



Gender and Justice Commission (GJCOM)

Friday, May 9, 2014, (8:45 a.m. – 12:00 p.m.)

AOC SeaTac Office

18000 International Blvd, Suite 1100

SeaTac, WA 8188-4251

MEETING NOTES

Members Present: Chief Justice Barbara A. Madsen, Chair; Ms. Ruth Gordon, Vice-Chair; Ms. Laura Contreras, Judge Michael Evans, Dr. Margaret Hobart, Ms. Trish Kinlow, Judge Richard Melnick, Judge Marilyn Paja, Judge Mark Pouley, Ms. Leslie Savina, Judge Ann Schindler Ms. Gail Stone, Judge Tom Tremaine, Mr. David Ward, Ms. CaroLea Casa (Student Liaison, University of Puget Sound), Ms. Kathy Bradley (AOC Staff), Ms. Danielle Pugh-Markie, Supreme Court Commissions Manager; and Ms. Pam Dittman, Program Coordinator.

Members Absent: Ms. Sara Ainsworth, Judge Judy Jasprica, Professor Taryn Lindhorst, Ms. Judith A. Lonquist, Judge Eric Lucas, Mr. Ron Miles

Guests: Justice Sheryl Gordon McCloud, Margaret Fisher (AOC Staff), Judge Joan DuBuque (Retired)

CALL TO ORDER

The meeting was called to order at approximately 8:55 a.m. Introductions were made. The March 14 meeting notes were approved with one correction.

COMMISSION BUSINESS

CHAIR REPORT

Vice Chair and Membership Opening

Ruth Gordon accepted the position as President of the Clerks' Association and with regrets is resigning from the GJCOM as this new position will be taking much of her time. Ruth has been an integral member of the GJCOM for five years, been invaluable as the Vice-Chair, has provided the needed perspective of Clerks, and been the liaison to the Clerks' Association. Ruth will be missed. Ruth will be submitting the name of Ms. Josie Delvin, Benton County Clerk to be the new GJCOM representative.

The Chief indicated she will step down as Chair of the GJCOM sometime next year. Justice Sheryl Gordon McCloud indicated interest in the work being conducted by the GJCOM as she has worked on employment issues involving gender discrimination and other women and gender-related issues. With that in mind, Justice Gordon McCloud will be present at more GJCOM meetings and we will use this time to transition her into the Chair role.

We still have one vacant judicial officer seat. We are looking to fill the vacant seat with a judicial officer from the municipal court level. Preferably someone from Eastern Washington.

Action

Ruth will follow-up with the Ms. Josie Delvin and the Clerks Association.

Danielle and Pam will work with DMCJA to solicit for the vacant municipal court judicial officer opening.

Legal Executives Diversity Summit on May 14, 2014

The GJCOM supported the Washington Initiative for Diversity (formerly Initiative for Diversity Governing Council) managing partner's summit for the fourth year. The Summit will bring together 80-100

participants from law firms to learn about and discuss strategies for promotion and retention for attorneys. GJCOM sponsored this event and received one free seat. Gail Stone indicated she would like to attend. Danielle Pugh-Markie and Pam Dittman will also be attending on behalf of the GJCOM.

Action

Gail Stone indicated she would be interested in attending. Pam will provide her the registration information.

Commission Logo

The GJCOM is in need of a logo. As some of you may recall, we addressed this a few years back, but the ideas were uninspired. With new staff leadership, comes a renewed interest in having a GJCOM logo. GJCOM members agreed that we should pursue having a logo designed. There were suggestions of hiring a design firm or working with the community, technical, and graphics design colleges to sponsor a contest with a monetary prize.

Action

CaroLea Casas volunteered to assist with contacting local schools re: contest. Staff will check internal policies on how to provide a monetary prize. As follow-up, Danielle Pugh-Markie has spoken with AOC contracts and fiscal staff and we have the green light to offer a monetary prize up to \$500.

STAFF REPORT

Activities

OVW Court Training Improvements Grant re: Sexual Assault Judicial Curriculum

A planning meeting was held on April 25 with a multi-disciplinary group of stakeholders to gain buy-in and develop the judicial curriculum. Attendees presenting tribal courts, law enforcement, defense bar, prosecution, advocacy, and the military were present and provided expertise and input on the design and implementation of the judicial curriculum. The outcome was we will hold two, one and a half day training sessions in early 2015. The sessions will take place in SeaTac and Spokane.

GJCOM staff will continue working with Legal Momentum, the national technical assistance providers and also King County Sexual Assault Resource Center to develop the training.

Protecting Sexual Privacy in the Internet Age: The Rise of Revenge Porn and How to Stop It

The GJCOM sponsored Professor Mary Anne Franks, University of Miami to attend the SCJA Spring Conference to present on internet use, cyberstalking, and nonconsensual pornography aka revenge porn. Following that conference, the GJCOM hosted a one-hour community forum to discuss nonconsensual pornography. Approximately 85 attendees from local social service agencies, courts, lawyers, advocates, and the Legislature. Following the presentation, the GJCOM hosted a smaller discussion specifically around how to craft legislation addressing nonconsensual pornography. A special thank you to David Ward for facilitating the meeting.

Interpreting in Domestic Violence and Sexual Assault Cases Training

The GJCOM together with the Minority and Justice and Interpreter Commissions hosted three, consecutive, one-day sessions (May 15-17) in Seattle, SeaTac, and Spokane. Funding from the Department of Social and Health Services, Office of Deaf and Hard of Hearing and AOC's STOP grant, we will provide this free training for both the spoken language and sign language interpreters. The Asian Pacific Islander Institute on Domestic Violence as the national technical assistance provider for language access issues in courts provided faculty and content for the training.

Statewide Tribal Domestic Violence and Sexual Assault Conference

Women Spirit, the statewide tribal advocacy coalition, is planning a conference for October 23-24, 2014 at Northern Quest Resort. A request from the GJCOM for \$5,000 in monetary support has been

submitted. The funds would be used to assist with developing a judicial track for the conference. Judges Pouley and Tremaine have been working with Pam and Danielle to assist with the development of this track. (Refer to GJC and STOP Grant Budget Requests, Page 3, for the status of the support.)

Pro Tem CLE

The DMCJA Diversity Committee co-sponsors a pro tem CLE every other year. This one and a half day training is scheduled for September 12-13 at the WSBA-CLE Conference Center in Seattle. The Conference Center allows for in-person and on-line attendance through webcasting capabilities. The Committee developed and distributed a needs assessment to all prior session attendees. The survey results will be used to inform the session topics.

Commercially Sexually Exploited Children (CSEC) Training

As discussed at the March GJCOM meeting, the GJCOM will be co-sponsoring a half-day judicial training on CSEC. We will be holding it on Saturday, August 2 at the SeaTac office.

GJC and STOP Grant Budgets

STOP is a grant program from the Office of Violence Against Women. STOP stands for Services, Training Officers, and Prosecutors. The AOC receives the five-percent set-aside for courts and manages the funds through the GJCOM. Yearly, we receive between \$100,000 to \$125,000 to support domestic violence, sexual assault, teen dating violence, and stalking efforts, and staff salaries and benefits.

These grants run on a federal fiscal year (FFY). FFY12 and FFY13 grants expire on December 31, 2014.

Requests:

- Women Spirit has asked for \$5,000 to support the October 23-24, 2014 Tribal DV & SA Conference. **Approved – STOP Funds**
- National Consortium on Racial and Ethnic Fairness in the Courts – Send a team comprised from AOC, Gender & Justice, and Minority & Justice. The request is to fund Callie Dietz, Danielle Pugh-Markie, and Judge Tremaine to attend this conference. This conference covers immigration, tribal court relationships, domestic violence, immigration, and other issues pertinent to the GJCOM and its projects. **Approved – GJCOM Funds**
- King County DV Symposium – Judge Elizabeth Berns has requested \$10,000 to assist with the DV Symposium. These funds would cover registration, travel, and pro tem costs for approximately 20 judicial officers to attend. **Approved – STOP Funds**
- NCJFCJ 77th Annual Conference – Send a team of judicial officers to this conference. The domestic violence track is pertinent to the work being done in both state and tribal courts. **Approved – STOP Funds**
- Incarcerated Women & Girls Stakeholder Meeting – This Committee is asking for approximately \$3,500 to host a stakeholders meeting here at the SeaTac Office on July 31. The meeting is to open the discussion with jails, Department of Corrections, judicial officers, advocates, and others on access to justice issues for incarcerated women and girls. Particularly on access to forms and parental rights. **Approved – GJCOM Funds**
- Protection Orders – This is as follow up to HB2777. We are looking into hiring a part-time, short-term, consultant to follow up on outstanding pieces of the protocols for duplicative and conflicting protection orders and the model policies on modification and/or rescission of protection orders. **Approved – STOP Funds**
- Other ideas:
 - There was discussion on why we discontinued the RFP process for STOP grant funds. Partly there has been a time constraint and the part is that we had not had an overly fruitful bevy of responses and needs. Based on that, over the past few years, we have

shifted funds to more statewide efforts such as the sentencing and monitoring project, work on duplicative and conflicting orders, and other training options. Members indicated they would like to see us expand our use of STOP funds to include training with courthouse facilitators, front counter court staff, and tribal court staff.

Action

GJCOM Staff will follow up on approved items.

2015 GJCOM Meeting Schedule

The 2015 GJCOM Meeting schedule has been released. We are proposing again to hold the March meeting at the Temple of Justice and build upon the Legislative Luncheon we did this year. We also want to bring to your attention the September date as it may change to accommodate the annual King County DV Symposium. Please add the dates to your calendar and remember attendance at meetings (in person or telephonically) is expected.

GUEST SPEAKER

Update on the Road to a Diverse Bar and Bench – Grant Application

Margaret Fisher provided an update on a grant application GJC and the Minority & Justice GJCOMs submitted to the Law School Admission Council (LSAC), Diversity Initiatives Fund. In 2013, we submitted a grant asking for \$35,000 to assist with the school pipeline project which engages youth in various ways and encourages them to work in the legal field. The grant funds were to do three things: 1) build a working relationship of stakeholders in the field, 2) create an online depository of materials of resources, agendas, promising practices, etc., and 3) use a national expert in the field of diversity pipeline programs to assist with these efforts. The LSAC committee was intrigued by the application, but ultimately asked us to pare the grant request to \$7,500. Based on this, we limited the scope of work to include working with the expert in developing a template for use in gathering information and to host a stakeholders meeting.

We will not know from the LSAC Committee whether we received the grant award of \$7,500 until the end of May. In the meantime, we are proposing the GJC expend \$1,000 to work with the national expert to develop the template. After we hear from LSAC, we are then asking for \$2,500 from each GJCOM to supplement the grant proposal to conduct the stakeholders meeting. Judge Paja agreed to be the GJCOM representative at this meeting. The members approved both the \$1,000 and \$2,500 requests contingent upon receiving the grant. **Approved – GJC Funds**

Action

Judge Paja agreed to be the GJCOM representative for this stakeholder meeting.

Statewide Summit on Firearms Surrender and Storage

Former GJCOM member and now retired, Judge Joan DuBuque is here to speak to us on the recently passed legislation on firearms surrender and storage. Judge DuBuque opened the discussion with GJCOM members on whether GJC could host a summit that would bring together stakeholders to discuss the issues surrounding surrender and storage. The meeting could possibly be funded with STOP funds as the legislation is directly related to domestic violence protection orders. The group would assist with writing the protocols that need to be drafted and developed by January, 2015. **Approved – STOP Funds**

The GJCOM members engaged in a lively discussion and indicated they approve of us working with Grace Huang, Washington State Coalition Against Domestic Violence and others to make the summit a possibility. The discussion provided a historical perspective of the work that has been done on surrender of firearms and concealed pistol licenses. For example, Mark Hanna, King County Sheriff's Office, has spent many years educating law enforcement, courts, and communities on firearms and how to get them

out of the hands of individuals who may use them in domestic violence and related types of cases. Additionally, the Commission was very active in addressing the surrender of concealed pistol licenses and while AOC was able to add a code for in the Judicial Information System for surrender, the Department of Licensing was unable to do anything with the information when provided.

The members also indicated they see the GJCOM's role as providing training on this to judicial officers and others. Again, STOP funds would be used. **Approved – STOP Funds**

Action

GJCOM Staff will continue working with Judge DuBuque and Grace to plan a summit.

COMMITTEE REPORTS

• **Communications – Ruth Gordon, Chair**

It is time to review the GJCOM's website and update it.

Action

GJCOM Members – Please take a look at the GJCOM website by **July 11**, and provide staff suggestions on what to remove and/or update.

• **Domestic Violence – Judge Judy Jasprica, Chair**

Pam Dittman presented on behalf of Judge Jasprica. We are continuing our work with the Center for Court Innovation (CCI) on the sentencing and monitoring project. CCI is going through the data from the surveys, which will be used to assist with where to do three site visits. As part of the site visits, focus groups will be conducted with survivors and CCI asked the Committee to provide feedback to their internal review board on how to ensure safety and confidentiality of survivors to include not triggering anything that would cause a mandatory reporting action.

Members may also recall that out of the CCI survey, questions were posed that pertained specifically to how batterers intervention programs (BIPs) are run in the state. These questions and others were rolled into a survey that was distributed by the Northwest Association of Domestic Violence Treatment Professionals (NWADVTP) to over 100 BIPs statewide. The NWADVTP then worked with local researchers Dr. April Gerlock, VA Hospital and Dr. Caroline West, UW-Tacoma to develop a report which will be distributed shortly. The NWADVTP President, Mr. Steven Pepping would like to attend a meeting and discuss the findings.

Several judicial officers attended the Enhancing Judicial Skills (EJS) in DV Cases workshop that was held in April. Additionally, several judicial officers will be attending the Continuing Judicial Skills (CJS) in DV Cases workshop in June and another EJS workshop in October.

Action

Pam will work with Steve Pepping to distribute the report. Mr. Pepping is confirmed to discuss the findings at the September GJCOM meeting.

• **Education – Judge Rich Melnick, Chair**

As mentioned earlier, Professor Mary Anne Franks was here for a session at the SCJA Spring Conference and for a community forum. They both went well.

• **Incarcerated Women & Girls – Sara Ainsworth, Chair. Judge Evans Reported.**

The Committee is releasing a follow-up public disclosure request to jails, juvenile rehabilitation centers, and Department of Corrections asking them specifically for information about training materials, policies, and notices such as posters that were developed following the enactment of the

2010 legislation. For example, the legislation directed institutions on where to post and how to provide notice to inmates and staff on shackling.

We also are developing the stakeholders list for the July 31 event which was mentioned earlier in these notes.

- **Legislative Report – David Ward, Chair**

Nothing to report as session is not in.

- **Tribal State Court Consortium – Judge Tremaine and Judge Pouley**

The Consortium will be hosting an evening session at the 2014 Fall Conference. The session will be discussing the Indian Child Welfare Act (ICWA) and the 2013 Reauthorization of VAWA and implications for tribal courts. Additionally, an idea is percolating to have regional meetings to continue the conversations between tribal and state judicial officers.

Action

GJCOM Staff – Send the meeting notes from the 2013 Fall Conference session to GJCOM members.

GJCOM Members – Judge Tremaine will be sending an e-mail to tribal court judges in Washington inviting them to the evening session at Fall Conference.

- **Equality in the Legal Profession – Judith Lonquist, Chair**

Pam Dittman reported. The Committee has several projects

- Gender bias in judicial evaluations. The King County Bar Association has spent years refining their judicial evaluation process and survey. The goal is to bring a judicial evaluation to the GJCOM and propose to use as a state-wide model. Unfortunately, due to workload, the work on this has stalled. We will be convening a conference in early summer.
- Update the 2001 Glass Ceiling Survey. We will work on this project after the judicial evaluation project has been completed.
- Judicial Officer and Law Student Reception. We are looking at dates in October for the annual reception and scholarship program. Scholarships have been provided through NAWJ and the Washington Association for Justice. We have asked Judge Paja and Judith Lonquist to inquire as to scholarship funds for this year.
- Update to the 1989 Gender Bias Report. Professor Taryn Lindhorst is developing a proposal on what it would take to update this report.

ADJOURNED

The meeting adjourned at approximately 11:55 a.m.