

	<p>Gender and Justice Commission Friday, March 1st, 2019 8:45 AM – 12 PM AOC SeaTac Office 18000 International Blvd., Suite 1106, SeaTac, WA Teleconference: 1-877-820-7831 Passcode: 904811#</p>	
MEETING NOTES		

Members & Liaisons Present

Justice Sheryl Gordon McCloud (Chair)
 Judge Marilyn Paja (Vice Chair)
 Judge Anita Crawford-Willis (via phone)
 Ms. Josie Delvin
 Ms. Laura Edmonston (Embedded Librarian)
 Judge Michael Evans
 Ms. Gail Hammer (via phone)
 Ms. Elizabeth Hendren
 Ms. Grace Huang
 Ms. Heather McKimmie
 Judge Rich Melnick
 Ms. Erin Moody
 Ms. Riddhi Mukhopadhyay
 Mr. Sal Mungia (ATJ Board Liaison)
 Dr. Dana Raigrodski
 Ms. Jennifer Ritchie
 Ms. Sonia Rodriguez True (via phone)
 Judge Cindy K. Smith (via phone)
 Ms. Vicky Vreeland

Guests

Ms. Shannon Kilpatrick

Staff

Ms. Kelley Amburgey-Richardson
 Ms. Mary Lou Boles
 Ms. Cynthia Delostrinos
 Mr. Curtis Dunn

Members & Liaisons Absent

Ms. Sydney Bay (UW Student Liaison)
 Ms. Macaulay Dukes (SU Student Liaison)
 Ms. Patricia Eakes
 Judge Rebecca Glasgow
 Judge Eric Lucas
 Ms. Annalisa Mai
 Ms. Cassidy Wisley-Paul (SU Student Liaison)

CALL TO ORDER

The meeting was called to order at 8:50 AM

January 25th 2019 Meeting Minutes

The meeting minutes were approved as presented.

Welcome and Announcements

Justice Gordon McCloud welcomed the Commission and guest, Ms. Shannon Kilpatrick. Members introduced themselves.

Justice Gordon McCloud announced that Justice Owens has resigned as a Commissioner. We are glad that she will remain active with the Tribal State Court Consortium. Justice Gordon McCloud is considering options for filling this vacancy.

COMMITTEE AND PROJECT UPDATES

Tribal State Court Consortium – Judge Cindy K. Smith

Regional Meeting

- The TSCC is exploring the possibility of having the 2019 Regional Meeting at the Temple of Justice. They have never held the Regional Meeting at a state court.
- This would be in conjunction with a tour of a nearby tribal court, most likely Nisqually.
- The TSCC is looking for dates and plans to hold the meeting in June.

Conference Session

- The Crisis of Missing and Murdered Indigenous Women session was accepted for Annual Fall Judicial Conference. National research on this issue will be shared.
 - Judge Paja asked if this session will contain content on implicit bias, and Judge Smith confirmed that it will.
 - Ms. Hendren stated she recently read a report from Urban Indian Health Institute released a report titled Missing and Murdered Indigenous Women & Girls: A Snapshot of Data from 71 Urban Cities in the United States. Seattle had the highest rate of missing and murdered indigenous women.

Sponsorship Request

- The TSCC has been approached about sponsoring, with the G&J and M&J Commissions, an upcoming event at Seattle University School of Law. The event is a screening of the film “Tribal Justice” and keynote from one of the tribal court judges in the film. The TSCC would like to ask the G&J Commission to sponsor in the amount of \$450. M&J Commission will also be asked to sponsor the amount of \$450.
 - More information about the film may be found here: <http://www.pbs.org/pov/tribaljustice/>
 - The budget has sufficient funds to sponsor the event.
 - Dr. Raigrodski asked if we could circulate the event information with UW Law Students as well. Ms. Delostrinos will ask the primary contact for the event and if we can share the event information with the other law schools.
 - **DECISION:** The Commission approved \$450 in sponsorship funds.

Staffing

- The TSCC Co-Chairs are working with Commission staff to hire a part-time person to work on tribal courts projects on the STOP grant.

- The grant requires a percentage of funds to be used for work with tribal courts on DV, SV issues through 2021.
- The TSCC has identified priority projects and needs dedicated staffing for them to be successful.
- Ms. Delostrinos said AOC will be opening the job position next week.
- Once the TSCC staff person is hired, Ms. Delostrinos and Ms. Amburgey-Richardson will start looking into securing additional grant funding to hopefully make the position full time.

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

Yakima Jail Transfers

- Ms. Hendren and Ms. McKimmie lead the Commission in a discussion of this issue.
- There are only 2 women’s prisons in Washington and they are both overcrowded. The number of women being incarcerated has continued to rise. In response, DOC has been transferring women to the Yakima Jail facility.
- This is a concern because there is not the same access to education or programming at the jail, no opportunity for in-person visits with their children, and no law library.
- Ms. Hendren reported that there are 62 women at Yakima Jail. There are two jail facilities. The newer one has been developed into a DOC therapeutic community, but still being managed by jail staff.
- The therapeutic community is for women under a Drug Offender Sentencing Alternative (DOSA).
- The committee obtained the screening criteria for transferring women to Yakima, but it many details remain unclear.
- Committee members intend to request a tour of the jail facility. Ms. Rodriguez True, who is in Yakima, also plans to try to speak directly with the women to get a better understanding of their needs.
- Justice Gordon McCloud suggested that after the legal resource computer has been installed for a year at Mission Creek and we have information about access, we could work with DOC to install a similar system at Yakima Jail.
- In terms of the big picture issue of the rise in female incarceration, Ms. Hendren is connecting with a researcher for help analyzing data to better understand the issue.
- Justice Gordon McCloud mentioned David Boerner (Seattle University School of Law) did a presentation on incarceration rates, gender, and race for the Appellate Conference a few years ago that may be helpful.

Conference Presentation

- Ms. Hendren will be presenting at an upcoming conference on children of incarcerated parents at UW Tacoma. Her presentation will be with Susie Leavell from DOC and a formerly incarcerated parent.
- The presentation is about Court Access for Incarcerated Parents and will be geared toward social workers and family members without a legal background.

- This presentation is not Commission-sponsored, but mirrors presentations given to judicial officers. It is helpful to have the same information distributed to different system professionals.

Liaison & Representative Reports

Washington Women Lawyers – Ms. Jennifer Ritchie

- Ms. Ritchie shared about WWL’s involvement in planning the upcoming 2nd Annual Women’s History Month CLE on 3/13/19. There is also a CLE planned in Clark County. Upcoming events may be found on the Washington Women Lawyers website: <https://wwl.org/newsevents>
- WWL has a partnership with QLAW to offer free membership to Washington Women Lawyers and/or QLAW. Interested persons may reach out to either association for more information.
- Asked for volunteer mock trial judges for upcoming events. If interested, contact Ms. Ritchie.

Access to Justice Board – Mr. Sal Mungia

- Civil Legal Aid Lobby Day was held on 2/21/19 and 50-60 people participated. This is a bipartisan effort with bipartisan speakers, including Mike Peliciotti and Senator Ann Rivers. The budget request for additional funds for OCLA is \$11.2 million which is a significant increase.
- Mr. Mungia encouraged members to send a quick email to their three state representatives stating their support for Civil Legal Aid.
- The Access to Justice Conference will be held in Spokane, WA on 6/14/19 – 6/16/19. There will be workshops on many topics, including mass incarceration, race equity. There will likely be an event with the Court of Appeals, Division III to celebrate the 50th anniversary of the WA COA.

Law Library – Ms. Laura Edmonston

- Ms. Edmonston noted that her November 2018 monthly report included research on missing and murdered indigenous women.
- Dr. Raigrodski brought up the idea of distributing the monthly reports more widely.
- Judge Paja suggested writing an article for the Bar News about the work of the Commission and highlighting these reports.
- Ms. Edmonston welcomes requests for research from Commissioners.

Law Students – Dr. Dana Raigrodski

- There will be a phone meeting on 3/12/19 to discuss the development of implicit bias training for moot court judges.
- The law student liaisons have contacted the Moot Court Boards about this idea and will soon loop in the Law School Deans.

Discussion: Moot Court

- Justice Gordon McCloud recently served as a moot court judge at a competition at UC Irvine School of Law. The evaluation reports were excellent. The fact scenario was based on a real case that had race, gender, sexual harassment issues. The top competitors were all women.
- She did not observe issues such as judges commenting on competitors' appearances, comments were kept to the substance of the argument. Perhaps this was because the issues were discussed directly as part of the case.
- Commissioners agreed that prompts matter, in addition to moot court culture.
- Ms. Mukhopadhyay brought up the importance of addressing racial bias within the prompts. She suggested developing boiler plate language that facilitators could read at the end of any competition. This could affirm what is important (substance, not appearance) and help correct any bias students may have experienced during the competition.
- Ms. Moody suggested that one way to address the issue would be for training materials to remind Judges to analyze the case as if the students were attorneys in a real courtroom.
- Judge Paja suggested developing a bench card for moot court judges in addition to the training.

Education Committee – Judge Richard Melnick and Committee

Judicial College

- Judge Lori Kay Smith and Judge Anne Hirsch presented the Domestic Violence session in late January.
- The judges received good reviews, and the overall program evaluations were positive. There was also feedback to consider when planning next year's program.
- It is always a challenge for presenters to fit the necessary information into the allotted time frame.

Appellate Program

- Professors Lori Bannai and Bob Chang are doing a three hour legal writing presentation co-sponsored by MJC and GJC. Judge Melnick and Justice Stephens are working on this.

SCJA Spring Program

- Planning is underway for the two G&J sponsored sessions.
- Protection Orders & Firearms Session
 - Judge Jackie-Shea Brown, Co-Chair of the DSV Committee, has agreed to serve as judicial officer faculty for this session.
 - Judge Evans is the Ed. Committee's liaison. A check-in call will be scheduled soon.
- The Role & Scope of Title 26 GALs

- The Education Committee's original faculty suggestions were unavailable to present but have offered continued help with planning the content.
- In consultation with Ed. Committee liaisons David Ward and Commissioner Jonathon Lack, Commissioner Jackie High-Edward (Spokane Co. Superior Court) has been selected as judicial officer faculty.
- Selection of the second faculty member is in progress, with recommendations from the liaisons. An experienced GAL, who is also a good presenter, was recommended to serve as the second faculty member.
- Dr. Raigrodski is interested in interviewing faculty for this session as part of the Gender Bias Study.

AWSCA Spring Program

- David Ward, Jeremiah Allen (Pride Foundation), Isyss Honnen (Pride Foundation), and Dusty LaMay (Lavender Rights Project) are confirmed as faculty for *Transgender People & the Courts: Ensuring Respect and Fairness*. A planning call is in the works.

DMCJA Spring Program

- The G&J Commission is sponsoring three sessions: Handling a DV Trial, Neurobiology of Trauma, and Sexual Harassment.
- Staff is working on contracts with Neurobiology of Trauma faculty.
- Calls will be scheduled soon with G&J liaisons to the DV Trial session to begin development of the requested mini DV Trial bench book.
- Sponsorship of the Sexual Harassment session was requested by Judge Short (DMCJA Ed. Committee). He reached out to Judge Melnick, who consulted with the committee. Trainers will include Reiko Callner, Director of the Commission on Judicial Ethics and attorney Sarah Hale.

Annual Fall Judicial Conference

- The G&J Commission is co-sponsoring three sessions: Crisis of Missing and Murdered Indigenous Women, Equal Justice Overview: Youth, the 8th Amendment and the Law (juvenile justice), Pre-Trial Justice: Bail, Risk Assessment, and Reforms.
- Judge Melnick has also been working with Justice Stephens to plan an evening event. This will be a dinner with keynote speaker, sponsored by all three Commissions and the Tribal State Court Consortium. Details are still being worked out, but Judge Torres from Oregon has agreed to be the keynote speaker.

Implicit Bias Presentations

- Ms. Delostrinos developed a training for the Faculty Development Program about how to include diversity issues, including race and gender, in programs on any topic. She also presented to a recent meeting of Education Chairs from each of the court associations.
- The feedback has been really positive, participants took the time to think through how to include these issues, even where it was not immediately clear how they would fit in.

- For example, a Judge suggested considering need for interpreter services or low income individuals who cannot afford filing fees when planning a court budget.

ACTION ITEM: The Ed. Committee will be scheduling a phone meeting soon to plan for upcoming programs and discuss responses to the diversity question on recent program evaluations.

Communications Committee – Judge Marilyn Paja

2nd Annual Women’s History Month CLE

- This year’s program is a partnership between the Commission and Washington Women Lawyers, Washington State Bar Association, and the Washington State Women’s Commission.
- It will be held at WSBA, the afternoon of 3/13/19. The title is “Women and the Law: Past, Present and Future.” A flyer may be found on Page 11 of the meeting packet.
- Judicial Officer faculty include: Justice Gordon McCloud, Justice Steven Gonzalez, Justice Debra Stephens, and Judge Raquel Montoya-Lewis.
- Ms. Amburgey-Richardson reminded the Commission that we do have limited funds to help with registration and travel reimbursement if any members are interested.
- Ms. Vreeland commented that the program is missing the practical piece of people doing boots on the ground work, one case at a time, to make change. Justice Gordon McCloud may be able to incorporate this into her remarks, and will connect with Ms. Vreeland.
- Commissioners were interested in finding out data about who attended the CLE.
- Judge Paja and Dr. Raigrodski thanked Ms. Edmonston for her help in preparing materials for the CLE.

Domestic & Sexual Violence Committee – Ms. Erin Moody & Committee

SV Bench Guide Update

- After the last G&J meeting, Co-Chairs reached out to members of the relevant judicial association committees and past contributors for feedback.
- Judge Paja also conducted a comprehensive final review, providing helpful edits that staff incorporated into the final draft.
- The draft was submitted to the grant funder for approval to print, and we should hear back soon. The funder requires all printing to take place in the first quarter of the grant, so we will have until the end of March to make any changes they request and print.
- Commissioners expressed that it would be great if the guide was published by April, so it could be distributed during Sexual Assault Awareness Month.

Pattern Form Changes Request

- Ms. Moody and Ms. Claire Carden have finalized a draft of the request letter to the Commission and mock-up forms changes. These are being reviewed by stakeholders and will be submitted soon.
- Ms. Moody thanked Ms. Edmonston for providing research materials to help draft the letter.

Firearms Surrender Bench Card

- The committee identified the need for a bench card specific to firearms surrender. WSCADV previously developed a flow chart, but changes in the law made it outdated.
- Judge Shea-Brown developed the draft bench card on page 13 of the meeting packet. It has been distributed to the DSV Committee, the immediate past and present faculty for the Judicial College DV session, and other stakeholders for review.
- The committee would like the Commission's feedback about the bench card. Parts of it are difficult to break down into bullet points.

ACTION ITEM: A revised draft of the bench card will be shared via the listserv for review and input.

Gender & Justice Study Task Force – Justice Gordon McCloud & Task Force

Project Manager and Study Partners Update

- There were 21 applicants for the position. Justice Gordon McCloud, Dr. Carl McCurley, Kelley, and Cynthia interviewed the four candidates with the top application scores on Monday. We are in the process of finalizing the details with the successful candidate.
- Dr. Raigrodski has been working with the UW Law Library program to secure specific graduate students to work on the literature review portion of the project. Three JD trained library students have been identified. We need to develop more defined questions for the students to work on.
- Rob Mead from the State Law Library has been working with Kelley and AOC IT staff to purchase access to a social science research database to help with his team's update on the status of the 1989 recommendations.
- Kelley and Cynthia have worked with Dr. Faith Lutze of the WSU Department of Criminal Justice and Criminology Program. Dr. Lutze was recommended by Dr. McCurley to be a social science research advisor to the project. She also served on the HB 1163 workgroups. Dr. Lutze has agreed to serve in this role and has identified two graduate students from her program as well.

Timeline and Next Steps

- In the next few weeks, staff will be working with AOC's contracts department on contracts with all the partners and the project manager.

- Task Leads will be continuing their work and will get connected with the new project manager. We will plan an in-person meeting of the Task Force when the project manager has been oriented to the project.

Discussion Items – All

- Judge Melnick congratulated Sal Mungia on being the Goldmark Award winner this year.
- Justice Gordon McCloud mentioned the issue of website compliance with the ADA. Cynthia Delostrinos is reaching out to AOC’s ADA Coordinator about this.
- 2019 is the 50th Anniversary of the Court of Appeals. Judge Melnick shared the celebration dates for each division: 10/1/19 – Division I, 10/2/19 – Division II, and 10/7/19 – Division III. Judge Worswick, Judge Dwyer, Judge Fearing are leading the planning committee.
- Judge Melnick also shared, on behalf of Judge Glasgow, an opportunity to tour Kitsap County District Court’s Human Trafficking Court. Judge Kelly invited Judge Glasgow, and the tour is taking place on 5/31/19. Staff will distribute more information via email.
- Ms. Huang shared that the STOP grant program has been level funded, and that advocates are working on reauthorization of the Violence Against Women Act (VAWA).

CHAIR AND STAFF REPORTS

Chair Report – Justice Gordon McCloud

- The National Center for Juvenile and Family Court Judges recently requested permission to link to the chapter of the DV Manual on Tribal Courts and Domestic Violence. Thank you to Ms. Huang for editing and stewardship of the manual, and all involved in writing this chapter.
- Justice Gordon McCloud will be doing a speech to the League of Women Voters to celebrate the 100 year anniversary of women’s suffrage. She wants to celebrate but also acknowledge that this is not the anniversary for all women, as women of color were excluded.

Vice Chair Report – Judge Marilyn Paja

- Judge Paja attended the recent WSBA Diversity & Inclusion Mixer on behalf of the Commission. The Young Lawyers of Pierce County expressed interest in sensitivity/diversity/implicit bias training. This may be a new audience for the Commission.
- Judge Paja and Judge Lucas presented to a work session of the House Public Safety Committee about the HB 1163 DV Workgroups reports. In the 2019 session, HB 1517 seeks to implement some recommendations from these reports, including refining the definition of domestic violence for better data collection and analysis.

Staff Report – Ms. Kelley Amburgey-Richardson

Legislative Update – Ms. Kelley Amburgey-Richardson

- Ms. Amburgey-Richardson has been providing a legislative report each week of session, with bills that may be of interest to the Commission. Fifty-five bills have been tracked this session, with many more reviewed.
- Policy cutoff was 2/22/19, and bills that did not pass out of policy committees by then are dead. 3/1/19 is fiscal committee cutoff.
- 2SHB 1517 seeks to implement some recommendations from the recommendations from the HB 1163 (2017) DV Workgroups. It incorporates the G&J proposal to refine the definition of domestic violence for enhanced data collection and analysis, including intent language specifying that reorganizing the definition is to facilitate data analysis and not to substantively change DV statutes, remedies. It requires the Gender and Justice Commission to reconvene the workgroups for additional study of perpetrator treatment and risk assessment by June 2020. This bill is in the Appropriations Committee now and must pass out by today.

Recognition – Ms. Cynthia Delostrinos

- Ms. Amburgey-Richardson was recognized for her dedication and organization to support all of the Commission’s committees and projects. She has been taking on additional work while we hire for the Study Project Manager and TSCC staff person.
- Mr. Mungia was recognized for receiving the Goldmark Award. In his acceptance speech, he focused on how he was able to give back.
- Judge Paja and Judge Lucas were recognized for their hard work on the HB 1163 workgroups and presentation to the legislature.
- Ms. Moody was recognized for leading the revitalization of the DSV Committee with Judge Shea-Brown. She has helped organize and streamline the committee’s work. These issues are of such importance to the Commission and it’s great to see the committee actively working on many projects.

The meeting was adjourned at approximately 11:57 AM.

NEXT COMMISSION MEETING:		
May 3, 2019	8:45 AM. – 12:00 PM	AOC SeaTac Office