



Gender and Justice Commission
Friday, May 27th, 2022
9:30 AM – 12:00 PM
Zoom Videoconference



MEETING NOTES

Members & Liaisons Present

Justice Sheryl Gordon McCloud (Co-Chair)
 Judge Marilyn Paja (Co-Chair)
 Dua Abudiab
 Victoria Blumhorst
 Judge Anita Crawford-Willis
 Professor Lynn Daggett
 Quinn Dalan
 Laura Edmonston (Embedded Law Librarian)
 Judge Rebecca Glasgow
 Elizabeth Hendren
 Erin Moody
 Riddhi Mukhopadhyay
 Dr. Dana Raigrodski
 Barbara Serrano
 Chief Judge Cindy Smith

AOC Staff

Kelley Amburgey-Richardson
 Crissy Anderson
 Cynthia Delostrinos
 Moriah Freed
 Laura Jones

Members & Liaisons Absent

Honorable Melissa Beaton
 Judge Michelle Demmert
 Professor Gail Hammer
 Lillian Hawkins
 Kelly Harris
 Casey Kinross (GU)
 Ivy-Rose Kramer (L&C)
 Commissioner Jonathon Lack
 Sal Mungia (ATJ Board)
 Sloan Nickel (GU)
 Olivia Shangrow (SU)
 Judge Jackie Shea-Brown
 Vicky Vreeland

Guests

Honorable Tim Fitzgerald
 Jesse Guecha
 Angela Langer
 Kyra Laughlin

WELCOME AND INITIAL BUSINESS

Welcome and Introductions

- The meeting was called to order at 9:32 AM
- Justice Gordon McCloud acknowledged the ongoing national tragedies and collective mourning of the heartbreaking events.
- Justice Gordon McCloud thanked the Nominations Committee for leading the Commission’s new appointment procedure amidst a competitive recruitment process.

- The Commission conducted formal introductions of members and staff so that new members could be acquainted with others' backgrounds, including areas of practice and committees that might be of interest.

March 4th Meeting Minutes

- The meeting minutes were approved as presented.

PROJECT UPDATE – E2SHB 1320 WORKGROUPS

HB 1320 Work Group Presentation – Judge Jackie-Shea Brown, Erin Moody, and Laura Jones

- Erin Moody gave a brief overview of the E2SHB 1320 project. In sections 12, 16, and 36 of E2SHB 1320, the Washington State Legislature directed the Gender and Justice Commission (GJC), with the support of the Washington State Women's Commission and in collaboration with other stakeholders, to develop recommendations to the legislature and the courts regarding several matters related to civil protection order proceedings. The project was split into two phases – a report to the Legislature, and recommendations to the Courts.
 - Phase I: First deliverable – Report to legislature in December 2021.
 - The following questions were followed up on in the phase II deliverable:
 - Whether or not to include coercive control in the domestic violence definition
 - How to make state protection orders visible across jurisdictions (federal and tribal) with access to the record
 - Stakeholders were split into 3 groups by directive / topical area:
 - Litigant Rights & Access
 - Technology
 - Research and Information Sharing
 - Phase II of the project has involved the same stakeholder groups to produce a deliverable to the courts. It is a set of recommendations and materials to the courts that covers 6 slightly different topics:
 1. Evidentiary considerations
 2. Improving access for unrepresented litigants
 3. Addressing motions to continue when there are concurrent criminal proceedings concerning the same alleged conduct
 4. Technology to reduce administrative burdens
 5. Requirements for private vendors providing electronic filing services
 6. Data collection and sharing to promote research and transparency for the public

Phase II Deliverable Demonstration

- The project will go live June 30, 2022.
- The deliverable is in a website format that is easily accessible to busy individuals. It is a scrolling, responsive webpage modeled after the Gender Justice Study website that is easy to update and can be accessed on various devices.
- The beta version of the webpage was screen shared for Commission members. Laura Jones and Moriah Freed were recognized for their work in building the webpage and resource documents.
 - Materials drafted by the stakeholder groups were shared. They are linked in the various resource sections on the webpage. These include materials for litigants to increase access; judicial officers; and court staff.
 - Vendor requirements – all courts will be moving towards e-filing, which will likely require contracting with private vendors. The technology group focused on what type of concerns need to be considered when contracting to protect information and address privacy concerns.
 - Commission members asked if each jurisdiction will need to figure out vendor issues for themselves. Is there a centralized way to accomplish this? Statewide approach?
 - Model contract language was explored by the technology group. However, landscape is changing so rapidly that language would quickly become obsolete.
 - Right now it is county by county due to non-unified court system. Counties are either using Odyssey or another document management system. Arizona, another non-unified system, has found a solution that was presented to the workgroup.
 - Data collection section – survey. Responses from most counties.
 - Service of process issues were common – failure to serve respondent.
 - Learned that small counties are collecting differentiation between intimate partner violence (IPV) and domestic violence (DV) more effectively than large counties.
 - Final analysis will be linked on webpage.
- Website format will allow for updating as information becomes available.
- Coercive control question – After December report was submitted, there was consensus from the majority of stakeholders to support an amendment to include coercive control in the DV definition. The Legislature enacted the amendment and included another directive in HB 1901 (trailer bill) to study effects of the amendment. GJC and the Washington State Center for Court Research (WSCCR) learned it is not possible to track coercive control as a discrete data point on protection orders proceedings using available JIS codes. A memo is linked to the legislature explaining why coercive control cannot be tracked in JIS, including recommendations for changes to allow tracking of data.

- Access to the record question – Electronic record access requirement across county lines. The December report made a couple of proposed solutions to address this issue across Tribal / State / Federal jurisdictions. Struggling to continue work on this issue and implement solutions.
 - An AOC Group is leading charge on implementing state jurisdiction sharing. Hoping to have liaisons from DSV group to track progress in regards to December recommendation with state/tribal information sharing.

Discussion

- Justice Gordon McCloud applauded the work, especially the script and increasing access for litigants. Recommended thinking statewide on implementation, including potential budget requests.
- Dr. Raigrodski commended the accessible format, ease of access, and clarity. Asked that the Gender Justice Study could be tagged for how recommendations are being implemented.
- Erin Moody recommended that interested parties review the [December deliverable report](#), that goes more in depth on issues with more detail.
- Laura Jones was recognized for her work and dedication on this project over the last year.

ACTION: An AOC group will be looking at notifications systems. GJC is seeking volunteers from the TSCC and DSV Committee to participate in the group. The work will be related to coercive control and cross jurisdictional sharing issues.

DISCUSSION ITEMS

GJC Standing Committee Updates – Committee Chairs

- The Commission will return to asking for written reports from Committee chairs. Crissy Anderson will be reaching out to distribute the written reports.

Racial Justice Consortium – Judge Rebecca Glasgow and Dua Abudiab

- The final report is included in the meeting materials.
- The consortium met monthly for a little over a year. The group identified and prioritized strategies to tackle “big” problems in the justice system.
- Will next be working with Barb Serrano on where priorities overlap and align with the Gender Justice Study recommendations.
- Judge Glasgow has hired an additional extern this summer who will be working on GJC issues.

Gender Justice Study Implementation Committee Updates - Barb Serrano

- The first Implementation Committee meeting was held on March 29, and another will take place this Monday.
- Recommendations are so comprehensive and broad in scope. Need to work on narrowing and distilling them for implementation.
 - 5 main goals – Crissy Anderson and Barb Serrano have been working on a spreadsheet for easier tracking. It also includes chapter and authors of that section; proposed partners; proposed leads.
- Working with liaisons to help track progress of partners who are working on recommendations. E.g. MJC has a jury diversity workgroup stemming from a study recommendation.
- It was emphasized that the data collection issue is gaining traction in broader conversations.
 - OFM Forecasting and Research department of Governor's office eager to partner. Barb Serrano will be setting up a meeting with them.
 - Recommendations will require funding and partnerships.
- Crissy Anderson was recognized for her extensive review of the Study. Spreadsheet will be distributed to individuals who worked on the study.
- The Implementation Committee will be moving towards weekly, standing 30 minute meetings.
- The group presented to the Sexual Assault Task Force on the GJ Study, and discussed sexual assault; data issues; rape kit backlog. Policy analyst reached out about the July 27 meeting of Sexual Assault Task Force, where there will be a presentation on the dashboard from the King County Prosecuting Attorneys Office. Members of the Implementation Committee will attend. Signals a positive shift in how data issues are being received.
 - Senator Dhingra and Representative Orwall were at the meeting – hoping to continue working on legislation. Committee also has bipartisan representation from Representative Mosbrucker. Additionally, Senator Warnick participated in the Study Advisory Committee.
- Barb Serrano acknowledged that implementing recommendations will take time, including the importance of building partnerships.

ACTION: Crissy Anderson will distribute the summary spreadsheet. Please let Crissy Anderson, Barb Serrano, or Dr. Raigrodski know if you are interested in working on implementation. Review the recommendations and Study at your leisure for areas of interest.

ACTION: If members or guests are aware of individuals or entities, public or private, that tie in with recommendations or are working on recommendations, let Crissy Anderson and Barb Serrano know.

GJC Legislative Committee – Justice Gordon McCloud

- GJC has been called more often to comment on legislation. Would like to work more proactively and less reactively.
- GJC needs a legislative committee to address bills in a more organized way. Typically, this Committee will look at bills suggested to take a position on. Will look at bills during session on a weekly basis and make recommendations.
- Seeking volunteers for Committee.
 - Angela Langer and Jesse Guecha volunteered.
- It was recommended to work more with Brittany Gregory, AOC Legislative Director, during session.
- Crissy Anderson suggested pulling out legislative recommendations from the study to present to Senator Dhingra and Representative Orwall, who expressed interest in the work.
- Barb Serrano suggested that the Commission explore testifying ‘other’ on legislation to provide information without taking a hard stance on a political issue. This could potentially involve meeting with legislators to present information, but not to lobby. E.g. data collection issue.

BJA 2023 Legislative Proposals – Judge Marilyn Paja

- BJA has put out a call for legislative proposals for next session. Legislation that judicial branch organizations, including GJC, would like to be involved in, such as recommendations from the GJ Study.

ACTION: If members have knowledge of issues that may be of interest with GJC and its goals, please share with Crissy Anderson.

Pattern Jury Instructions – Judge Paja

- Judge Paja was asked to chair a subcommittee to review whether instructions should include just binary pronouns (she, him) or more expansive pronouns (she, he, they), and how judges should refer to participants.
- Should expect changes in this regard

ADJORNMENT

Announcements

- Future meeting dates are included in today's meeting packet.
- The Minority and Justice Commission will be sponsoring its annual Supreme Court Symposium on June 1st, 2022 via Zoom. This year's topic is *Reparations for African Americans*. All are invited to attend.

The meeting was adjourned at 12:00 PM.