants will learn about the Tribal State Court Consortium, a joint collaboration and partnership between Washington state court judges and tribal court judges. They will talk about how they've been tackling some of these tough issues and invite judges across the state to get involved in their ongoing efforts to build bridges between our state courts and tribal courts to better serve those who live in the state of Washington.

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

- Dispel commonly held myths and misperceptions of Native Americans and gain a deeper understanding of the diversity of people who are Native American, their culture, and their history.
- See from the perspective of tribal court judges - looking at court practices and procedures in tribal courts, how practices are the same or different from state courts, and the values that guide tribal court decision making.
- Understand why there is a crisis of missing and murdered indigenous women in Washington State and how the court can be involved in the statewide effort to better protect and serve victims who are Native American.
- Invite judges to join in the work of the Tribal State Court Consortium, an ongoing collaboration and partnership between tribal court judges and state court judges in Washington.

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

- Sharing practices of tribal courts that state courts might be interested in learning about and possibly adopting in their own courts
- Sharing ways that state court judges can best engage with their local tribal court judges and ways to address joint-jurisdiction cases
- Uncovering and eliminating commonly held beliefs and biases towards Native Americans

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.*).

- Reports and articles
- Draft court rules related to communication between state court and tribal court judges
- Tribal court rules, caselaw, resources, fact sheets, etc.

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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.*).

- Lecture, panels
- Hypotheticals, case studies, and roll play (of what it is like being a judge in tribal court) small group discussions to follow up
- Large group discussions and Q&A using Slido technology (online system to collect and rank questions anonymously)

DIVERSITY AND INCLUSION: Describe how the session will incorporate issues of diversity and inclusion into the topic. (*Consider different perspectives and experiences relating to gender, ethnicity, race, nationality, sexuality, socio-economic status, ability, language, age, etc.*)

- Dispel common myths and misperceptions about Native Americans to help reduce bias against Native Americans. Learn more about the diversity of cultures and values across different tribes.
- Understand why there is an epidemic of missing and murdered Indigenous women in Washington State and discuss why Native American women are disproportionately victims of domestic and sexual violence.

If you need assistance with this question, please let us know and we can connect you with a representative who can help with identifying ways to incorporate diversity and inclusion into your topic.

ANTICIPATED COST:
\$2000 – Faculty travel and possible honorariums

FUNDING RESOURCES:
Tribal State Court Consortium (Gender and Justice)

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TOPIC AREA:

Educational programs need to relate to the entire judiciary at all court levels. Be specific regarding what will be covered, why it will be covered and how it relates to the judicial officers daily roles and responsibilities

PROPOSED SESSION TITLE: Equal Justice Overview: Youth, the Eighth Amendment and the Law

STATUS:

Received Date: _____
 Accepted
 Not Accepted
 Why: _____

PROPOSED BY: Minority & Justice Commission, Juvenile Justice & Education Committees and Gender and Justice Commission

CONTACT NAME: Judge LeRoy McCullough

CONTACT PHONE: 206.477-1519/206.477-1519

CONTACT EMAIL: LeRoy.McCullough@kingcounty.gov

TARGET AUDIENCE:

Experienced Judges
 New Judges
 Court Level: Juvenile Court

PROPOSED DURATION:

90 Minutes
 3 Hours
 Other: _____

SESSION TYPE:

Plenary
 Choice
 Colloquium
 Other: _____

IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS?

Yes
 No
 If yes, maximum number: ---

REQUIRED COMPONENTS

The session must address the following essential areas of information:

Substantive Knowledge	How it Relates to Their Work	Skills, Attitudes & Beliefs
<ul style="list-style-type: none"> Contemporary case law, federal and state Legislative updates relating to juvenile justice Review of juvenile trauma-source and impacts Brain Development update Juvenile Justice trends 	<ul style="list-style-type: none"> Will offer tools that will enhance and encourage the use of judicial discretion in decision-making Will offer updates on available detention alternatives Will challenge judicial officers to reassess current Court rules, operations and practices 	<ul style="list-style-type: none"> Will challenge attendees to a more global view of issues affecting youth and families a paradigm shift: to envision youth as having potential for success as youth and young adults Better understand the impact of personal and institutional biases including those of justice system partners on judicial decision-making Understand and embrace the connection between success

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		with juveniles and the resource and other goals of the Sentencing Reform Act, Chapter 9.94A, RCW youth success and
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RECOMMENDED FACULTY (Include contact information): Faculty will be selected from the following list:

Jeffrey Robinson, Deputy Legal Direct ACLU
Professor Kimberly Ambrose, UW School of Law
Judge LeRoy McCullough, King County Superior Court
Judicial officers from eastern and central Washington
Impacted Youth and victims

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*).

Most judicial officers are assigned to juvenile court. Most receive no advance training and enter with a limited awareness of youth brain and physical development; of the origin and impact of youth trauma; of the role that implicit and explicit bias play in justice system encounters; and of the collateral consequences of judicial decisions on the youth, his/her community and on the society. This means that however brief, a young person's encounter with a juvenile court judicial officer will often have long-term adverse impacts on a youth's education, employment, housing and family life. This is because juvenile court judges and commissioners exercise discretion and authority in matters of pre- and post-hearing detention, therapeutic and general court hearings, dispositions and probation reviews. Accordingly, this session will give judicial officers who may find themselves in juvenile court a road map to an improved and enhanced understanding of these issues. The session will provide critical information on restorative justice, diversion and other alternatives that better meet the needs of youth, their families and the community.

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

As a result of this session, participants will be able to

- Identify information gaps in awareness and knowledge about the foregoing
- Assess how improved fund of knowledge will improve decision-making
- Gain specific knowledge on the impact of privilege and racial biases on decision making
- Evaluate court policies and practices for harmful and negative impacts on girls, youth of color, Native American youth, LGBTQ youth, youth with disabilities and youth in economic distress.
- Apply federal and local contemporary case law
- Access contemporary resources on the subject matter

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

- Implicit bias
- Institutional/systemic racism
- Teenage brain science & trauma
- Avenues for diversion and disposition alternatives that better meet the needs of youth

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.*).

- Juvenile Court Accreditation Curriculum.
- Websites and organizations with extensive materials on brain science, trauma and youth development including but not limited to the Center for Children Youth Justice.

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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.).

Keynote by Jeff Robinson

Interactive discussion on brain science, trauma and youth development

Interactive discussion on expanding diversion and disposition alternatives

DIVERSITY AND INCLUSION: Describe how the session will incorporate issues of diversity and inclusion into the topic. (Consider different perspectives and experiences relating to gender, ethnicity, race, nationality, sexuality, socio-economic status, ability, language, age, etc.)

The entire program will be centered around race and the justice system and will include content related to the intersection of disability, socio economic status, gender and age on decision making. Jeff Robinson is a national speaker on race and bias in the justice system. Professor Kim Ambrose teaches Race and the Law and a clinics on race and the juvenile justice system.

If you need assistance with this question, please let us know and we can connect you with a representative who can help with identifying ways to incorporate diversity and inclusion into your topic.

ANTICIPATED COST:

Transportation accommodation, lodging and printing of benchcards - \$2000 (these costs will be split evenly between MJ and GJ Commissions)

FUNDING RESOURCES:

Minority and Justice Commission and Gender and Justice Commission

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TOPIC AREA:

Educational programs need to relate to the entire judiciary at all court levels. Be specific regarding what will be covered, why it will be covered and how it relates to the judicial officers daily roles and responsibilities

PROPOSED SESSION TITLE: Pre-Trial Justice: Bail, Risk Assessments, and Reforms

STATUS:

Received Date: _____
 Accepted
 Not Accepted
 Why: _____

PROPOSED BY: The Minority and Justice Commission and Gender and Justice Commission

CONTACT NAME: Chanel Rhymes

CONTACT PHONE: 360-704-5536

CONTACT EMAIL: chanel.rhymes@courts.wa.gov

TARGET AUDIENCE:

Experienced Judges
 New Judges
 Court Level: Superior and Courts of Limited Jurisdiction

PROPOSED DURATION:

90 Minutes
 3 Hours
 Other: 120 Minutes

SESSION TYPE:

Plenary
 Choice
 Colloquium
 Other: _____

IS THERE A LIMIT TO THE NUMBER OF PARTICIPANTS?

Yes
 No
 If yes, maximum number: ---

REQUIRED COMPONENTS

The session must address the following essential areas of information:

Substantive Knowledge	How it Relates to Their Work	Skills, Attitudes & Beliefs
<ul style="list-style-type: none"> Practice and application of current court rules CrR 3.2 and CrRLJ 3.2 Case law updates related to pretrial Local and national reform around pretrial Findings and recommendations of the statewide Pretrial Task Force, a joint task force of the SCJA, DMCJA, and Minority and Justice Commission 	<ul style="list-style-type: none"> Practice applying CrR 3.2 and CrRLJ 3.2 to hypothetical scenarios and discuss differing viewpoints and reasons behind application Members of the Pretrial Task Force will explain reasoning behind its findings and recommendations by hearing from colleagues representing each court level Learn about the changing landscape of pretrial reform, 	<ul style="list-style-type: none"> Differing perspectives around pretrial practice and application will be shared. Gain a deeper understanding of the impacts of pretrial on defendants, their families, and the community.

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both locally and around the country, which will help widen the perspective of possibilities in making changes to pretrial practice

RECOMMENDED FACULTY (Include contact information):

Judge Theresa Doyle, *King County Superior Court & Pretrial Reform Taskforce Risk Assessment Subcommittee Member*

Judge Sean O'Donnell, *King County Superior Court & Pretrial Reform Taskforce Executive Committee Member*

Timothy Schnacke, *Executive Director, Center for Legal and Evidence-Based Practices.*

Timothy R. Schnacke is a criminal justice system analyst with nearly thirty years of legal experience. He is currently the Executive Director of the Center for Legal and Evidence-Based Practices, a Colorado nonprofit corporation that provides research and consulting for jurisdictions exploring and/or implementing changes to the administration of bail. Most recently, he worked as a consultant to the Bail Subcommittee of the Colorado Commission on Criminal and Juvenile Justice, where he helped to draft comprehensive revisions to the Colorado bail statute to better reflect pretrial best-practices. In addition, he has served as a part-time consultant on local justice system assessments as well as a pretrial faculty member for the National Institute of Corrections within the United States Department of Justice, and as a consultant for the Pretrial Justice Institute in Washington, D.C. In 2014, the National Association of Pretrial Services Agencies gave Tim the John C. Hendricks Pioneer Award for his work in pretrial justice, and he was also selected as 2014-15 Co-Chair of the American Bar Association's Pretrial Justice Committee.

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*).

Nationally, the majority of people in jail have not been convicted of the crime for which they are being held. Pretrial detention can have lasting impacts, leaving low-risk defendants less likely to appear in court and more likely to commit new crimes than those on pretrial release. Incarceration can place significant stress on an individual's work, family, and housing obligations, especially those unable to afford to post bond. This session will outline current bail law and practices, present results of bail reform legislative changes in other states, and facilitate dialogue on the potential impacts of reform on racial and ethnic communities.

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

- To improve current pretrial practices and adherence to Criminal Rule (CrR) 3.2 and Criminal Rule for Courts of Limited Jurisdiction (CrRLJ) 3.2
- To understand the current state of Washington's legal landscape/ jurisprudence related to pretrial matters.
- To gain tools and learn best practices to assist judicial officers when making pretrial release and detention determinations. Participants will also receive the bail law bench card.

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

- Application of Criminal Rule (CrR) 3.2 and Criminal Rule (CrRLJ) 3.2.
- Review current bail law, litigation results, California Humphries hearings
- Results of bail reform legislative changes in other states, including: California and New Jersey
- WA Pretrial Taskforce results and recommendations
- Use of new technologies in the courts relating to pre-trial.

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.*).

- Bail Law Benchcards developed by the Pre-Trial Reform Taskforce
- Updates in case law and statutes in Washington and nationally
- Pre-Trial Taskforce recommendations
- Washington State Auditors Report
- Domestic Violence Risk Assessment Report (June 2018) from the HB 1163 DV Workgroups convened by the Gender and Justice Commission

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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.*).

- Lecture/Discussion
- Interactive questions via responders
- Hypotheticals/role play; legal questions

DIVERSITY AND INCLUSION: Describe how the session will incorporate issues of diversity and inclusion into the topic. (*Consider different perspectives and experiences relating to gender, ethnicity, race, nationality, sexuality, socio-economic status, ability, language, age, etc.*)

This session will identify the impact of pre-trial on communities, particularly communities of color.

If you need assistance with this question, please let us know and we can connect you with a representative who can help with identifying ways to incorporate diversity and inclusion into your topic.

ANTICIPATED COST:

Transportation accommodation, lodging and printing of benchcards - \$2000 (*these cost will be split evenly between the commissions*)

FUNDING RESOURCES:

Minority and Justice Commission and Gender and Justice Commission

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BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0369.1/19

ATTY/TYPIST: CL:amh

BRIEF DESCRIPTION: Refining the definition of domestic violence to distinguish between intimate partner violence and other categories of domestic violence.

1 AN ACT Relating to refining the definition of domestic violence
2 to distinguish between intimate partner violence and other categories
3 of domestic violence; amending RCW 10.99.020 and 26.50.020;
4 reenacting and amending RCW 26.50.010; adding a new section to
5 chapter 10.01 RCW; creating a new section; and providing an effective
6 date.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** The legislature intends to distinguish
9 between intimate partner violence and other categories of domestic
10 violence to facilitate discrete data analysis regarding domestic
11 violence by judicial, criminal justice, and advocacy entities. The
12 legislature does not intend this act to substantively change the
13 prosecution of, or penalties for, domestic violence, or the remedies
14 available to potential petitioners under the current statutory
15 scheme.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 10.01
17 RCW to read as follows:

18 Whenever a prosecutor, or the attorney general or assistants
19 acting pursuant to RCW 10.01.190, institutes or conducts a criminal
20 proceeding involving domestic violence as defined in RCW 10.99.020,

1 the prosecutor, or attorney general or assistants, shall specify
2 whether the victim and defendant are intimate partners or family or
3 household members within the meaning of RCW 26.50.010.

4 **Sec. 3.** RCW 10.99.020 and 2004 c 18 s 2 are each amended to read
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

8 (1) "Agency" means a general authority Washington law enforcement
9 agency as defined in RCW 10.93.020.

10 (2) "Association" means the Washington association of sheriffs
11 and police chiefs.

12 (3) "Family or household members" means (~~spouses, former~~
13 ~~spouses, persons who have a child in common regardless of whether~~
14 ~~they have been married or have lived together at any time, adult~~
15 ~~persons related by blood or marriage, adult persons who are presently~~
16 ~~residing together or who have resided together in the past, persons~~
17 ~~sixteen years of age or older who are presently residing together or~~
18 ~~who have resided together in the past and who have or have had a~~
19 ~~dating relationship, persons sixteen years of age or older with whom~~
20 ~~a person sixteen years of age or older has or has had a dating~~
21 ~~relationship, and persons who have a biological or legal parent-child~~
22 ~~relationship, including stepparents and stepchildren and grandparents~~
23 ~~and grandchildren)) the same as in RCW 26.50.010.~~

24 (4) "Dating relationship" has the same meaning as in RCW
25 26.50.010.

26 (5) "Domestic violence" includes but is not limited to any of the
27 following crimes when committed either by (a) one family or household
28 member against another family or household member, or (b) one
29 intimate partner against another intimate partner:

- 30 ((~~a~~)) (i) Assault in the first degree (RCW 9A.36.011);
- 31 ((~~b~~)) (ii) Assault in the second degree (RCW 9A.36.021);
- 32 ((~~c~~)) (iii) Assault in the third degree (RCW 9A.36.031);
- 33 ((~~d~~)) (iv) Assault in the fourth degree (RCW 9A.36.041);
- 34 ((~~e~~)) (v) Drive-by shooting (RCW 9A.36.045);
- 35 ((~~f~~)) (vi) Reckless endangerment (RCW 9A.36.050);
- 36 ((~~g~~)) (vii) Coercion (RCW 9A.36.070);
- 37 ((~~h~~)) (viii) Burglary in the first degree (RCW 9A.52.020);
- 38 ((~~i~~)) (ix) Burglary in the second degree (RCW 9A.52.030);

1 (~~(j)~~) (x) Criminal trespass in the first degree (RCW
2 9A.52.070);
3 (~~(k)~~) (xi) Criminal trespass in the second degree (RCW
4 9A.52.080);
5 (~~(l)~~) (xii) Malicious mischief in the first degree (RCW
6 9A.48.070);
7 (~~(m)~~) (xiii) Malicious mischief in the second degree (RCW
8 9A.48.080);
9 (~~(n)~~) (xiv) Malicious mischief in the third degree (RCW
10 9A.48.090);
11 (~~(o)~~) (xv) Kidnapping in the first degree (RCW 9A.40.020);
12 (~~(p)~~) (xvi) Kidnapping in the second degree (RCW 9A.40.030);
13 (~~(q)~~) (xvii) Unlawful imprisonment (RCW 9A.40.040);
14 (~~(r)~~) (xviii) Violation of the provisions of a restraining
15 order, no-contact order, or protection order restraining or enjoining
16 the person or restraining the person from going onto the grounds of
17 or entering a residence, workplace, school, or day care, or
18 prohibiting the person from knowingly coming within, or knowingly
19 remaining within, a specified distance of a location (RCW 10.99.040,
20 10.99.050, 26.09.300, 26.10.220, (~~(26.26.138)~~) 26.26B.050, 26.44.063,
21 26.44.150, 26.50.060, 26.50.070, 26.50.130, 26.52.070, or 74.34.145);
22 (~~(s)~~) (xix) Rape in the first degree (RCW 9A.44.040);
23 (~~(t)~~) (xx) Rape in the second degree (RCW 9A.44.050);
24 (~~(u)~~) (xxi) Residential burglary (RCW 9A.52.025);
25 (~~(v)~~) (xxii) Stalking (RCW 9A.46.110); and
26 (~~(w)~~) (xxiii) Interference with the reporting of domestic
27 violence (RCW 9A.36.150).

28 (6) "Employee" means any person currently employed with an
29 agency.

30 (7) "Intimate partners" means the same as in RCW 26.50.010.

31 (8) "Sworn employee" means a general authority Washington peace
32 officer as defined in RCW 10.93.020, any person appointed under RCW
33 35.21.333, and any person appointed or elected to carry out the
34 duties of the sheriff under chapter 36.28 RCW.

35 (~~(8)~~) (9) "Victim" means a family or household member or an
36 intimate partner who has been subjected to domestic violence.

37 **Sec. 4.** RCW 26.50.010 and 2015 c 287 s 8 are each reenacted and
38 amended to read as follows:

1 As used in this chapter, the following terms shall have the
2 meanings given them:

3 (1) "Court" includes the superior, district, and municipal courts
4 of the state of Washington.

5 (2) "Dating relationship" means a social relationship of a
6 romantic nature. Factors that the court may consider in making this
7 determination include: (a) The length of time the relationship has
8 existed; (b) the nature of the relationship; and (c) the frequency of
9 interaction between the parties.

10 (3) "Domestic violence" means: (a) Physical harm, bodily injury,
11 assault, or the infliction of fear of imminent physical harm, bodily
12 injury or assault, ~~((between family or household members; (b)))~~
13 sexual assault ~~((of one family or household member by another;))~~, or
14 ~~((e))~~ stalking as defined in RCW 9A.46.110 of one intimate partner
15 by another intimate partner; or (b) physical harm, bodily injury,
16 assault, or the infliction of fear of imminent physical harm, bodily
17 injury or assault, sexual assault, or stalking as defined in RCW
18 9A.46.110 of one family or household member by another family or
19 household member.

20 (4) "Electronic monitoring" has the same meaning as in RCW
21 9.94A.030.

22 (5) "Essential personal effects" means those items necessary for
23 a person's immediate health, welfare, and livelihood. "Essential
24 personal effects" includes but is not limited to clothing, cribs,
25 bedding, documents, medications, and personal hygiene items.

26 (6) "Family or household members" means ~~((spouses, domestic~~
27 ~~partners, former spouses, former domestic partners, persons who have~~
28 ~~a child in common regardless of whether they have been married or~~
29 ~~have lived together at any time,))~~: (a) Adult persons related by
30 blood or marriage((r)); (b) adult persons who are presently residing
31 together or who have resided together in the past((r, persons sixteen
32 years of age or older who are presently residing together or who have
33 resided together in the past and who have or have had a dating
34 relationship, persons sixteen years of age or older with whom a
35 person sixteen years of age or older has or has had a dating
36 relationshipr)); and (c) persons who have a biological or legal
37 parent-child relationship, including stepparents and stepchildren and
38 grandparents and grandchildren.

39 (7) "Intimate partner" means: (a) Spouses, or domestic partners;
40 (b) former spouses, or former domestic partners; (c) persons who have

1 a child in common regardless of whether they have been married or
2 have lived together at any time; (d) adult persons presently or
3 previously residing together who have or have had a dating
4 relationship; (e) persons sixteen years of age or older who are
5 presently residing together or who have resided together in the past
6 and who have or have had a dating relationship; and (f) persons
7 sixteen years of age or older with whom a person sixteen years of age
8 or older has or has had a dating relationship.

9 (8) "Judicial day" does not include Saturdays, Sundays, or legal
10 holidays.

11 **Sec. 5.** RCW 26.50.020 and 2010 c 274 s 302 are each amended to
12 read as follows:

13 (1)(a) Any person may seek relief under this chapter by filing a
14 petition with a court alleging that the person has been the victim of
15 domestic violence committed by the respondent. The person may
16 petition for relief on behalf of himself or herself and on behalf of
17 minor family or household members.

18 (b) Any person thirteen years of age or older may seek relief
19 under this chapter by filing a petition with a court alleging that he
20 or she has been the victim of violence in a dating relationship and
21 the respondent is sixteen years of age or older.

22 (2)(a) A person under eighteen years of age who is sixteen years
23 of age or older may seek relief under this chapter and is not
24 required to seek relief by a guardian or next friend.

25 (b) A person under sixteen years of age who is seeking relief
26 under subsection (1)(b) of this section is required to seek relief by
27 a parent, guardian, guardian ad litem, or next friend.

28 (3) No guardian or guardian ad litem need be appointed on behalf
29 of a respondent to an action under this chapter who is under eighteen
30 years of age if such respondent is sixteen years of age or older.

31 (4) The court may, if it deems necessary, appoint a guardian ad
32 litem for a petitioner or respondent who is a party to an action
33 under this chapter.

34 (5) Any petition filed under this chapter must specify whether
35 the victim and respondent of the alleged domestic violence are
36 intimate partners or family or household members within the meaning
37 of RCW 26.50.010.

38 (6) The courts defined in RCW 26.50.010(~~(+4)~~) have jurisdiction
39 over proceedings under this chapter. The jurisdiction of district and

1 municipal courts under this chapter shall be limited to enforcement
2 of RCW 26.50.110(1), or the equivalent municipal ordinance, and the
3 issuance and enforcement of temporary orders for protection provided
4 for in RCW 26.50.070 if: (a) A superior court has exercised or is
5 exercising jurisdiction over a proceeding under this title or chapter
6 13.34 RCW involving the parties; (b) the petition for relief under
7 this chapter presents issues of residential schedule of and contact
8 with children of the parties; or (c) the petition for relief under
9 this chapter requests the court to exclude a party from the dwelling
10 which the parties share. When the jurisdiction of a district or
11 municipal court is limited to the issuance and enforcement of a
12 temporary order, the district or municipal court shall set the full
13 hearing provided for in RCW 26.50.050 in superior court and transfer
14 the case. If the notice and order are not served on the respondent in
15 time for the full hearing, the issuing court shall have concurrent
16 jurisdiction with the superior court to extend the order for
17 protection.

18 ~~((6))~~ (7) An action under this chapter shall be filed in the
19 county or the municipality where the petitioner resides, unless the
20 petitioner has left the residence or household to avoid abuse. In
21 that case, the petitioner may bring an action in the county or
22 municipality of the previous or the new household or residence.

23 ~~((7))~~ (8) A person's right to petition for relief under this
24 chapter is not affected by the person leaving the residence or
25 household to avoid abuse.

26 ~~((8))~~ (9) For the purposes of this section "next friend" means
27 any competent individual, over eighteen years of age, chosen by the
28 minor and who is capable of pursuing the minor's stated interest in
29 the action.

30 NEW SECTION. **Sec. 6.** This act takes effect January 1, 2021.

--- END ---

INCREASED FUNDING IS CRITICAL FOR FUNDAMENTAL ACCESS TO QUALIFIED INTERPRETERS

The Washington Judiciary is requesting \$2.1 million for the state Interpreter Reimbursement Program to allow more courts in all parts of the state to access funding.

INCREASED DEMAND, INSUFFICIENT LOCAL RESOURCES

State funding has been flat since 2008, yet a recent study of Washington courts found that the costs of providing interpreters is increasing. Increased funding will help additional courts, especially rural and small courts, access the Interpreter Reimbursement Program and support interpreter recruitment and testing to increase the number of qualified interpreters.

DUE PROCESS AND PROTECTION OF LEGAL RIGHTS

Individuals face severe and costly consequences affecting their safety, health, families, property, and finances if they're unable to access qualified interpreter services. Providing qualified interpreters from the beginning of a case can resolve minor legal issues before they become bigger ones.

LIFE-ALTERING CONSEQUENCES

Without access to qualified interpreters, victims often face many negative impacts such as emotional stress, delayed response or no assistance, and conflicts of interest. For victims who are seeking resolutions to high-risk situations, such as a protection order, a court interpreter can be a matter of life and death.

THE FACTS



59%

A recent survey revealed that 59% of courts experienced delays in proceedings when interpreter services were needed and unavailable.

165

The number of languages courts must accommodate has increased 30%, with one court reporting 165 languages.

50%

Approximately 50% of courts report exceeding their interpreter budgets. Small and rural courts often face a shortage of qualified interpreters in their communities, which can lead to unexpected interpreter travel costs that break the bank.



Without an interpreter, my clients would not be able to address the court or understand what was happening. It is crucial for interpreting services to be available — especially in court — which is already an intimidating setting and communication is particularly important.

DOMESTIC VIOLENCE COMMUNITY ADVOCATE



www.courts.wa.gov

CONTACT Jeanne.Englert@courts.wa.gov (360) 705-5207

COURT TRAINING IS ESSENTIAL FOR NEW JUDGES AND COURT PERSONNEL

The Washington Judiciary is requesting \$1.4 million to ensure new judicial officers and court personnel have timely access to the training they need to effectively serve the public.

PUBLIC TRUST AND CONFIDENCE

Funding for court training has remained the same for more than a decade, despite increasing needs. Well-trained judicial officers and court personnel foster confidence in the judicial process.

INFORMED RESPONSES

Timely training is critical to informed and effective responses to increasing numbers of self-represented litigants and cases involving mental health, domestic violence, and drug addiction in our communities.

LEGISLATIVE IMPACT

In the last three years, the Legislature has passed more than 150 bills that impact the court system, including DUI laws, family law and parentage, guardianship, mental health, public records, and juvenile justice. Proper training is essential to making sure the intent of the legislature is carried out in the cases that come through the courts.

Justice is not administered by itself. It requires qualified and educated people.



THE FACTS



50 / 63%

Almost 50% of judicial officers and 63% of new administrators received no training during their first six months on the job.

150

In the last three years, the Legislature has passed more than 150 bills that impact the court system.

ONE THIRD

The “age wave” is here. Nearly one third of the district and municipal court bench will turn over by the end of 2018. Superior Court and Court of Appeals judges are not far behind.



Court System Education Funding Task Force 2019

Funding Request Talking Points

- 1) The Washington Judiciary is requesting \$1.4 million to ensure new judicial officers and court personnel get timely access to the training needed to effectively serve the public. Funding will ensure equal access for small and rural courts that struggle to afford sending judges and court staff to training opportunities.
- 2) Funds will be used to develop a statewide online education and training system which can provide immediate and sustainable training opportunities, and to expand critical in-person training for judicial officers and court staff who work in all regions of the state.
- 3) New judges are typically highly experienced legal professionals in specialty practice areas. Judges are required to be proficient in all areas of the law. They need knowledge and training to preside over continuous changes in law, policy, and technology.
- 4) A recent survey revealed that almost 50% of judicial officers and 63% of new administrators received no training during their first six months on the job.
- 5) Even when training is provided, there is often insufficient funding for court personnel to attend training. The lack of resources make it particularly difficult for small and rural court staff to access training opportunities. We will use the additional funding to develop and implement critical court personnel trainings and remove financial barriers to attending those trainings.
- 6) Well-trained judicial officers and court staff foster confidence in the judicial process. Better outcomes for the public means greater trust in state and local government. Research has shown that people tend to comply with court orders and the law if they perceive that court proceedings and the laws are fair.
- 7) In the last three years, the Legislature has passed more than 150 bills impacting the court system. Nearly every year, the Legislature makes changes to a wide array of substantive legal and policy areas such as DUI laws, family law and parentage, guardianship, mental health, public records, and juvenile justice. Timely training is essential to make sure that the intent of the legislature is carried out in the cases that come through the courts.
- 8) The “age wave” is here and is creating huge turnover on the bench and among court staff. Nearly a third of the district and municipal court bench will be replaced by the end of 2018. Superior Court and Court of Appeals judges are retiring in similar numbers. We need additional dollars to train these new judges.
- 9) Timely training is critical to informed and effective responses to increasing numbers of self-represented litigants and mental health, domestic violence, and drug addiction cases swamping the courts.



Interpreter Services Funding Task Force 2019

Funding Request Talking Points

Increase State Funded Interpreter Program

1. The judicial branch is requesting \$2.1 million for the state Interpreter Reimbursement Program so that more courts throughout the state receive financial help to hire qualified court interpreters. Interpreter services are fundamental to justice, providing the ability for all participants to meaningfully participate in court proceedings.
2. Funding for court interpreters is meant to be a partnership. The legislature established funding for the Interpreter Reimbursement Program in 2008 as a partnership between local courts and the State to provide 50% funding for interpreter services.
3. The program currently provides limited funds to only 20% of Washington courts. It's time to reaffirm our commitment to this partnership.
4. Increased funds will help additional courts, especially rural and small courts, access the program and support interpreter recruitment and testing to increase the number of qualified interpreters.

Increased Demand, Insufficient Local Resources

5. State funding has been flat since 2008, yet a recent study of Washington Courts found that the costs of providing interpreters is increasing. The number of languages courts are facing has increased 30% percent, with one court reporting 165 languages.
6. Small and rural courts often face a shortage of qualified interpreters in their communities, which can lead to unexpected interpreter travel costs that break the bank.

Due Process and Protection of Legal Rights

7. Individuals can face severe consequences affecting safety, health, families, housing, and finances if they're unable to access qualified interpreter services at the needed time in court. Availability of qualified interpreters from the beginning of a case can resolve minor legal issues before they become bigger ones.
8. A recent survey of Washington courts revealed that 59% of courts experienced delays in proceedings when interpreter services were unavailable. Delays cost the courts, community, and individuals. Delays may increase staff, attorney, and jail costs. Individuals may lose work days, struggle to find additional child care, or spend more time incarcerated.
9. Delays can be especially challenging for persons who are low income or who have health and mobility challenges.

Gender & Justice Commission
Budget July 1, 2018 - June 30, 2019

Commission Expenses		FY 19
Meetings		
	Commission meetings	\$10,000
	Committee meetings (in person)	\$1,500
General Operating Expenses	Printing, conference calls, supplies, etc.	\$3,000
Staff Travel & Training	Registration Fees, travel-related costs	\$2,000
Communications	Annual Report	\$2,500
Education Programs		
	DMCMA Line Staff Conference	\$1,500
	Fall Conference	\$2,500
	Appellate Conference	\$1,500
	SCJA/DMCJA Conferences	\$5,000
Sponsorships/Events		
	Judicial Officer & Law Student Reception	\$1,000
	Women's History Month CLE	\$1,000
	Mission Creek - Success Inside & Out	\$1,000
	Color of Justice	\$500
	Tech Summit for Girls	\$1,000
Projects	Gender Bias Study staffing, contracts, travel (SJI Grant Cash Match)	\$15,000

Starting Budget	\$50,000
All Allocated Commission Expenses	\$49,000
<i>Unallocated</i>	\$1,000

Updated 8.28.18

Gender and Justice Commission Meeting Schedule

2019

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

Meeting Day & Time: Friday (unless noted)
8:45 AM to Noon

2019

- January 25
- March 1
- May 3
- June 20 (Thursday)
- September 6
- November 1

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