



Gender and Justice Commission
Friday, January 22, 2021
9:30 AM – 12 PM
Zoom Webconference



MEETING NOTES

Members & Liaisons Present

Justice Sheryl Gordon McCloud (Co-Chair)
 Judge Marilyn Paja (Co-Chair)
 Dua Abudiab
 Honorable Melissa Beaton
 Judge Anita Crawford-Willis
 Chief Judge Michelle Demmert
 Laura Edmonston
 Judge Rebecca Glasgow
 Justice Steven González
 Professor Gail Hammer
 Kelly Harris
 Lillian Hawkins
 Elizabeth Hendren
 Ivy Rose Kramer (L&C)
 Commissioner Jonathon Lack
 Judge Eric Lucas
 Erin Moody
 Sal Mungia
 Dr. Dana Raigrodski
 Jennifer Ritchie
 Barbara Serrano
 Chief Judge Cindy Smith
 Olivia Shangrow (SU)
 Judge Jackie Shea-Brown

Members & Liaisons Absent

Lucy Bauer (UW)
 Brielle Douglas (GU)
 Ali Johnson (UW)
 Riddhi Mukhopadhyay
 Bailey Reese (GU)
 Sonia Rodriguez True
 Chief Judge Cindy Smith
 Vicky Vreeland

Guests

Hailey Broeker (L&C)
 Jessica Campbell
 Julia Joanna Fleming
 Katy Penrod (UW)

Staff

Kelley Amburgey-Richardson
 Kathryn Akeah
 Cynthia Delostrinos
 Moriah Freed
 Sierra Rotakhina

WELCOME AND INITIAL BUSINESS

Welcome and Call to Order

The meeting was called to order at 9:32 AM.

- Justice Gordon McCloud welcomed everyone and called roll.
- Members introduced themselves and shared which committee or project they are on, what their interest areas are.

November 6, 2020 Meeting Minutes

The meeting minutes were approved as presented.

CO-CHAIR AND STAFF REPORTS

Co-Chair Report – Justice Sheryl Gordon McCloud, Judge Marilyn Paja

Priorities for the New Year

- Justice Gordon McCloud
 - Interested to hear from committee members later and then set larger priorities.
- Judge Paja
 - Involved with Washington Pattern Instructions Committee project re: gender pronouns in jury instructions.
 - Legislative session has gotten busy. Please be on the lookout for things we might be interested in and share.

Staff Report – Kelley Amburgey-Richardson, Cynthia Delostrinos

Staffing Update

- The STOP grant funder has approved use of funds to hire a half-time person to work on DV/SA projects, specifically updating GJC’s bench guides.
- We have seen how having additional staffing has improved the capacity of the Commission to expand our work and look forward to having another member on the team.

LEGISLATIVE SESSION

GJC Statement

GJC is a judicial branch Commission. We typically do not take positions on proposed legislation. Our goal is to “eliminate gender bias in the legal profession and within the law and justice system.” In order to achieve that goal, we have to stay informed about current events, including developments in other branches that might impact our goals.

When would GJC take a position?

- Commission is named in the bill
- Bill impacts administration of justice, especially if there is a gender issue
- We want to know about everything. We want our advocacy groups to keep us informed.
- We will sometimes, but rarely take a position.

What has this looked like in the past?

- Letter of support from Co-Chairs
 - E.g., GJC wrote a letter in support of certain sections of E2SHB 1517 (2019) when we were named to convene DV work groups.
- Public testimony (volunteers needed)
 - E.g., GJC Co-Chair, Judge Paja, testified in support of a bill in 2020 that prohibited immigration enforcement actions in court houses, highlighting gender impacts.
 - Testimony included impact on immigrant women who are victims of crime.
 - Justice Gordon McCloud asked members to think about if they would be willing to provide testimony for GJC during session. It is helpful to have members in mind should the need arise.
 - If a member were asked, staff would assist with preparing content for remarks. ‘

Bills Tracking

- Kelley Amburgey-Richardson prepares a regular bill tracking report like the one shared earlier this week.
- Please share any bills that you think should be added.

ACTION: Let Kelley Amburgey-Richardson know if you would be willing to provide legislative testimony on behalf of GJC. Email any bills of interest that should be added to the bill tracker.

Member Input

- Bills members’ agencies are putting forward or expect to see introduced
 - Jennifer Ritchie is testifying in support of SB 5163 this morning.
 - Erin Moody - Legislation being proposed re: protection orders also includes some interesting changes to weapons surrender laws. DSV committee has been involved in this issue, will be keeping an eye on this. Addresses 5th amendment issue with weapons surrender. Interesting, important thing to keep an eye on.
 - Dr. Raigrodski – are we intentionally trying to provide joint feedback, joint letters with other commissions or ATJ Board, TSCC?
 - Judge Paja – in the past, we have had a member who provided information, we have not had a committee. Staff get information from BJA/AOC about bills with court impact that AOC is tracking. We need to rely on members to bring us information about bills. If you have a bill you want GJC to know about, do something about, send us the background and ask.
 - In some cases, co-chairs have coordinated with other commissions on letters.
 - Session moves very quickly, we have an executive committee of co-chairs and staff that addresses time sensitive issues.
 - Data collection has been an issue across the board.

- Commissioner Lack – the inclusion of “other” or “non-binary” on court forms would be helpful.
- We have to be cautious as a judicial branch commission. We don’t want to take on an issue that the Supreme Court will have to address.
- HB 1293 caught Justice Gordon McCloud’s eye. Are other members interested in this bill?
 - Elizabeth Hendren is interested as well, would want to know how directly DV has to be connected to the crime. Sometimes it is not as direct and it makes it difficult to access relief.
- Barbara Serrano is interested in looking at HB 1293 more closely, potentially asking Washington Women Lawyers to support it.
 - She is WWL’s VP of Governmental Affairs.
 - Also interested in HB 1320.
 - HB 1068 – WWL voted to support this. Signed on in support in advance of hearing.
 - Judge Paja noted that the bills WWL is tracking may be of interest to GJC.
- Judge Glasgow – Rep. Tarra Simmons has been working on an LFO reform bill. Not sure what is in it yet. The Commission may want to take a look and support portions or all of it.
- Elizabeth Hendren – last session we had the new Uniform Guardianship Act.
 - Something that tied in with this is a visitor to go see parents in prison to explain what is going on.
 - Very important for incarcerated parents being able to participate in cases involving their children.
 - SCJA sent a letter to Sen. Pederson asking for portions of this bill to have delayed implementation and this provision would be included. This is an unintended consequence.
 - Hasn’t seen anything dropped yet, but we should keep an eye on this too.

COMMITTEE AND MEMBER REPORTS

Committee Priorities for 2021

Justice Gordon McCloud introduced this agenda item. She is interested in hearing about committee priorities so it can help shape overall efforts.

TSCC – Chief Judge Cindy Smith

- Trying to find out what happens to Tribal Court protection orders. Whether they get entered into state database, are they actually enforced?

- Federal government passed POWERS Act, required Federal District Courts to do training about missing and murdered Indigenous women and girls.
- The last training was not as effective as it could have been.
- Judge Smith is hoping to use this as a seed to train lawyers to represent Native women victims. Working with Women Spirit on this. Requires understanding the culture issues too.
 - Justice Gordon McCloud – it is great to think about having lawyers for this. Particularly with the rise in DV with COVID.
 - Please let us know if there is anything GJC can do to support.
 - Not sure it would be us, but attorney fee statutes could be an incentive.
 - Dr. Raigrodski – should informed learned through this work be in GJC study section?
 - Yes, Chief Judge Smith has connected Judge Shea-Brown with Women Spirit for feedback on the section.
 - Judge Shea-Brown is grateful to have this connection and it has been very helpful.
- TSCC is involved in a few presentations this year at DMCJA and SCJA re: Tribal Court jurisdiction.
- Kathryn Akeah has developed and disseminated a newsletter spotlighting Tribal Courts.

Domestic and Sexual Violence Committee – Judge Jackie Shea-Brown and Erin Moody, Co-Chairs

- The committee is hoping to have more robust, regular meetings this year. We've adapted due to COVID.
- Looking to liaison with DV/SA groups and improve those relationships.
- Judge Shea-Brown is looking to launch case law updates.
- DV Work Groups presented to DSV committee in December. Looking to take up the mantle since they were a temporary body.
 - Will be working to provide feedback on draft amendments to court rule.
 - Erin Moody has been working with various people about Seattle Muni DVIT pilot and evaluation.
 - Kelly Harris volunteered to help with this. His office started this up a few years ago. If we need anyone there, he will make it happen.

Incarceration, Gender & Justice Committee – Elizabeth Hendren, Chair

- Elizabeth Hendren provided background about the committee's work for new members, particularly on court access for incarcerated parents, legal resources for incarcerated parents.
- The committee has been looking at the issue of visitation during COVID.
 - Visitation is important. Children and parents benefit from visitation with incarcerated parents.

- DOC has suspended all in-person visits. Complicated issue because we don't want to bring COVID into a facility.
- They have done some things like implemented limited video visits (but expensive and not accessible to all families), making stamps/JPAY more accessible. This was only DOC facilities.
- Looking at needs in juvenile facilities.
- Cannot hold clinic in the facility like she used to. Before, it was primarily volunteers who represented people but now they can't go in facilities unless it's a structured attorney visit.
- COVID has improved some things about access. Looking to leverage that to improve access more.

Education – Judge Rebecca Glasgow, Chair

- One priority is gathering education recommendations from Gender Justice Study chapters and starting to make judicial education proposals related to those recommendations.
- Has a goal to connect with chairs of study to figure out the best way to pass information along to them.
- Asked committee to think about education more broadly. Is interested in working with the Communications Committee to do broader public education about the results of the study.
- Judge Paja – in the past we have done some experimental foraying into public education, packaging some content we have used for judges/court to other audiences. We have limited capacity and resources but it is possible.
- Online learning
 - Dr. Raigrodski – recommended recording modules, doing on-demand training.
 - Judge Glasgow - AOC Educators have quickly adjusted due to COVID.
 - Adapting methods of providing education when judges from various levels want it (e.g., Friday Forums).
 - When jury trials start up there is going to be a huge backlog. Judges are not going to be able to leave for a 3-day conference. It will be important to have on-demand options.
 - Commissioner Lack – there is a reluctance to record judicial education sessions because we want judges to be free to ask questions. Particularly true with Judicial College. These are new judges who need to be able to ask questions freely about subjects they are not familiar with at all. Does not think Judicial College should be recorded.
 - Dr. Raigrodski – Trainings could be recorded, then facilitated discussions could be conducted amongst the judges that were not recorded

Communications Committee – Judge Marilyn Paja, Chair

- In the past the committee’s main project has been working on the Annual Report.
- We have been a small committee and look forward to new members.
- Work annually on a Women’s History Month presentation.
 - We are working to determine if this possible, what format, what audience, if it will actually take place in March.
 - Chief Judge Demmert – Elizabeth Peratrovich was able to get the first civil rights legislation passed long before the 60’s and MLK. Happy to be a resource for more information about her.
- Co-Chairs have talked about a virtual Color of Justice program with NAWJ.
 - Whether this is possible, could be statewide.
 - Justice Whitener did a great program of this in Pierce County. Worked with SCJA to put this on three times/year in different regions.
 - NAWJ and SCJA are interested in partnering on this. Need to set up some meetings.
- Have been asked to really consider dissemination of Gender Justice Study.
 - We have our work cut out for us! Will be scheduling meetings with Barbara Serrano and Dr. Raigrodski.
 - Let Judge Paja or Kelley Amburgey-Richardson know if you are interested in joining.
- Laura Edmonston volunteered to help with the CLE.

ACTION: Let Judge Paja or Kelley Amburgey-Richardson know if you are interested in joining the Communications Committee.

ACTION: Laura Edmonston will assist with the Women’s History Month CLE.

Gender Justice Study – Justice Gordon McCloud and Dr. Raigrodski, Co-Chairs, Sierra Rotakhina, Project Manager

- Sierra Rotakhina is working on a chart of recommendations from the study. This was for the Advisory Committee, and Justice Gordon McCloud is hearing that it needs to go to the Commission as well.
- Our goal to provide all of you and other stakeholders with a list of priorities for the next five years.
- Sierra Rotakhina provided background on the study for new members. There is also a general update in the packet on page 12.
- Research
 - We have done the bulk of the research.
 - The next few months will be getting stakeholder feedback and incorporating it into the current drafts.
- Pilot Projects
 - We have about 700 responses to the Harassment Survey.

- DV-MRT Pilot – 7 courts have agreed to participate. This one is going very well.
- Two pilots are already finished – childcare center evaluation and evaluation of existing data on mass incarceration of women.

External Committees/Task Forces

ATJ Board – Sal Mungia

- Sal Mungia is the immediate past ATJ Board President and is GJC’s liaison to the board.
- He shared that the board is continuing to engage in anti-racism work.
- This legislative session
 - The Legal Services Corporation is asking for a 200% increase in federal funding.
 - Office of Civil Legal Aid has put in its annual budget request.
 - There is a bill to provide legal representation for people facing unlawful detainer actions.
 - The Equal Justice Coalition’s virtual Lobby Day is scheduled for 2/8.
- The Goldmark lunch is scheduled for 2/5. It is virtual and free this year.
- ATJ Board conference in August. They are currently inviting proposals.

Race and Justice Task Force – Lillian Hawkins

- Lillian Hawkins was appointed recently and has attended one meeting so far. She provided a brief history of the Task Force and its current work.
- The Task Force was created 10 years ago to document and address racism in the criminal justice system.
- This is Task Force 2.0, which continues to work to address racial disparity in the criminal justice system. Due to the call to action from Supreme Court, it is growing and expanding.
- At the December meeting, Snohomish County presented on how they reduced their jail population during COVID.
- There is collaboration between many criminal justice partners about how to use what we learned during COVID to implement long term criminal justice reform.
- Looks forward to tapping GJC to help with the Task Force as she learns more and gets integrated.

Racial Justice Consortium – Dua Abudiab and Judge Rebecca Glasgow

- Will send around information via email due to time constraints. The group has not met yet since GJC’s representatives were appointed.

Court Recovery Task Force – Judge Marilyn Paja and Judge Jackie Shea-Brown

- The Board for Judicial Administration convened this Task Force.
- Provided overview of the purpose of group for new members.
- GJC is participating as a non-voting member.

- Have contributed information on therapeutic courts, DV treatment in rural communities and positive impact of zoom, issues with visitation for incarcerated people.
- The family law committee is working on improvements to customer services.
- Have been asking for information/help from commissioners and will continue to do that.

Self-represented Litigants Work Group – Professor Gail Hammer

- This group is a very hardworking bunch.
- They are working to developing a statewide portal, a training curriculum and a desk book for judges.
- They are planning court audits and listening sessions to look at how self-represented people navigate the system.
- Considering a pilot project to get them immediate advice and guidance.

NEXT STEPS AND ADJOURNMENT

Next Steps and Adjournment – Co-Chairs

- Thank you to everyone for your contributions.
- The Co-Chairs will be reviewing these committee priorities with staff with a goal of developing overarching GJC priorities for 2021.

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