



WASHINGTON  
**COURTS**  
ADMINISTRATIVE OFFICE OF THE COURTS

*WASHINGTON STATE SUPREME COURT*

**GENDER AND JUSTICE  
COMMISSION**

**MEETING**

**FRIDAY, NOVEMBER 14, 2014**

**AOC SEATAC OFFICE, SUITE 1106  
SEATAC, WASHINGTON**

**WASHINGTON STATE SUPREME COURT  
GENDER AND JUSTICE COMMISSION**

**2014-2015**

**CHAIR**

**Honorable Barbara A. Madsen**  
Washington State Supreme Court

**VICE-CHAIR**

**Honorable Sheryl Gordon McCloud**  
Washington State Supreme Court

**MEMBERS**

**Ms. Sara L. Ainsworth**  
University of Washington School of Law

**Honorable Rich Melnick**  
Court of Appeals, Division II

**Ms. Mirta Laura Contreras**  
NW Immigrant Rights Project

**Mr. Ronald E. Miles**  
Spokane County Superior Court

**Honorable Josie Delvin**  
Benton County Clerk

**Honorable Marilyn G. Paja**  
Kitsap County District Court

**Honorable Michael H. Evans**  
Cowlitz County Superior Court

**Honorable Mark W. Pouley**  
Swinomish Tribal Court

**Dr. Margaret Hobart**  
The Northwest Network

**Ms. Leslie J. Savina**  
Northwest Justice Project

**Ms. Grace Huang**  
Washington State Coalition Against  
Domestic Violence

**Honorable Ann Schindler**  
Court of Appeals Division I

**Honorable Judy Rae Jasprica**  
Pierce County District Court

**Ms. Gail Stone**  
King County Executive's Office

**Ms. LaTricia Kinlow**  
Tukwila Municipal Court

**Honorable Tom Tremaine**  
Kalispel Tribal Court

**Professor Taryn Lindhorst**  
University of Washington

**Mr. David Ward**  
Legal Voice

**Ms. Judith A. Lonquist, P.S.**  
Attorney at Law

**Ms. Danielle Pugh-Markie**  
Supreme Court Commissions Manager

**Honorable Eric Z. Lucas**  
Snohomish County Superior Court

**Ms. Pam Dittman**  
Program Coordinator



# GENDER AND JUSTICE COMMISSION

AOC SEATAC OFFICE, SUITE 1106  
 18000 INTERNATIONAL BLVD, SEATAC WA  
 FRIDAY, NOVEMBER 14, 2014 (8:45 A.M. – 12:00 P.M.)  
 CHIEF JUSTICE BARBARA MADSEN, CHAIR  
 JUSTICE SHERYL GORDON MCCLOUD, VICE CHAIR

Agenda	Page
CALL TO ORDER – Approve September 5, 2014 Meeting Notes .....	1
<b>COMMISSION BUSINESS:</b>	
<i>Objective: Chair and staff report on past and upcoming activities and interactions that affects the Commission.</i>	
<ul style="list-style-type: none"> <li>• Chair Report <span style="float: right;">Chief Justice Barbara Madsen</span> <ul style="list-style-type: none"> <li>▪ NAWJ Conference</li> <li>▪ Judicial Officer &amp; Law Student Reception..... 11</li> <li>▪ Recruitment of new members (Term begins July 2015) ..... 13</li> </ul> </li> <li>• Staff Report <span style="float: right;">Danielle Pugh-Markie and Pam Dittman</span> <ul style="list-style-type: none"> <li>▪ Activities</li> <li>▪ Updates: HB1840 Firearms Surrender, Logo</li> <li>▪ Budgets: GJC and Grant Budgets..... 15</li> <li>▪ Conferences: DMST, Tribal DV/SA..... 19</li> </ul> </li> </ul>	
<b>GUEST SPEAKER &amp; EXPLORATORY PROJECTS</b>	
<i>Objective: Forum for members to discuss items of interest they are involved in or would like the Commission to explore.</i>	
<ul style="list-style-type: none"> <li>• Modifications/Rescissions <span style="float: right;">Judge Rich Melnick &amp; Ron Miles</span></li> <li>• Mission Creek Women’s Officer Conference – “Success from Inside Out” <span style="float: right;">Judges Marilyn Paja and Michael Evans ..... 39</span></li> <li>• DV Training for Attorneys <span style="float: right;">Judge Marilyn Paja ..... 51</span></li> </ul>	
<b>COMMITTEE REPORTS:</b>	
<i>Objective: Committee chairs will report on progress of work plans, discuss new areas of interest, problems that have arisen, ask for feedback, ask for assistance.</i>	
<ul style="list-style-type: none"> <li>• Communications <span style="float: right;">Ron Miles</span></li> <li>• Domestic Violence <span style="float: right;">Judge Judy Jasprica</span></li> <li>• Education <span style="float: right;">Judge Rich Melnick</span> <ul style="list-style-type: none"> <li>▪ 2015 Court of Appeals Conference</li> <li>▪ 2015 SCJA Spring Program..... 25</li> <li>▪ 2015 DMCJA Spring Program..... 35</li> </ul> </li> <li>• Incarcerated Women &amp; Girls <span style="float: right;">Sara Ainsworth and Judge Evans</span></li> <li>• Tribal State Court Consortium <span style="float: right;">Judge Pouley and Judge Tremaine</span> <ul style="list-style-type: none"> <li>▪ Regional Roundtables</li> </ul> </li> <li>• Women in the Profession <span style="float: right;">Judith Lonquist</span> <ul style="list-style-type: none"> <li>▪ 2015 Legislative Luncheon</li> </ul> </li> </ul>	

Agenda	Page
<b>SUPPORTING MATERIALS / ARTICLES</b>	
• 2014 Fall Conference Evaluations.....	55
• Domestic Violence Symposium Evaluations.....	61
• Civil Legal Needs Study Update Memo.....	77
• Request for Funds – Washington Initiative for Diversity.....	79
• Article – Judge Evans Brings Courtroom Experience to the Classroom.....	81
• Article – In Her Shoes.....	83
• Article – Extraneous Factors in Judicial Decisions.....	85
<b>ADJOURNMENT</b>	



# GENDER AND JUSTICE COMMISSION (GJCOM)

AOC SEATAC OFFICE – LOWER PLAZA  
18000 INTERNATIONAL BLVD, SEATAC WA  
FRIDAY, SEPTEMBER 5, 2014 (8:45 A.M. – 12:00 P.M.)

## MEETING NOTES

**Members Present:** Chief Justice Barbara A. Madsen, Chair; Justice Sheryl Gordon McCloud, Vice-Chair; Ms. Sara Ainsworth, Ms. Laura Contreras, Ms. Josie Delvin, Judge Michael Evans, Dr. Margaret Hobart, Ms. Grace Huang, Judge Judy Jasprica, Ms. Trish Kinlow, Professor Taryn Lindhorst, Ms. Judith A. Lonquist, Judge Eric Lucas, Judge Richard Melnick, Mr. Ron Miles, Judge Marilyn Paja, Judge Mark Pouley, Ms. Leslie Savina, Judge Ann Schindler, Ms. Gail Stone, Judge Tom Tremaine, Mr. David Ward, Ms. CaroLea Casas (Student Liaison, University of Puget Sound), Ms. Alexandra Kory (Student Liaison, Seattle University, Law School, Ms. Danielle Pugh-Markie, Supreme Court Commissions Manager, and Ms. Pam Dittman, Program Coordinator

**Members Absent:** None

**Guests:** Ms. Laura Jones, King County Sexual Assault Resource Center

### CALL TO ORDER

The meeting was called to order at approximately 8:45 a.m. Introductions were made. The July 11, 2014, meeting notes were approved.

### COMMISSION BUSINESS

#### Chair Report – Chief Justice Barbara A. Madsen

- Washington Initiative for Diversity (WID)  
The Gender and Justice Commission (GJCOM) has been involved in the WID (formerly known at the Initiative for Diversity Governing Council (IDGC)) since its inception. Staff have provided administrative support and also the GJCOM has provided monetary support for many of its efforts. Judith Lonquist is the GJCOM's representative to the WID.

The WID is planning for their 2015 Judicial Institute which is an effort to educate attorneys, particularly attorneys of color and women attorneys who may be interested in seeking office. This training highlights how to become elected and/or appointed to the bench as a way of mentoring attorneys who want join the bench and bring more diversity to the bench in the process. The training is held every other year to accommodate elections and differing court levels. This training is not the same as the pro tem training being conducted by the Washington State Bar Association (WSBA) and the District and Municipal Court Judges' Association (DMCJA) Diversity Committee. This training focuses on how to take the next step of becoming a judicial officer, not just being a pro tem judicial officer.

Additionally, the WID is undergoing its own transition and is bringing together its membership to brainstorm ways to consolidate efforts relating to diversity that are happening around the state, particularly Western Washington. This is in part to help define what is diversity, how is it measured, and how the various minority bars are addressing the issue and identify ways the WID can support the various efforts or consolidate the efforts to provide a more streamlined focus.

### Staff Report – Danielle Pugh-Markie and Pam Dittman

- Activities

- HB 1840 Implementation Work

We are finalizing the contract with the Washington State Coalition Against Domestic Violence (WSCADV) to move forward on this project. WSCADV's proposal is for work to be conducted between now and the end of the calendar year. We will also be reaching out to the National Council of Juvenile and Family Court Judges (NCJFCJ) and the Battered Women's Justice Project (BWJP) who are collaborating on firearms issues. They may be able to provide technical assistance on this issue.

Several questions were raised regarding this project and the requirements of HB 1840. For example, the law includes more than firearms surrender. The new provision gives the court the authority to order the surrender of firearms and concealed pistol licenses in connection with no contact and protection orders. The provision tracks what the Federal statute says, but it also creates a state crime for violating these provisions and putting the onus on state law enforcement to help enforce this as opposed to the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Part of the implementation work is to determine whether firearms are being surrendered and how courts are handling this. Examples: does the surrender have to be immediate, does it have to be within five days, and then more importantly and separate from that, what happens next; was there follow up and by whom, was there proof filed, what was law enforcement's role, etc.

We will also be checking with the Washington Association of Sheriffs and Police Chiefs (WASPC) to ascertain whether they have developed a model policy for distribution and use.

- Actions

- Staff:

- Check/set up a meeting with WASPC to see if they are developing a model policy and if so, how we can collaborate.
      - Draft a public records request to go out to all law enforcement agencies. Attach some of the model practices that other counties such as King, Pierce, and Thurston have in place for surrender of firearms.

- GJCOM Logo  
At the July meeting, it was decided to resubmit the request for a logo design to a larger audience. CaroLea Casas is taking the lead on this project and has put together a list of 55+ institutions to reach out too. She will be rolling out a request to each institution based on when they are back in school. The final deadline for submittals is November 9, 2014. We agreed at the July planning meeting to provide up to \$500 as a “prize/scholarship” to the winning entry.
- National Consortium of Racial and Ethnic Fairness in the Courts Conference  
In June, we sent a team to this Conference comprised of representatives and staff from both the Minority & Justice and Gender & Justice Commissions. Judge Tom Tremaine and Danielle Pugh-Markie attended on behalf of the GJCOM. It was a great experience, especially since Washington State had played such a large part of the creation of this Consortium. It provided the opportunity hear about other states’ efforts on addressing racial and ethnic fairness in the courts. There was a discussion on legal financial obligations (LFOs) and unfortunately, Washington State was highlighted as one of the states that has concerns and issues with LFOs and how they are managed or viewed.
- National Council of Juvenile and Family Court Judges’ Conference (NCJFCJ)  
In July, we sent a team of nine (9) judicial officers to the NCJFCJ Annual Conference. Additionally, when we arrived two other Washington judicial officers were found to be in attendance, Judge Ted Strong, Yakama Tribal Court, and Judge Doug Federspiel, Yakima County Superior Court. We were able to include them in our activities and invite them to the breakfast where we met to debrief and discuss the sessions we attended and any follow-up we would like to do. Attendees found sessions such as adolescent brain development and how it may impact juvenile rehabilitation informative and also the firearms presentations on how other states are working through these issues in relation to no contact and protection orders very informative. During the firearms session, attendees found out that Washington State is 16<sup>th</sup> in the nation for entering orders into the federal database. Several of the judicial officers are continuing this conversation.
- Domestic Violence Symposium  
The GJCOM through STOP grant funds is supporting the DV Summit. We have been working with Judge Elizabeth Berns and Deborah Greenleaf and have been notified there will be 39 judicial officers in attendance. This is the largest number of judicial officers attending.
- Sexual Assault Grant and Judicial Training  
We received a \$50,000 grant from Office on Violence Against Women (OVW), Department of Justice (DOJ) to develop and provide judicial training on sexual violence. There will be two, one and a half day, duplicate trainings held on each side of the state. We are working with Laura Jones, King County Sexual Assault Resource Center (KCSARC); Claudia Bayliff and Lynne Hecht Schafran, National Judicial Education Program (NJEP); and Dr. Russell Strand, U.S. Army Military Police School Behavioral Sciences Education Division. Additionally, we have

secured tribal Judge Raquel Montoya Lewis as faculty and will be inviting other state judicial officers to be faculty.

Save the Dates: February 9-10, 2015, at the Tukwila Community Center and February 12-13, 2015, at the Spokane Public Health Building.

The other piece of this training is we have been asked by our grant monitor to present a webinar as part of the training. The webinar would occur in December and would be a stand-alone session and used as a “teaser” for the training. Members also suggested doing another talk about sexual assault protection orders, cyberstalking, or non-consensual pornography and provide practical information on how to address it when it comes up in the courtroom. We will be checking with the national technical assistance providers to help us develop and launch this webinar.

- o Commercial Sexual Exploitation of Children (CSEC)

The Commission on Children in Foster Care (CCFC) partnered with the GJCOM to raise awareness among judges on the co-occurrence of sex trafficking and the dependency and delinquency systems and to help court officials identify these children and appropriately respond to their needs. As part of this partnership, a training on the commercial sexual exploitation of children was held August 2, 2014. Judge Marilyn Paja and Judge Tom Tremaine both attended on behalf of the GJCOM. The panel was comprised of Ms. Leslie Briner, YouthCare; Ms. Tammy Sneed, Connecticut Department of Children and Families; and Commissioner Catherine Pratt, Compton Juvenile Court.

This workshop highlighted the dynamics of CSEC covering recruitment and grooming tactics used by traffickers, trafficker and buyer profiles, victim identification, impact of trauma, and challenges to rehabilitation. Faculty also discussed how child welfare in Connecticut collaborates and responds to CSEC victims and how judicial officers in Los Angeles County created a collaborative court (STAR – Succeed Through Achievement and Resilience) to respond to youth arrested or disclosed involvement in prostitution.

The evaluations were favorable and indicated how we need to continue the conversation internally, look at promising practices across the nation, and continue to provide training with a multi-disciplinary approach including law enforcement, attorneys, parole/probation officers, advocates, and other state systems.

The next phase of the collaboration is to support a small group of judicial officers to attend the National Domestic Sex Trafficking Judicial Institute, November 3-5, 2014, in Reno, Nevada.

- o GJCOM and STOP Grant Budgets

We have provided a general outline of the budget for the GJCOM for the current fiscal year. We will provide this at each meeting. As you can see, we have already

allocated our funds for the fiscal year, so we need to be cognizant of what we can support.

As you may recall, we were simultaneously running three STOP grants this calendar year. We have completely spent down two of the grants and 75 percent of the last grant, which we have allocated all remaining funds to be spent by the end of the calendar year. We are working with the Washington State Department of Commerce on the application for the Federal Fiscal Year 2014 (FFY14) STOP Grant. The Administrative Office of the Courts (AOC) through GJCOM staff administer the five percent set-aside to the courts. For FFY14, the set-aside is \$133,192 of which \$34,926 is required to be used for sexual assault work. This is a new provision and we will need to look at our approach of how we support trainings, events, and other domestic violence related activities. Additionally, a portion of these funds are used to support staff salaries and benefits.

### **GUEST SPEAKER**

Laura Jones of the King County Sexual Assault Resource Center (KCSARC) was the guest speaker. Laura assisted with the development and writing of the Sexual Offense Judicial Bench Guide (2013) and KCSARC is one of the partners for the upcoming judicial officer sexual assault training in 2015. KCSARC is a non-profit organization located in Renton and has approximately 50 employees providing comprehensive services to victims of sexual assault and their families. KCSARC has 11 legal advocates who carry a caseload of 70-80 cases.

Laura is the CourtWatch Program Manager. CourtWatch was implemented in 2010, through an OVW grant. The program was not founded in response to any particular problem but was viewed as a way to gather data that would support anecdotal evidence about what was happening in the courts to help ensure that the system is responsive to sexual assault cases and to supplement client services. CourtWatch has two purposes: 1) to ensure the system is responsive and effective in how it handles cases of sexual violence; and 2) to engage the public to take responsibility for how the system is handling these cases and raise public awareness about some of the unique issues surrounding sexual violence.

The Program has 30 volunteers who go into courtrooms at the King County Superior Court level and observe felony level criminal sexual assault cases or civil sexual assault protection order cases. The cases are monitored and then staff volunteers research the cases using public records to determine how the cases were handled. KCSARC has been able to work with judicial leadership about case management and impacts on the victim. CourtWatch Reports can be found at: <http://www.kcsarc.org/courtwatchreports>

Members engaged in a thoughtful discussion after the presentation with Laura fielding questions such as:

- Have you seen cases where, at least in King County, judges have appointed counsel to petitioners? How do they pay for that? So you inform the victims or the petitioners that they can get an attorney appointed? Have you contacted the local law schools to see if the legal clinics could help?

Laura indicated appointing counsel usually doesn't happen. The problem is that there are so few public defenders that can assist them and the victims usually do not have the

means to pay an attorney, so they go unrepresented. KCSARC is currently exploring ways to assist victims of sexual assault with legal representation. For example, as mentioned, we may consider asking law schools to assist with clinics or we do know some of the larger firms have domestic violence pro bono programs and there has been discussion with them about taking on sexual assault cases.

- Over the years, there have been at least some very high profile stories where the criminal defendant is pro se and cross examined the victim, does this happen frequently? So is there any confusion in the court rules as to whether the rules of evidence apply in these hearings?

Laura indicated that pro se defendants are not the norm. The court has discretion to relax the rules of evidence, just as in any other type of a protection order hearing, but sexual assault protection order hearings are treated much differently than say domestic violence protection order hearings. And depending on the age of the parties too, even if a parent is petitioning on behalf of a minor, sometimes the court will require the minor to come and testify. Sometimes they won't. If there's a Child Protective Service (CPS) report or law enforcement sometimes, they'll say, well that's hearsay and you have to bring in that person to testify. Sometimes not. So you just really don't know going in.

## COMMITTEE REPORTS

- Work plans – Pam Dittman

We have included the draft of the work plans as discussed during the July 11, 2014, retreat. As mentioned previously, these work plans assist the members and staff in workload, staying on top of projects, and prioritizing projects. The goal is to keep a history of what we're doing, keep track of the time commitments on various efforts, but also to really purposefully and meaningfully plan and try to meet the needs of all the various projects we have going on. This also allows us to celebrate and acknowledge projects and the efforts that were made to complete it.

- **Actions:**

- Members

Please send Danielle and/or Pam your name if you are interested in working on any of these projects as outlined in the plans.

- Staff

Setup individual meetings with the Chairs or leads on the various projects to discuss the work plans and develop realistic goals and objectives and timelines.

- Communications – Ron Miles

Ron Miles has stepped in as the Chair of this Committee. Judge Lucas, Judge Paja, and Gail Stone also indicated they will serve on this Committee. The major areas of focus are to make recommendations to the GJCOM on website content and developing the annual report.

- **Actions:**

- Staff

- Schedule conference call to: 1) discuss committee work, 2) develop survey re, website, and 3) flesh out the work plan.

- Maintain a running list of accomplishments, training sessions, work projects, etc., that will assist with developing the annual report.
- Domestic Violence Committee – Judge Judy Jasprica  
The Committee has been focused on the sentencing and monitoring report. We are discussing with the Center for Court Innovation how they analyzed the data. Our next steps will be to choose sites and conduct site visits.
- Education Committee – Judge Rich Melnick  
Evaluations from the past conferences and/or training sessions sponsored by the GJCOM are included in the meeting packet.
  - Fall Annual Conference.  
The GJCOM is sponsoring the 90-minute session on *Adverse Childhood Experiences (ACEs)* with Dr. Christopher Blodgett and Judge Melnick as presenters. The session will cover what are ACEs and how to identify them. Then we will break out into small groups with hypotheticals and a report back to help identify best practices and how to use the information in crafting protection orders and in dissolution cases.

The GJCOM and Minority and Justice Commission (MJCOM) are cosponsoring the 180-minute session *Race: The Power of an Illusion* with Dr. Khatib Waheed. Participants will be guided through a discussion on the court's role in determining race and ethnicity and how our social institutions "make" race by disproportionately channeling resources, power, status, and wealth.

- District and Municipal Court Judges Spring Program – 2015  
We received the request for proposals for this Conference. Proposals are due by October 24, 2014.
- **Actions:**
  - Members  
Submit ideas for proposals to Danielle and/or Pam.
  - Staff  
Forward the information to Judge Melnick, Judge Jasprica, and Judge Evans.
- Superior Court Judges Spring Program – April 26-29, 2015  
The announcement for proposals was received after the GJCOM meeting. Proposals are due by October 3, 2014. Same actions apply from above.
- Appellate Spring Conference – 2015  
The theme of the Conference is the Magna Carta and its influence on modern law and how we analyze it. There is a 90-minute block that most likely the GJCOM can submit a proposal for. Danielle and Judge Melnick have been discussing several ideas that would be relevant to the Appellate court judicial officers.

Grace Huang suggested something that would explore how you deal with the concept of precedent and how it impacts the concepts of a diverse society. Maybe

there would be someone who could speak to the feminist perspective of legal precedent. Ideas were Janet Ainsworth from Seattle University and Justice Rebecca Love Kourlis (Retired) from the Institute for the Advancement of the American Legal System. <http://iaals.du.edu/>

▪ **Actions:**

- Judge Melnick with speak with Grace on her proposal.

○ **Misdemeanant Corrections Association**

Trish Kinlow provided members a flyer on regional training for probation officers and others. The training has sessions on domestic violence and mental health issues. The training is Monday, October 27, 2014 from 9:00 a.m. – 4:00 p.m. at the Washington State Criminal Justice Training Center in Burien. The cost is \$35. Participants can be awarded up to 5 hours of CEUs. For more information, contact Molly Davidson at [mdavidson@cityofcheney.org](mailto:mdavidson@cityofcheney.org) or Shane Wolf at [shane.wolf@clark.wa.gov](mailto:shane.wolf@clark.wa.gov).

○ **Mission Creek**

Judge Paja and Danielle have been meeting with the administration at Mission Creek Correctional Facility. This is a low-risk women's facility outside of Belfair. On October 10-11, 2014, Mission Creek is holding a Conference for their incarcerated women. There are speakers that focus on services for women when they are released. We will be looking at the National Association of Women Judges program "Success: Inside & Out" and determine if this is something we can use as part of the Conference. Justice Susan Owens is providing the opening remarks. The administrator has asked the GJCOM to assist with a panel or presenter. Members discussed various topics: overview on the dynamics of family violence/domestic violence (or what is a healthy relationship); or something on building esteem.

Judge Paja will be in attendance as will Alex Kory, Justice Gordon McCloud, and Danielle.

○ **Actions:**

- Judge Paja to reach out to Jake Fawcett, WSCADV.
- Staff  
Danielle to reach out to Mette Earlywine, WSCADV.  
Send the agenda to the GJCOM members' listserv.

• **Incarcerated Women & Girls – Sara Ainsworth**

This Committee has two projects it has been focused on. The first project is the public records request to all jails and correctional facilities asking if they have adopted a policy on shackling for pregnant women and girls, whether they provide training to their correctional staff, what kind(s) of materials are provided to incarcerated women & girls upon arrival, and when they are pregnant. We will have a response to the Commission at the next meeting.

The second project is increasing access to justice for incarcerated women and girls; in particular, dealing with lack of access to appointed counsel, not having appointing

counsel, not knowing where your children are or when they are in foster care, or not getting to court when hearings have been scheduled.

We held a stakeholders meeting on July 31, and it was well attended by public defenders, prosecutors, Department of Corrections staff, advocates, jail personnel, clerks, and judicial officers. While we did invite someone from the Children's Administration, they were not represented. We will make a targeted effort to bring them into the discussion.

There appeared to be some areas where we can address some of these problems through policy or processes. There were other areas where a legislative fix may be needed, but the consensus of the group was to address problems through the systems and communicate. We did have agreement of a smaller group to continue to meet and work through the issues that were presented.

The Committee leadership has been invited to attend the Department of Corrections' Gender Responsive Task Force meetings. We are going to continue talking to DOC and determine if this is a good fit for us and who would be able to attend on our behalf.

- Tribal State Court Consortium – Judges Mark Pouley and Tom Tremaine  
We will be sponsoring a session at the Fall Annual Conference. The session will be focusing on the *Indian Child Welfare Act (ICWA)* and also provide the opportunity to discuss how to structure the Consortium. The session will provide a nice context to talk about a substantive area where tribal courts and state courts often times share jurisdiction, and can communicate and collaborate more effectively.
- Women in the Profession – Judith Lonquist  
We are in the planning stages for the 5<sup>th</sup> Annual Law Student and Judicial Officer Reception which has been scheduled for October 24, 2014, at Seattle University. Ms. Alex Kory is our student liaison this year and is assisting with the event.

The other project that we will address is the judicial evaluation form for use in political judicial campaigns. We will schedule a conference call to begin this discussion and have a report for the Commission.

The meeting was adjourned at 12:00 p.m.



# Special Thanks

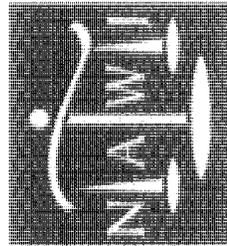
Washington State Supreme Court  
Gender and Justice Commission

National Association of Women Judges

Washington State Association for Justice

Seattle University School of Law  
Women's Law Caucus

University of Washington  
Law Women's Caucus



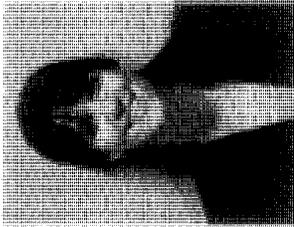
The Washington State Supreme Court  
Gender & Justice Commission in partnership with  
the Washington State Association for Justice and  
the National Association of Women Judges  
Present the

# 5th Annual

Judicial Officer  
and  
Law Student Reception



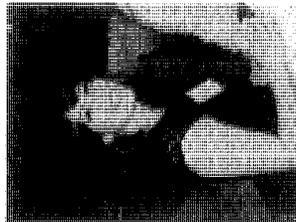
Friday, October 24, 2014  
Seattle University School of Law  
Sullivan Hall, 2nd Floor Gallery  
5:00 p.m.—7:00 p.m.



**Ms. Amy Larson, 3L**

*"...I believe in enhancing equality and equal access to justice, and have witnessed the power of equal access firsthand."*

Ms. Larson is a third year law student and has a Bachelor of Arts from Seattle Pacific University. She currently works as an extern for the King County Prosecutor's Office and is a Board Member on the Public Interest Law Foundation. Amy has worked and volunteered for organizations focused on public health issues in Tanzania and Ghana and was the recipient of the Tony Blair Faith Foundation Fellowship. She has worked with Disability Rights Washington, the Washington Attorney General's Office, and the Equal Employment Opportunity Commission. After graduating she would like to work for the government in some capacity, maybe as a prosecutor or in the foreign service.



**Ms. Yessenia Medrano-Vossler, 2L**

*"The ongoing realization of systemic injustice...motivates me to engage in work helping others struggling with legal barriers."*

Ms. Medrano-Vossler is a second year law student and has a Bachelor of Arts from Seattle University. She is a staff member on the Seattle Journal for Social Justice, a board member of the Seattle University Chapter of the American Civil Liberties Union (ACLU) and the Public Interest Law Foundation, and a current intern with the Family Services Unit at the Northwest Immigrant Rights Project. Yessenia has volunteered and worked for the ACLU of Arizona, the Northwest Justice Project, and El Centro De La Raza. She is proficient in Spanish and has volunteered at the Latina/o Bar Association of Washington legal clinic at El Centro since 2012. After graduation she plans to work for a legal services or nonprofit law firm advocating for immigrant and civil rights.



## *Opening Remarks*

5:15 p.m.

**Alexandra Kory**, Women's Law Caucus  
**Dean Annette Clark**, Seattle University School of Law

## *Welcome*

5:25 p.m.

**Chief Justice Barbara Madsen** on behalf of the  
Washington State Supreme Court  
Gender & Justice Commission

## *Scholarship Presentations*

5:35 p.m.

**Ms. Victoria Vreeland**, President Elect  
Washington State Association for Justice

**Ms. Amy Larson**, Scholarship Recipient

**Judge Marilyn Paja** on behalf of the  
National Association of Women Judges

**Ms. Yessenia Medrano-Vossler**, Scholarship Recipient



Gender Justice Commission  
Members Term Limits

Category: Term Year is July 1 - June 30	09-10	10-11	11-12	12-13	13-14	14-15	15-16	16-17
<b>Supreme Court</b>								
Hon. Barbara Madsen, Chair								
Hon. Sheryl Gordon McCloud, Vice-Chair								14-17
<b>Court of Appeals</b>								
Hon. Ann Schindler			09-12			12-15		
Hon. Rich Melnick						12-15		
<b>Trial Court Judges</b>								
Hon. Michael Evans							13-16	
Hon. Judy Rae Jasprica						12-15		
Hon. Eric Lucas							13-16	
Hon. Marilyn Paja							13-16	
<b>Tribal Court</b>								
Hon. Mark Pouley						12-15		
Hon. Tom Tremaine							13-16	
<b>Bar Associations/Attorneys</b>								
Ms. Sara Ainsworth						12-15		
Ms. Mirta "Laura" Contreras			09-12			12-15		
Ms. Judith A. Lonquist, P.S.			09-12			12-15		
Ms. Leslie Savina						12-15		
Mr. David Ward					11-14			14-17
<b>Clerk of the Courts</b>								
Hon. Josie Delvin								14-17
<b>Trial Court Administrator</b>								
Mr. Ronald Miles					11-14			14-17
Ms. LaTricia (Trish) Kinlow								14-17
<b>College or University Professor</b>								
Dr. Taryn Lindhorst							13-16	
<b>Citizen</b>								
Dr. Margaret Hobart					11-14			
Ms. Grace Huang								14-17
Ms. Gail Stone						12-15		
<b>Student Representative (Not counted in membership)</b>								
CaroLea Casas (UPS)								14-17
Alexandra (Alex) Kory								14-17

Updated 10.10.2014



**Gender & Justice Commission**  
**Proposed Budget July 1, 2014 - June 30, 2015**

Projected Spending	Starting Budget = \$150,000	Projected	Spent
<b>Salaries &amp; Benefits</b>	Staff (1.0 FTE: Manager, 0.3 FTE Program Coordinator)	\$119,084	\$32,907
<b>Commission Meetings</b>	Travel-related costs for members & staff (lodging, per diem, mileage, airfare, etc.) (Sept, Nov, Jan, March, May)	\$5,500	\$1,501
	Retreat - July 11, 2014 (Facility only)	\$4,282	\$4,282
<b>General Operating Expenses</b>	Printing, teleconferences, office supplies, etc.	\$2,575	\$964
<b>Travel &amp; Training</b>	Registration Fees, Travel-related costs		\$5,010
<b>Staff Continuing Education</b>	Local and National conferences SCJA or DMCJA (costs <i>not</i> captured under FFY14 STOP Grant Funds)	\$1,500	
<b>Committee Work</b>			
<b>Communications</b>	Annual Report work is captured under staff time & general operating expenses for printing & mailing	\$0	\$0
<b>Domestic Violence</b>	Expenses are captured under FFY14 STOP Grant Funds	\$0	\$0
<b>Education Committee</b>	<b>SCJA Spring Program Proposals</b>		
	Abusive Litigation (costs to be captured under FFY14 STOP Grant Funds)	\$0	\$0
	Firearms Surrender (costs to be captured under FFY14 STOP Grant Funds)	\$0	\$0
	DV Bench Guide (costs to be captured under FFY14 STOP Grant Funds)	\$0	\$0
	CSEC	\$0	\$0
	<b>DMCJA Spring Program Proposals</b>		
	Firearms Surrender (costs to be captured under FFY14 STOP Grant Funds)	\$0	\$0
	DV Bench Guide (costs to be captured under FFY14 STOP Grant Funds)	\$0	\$0
	<b>Fall Conference 2014</b>		
	Race: The Power of an Illusion	\$1,100	\$1,100
	Adverse Childhood Experiences (cost captured under FFY13 STOP Grant Funds)	\$0	\$0
	<b>Appellate Conference 2015</b>		
	Feminist Legal Theory	\$2,000	
<b>Incarcerated Women &amp; Girls</b>	Stakeholder Mtg - July 31, 2014	\$1,250	\$921

**Gender & Justice Commission**  
**Proposed Budget July 1, 2014 - June 30, 2015**

**Projected Spending**

**Starting Budget = \$150,000**

	Projected	Spent
Tribal State Court Consortium Fall Conference 2014 Mtg <i>(Continuing work to be captured under GTEA Grant Funds)</i>	\$1,250	
<b>Women in the Profession</b> Judicial Officer & Law Student Reception	\$0	\$0
<b>Initiatives/Sponsorships</b> Mission Creek Event (October)	\$100	
WA Initiative for Diversity - Judicial College	\$1,000	
OCLA Civil Legal Needs Study	\$12,500	\$1,868
Domestic Violence Sex Trafficking Conference <i>(costs captured under FY13 STOP Grant Funds)</i>	\$0	\$0
Sexual Assault Work <i>(captured under STOP and Training Grant)</i>	\$0	\$0
CSEC Training - August 2, 2014	\$1,260	\$1,592
Sponsorship - CZ Smith	\$500	\$500
	<b>\$153,900</b>	<b>\$50,644</b>

updated 10.30.2014

**STOP Budget - FFY13 (Budget Code 38508)**

**FFY13 GRT14241 - Expires 12.31.14**

Category	Budgeted	Projected Expenses	Spent
Salaries	\$9,421	\$8,239	\$2,296
Benefits	\$3,000	\$2,500	\$729
Contracted Svcs	\$66,821	\$65,210	\$31,400
Goods & Services	\$38,079	\$41,372	\$29,722
	<b>\$117,321</b>	<b>\$117,321</b>	<b>\$64,146</b>
Match	\$39,107		\$39,107
Grant Total	<b>\$156,428</b>		<b>\$103,253</b>

**PROJECTED - Requests & Expected to Spend**

<b>Salaries</b>	<b>\$9,421</b>
<b>Benefits</b>	<b>\$3,000</b>
<b>Contracts</b>	
DV Benchguide Update (Final) PSC12296	\$5,500
DV Benchguide Editing (Final) - PSC14249	\$2,400
CCI Sentencing & Monitoring (\$30k FFY12; \$40k FFY13; \$10k FFY14) - PSC14119	\$40,000
WSCADV re: HB1840 Implementation - PSC15129	\$9,750
King County DV Symposium - ICA15110	\$3,560
Statewide DV/SA Conf - ICA15117	\$4,000
	<b>\$65,210</b>
<b>Goods &amp; Services &amp; Travel</b>	
DMST - Reno	\$6,400
EJS Training (Dec)	\$1,500
NAWJ (Oct)	\$2,500
DV/SA Conf (Oct)	\$1,000
Site Visits for CCI Contract (DV Committee Chair/Staff)	\$250
EJS Training (June)	\$4,700
NCJFCJ (June)	\$20,000
Carry over to FFY13 (Overspent on FFY12 Grant)	\$5,022
	<b>\$41,372</b>

**STOP BUDGET FFY14**

**Proposed Budget January 1, 2015 - December 31, 2015**

<b>Projected Spending</b>	<b>Total = \$133,192</b>	<b>\$98,266</b>	<b>\$34,926</b>
		<b>DV Projects</b>	<b>SA Projects</b>
<b>Salaries &amp; Benefits</b>	Staff (Program Coordinator = 0.35 FTE)	\$23,178	\$9,926
<b>Office Supplies, Copies, Printing</b>		\$1,500	
<b>Staff Training &amp; Education</b>	To attend local and national conferences and training events	\$7,188	
<b>Contracts</b>	PSC14119 - Center for Court Innovation re: Sentencing & Monitoring Project ( <i>carry over from FY13</i> )	\$10,000	
<b>Judicial Officer Training &amp; Continuing Education</b>	Scholarships for judicial officers to attend local and national conferences & training events as related to DV/SA		
	Enhancing Judicial Skills in DV (\$2000*4)	\$8,000	
	Continuing Judicial Skills in DV (\$2,000*3)	\$6,000	
	NCJFCJ National Conference (\$3200*5)	\$16,000	
	Supplement SA judicial officer training		\$15,000
<b>Education Proposals</b>	<b>SCJA Spring Program Proposals</b>		
	Abusive Litigation ( <i>costs to be captured under FY14 STOP Grant Funds</i> )	\$1,500	
	Firearms Surrender ( <i>costs to be captured under FY14 STOP Grant Funds</i> )	\$1,500	
	DV Bench Guide ( <i>costs to be captured under FY14 STOP Grant Funds</i> )	\$500	
	<b>DMCJA Spring Program Proposals</b>		
	Unknown...Proposals due by October	\$1,500	
<b>Proposed Work</b>	Other work re: implementation of HB1840	\$10,000	
	Surrender of Firearms		
	King County DV Symposium	\$5,000	
	Undetermined	\$6,400	
	Working with Tribal courts on SA issues		\$10,000
	Totals per portion of grant	\$98,266	\$34,926
	Total Grant	\$133,192	

Updated 10.31.2014

# NATIONAL JUDICIAL INSTITUTE ON DOMESTIC CHILD SEX TRAFFICKING

*A partnership of the National Council of Juvenile and Family Court Judges, Human Rights Project for Girls, Futures Without Violence and the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention*

## IMPROVING OUTCOMES FOR VULNERABLE AND VICTIMIZED CHILDREN THROUGH JUDICIAL ACTION

RENO, NV

NOVEMBER 3-5, 2014

### WORKSHOP AGENDA

The National Judicial Institute on Domestic Child Sex Trafficking is the result of a dynamic partnership between the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention, Futures Without Violence, Human Rights Project for Girls, and the National Council of Juvenile and Family Court Judges. The two-and-a-half day institute will be led by a faculty team of experienced judges and other professionals from throughout the country who have pioneered work on this issue in the courtroom and beyond.

This highly interactive, hands-on institute will provide new and experienced juvenile and family court judges with the tools they need to develop or enhance their ability to handle all aspects of these complex and challenging cases. Judges will return to their communities from this institute with a greater ability to identify children who are at risk for or who are currently being trafficked, effective prevention and intervention strategies that respond to the individualized needs of each victim and improve case outcomes, and a stronger sense of their courtroom and community roles to help prevent and end domestic child sex trafficking.

#### MONDAY, NOVEMBER 3, 2014

7:00 A.M. –8:00 A.M.      REGISTRATION

8:30 A.M.                      WELCOME, INTRODUCTION TO WORKSHOP, AND PERSONAL INTRODUCTIONS OF PARTICIPANT JUDGES

9:00 A.M.                      VICTIMS: RISK FACTORS AND ENTRY INTO DOMESTIC CHILD SEX TRAFFICKING  
This foundational segment will define domestic child sex trafficking and place the vulnerability and victimization of children within that context. Using video, brief lectures, discussions, and exercises, participants will examine the profiles of trafficked children, including risk factors that place children at risk for trafficking, and the recruitment techniques employed by traffickers to exploit those risk factors.

10:15 A.M.                      BREAK

- 10:30 A.M.**                    **VICTIMS: RISK FACTORS AND ENTRY INTO DOMESTIC CHILD SEX TRAFFICKING (CONTINUED)**
- 12:00 P.M.**                    **WRAP-UP, EVALUATIONS, AND LUNCH ON YOUR OWN**
- 1:15 P.M.**                    **PERPETRATORS: DYNAMICS OF EXPLOITATION AND IMPACT ON VICTIMS**  
 Participants will have an opportunity to focus on the perpetrators of domestic child sex trafficking, both the traffickers and buyers, and the lasting impact their abuse has on their victims. Participants will be asked to step into the shoes of a child sex trafficking victim to examine the power and control tactics employed by traffickers to entrap and maintain control over their victims. Participants will learn how to assess the multi-faceted considerations and barriers to safety faced by children in these situations. Participants will also learn about the motivation and behavior of those who purchase children for sex.
- 2:55 P.M.**                    **BREAK**
- 3:10 P.M.**                    **PERPETRATORS: DYNAMICS OF EXPLOITATION AND IMPACT ON VICTIMS (CONTINUED)**
- 3:40 P.M.**                    **IMPACT OF TRAUMA ON ADOLESCENT BRAIN DEVELOPMENT**  
 Participants will be presented with research on the traumatic impact of domestic child sex trafficking on adolescent brain development and discuss victim protection and restoration requirements in the context of trauma.
- 4:40 P.M.**                    **WRAP-UP, EVALUATIONS, AND ADJOURN FOR THE DAY**

**TUESDAY, NOVEMBER 4, 2014**

- 8:30 A.M.**                    **CULTURAL CONSIDERATIONS**  
 Participants will explore the relevance of culture and cultural misinformation in domestic child sex trafficking cases. Participants will begin by analyzing the role that cultural misinformation plays in facilitating and enabling the purchase of children for sex. Participants will learn how cultural misinformation might present, and impact a victim's experience, in the justice system. Participants will also learn the ways in which cultural misinformation can impact judicial fact finding and decision

making while exploring strategies to reduce bias and enhance cultural competence in domestic child sex trafficking cases.

**9:45 A.M.**

**BREAK**

**10:00 A.M.**

**STANDARD OF CARE AND SERVICES**

Participants will learn about a full range of services and treatment necessary to assist victims in healing. Participants will engage in in-depth discussions about what standards of care are for this population and the services and placement options that reflect these standards of care. Participants will also analyze how information presented to the court through different assessment tools can assist the judge in making appropriate determinations regarding service provision for victims. Finally, participants will work through a process-improvement exercise tool that they can take home to their jurisdictions to help identify and expand services needed for DCST victims.

**12:00 P.M.**

**WRAP-UP, EVALUATIONS, AND LUNCH ON YOUR OWN**

**1:15 P.M.**

**JUDICIAL LEADERSHIP AND PREVENTION OPPORTUNITIES**

The segment focuses on engaging participants in prevention, identification and intervention opportunities in DCST cases. Participants will enhance their skills in receiving and evaluating factual information as the essential prelude to identifying at-risk and exploited children. Participants will be asked to identify specific opportunities for judicial leadership in DCST cases and will explore the ethical limitations for judges in court and community leadership activities through a moderated debate. The segment will conclude with panel discussions dedicated to highlighting the efforts of some of the institute faculty who have been integral players in the implementation of protocols, policies and practices that are changing the system response to DCST victims

**3:25 P.M.**

**BREAK**

**3:40 P.M.**

**JUDICIAL LEADERSHIP AND PREVENTION OPPORTUNITIES (CONTINUED)**

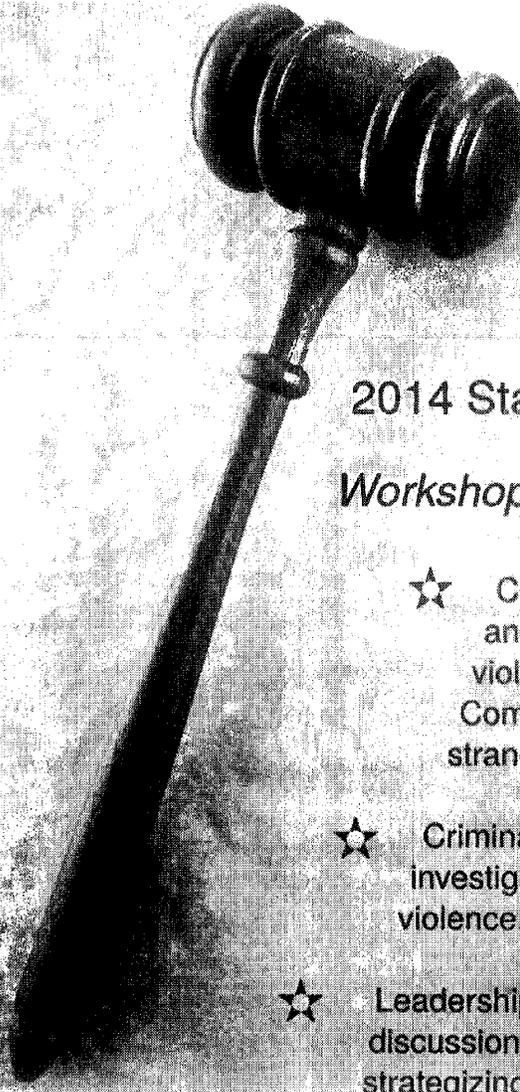
**4:55 P.M.**

**WRAP-UP, EVALUATIONS, AND ADJOURN FOR THE DAY**

**WEDNESDAY, NOVEMBER 5, 2014**

- 8:30 A.M.**                      **DECISION MAKING IN DOMESTIC CHILD SEX TRAFFICKING CASES: ENHANCING JUDICIAL INTERVENTION AND RESPONSE**  
Participants will learn how to integrate their understanding of domestic child sex trafficking and the knowledge of trauma suffered by victims into the judicial decision-making process. Courtroom role plays and hypothetical case scenarios will highlight some of the particular challenges faced by judges in handling DCST cases and provide participants with the opportunity to determine service goals and case plans that are responsive to victims in each of these cases. Participants will also explore decision-making through different and overlapping court systems, identify structural differences in delinquency, dependency and dual-jurisdiction systems, and discuss how different entry points in the juvenile system substantively affect a DCST case. Finally, participants will identify key practices of a trauma-informed courtroom as well as the risks and effect of vicarious trauma on judicial officers and colleagues when handling DCST cases.
- 10:00 A.M.**                      **BREAK**
- 10:15 A.M.**                      **DECISION MAKING IN DOMESTIC CHILD SEX TRAFFICKING CASES: ENHANCING JUDICIAL INTERVENTION AND RESPONSE (CONTINUED)**
- 11:30 A.M.**                      **DEVELOPING A JUDICIAL ACTION PLAN AND PHILOSOPHY**  
Participants will create their own judicial philosophy around DCST cases.
- 11:55 A.M.**                      **ADJOURN – WORKSHOP CLOSURE AND EVALUATION**

HAVE A SAFE TRIP HOME!



*"With Liberty and  
Justice For All..."*

2014 Statewide Tribal Domestic Violence Conference

*Workshop Objectives:*

*October 23 & 24*

- ★ **Community/Advocacy Skill Building:** To educate and raise awareness about the epidemic of violence against Native women in Tribal Communities. Topics may include DV, SA, stalking, strangulation, sex trafficking, dating violence.
- ★ **Criminal Justice/Courts:** To provide tools for effective investigation and prosecution of crimes of domestic violence, sexual assault, stalking, sex trafficking.
- ★ **Leadership/Public Policy Think Tank:** To provide a discussion and space for critical thinking about strategizing a "national" anti-violence agenda.
- ★ **Leadership/Tribal Subject Matter Expert (SME) Practice:** To inform Tribal leaders on strategies to provide safety and accountability within their own tribal systems and be informed of challenges.

**Keynote speakers**

**Joanne Shenandoah, Ph.D.** is one of America's most celebrated and critically acclaimed musicians. She is a Grammy Award winner, with over 40 music awards (including a record 13 Native American Music awards) and 17 recordings. She has captured the hearts of audiences all over the world, from North and South America, South Africa, Europe, Australia and Korea, with praise for her work to promote universal peace.

**Star Nayera's** emotional and moving music is not baseless, nor is it produced by a disconnected music technician. She takes pride in her abilities as much as her audience enjoys her blues/pop/rock sound that is unmistakably Star Nayera. Her rough beginnings were undoubtedly challenging and potentially damaging, but Star rose above them. She poured her negative experiences into a positive outlet that has won her a Grammy and a NAMA (Native American Music Award).

**Hosted by:**

WomenSpirit Coalition Law and Justice Advisory Committee

**Sponsors:**

\* Muckleshoot Tribal Nation

\* Lummi Tribal Nation

\* Community Trade and Economic Development Office on Crime Victims Assistance

\* WA State Administrator of the Courts- Gender and Justice Commission

\* WA State Native American Coalition Against Domestic Violence and Sexual Assault-WomenSpirit Coalition

\* DCU/Office on Violence Against Women/Award # 2012-IW-AX-0002. The opinion, findings, and the conclusions or recommendations expressed at this conference do not necessarily reflect the views of the Department of Justice.

# October 23rd - Day One

7:30 - 8:00am

Registration

8:45 - 10:00am

- Kallspel Tribal Welcome & Sponsors
- ☆ Bea Hanson, Lorraine Edmo (OVW)
- ☆ Michael Ormsby-
- ☆ United States Attorney, Eastern District of Washington

10:00 - 11:30am

Speaker: Leslie Hagen (USAWAW) "Using Federal Law to Increase Safety for Indian Women"

Noon - 1:30pm

## WSC Envision Awards Luncheon with Keynote by Joanne Shenandoah

1:45 - 3:00pm

Speaker: Sharon Jones Hayden, Special UASA  
VAWA Enhanced Jurisdiction

3:00 - 4:45pm

- Sex Trafficking In Washington State
- ☆ FBI Special Agent Kyle McNeal
- ☆ Ye-Ting Woo, Assistant United States Attorney, Western District of Washington

# October 24th - Day Two 3 Tracks: Law Enforcement, Victim Services, Courts

### Law Enforcement Workshops

9:15 - 10:30am

Breakout #1

Prosecution of DV and SA: An Effective Investigation  
☆ Sabrina Descautel (Colville)

10:45 - 11:50am

Breakout #4

"Daddy Hit Mommy"

- ☆ Detective Kelly Long, Lummi Police Department
- ☆ Gail Tierney, Child Sexual Abuse Program and Children's Advocacy Center Coordinator, Bridg Collins

Noon - 1:30pm

## OCVA sponsored lunch Keynote: "A Victims Story" Star Nayea

1:45 - 3:00pm

Breakout #7

4th Amendment Search and Seizure  
☆ Tate London, USAO

3:00 - 4:45pm

Breakout #10

"Working with Reluctant Victims"

- Beatriz Arakawa, Lower Elwha Family Advocacy Program
- ☆ FBI Special Agent Linwood "Chip" Smith
- ☆ Detective Sherman Pruitt, Tulalip Police Department
- ☆ Ye-Ting Woo, Assistant United States Attorney, Western District of Washington

### Victim Services Workshops

9:15 - 10:30am

Breakout #2:

Tribal Sex Offender Registration  
☆ Scott Freeman, Project Manager  
Wa. Assoc. of Sheriffs & Police Chiefs

10:45 - 11:50am

Breakout #5

Tribal Community Outreach Strategies  
☆ Nikki Finkbonner (Lummi)  
☆ Billie Barnes (Puyallup)

### Courts Workshops

9:15 - 10:30am

Breakout#3

Tribal & State Court Consortium OAC  
Gender and Justice Commission  
☆ Judge Tom Tremaine (Kallspel)  
☆ Judge Mark Pouley (Swinomish)

10:45 - 11:50am

Breakout #6

Enhanced Jurisdiction/ Impacts and Challenges  
Judge Theresa Pouley

1:45 - 3:00pm

Breakout #9

Indian Child Welfare Act  
☆ Judge Tom Tremaine

3:00 - 4:45pm

Breakout #12

Full Faith and Credit /Challenges of Enforcing Cross-Jurisdictional Orders

Oct 23 - everyone in the main room.

Oct 24 - 2nd day breakout to 3 rooms: Law Enforcement, Victim's Services, & Court tracks.

October 23 Evening Performance, Joanne Shenandoah

Registration fee: \$169 Payable to Womenspirit Coalition, PO Box 13260, Olympia WA 98502-3260

# SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 26 – 30, 2015

Skamania Lodge

Stevenson, Washington

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**Proposed Session Title:** Battle within the courts...abusive litigation tactics in domestic violence civil cases

**Proposed By:** Gender & Justice Commission

**Contact Name:** Danielle Pugh-Markie/Pam Dittman

**Contact Phone:** x5290/x4031

**Contact Email:** [danielle.pugh-markie@courts.wa.gov](mailto:danielle.pugh-markie@courts.wa.gov)  
[pam.dittman@courts.wa.gov](mailto:pam.dittman@courts.wa.gov)

**Is there a limit to the number of participants?**

- Yes  
 No

**Proposed Duration:**

90 Minutes  3 Hours  Other:

**Type:**

- Plenary  
 Choice

**Target Audience:**

- Experienced Judges  
 New Judges  
 Experienced Commissioners  
 New Commissioners

**Identified Educational Need:**

To assist judicial officers in ensuring that litigants' rights are protected in their courtrooms while also ensuring that divorce, child custody, and other civil litigation proceedings are not misused by individuals who seek to maintain patterns of coercive control and abuse.

To recognize and understand the pattern of retaliatory and abusive litigation used by perpetrators of domestic violence and how it impacts the survivor and child(ren) in common, with particular attention to financial impacts, child safety and stability, and immigration status.

**Program topic or area of law:**

Domestic violence laws, family law including custody, parenting plans, divorce proceedings, modification of court orders, child support, etc.

**Recommended Faculty:**

David Ward, Judge Joan DuBuque (Ret.), Grace Huang

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

## SCJA Education Committee Session Proposal Form

*Superior Court Judges' Spring Program*

*April 26 – 30, 2015*

*Skamania Lodge*

*Stevenson, Washington*

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course.**

Civil litigation, particularly family law cases involving children, can be misused by individuals who wish to maintain coercive control over their former intimate partners. Through abusive use of litigation, a person with a history of emotional, physical or financial abuse can harass, destabilize, frighten, and impoverish their former partner, while also consuming substantial judicial resources. Children are subjected to the impacts of abusive use of litigation in the form of parental anguish and distraction, financial hardship, and the emotional toll of a lack of predictability. Courts can and should be a forum for justice, the protection of rights, and the insistence on children's best interest. However, unchecked abusive use of litigation turns the courts into a powerful tool for abusers to further their control and ill will. Judicial officers play a central role in recognizing and responding to abusive and retaliatory litigation. Indeed, it is very difficult for anyone else involved in a case to halt it. This session will describe forms of abusive litigation in high conflict family law and domestic violence cases and explore steps judicial officers and the courts can take to prevent and mitigate these tactics.

The purpose of this session is to recognize and understand the pattern of retaliatory and abusive litigation in cases involving domestic violence survivors, particularly in family law cases. The use of these tactics force domestic violence survivors to make repeated court appearances to defend themselves against their abuser. The session will describe forms of abusive litigation in domestic violence cases and steps judicial officers and the courts may be able to take to prevent/mitigate the use of these tactics, while upholding constitutional rights of access to the courts.

**Generally, describe the knowledge and skills that judicial officers will gain from this session and how they may apply these to their work in the courts.**

Learning Objectives:

- 1) Recognize the patterns of abusive litigation.
- 2) Identify and assess parents and the merits of their cases to assist with custody arrangements that will be in the best interest of the child(ren).
- 3) The use of mediation/guardians ad litem/parenting evaluators - help or harm
- 4) What makes an effective parenting plan and protects the safety of the survivor/child(ren).

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**SCJA Education Committee Session Proposal Form**

*Superior Court Judges' Spring Program*

*April 26 – 30, 2015*

*Skamania Lodge*

*Stevenson, Washington*

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**Describe the case law, best practices, or nuts and bolts issues that will be addressed.**

The session will identify and discuss "the best interest of the child" standards, abusive behavior, evidence of risk and provide practical tools to assist with crafting effective parenting plans that consider the continued safety of victims and their children. Additionally, participants will be provided information on effective use of parenting evaluators and guardians ad litem.

**Describe how the session will actively engage the audience in adult learning/ interactive instructional methods.**

The session will incorporate the principle presentation supplemented by scenarios, question and answer, and provide tools for judicial officers to take away.

**Anticipated Cost:**

**\$1500 - Travel-related costs for faculty**

**Funding Resources:**

GJCOM through STOP Grant Funds

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**



## SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 26 – 30, 2015

Skamania Lodge

Stevenson, Washington

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**Proposed Session Title:** Domestic Violence Bench Guide - What's In, What's Out, What's Changed

**Proposed By:** Gender & Justice Commission

**Contact Name:** Danielle Pugh-Markie/Pam Dittman

**Contact Phone:** x5290 / x4031

**Contact Email:** [danielle.pugh-markie@courts.wa.gov](mailto:danielle.pugh-markie@courts.wa.gov) /  
[pam.dittman@courts.wa.gov](mailto:pam.dittman@courts.wa.gov)

**Is there a limit to the number of participants?**

- Yes  
 No

**Proposed Duration:**

90 Minutes  3 Hours  Other:

**Type:**

- Plenary  
 Choice

**Target Audience:**

- Experienced Judges  
 New Judges  
 Experienced Commissioners  
 New Commissioners

**Identified Educational Need:**

In 2014, the Domestic Violence Bench Guide for Judicial Officers was substantially updated to reflect new legislation and changes in legislation.

**Program topic or area of law:**

Domestic violence, stalking, anti-harassment, protection orders

**Recommended Faculty:**

Judge Elizabeth Berns, Dr. Anne Ganley, Grace Huang, tribal judicial officer

**Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course.**

The GJCOM collaborated with the WSCADV to update the 2006 DV Bench Guide for Judicial Officers. The session will assist new and experienced judicial officers to increase their knowledge about changes in the law. The bench guide is designed to provide judicial officers with analysis of relevant concepts in domestic violence law and procedure, as well as provide recommendations for best practices in handling domestic violence cases and issuing domestic violence protection and no contact orders. The session will cover updates to the domestic violence statutes, and procedures as well as issue areas such as LGBTQ domestic violence and VAWA 2013 and tribal jurisdiction over crimes of domestic violence.

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

## SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 26 – 30, 2015

Skamania Lodge

Stevenson, Washington

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**Generally, describe the knowledge and skills that judicial officers will gain from this session and how they may apply these to their work in the courts.**

Judicial officers will:

- Learn where changes in the law will impact types of orders to issue (stalking, anti harassment, protection orders, etc.)
- Impacts of VAWA on 2013 on cross-jurisdictional issues between tribal and state courts
- Understand how the use of risk assessments or other tools can assist with creating orders that strengthen the safety of the victim and their family

Judicial officers will:

- Identify common challenges in determining the correct type of order to issue and implications of firearm surrender legislation

**Describe the case law, best practices, or nuts and bolts issues that will be addressed.**

The session will cover recent legislative changes and case law development that are relevant to domestic violence cases (surrender of firearms, stalking protection order, anti-harassment orders, etc.) and federal law

**Describe how the session will actively engage the audience in adult learning/ interactive instructional methods.**

The session will be an interactive panel presentation which may include the use of small group discussions, use of transponders, scenarios, and other question and answer processes to draw the participants into the discussion.

**Anticipated Cost:**

\$1500 for travel related expenses and/or honorarium

**Funding Resources:**

STOP Grant Funds

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

## SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 26 – 30, 2015

Skamania Lodge

Stevenson, Washington

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**Proposed Session Title:** Surrender Your Firearms (and Samurai Swords)... Implementation of HB1840

**Proposed By:** Gender & Justice Commission

**Contact Name:** Danielle Pugh-Markie/Pam Dittman

**Contact Phone:** x5290/x4031

**Contact Email:** [danielle.pugh-markie@courts.wa.gov](mailto:danielle.pugh-markie@courts.wa.gov) /  
[pam.dittman@courts.wa.gov](mailto:pam.dittman@courts.wa.gov)

**Is there a limit to the number of participants?**

- Yes  
 No

**Proposed Duration:**

90 Minutes  3 Hours  Other:

**Type:**

- Plenary  
 Choice

**Target Audience:**

- Experienced Judges  
 New Judges  
 Experienced Commissioners  
 New Commissioners

**Identified Educational Need:**

Legislation was passed in 2014 under HB1840 regarding the surrender of firearms and dangerous weapons for persons subject to no-contact orders, protection orders, and restraining orders. The new legislation supplements existing state and federal laws relating to domestic violence and firearms and impacts on victims, courts, law enforcement, offenders, etc.

**Program topic or area of law:**

Possession of firearms or dangerous weapons there is a history of domestic violence facing the parties, including those subject to a qualifying protection, no-contact, or restraining order. HB1840; Federal Laws on firearms and DV (Lautenberg Amendment, Brady Act, qualifying protections). Court Forms, and policies and protocols to implement the court's orders.

**Recommended Faculty:**

Judicial officers (Judge Joan DuBuque, Ret.; Judge Crhis Wickham); Darren Mitchell, BWJP; Jake Fawcett or Grace Huang, WSCADV; possibly a prosecutor, possibly someone from law enforcement

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

## SCJA Education Committee Session Proposal Form

*Superior Court Judges' Spring Program*

*April 26 – 30, 2015*

*Skamania Lodge*

*Stevenson, Washington*

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course.**

The purpose of the session would to inform judicial officers what is covered under the legislation (surrender of firearms or other dangerous weapon, concealed pistol license, and prohibition of obtaining or possessing either). It will also include discussion of what steps/coordination efforts have been conducted and on-going and next steps in statewide implementation from the perspective of courts, law enforcement, advocates, and Clerks.

**Generally, describe the knowledge and skills that judicial officers will gain from this session and how they may apply these to their work in the courts.**

As a result of the session, judicial officers will:

- Learn the requirements of the law in ordering surrender of firearms and dangerous weapons in cases involving domestic violence.
- Understand your role as a judicial officer to protect victims from firearm and other dangerous weapons
- Learn what "surrender" entails
- Learn how this applies when temporary orders are granted.
- Learn what other jurisdictions have implemented or will be implementing and promising practices
- Understand the role of each system (court, law enforcement, Clerks) in the process

**Describe the case law, best practices, or nuts and bolts issues that will be addressed.**

Discussion about legal requirements in HB 1840, how to use the forms relating to firearms, what happens after orders are issued and what are model policies and protocols to enforce the court's directives.

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**SCJA Education Committee Session Proposal Form**

*Superior Court Judges' Spring Program*

*April 26 – 30, 2015*

*Skamania Lodge*

*Stevenson, Washington*

**PROPOSAL DEADLINE: October 3 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**

**Describe how the session will actively engage the audience in adult learning/ interactive instructional methods.**

Opportunities for judges to work through the forms, dialogue about model policies and protocols beign used by other jurisdictions

**Anticipated Cost:**

**\$1000 (For faculty travel-related costs)**

**Funding Resources:**

GJCOM through STOP Grant Funds or other sources to be determined

**Proposals due by October 3, 2014 to [jesse.walker@courts.wa.gov](mailto:jesse.walker@courts.wa.gov)**



**DMCJA Education Proposal for Spring Program 2015**  
**Please Return no later than October 24, 2015 to**  
[Stephanie.Apgar@courts.wa.gov](mailto:Stephanie.Apgar@courts.wa.gov)

<p><b>Name of person, group, or committee submitting the Proposal:</b>  Gender &amp; Justice Commission</p> <p><b>Contact Information for Proposal:</b>  Danielle Pugh-Markie/Pam Dittman  x5290 / x4031  danielle.pugh-markie@courts.wa.gov /  pam.dittman@courts.wa.gov</p> <p><b>Title:</b>  Domestic Violence Bench Guide - What's In, What's Out, What's Changed</p>	<p><b>Type:</b></p> <input type="checkbox"/> Plenary <input checked="" type="checkbox"/> Choice	<p><b>Time:</b></p> <input checked="" type="checkbox"/> 90 Minutes <input type="checkbox"/> 3 Hours <input type="checkbox"/> Other:	<p><b>Size Limit?</b></p> <p>No</p>
<p><b>Target Audience:</b></p> <input checked="" type="checkbox"/> Experienced Judges <input checked="" type="checkbox"/> New Judges <input checked="" type="checkbox"/> Experienced Commissioners <input checked="" type="checkbox"/> New Commissioners	<p><b>Identified Need:</b></p> <p>In 2014, the Domestic Violence Bench Guide for Judicial Officers was substantially updated to reflect new legislation and changes in legislation.</p>		
<p><b>Topic or area of Law for Proposal:</b>  Domestic violence, stalking, anti-harassment, protection orders</p>			
<p><b>Potential Faculty:</b></p> <p>Judicial Officer, Dr. Anne Ganley, Grace Huang, tribal judicial officer</p>			
<p><b>Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course.</b></p> <p>The GJCOM collaborated with the WSCADV to update the 2006 DV Bench Guide for Judicial Officers. The session will assist new and experienced judicial officers to increase their knowledge about changes in the law. The bench guide is designed to provide judicial officers with analysis of relevant concepts in domestic violence law and procedure, as well as provide recommendations for best practices in handling domestic violence cases and issuing domestic violence protection and no contact orders. The session will cover updates to the domestic violence statutes, and procedures as well as issue areas such as LGBTQ domestic violence and VAWA 2013 and tribal jurisdiction over crimes of domestic violence.</p>			

**DMCJA Education Proposal for Spring Program 2015**  
**Please Return no later than October 24, 2015 to**  
**Stephanie.Apgar@courts.wa.gov**

<p><b>Generally, describe the knowledge and skills that judicial officers will gain from this session and how they may apply these to their work in the courts.</b></p> <p>Judicial officers will:</p> <ul style="list-style-type: none"> <li>• Learn where changes in the law will impact types of orders to issue (stalking, anti-harassment, protection orders, etc.)</li> <li>• Impacts of VAWA on 2013 on cross-jurisdictional issues between tribal and state courts</li> <li>• Understand how the use of risk assessments or other tools can assist with creating orders that strengthen the safety of the victim and their family</li> </ul> <p>Judicial officers will:</p> <ul style="list-style-type: none"> <li>• Identify common challenges in determining the correct type of order to issue and implications of firearm surrender legislation</li> </ul>	
<p><b>Describe the case law, best practices, or nuts and bolts issues that will be addressed.</b></p> <p>The session will cover recent legislative changes and case law development that are relevant to domestic violence cases (surrender of firearms, stalking protection order, anti-harassment orders, etc.) and federal law</p>	
<p><b>Describe how the session will actively engage the audience in adult learning/ interactive instructional methods.</b></p> <p>The session will be an interactive panel presentation which may include the use of small group discussions, use of transponders, scenarios, and other question and answer processes to draw the participants into the discussion.</p>	
<p><b>Anticipated Cost?</b>          \$1500 for travel-related expenses and/or honorarium (if needed)</p>	<p><b>Funding Resources:</b>          STOP Grant Funds</p>
<p><b>If you have any questions please contact one of the following committee members: Chair Judge Joseph Burrowes at <a href="mailto:Joseph.Burrowes@co.benton.wa.us">Joseph.Burrowes@co.benton.wa.us</a>; Co-Chair Judge Karen Donohue at <a href="mailto:Karen.Donohue@seattle.gov">Karen.Donohue@seattle.gov</a> or Stephanie Apgar at <a href="mailto:Stephanie.Apgar@courts.wa.gov">Stephanie.Apgar@courts.wa.gov</a></b></p>	

**DMCJA Education Proposal for Spring Program 2015**  
**Please Return no later than October 24, 2015 to**  
[Stephanie.Apgar@courts.wa.gov](mailto:Stephanie.Apgar@courts.wa.gov)

<p><b>Name of person, group, or committee submitting the Proposal:</b></p> <p>Gender &amp; Justice Commission</p> <p><b>Proposed Title:</b> Surrender Your Firearms (and Samurai Swords)... Implementation of HB1840</p> <p><b>Contact Information for Proposal:</b> Danielle Pugh-Markie/Pam Dittman x5290/x4031 danielle.pugh-markie@courts.wa.gov / pam.dittman@courts.wa.gov</p>	<p><b>Type:</b></p> <p><input type="checkbox"/> Plenary  <input type="checkbox"/> Choice</p>	<p><b>Time:</b></p> <p><input type="checkbox"/> 90 Minutes  <input type="checkbox"/> 3 Hours  <input type="checkbox"/> Other:</p>	<p><b>Size Limit?</b></p> <p>No</p>
<p><b>Target Audience:</b></p> <p><input checked="" type="checkbox"/> Experienced Judges  <input checked="" type="checkbox"/> New Judges  <input checked="" type="checkbox"/> Experienced Commissioners  <input checked="" type="checkbox"/> New Commissioners</p>	<p><b>Identified Need:</b></p> <p>Legislation was passed in 2014 under HB1840 regarding the surrender of firearms and dangerous weapons for persons subject to no-contact orders, protection orders, and restraining orders. The new legislation supplements existing state and federal laws relating to domestic violence and firearms and impacts on victims, courts, law enforcement, offenders, etc.</p>		
<p><b>Topic or are of Law for Proposal:</b></p> <p>Possession of firearms or dangerous weapons there is a history of domestic violence facing the parties, including those subject to a qualifying protection, no-contact, or restraining order. HB1840; Federal Laws on firearms and DV (Lautenberg Amendment, Brady Act, qualifying protections). Court Forms, and policies and protocols to implement the court's orders.</p>			
<p><b>Potential Faculty:</b></p> <p>Judicial officers; Darren Mitchell, BWJP; Jake Fawcett or Grace Huang, WSCADV; possibly a prosecutor, possibly someone from law enforcement</p>			
<p><b>Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course.</b></p> <p>The purpose of the session would to inform judicial officers what is covered under the legislation (surrender of firearms or other dangerous weapon, concealed pistol license, and prohibition of obtaining or possessing either). It will also include discussion of what steps/coordination efforts have been conducted and on-going and next steps in statewide implementation from the perspective of courts, law enforcement, advocates, and Clerks.</p>			

**DMCJA Education Proposal for Spring Program 2015**  
**Please Return no later than October 24, 2015 to**  
**Stephanie.Apgar@courts.wa.gov**

**Generally, describe the knowledge and skills that judicial officers will gain from this session and how they may apply these to their work in the courts.**

As a result of the session, judicial officers will:

- Learn the requirements of the law in ordering surrender of firearms and dangerous weapons in cases involving domestic violence.
- Understand your role as a judicial officer to protect victims from firearm and other dangerous weapons
- Learn what "surrender" entails
- Learn how this applies when temporary orders are granted.
- Learn what other jurisdictions have implemented or will be implementing and promising practices
- Understand the role of each system (court, law enforcement, Clerks) in the process

**Describe the case law, best practices, or nuts and bolts issues that will be addressed.**

Discussion about legal requirements in HB 1840, how to use the forms relating to firearms, what happens after orders are issued and what are model policies and protocols to enforce the court's directives.

**Describe how the session will actively engage the audience in adult learning/ interactive instructional methods.**

Opportunities for judges to work through the forms, dialogue about model policies and protocols being used by other jurisdictions

**Anticipated Cost?**

\$1000+

**Funding Resources:**

STOP Grant Funds could contribute up to \$1,000 for this session for travel-related costs; if out-of-state faculty are secured, we will need to work with them to see if they can provide any assistance through their national technical assistance grant.

**If you have any questions please contact one of the following committee members: Chair Judge Joseph Burrowes at [Joseph.Burrowes@co.benton.wa.us](mailto:Joseph.Burrowes@co.benton.wa.us); Co-Chair Judge Karen Donohue at [Karen.Donohue@seattle.gov](mailto:Karen.Donohue@seattle.gov) or Stephanie Apgar at [Stephanie.Apgar@courts.wa.gov](mailto:Stephanie.Apgar@courts.wa.gov)**

**KITSAP COUNTY DISTRICT COURT**

**JAMES M. RIEHL, JUDGE  
DEPARTMENT NO. 1**

**614 Division Street, MS-25  
Port Orchard, WA 98366  
Phone (360) 337-7109  
Fax 337-4865**

**MARILYN G. PAJA, JUDGE  
DEPARTMENT NO. 3**

**JEFFREY J. JAHNS, JUDGE  
DEPARTMENT NO. 2**

**STEPHEN J. HOLMAN, JUDGE  
DEPARTMENT NO. 4**

**MAURICE H. BAKER  
COURT ADMINISTRATOR**

**To: Gender and Justice Commission  
Chief Justice Barbara Madsen, Chair**

**From: Judge Marilyn Paja, member**

**Date: October 23, 2014**

**Re: Mission Creek Corrections Center for Women  
October 10-11, 2014 Women's Offender Conference:  
"Success from the Inside Out"**

At the request of Chief Justice Madsen, Ms. Danielle Pugh-Markie and I undertook to coordinate with the administration at Mission Creek Corrections Center for Women (MCCCW) to engage in their annual women's conference. The National Association of Women Judges (NAWJ) of which I am a member has a similar project entitled "Success Inside and Out" that started with a group of judges in New York State has been replicated in several other states, including Alaska.

The conference was held for a full two days on October 10 and 11, 2014. One hundred thirty eight women offenders participated in both days of the conference.

The Mission Creek Corrections Center for Women is a facility with about 300 offenders, all women with four years of less remaining on their sentence and who have been assessed as "low risk" by the State Department of Corrections (DOC). The facility is located in a rural setting outside of Belfair WA, about a 50 minute drive from Tacoma. The administration at MCCCW has conducted a women's conference annually for at least five years. I believe that, except for a non-profit group of local women (now defunct) who have provided items for the conference "gift bags", the event has previously been fully organized by the administration without the benefit of outside agencies.

Our primary contact at the facility was Mr. Richard Gobble, the Human Resources Director at MCCCW who has a two-year tenure, having once previously directed the conference. Mr. Gobble was very excited to have the Gender & Justice Commission and the National Association of Women Judges be interested in, and then commit to assistance. The new Superintendent at MCCCW, Eleanor Vernell spoke persuasively about the new DOC Office of Incarcerated Women, and the opportunity for future collaboration.

On July 10, 2014 Ms. Pugh-Markie and I made a first visit to the facility to meet with staff and gain an understanding of the conference and the need for our assistance. We met with Mr. Gobble, with Superintendent Eleanor Vernell, as well as the offender education supervisor/teacher and other staff. We spoke about prior conferences, the mission of the Gender & Justice Commission and the NAWJ and how we might help, as well as our limitations. We were all aware that planning would need to be compressed into a very short time frame.

In these planning stages it became apparent to Ms. Pugh-Markie and myself that education for the offenders about the impacts of domestic violence on themselves and their families would be useful, and that this topic did not appear to be directly addressed within the facility. (Vicarious trauma and trauma recovery curriculum is available at MCCCW, and there is a strong drug and alcohol recovery program. Education is offered through contract with Tacoma Community College with a goal that each offender will obtain a GED and be offered other classes as desired by the offender.)

We met many times by telephone for short and effective planning calls. I met with a group of the offender leadership team on-site to talk about what they wanted included in the conference and we were able to work in many of their suggestions. Ms. Pugh-Markie demonstrated her expertise in DV programming, obtained an excellent speaker for a DV session and follow-up, and helped design the conference with choice sessions and exhibits staffed by resource providers. At Chief Justice Madsen's suggestion, we gave the administrators at MCCCW an opportunity to view the video, "Girl Trouble" (previously shown to an NAWJ educational conference. The administrators and treatment staff gave an enthusiastic 'thumbs up' for the video to be included in the conference. The schedule was adjusted so that the entire 57 minute video could be included, with time allotted as well for a "de-brief" with the audience afterward. We suggested many of the exhibitors and were pleased that so many agreed to participate.

Ms. Pugh-Markie, the DV speaker (Ms. Debbie Brockman, the advocate/manager of the YWCA ALIVE Shelter in Bremerton WA) and I believe that there are opportunities for additional outreach in the area of Domestic Violence prevention and outreach. In addition, we established a communication network that might help us make inroads in helping provide greater internet access and/or law library access for the women at the facility (both issues raised by the offenders at several points in the process).

In addition the conference gave us an opportunity to work with enthusiastic Seattle University Law School students (lead by Gender & Justice Commission member and law student Kory Alexander) who have a regular volunteer routine at MCCCW providing legal assistance. Ms. Alexander and several of her classmates volunteered both days of the conference. Also attending were Commission member Judge Michael Evans of Cowlitz County and NAWJ member and Washington Supreme Court Justice Susan Owens, who made impactful opening remarks. I attended day one of the conference with the other judges; Ms. Pugh-Markie attended day two.

November 6, 2014

Page 3 of 3

On behalf of the NAWJ I provided items for the 'gift bags' given to all offenders who participated in both days of the conference. We also received the benefit of the NAWJ planning booklet about conferences for incarcerated women authored by Alaska Supreme Court Justice Dana Fabe.

A copy of the Conference brochure, prepared by offenders in their classroom setting and featuring a logo designed by an offender who is a talented graphic artist is attached to this memo.

Mr. Gobble provided Ms. Pugh-Markie and me copies of representative evaluations of the attendees. Feedback was all positive with several remarks about the quality of the DV speaker (Ms. Brockman who was recommended by the Washington State Domestic Violence Coalition), the opportunity to speak with representatives from Columbia Legal Services, the presence of Supreme Court Justice Owens and other judges, and the opportunities for self-reflection and practical problem-solving. The offenders seemed to be as enthusiastic about the event as we were.

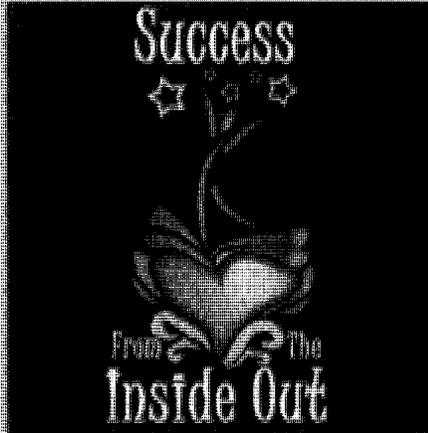
With more planning time, I think that a future conference might include more exhibitors, such as the Department of Licensing (re-licensing issues); statewide list of DV and counseling resources; Insurance Commissioner's Office (health care insurance and processes).

If requested by MCCCW, I hope that the Gender & Justice Commission and the National Association of Women Judges would be willing to make this an annual event in which we might participate. I believe that the conference is within our mission, provides a great service to women ready to re-enter our community, and is an opportunity to establish communication that might be used to initiate other beneficial changes within the facility as well.

Thank you for the opportunity to participate in this very worthwhile endeavor.



2014 WOMEN'S OFFENDER  
CONFERENCE



October 10-11, 2014

Mission Creek Corrections Center for Women  
Eleanor Vernali, Superintendent

*in Partnership with*

Washington State Supreme Court  
Gender and Justice Commission



National Association of  
Women Judges

**FRIDAY, OCTOBER 10, 2014 SCHEDULE**

**7:40 - 8:20 Registration / Continental Breakfast: Gym**

**8:20 - 9:10 Opening Session: Location: Gym**  
**Welcome – Richard Gobble, MCCCW DOC**  
**Greeting – Superintendent Vernell, MCCCW DOC**  
**Greeting – Supreme Court Justice, Susan Owens**  
**introduced by :**  
**Kitsap District Court Judge, Marilyn Paja**  
**Speaker -Laura Pavlou,**  
**Women's Wellness & Integrated Social Health (WWISH)**

**9:10 - 9:25 Break**

**9:25-10:35 Workshop Session 1**  
*(Workshops will be repeated 3 times)*

Blue Group:

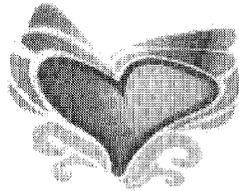
Dealing Successfully with the Past- Judy Dutcher,  
Bridges to Life  
**Location: A/B Conference Room**

Green Group:

Addressing the Trauma of Violence- Debbie Brockman,  
Kitsap YWCA  
**Location: Visit Room**

Yellow Group:

Finding the Courage to Succeed  
Wendy Rawlings, Therapist in Private Practice  
**Location: Gym**



The National Association of Women Judges' mission is to: Promote the judicial role of protecting the rights of individuals under the rule of law through strong, committed, diverse judicial leadership, fairness and equality in the courts, and equal access to justice.

**10:45 – 11:55 Workshop Session 2**

Blue Groups:

Finding the Courage to Succeed  
Wendy Rawlings, Therapist in Private Practice  
Location: Gym

Green Groups:

Dealing Successfully with the Past- Judy Dutcher,  
Bridges to Life  
Location: A/B Conference Room

Yellow Group:

Addressing the Trauma of Violence -Debbie Brockman  
Kitsap YWCA  
Location: Visit Room

**11:55 - 12:35 Lunch Location: Gym**

**12:35 - 12:50 Break**

**12:50 - 2:05 Workshop Session 3**

Blue Groups:

Addressing the Trauma of Violence -Debbie Brockman,  
Kitsap YWCA  
Location: Visit Room

Green Groups:

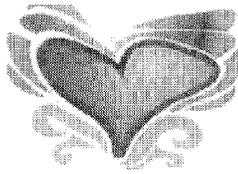
Finding the Courage to Succeed  
Wendy Rawlings, Therapist in Private Practice  
Location: Gym

Yellow Group:

Dealing Successfully with the Past - Judy Dutcher,  
Bridges to Life  
Location: A/B Conference Room

**2:15 - 3:35 Day 1 Closing Session - Gym**  
**Documentary - "Girl Trouble" moderated by**  
**Superior Court Judge Michael Evans**  
**and Debbie Brockman**

**D  
A  
Y  
1**



**SATURDAY, OCTOBER 11, 2014**

**2014 Women's Conference MCCCW**

**7:40 - 8:15 Continental Breakfast / Day Opening**  
Brief Review / Introduce workshop guests Location: Gym

**8:25 - 9:35 Workshop Session 1**  
(Workshop sessions will be repeated 4 times)

Blue Group:

Succeeding In Your Job Search - Tom Carlton & Jonathan Joudrey, WorkSource Location: Gym

Green Group:

Succeeding With a Record  
Nick Allen - Columbia Legal Services  
Vanessa Hernandez - American Civil Liberties Union  
Location: Visit Room

Yellow Group:

How to Have a Successful Post-Prison Transition  
Laura Andersen, former offender  
Pam Flint, DOC Community Corrections  
Zachariah Tate, DOC Community Corrections  
Location: A/B Conference Room

Red Group:

Resource Provider Exhibits: See List of Exhibitors  
Location: Mission Great Room

**9:35 - 9:50 Break**

**9:50 - 11:10 Workshop Session 2**

Blue Group:

Resource Provider Exhibits: See List of Exhibitors  
Location: Mission Great Room

Green Group:

Succeeding In Your Job Search - Tom Carlton & Jonathan Joudrey, WorkSource Location: Gym

9:50 - 11:10 Workshop Session 2 (continued)

Yellow Group

Succeeding With a Record  
Nick Allen - Columbia Legal Services  
Vanessa Hernandez - American Civil Liberties Union  
Location: Visit Room

Red Group

How to Have a Successful Post-Prison Transition  
Laura Andersen, former offender  
Pam Flint, DOC Community Corrections  
Zachariah Tate, DOC Community Corrections  
Location: A/B Conference Room

11:10 - 12:15 Workshop Session 3

Blue Group

How to Have a Successful Post-Prison Transition  
Laura Andersen, former offender  
Pam Flint, DOC Community Corrections  
Zachariah Tate, DOC Community Corrections  
Location: A/B Conference Room

Green Group

Resource Provider Exhibits: See List of Exhibitors  
Location: Mission Great Room

Yellow Group

Succeeding In Your Job Search  
Tom Carlton & Jonathan Joudrey, WorkSource  
Location: Gym

Red Group

Succeeding With a Record  
Nick Allen - Columbia Legal Services  
Vanessa Hernandez - American Civil Liberties Union  
Location: Visit Room



12:15 - 1:05 Lunch Location: Gym

*The Gender and Justice Commission welcomes the opportunity to work with judges, lawyers, agencies and individuals to eliminate gender bias in the legal profession and within the law and justice system.*

D  
A  
Y  
2

**SATURDAY, OCTOBER 11 (continued)**

**1:05 – 2:10      Workshop Session 4**

Blue Group:

Succeeding With a Record

Nick Allen - Columbia Legal Services

Vanessa Hernandez - American Civil Liberties Union

**Location: Visit Room**

Green Group:

How to Have A Successful Post-Prison Transition

Laura Andersen, former offender

Pam Flint, DOC Community Corrections

Zachariah Tate, DOC Community Corrections

**Location: A/B Conference Room**

Yellow Group:

Resource Provider Exhibits: See List of Exhibitors

**Location: Mission Great Room**

Red Group:

Succeeding In Your Job Search

Tom Carlton & Jonathan Joudrey, WorkSource

**Location: Gym**

**2:10 – 2:25      Break**

**2:25 – 3:30      Day 2 Closing Session -Gym  
Launch Out: Success From the Inside Out**

**Speaker: Felisa Williams**

**Closing Comments/Evaluations - Richard Gobble**



A special thank you to the Offender Conference Committee:  
Kim Hodgen, Constance Huskins, Elizabeth Loutie, Carmen Lungmen,  
Laura McConnelly, Angelica Ortega, Fortie Smith and Amber Stein  
...and to Melissa Martin for designing the conference logo

## List of Exhibitors:

**Bellevue College :** [www.bellevuecollege.edu](http://www.bellevuecollege.edu) - We welcome students, employees and visitors from all over the world to our campuses in Bellevue, near Seattle. As the third largest institution of higher learning in Washington, we open the door of higher education to more than 37,000 students each year.

**Farestart:** [www.farestart.org](http://www.farestart.org) -FareStart provides a community that transforms lives by empowering homeless and disadvantaged men, women, and families to achieve self-sufficiency through life skills, job training and employment in the food service industry.

**Making a Difference in Community/Educational Opportunity Center:**  
**mdc-tacoma.org** -EOC provides free educational support to adults in the following areas: educational planning, career advising and exploration, assistance with financial aid forms and college applications, and student loan default advocacy.

**Northwest Justice Project:** [nwjustice.org](http://nwjustice.org) and CLEAR (Coordinated Legal Education Advice and Referral) NJP provides critical civil legal assistance and representation to thousands of low-income people in cases affecting basic human needs such as family safety and security, housing preservation, protection of income, access to health care, education and other basic needs.

**Oxford Houses of Washington State:** [wa.oxfordhouse.us](http://wa.oxfordhouse.us) is a group of self-run, self-supported recovery houses that provide an opportunity for every recovering individual to learn a clean and sober way of life-forever.

**Post Prison Education Program:** [postprisonedu.org](http://postprisonedu.org) provides access to education and unwavering support through wraparound services including tuition, housing, groceries, daycare and intensive mentoring.

**Sustainability in Prisons Project:** [sustainabilityinprisons.org](http://sustainabilityinprisons.org) In 2004, the WDOC and The Evergreen State College began a unique partnership at the Cedar Creek Corrections Center which has resulted in the Sustainability project.

**Tacoma Community College :** [www.tacomacc.edu](http://www.tacomacc.edu)—An open door to success. An engine to rev up the economy. A part of the Tacoma community for almost 50 years. There's a lot to get to know about your community college.

**United Way Mason County:** [www.unitedwaymasonco.org](http://www.unitedwaymasonco.org) mission is to mobilize the power of our local community to help our neighbors in need and advance the common good

## List of Contributors, Presenters and Speakers:

**Nick Allen** - is a staff attorney in the Institutions Project at Columbia Legal Services. Nick began at CLS as an Equal Justice Works fellow, whose two-year project focused on addressing the legal barriers to legal financial obligations (LFOs) As a staff attorney, he continues to work on LFOs as well as other issues, including juvenile life without parole.

**Laura Andersen**—I am the middle of five children whom all have been raised in foster care. Four of us have spent more than ten years each within the prison system. I was a five time return offender. It took me 47 years to figure out that it is not the world or the people in it that are the problem, it was the choices I myself had made. Today I am happily married, a member of the local garden club, teach Sunday school, attend college, and own my own home. Success is possible if we are willing to do the work to achieve it.

**Debbie Brockman** -has been working as an advocate for survivors of domestic violence since 1994. Ms. Brockman is currently the YWCA ALIVE Legal/Family Services Director and Training Coordinator. She received a B.A. in Psychology and Sociology from Western Washington University. She served six years as a board member for the Kitsap County Domestic Violence Task Force and two years on the board for the Washington State Coalition Against Domestic Violence.

**Tom Carlton** - an Employment Specialist at WorkSource Mason County, he facilitates the Interactive Job Club and assists people needing assistance with the process of finding appropriate careers, getting connected with training opportunities and applying for jobs. Mr. Carlton focuses on at-risk populations; individuals having difficulty finding work such as those with background issues, disabilities, and long term unemployment. He also works as a mentor for Northwest Resources.

**Judy Dutcher** - Rehabilitation, Reconciliation, and Community Safety. Bridges To Life brings healing to victims of crime, reduces recidivism among offender graduates of the program, and helps make our community a safer place. On the web: [www.bridgestolife.org](http://www.bridgestolife.org)

**Superior Court Judge Michael Evans** - As District Court judge, with the support of many community members, he created and ran Cowlitz County's first mental health court. Judge Evans also serves as a member of the Supreme Court's Gender and Justice Commission, as well as the Chair of the Ethics Committee of the Superior Court Judges Association. Judge Evans graduated from Brigham Young University and the Seattle University School of Law.

**Pam Flint** -Employed with DOC for 12 years as a Community Corrections Officer, Classification Counselor and Correctional Unit Supervisor. Ms. Flint has a BA in Public Administration with a minor in Criminal Justice. She has also served as hearings officer, PREA investigator, and grievance coordinator. She instructs at the Case Management and Community Corrections Academies.

**Vanessa Hernandez**- a Gates Public Service Law Scholar, Ms. Hernandez graduated from Amherst College and the University of Washington School of Law and is employed by the ACLU.

**Jonathan Joudrey**—a supervisor at WorkSource Mason County in Shelton and manages the satellite office in Belfair. Mr. Joudrey has worked with various correctional institutions throughout Oregon and Washington providing instruction in job search strategies and career development to offenders.

**Supreme Court Justice Susan Owens** -Justice Owens joined the supreme court after serving nineteen years as District Court Judge in Western Clallam County, where she was the County's senior elected official with five terms. She also served as the Quileute Tribe's Chief Judge for five years and Chief Judge of the Lower Elwha S'Klallam Tribe for six plus years. Justice Owens is a graduate of Duke University and the University of North Carolina at Chapel Hill School of Law.

**District Court Judge Marilyn Paja**—has served as District Court Judge for Kitsap County since 1999. She was the 2006-07 Presiding Judge for the Court. She was the Presiding Judge for the Gig Harbor Municipal Court from 1994-98. Judge Paja also serves as a member of the Supreme Court's Gender and Justice Commission. Judge Paja is a graduate of Willamette University and University of Puget Sound School of Law.

**Laura Pavlou** -founder and CEO of Women's Wellness and Integrated Social Health. WWISH helps women through crisis, adversity and transition. She founded WWISH because of her vision that every woman knows her value.

**Danielle Pugh-Markie, MPA**—Manager, Supreme Courts Commissions

**Wendy Rawlings, LMHC** - Ms. Rawlings has counseled adult women who have been in abusive relationships, codependent, anxious and depressed. She has a BS in Child Development and Family Relationships and a MS in Counseling Psychology from Eastern Washington University. On the web: [www.wendyrawlings.com](http://www.wendyrawlings.com)

**Zachariah Tate** - DOC Community Corrections Officer

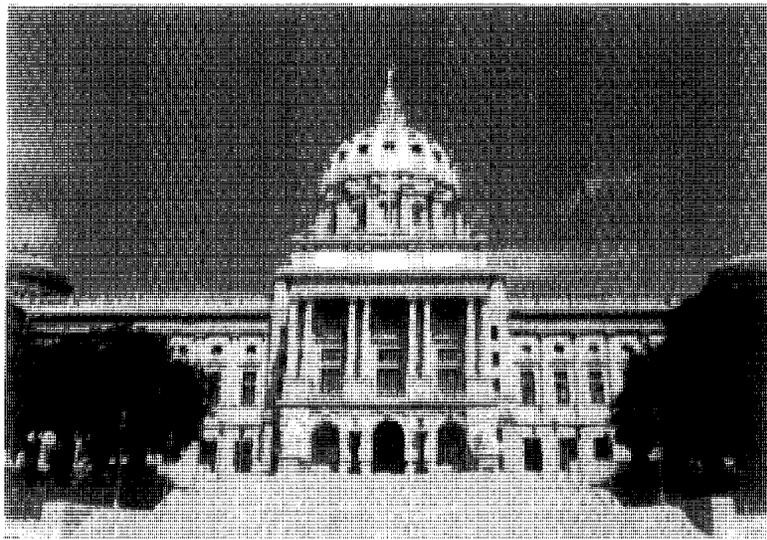
**Felisa Williams** -a graduate of TCC's Horticulture program at WCCW, Ms. Williams is now a successful floral manager for a grocery store.



**American Bar Association Commission on Domestic & Sexual Violence**  
*in collaboration with*  
**United States Department of Justice, Office on Violence Against Women**  
*presents*

**FUNDAMENTALS OF DOMESTIC VIOLENCE FOR LAWYERS AND  
REPRESENTING VICTIMS OF DOMESTIC VIOLENCE IN CUSTODY CASES**

**Harrisburg, PA**  
**October 8-10, 2014**



**Judge  
Riehl**

**American Bar Association Commission on Domestic & Sexual Violence**  
*Grant No. 2011-TA-AX-K093*  
*in collaboration with*  
**United States Department of Justice Office on Violence Against Women**  
*hosted by*  
**Pennsylvania Coalition Against Domestic Violence**

*presents*

**Fundamentals of Domestic Violence for Lawyers *and*  
Representing Victims of Domestic Violence  
in Custody Cases**

**October 7, 2014**  
**Washington, DC**

**FACULTY ORIENTATION AGENDA: October 7, 2014**

- 9:00 a.m. – 9:05 a.m.      **Welcome and Introductions**
- 9:05 a.m. – 9:10 a.m.      **Overview of Learning Objectives, Training Format and Training Materials**
- 9:10 a.m. – 9:20 a.m.      **Review of Facilitation Skills**
- 9:20 a.m. – 10:00 a.m.      **Meet with Day 1 Partner to Review and Plan Workshop**  
***Fundamentals of Domestic Violence for Lawyers***  
*Large Group*  
Stacey Platt & Linda Peyton  
Judge James Riehl & Roseline Guest  
Trisha Monroe & Andrew Sta. Ana  
Madeline Garcia Bigelow & Alicia Aiken
- Small Group*  
Review curriculum and material for all Day 1 sections.

- 10:00 a.m. – 12:00 p.m. **Play-By-Play**  
Each pair will present a condensed 20-minute presentation followed by 10 minutes of feedback.
- 12:00 p.m. – 1:00 p.m. **Lunch On Your Own**
- 1:00 p.m. – 1:40 p.m. **Meet with Day 2 Partner to Review and Plan Workshop**  
***Representing Victims of Domestic Violence in Custody Cases Day 1***  
*Large Group*  
Madeline Garcia Bigelow & Trisha Monroe  
Judge James Riehl & Stacey Platt  
Roseline Guest & Alicia Aiken
- Small Group*  
Review curriculum and material for all Day 2 sections.
- 1:40 p.m. – 2:10 p.m. **Play-By-Play**  
Each pair will present a condensed 20-minute presentation followed by 10 minutes of feedback.
- 2:10 p.m. – 2:20 p.m. **Break**
- 2:20 p.m. – 3:00 p.m. **Meet with Day 3 Partner to Review and Plan Workshop**  
***Representing Victims of Domestic Violence in Custody Cases Day 2***  
*Large Group*  
Stacey Platt & Linda Peyton  
Judge James Riehl & Madeline Garcia Bigelow  
Andrew Sta. Ana & Roseline Guest  
Trisha Monroe & Alicia Aiken
- Small Group*  
Review curriculum and material for all Day 3 sections.
- 3:00 p.m. – 5:00 p.m. **Play-By-Play**  
Each pair will present a condensed 20-minute presentation followed by 10 minutes of feedback.
- 5:00 p.m. – 5:15 p.m. **Closing for the Day**

This project was supported by Grant No. 2011-TA-AX-K093 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice Office on Violence Against Women.



# 56<sup>th</sup> Washington Judicial Conference

## September 21 – 24, 2014

### SESSION EVALUATION

<b>Session:</b>	<b>ICWA: Tribal and State Courts Conflicts and Cooperation</b>
<b>Faculty:</b>	<b>Commissioner Michelle L. Ressa, Associate Justice Theresa M. Pouley</b>

Please include narrative comments, as well as numeric rating on a **5-point scale**.  
*(5 = Excellent; 4 = Good; 3 = Average; 2 = Below Average; 1 = Poor; N/A = Not Applicable)*

<b>EFFECTIVENESS</b>	5	4	3	2	1	
1. The goals of the course were clear.	5	4	3	2	1	<b>4.7</b>
2. The goals of the course were achieved.	5	4	3	2	1	<b>4.7</b>
3. The faculty engaged me in meaningful activities.	5	4	3	2	1	<b>4.8</b>
4. I gained important information or skills.	5	4	3	2	1	<b>4.6</b>
5. The faculty made a clear connection between the course and the work place.	5	4	3	2	1	<b>4.9</b>
<b>Average:</b>						<b>4.7</b>

**COMMENTS:**

- Cohesive presentation; well-informed and relevant.
- Impressive presentations.

<b>COMMUNICATION SKILLS</b>	5	4	3	2	1	
1. The faculty was well prepared.	5	4	3	2	1	<b>4.9</b>
2. The presentation was organized.	5	4	3	2	1	<b>4.8</b>
3. Written materials enhanced the presentation.	5	4	3	2	1	<b>4.5</b>
4. Audiovisual aids were used effectively.	5	4	3	2	1	<b>4.5</b>
5. The presentation kept my interest throughout.	5	4	3	2	1	<b>4.8</b>
<b>Average:</b>						<b>4.7</b>

**COMMENTS:**

- Let's keep doing this!
- A good beginning (again) and steps for future. Lovely meal and setting. Thank you.
- We would have benefitted from materials (written) on the 4 key elements addressed. 1-3: jurisdiction issues; 4: disproportionality.
- Great conversations – lots of practical, on the ground advice and insight.
- Great session.



# 56<sup>th</sup> Washington Judicial Conference

September 21 – 24, 2014

## SESSION EVALUATION

87	52
Audience	Evaluations

<b>Session:</b>	<b>Adverse Childhood Experiences (ACE): Understanding Risk and Responses to Childhood Trauma</b>
<b>Faculty:</b>	<b>Dr. Christopher Blodgett, Judge Rich Melnick</b>

Please include narrative comments, as well as numeric rating on a 5-point scale.  
(5 = Excellent; 4 = Good; 3 = Average; 2 = Below Average; 1 = Poor; N/A = Not Applicable)

<b>EFFECTIVENESS</b>	5	4	3	2	1	
1. The goals of the course were clear.	5	4	3	2	1	4.7
2. The goals of the course were achieved.	5	4	3	2	1	4.5
3. The faculty engaged me in meaningful activities.	5	4	3	2	1	4.4
4. I gained important information or skills.	5	4	3	2	1	4.6
5. The faculty made a clear connection between the course and the work place.	5	4	3	2	1	4.7
	<b>Average:</b>					<b>4.6</b>

### COMMENTS:

- Very evidence based presentation.
- This presentation should have occurred in a larger room! Great interest. More, please. Every judge, administrator, or other participant in court system would benefit from this information and more.
- Excellent!

<b>COMMUNICATION SKILLS</b>	5	4	3	2	1	
1. The faculty was well prepared.	5	4	3	2	1	4.9
2. The presentation was organized.	5	4	3	2	1	4.9
3. Written materials enhanced the presentation.	5	4	3	2	1	4.7
4. Audiovisual aids were used effectively.	5	4	3	2	1	4.6
5. The presentation kept my interest throughout.	5	4	3	2	1	4.6
	<b>Average:</b>					<b>4.7</b>

#### COMMENTS:

- Great course – especially for those of us in dependency court! Thank you.
- Should be three-hour program.
- Excellent, informative, useful.
- Very informative.
- Too much reading slides.
- Wow! An eye opener.
- Thank you for bringing Dr. Blodgett.
- Wonderful speaker!
- Very worthwhile; would be very helpful for probation departments and officers.
- This is really important to all – please expand and include in other experiences. Create a “library” or resource list on online info.
- I found this program/session extremely helpful. I hope it is expanded upon at future conference.
- Very thoughtful and thought provoking. We need an expanded session.
- Good topic but a little disjointed on how to effectively employ knowledge into practice.
- Excellent! Come back again!
- This was my favorite session!
- Outstanding!
- The presenter does not work in the legal system. The presentation would have been enhanced if he had worked with a judicial officer to identify specific actions we can take based upon the source. Without that, the speaker is left to give only general advice.

# 56<sup>th</sup> Washington Judicial Conference

September 21 – 24, 2014

## SESSION EVALUATION

65	44
Audience	Evaluations

<b>Session:</b>	<b>Race – The Power of an Illusion</b>
<b>Faculty:</b>	<b>Dr. Khatib Waheed</b>

Please include narrative comments, as well as numeric rating on a **5-point scale**.  
(5 = Excellent; 4 = Good; 3 = Average; 2 = Below Average; 1 = Poor; N/A = Not Applicable)

EFFECTIVENESS	5	4	3	2	1	
1. The goals of the course were clear.	5	4	3	2	1	4.7
2. The goals of the course were achieved.	5	4	3	2	1	4.7
3. The faculty engaged me in meaningful activities.	5	4	3	2	1	4.9
4. I gained important information or skills.	5	4	3	2	1	4.7
5. The faculty made a clear connection between the course and the work place.	5	4	3	2	1	4.5
<b>Average:</b>						<b>4.7</b>

### COMMENTS:

- Excellent presenter. Thought provoking. No answers but complex issues.
- Amazing – thanks for data!
- Important information. Policy makers in legislature and executive branch need it.
- I missed first 1 ½ so take with a grain of salt. Film was just a reminder of Jim Crow Laws – no need to be reminded.
- Excellent.

COMMUNICATION SKILLS	5	4	3	2	1	
1. The faculty was well prepared.	5	4	3	2	1	4.9
2. The presentation was organized.	5	4	3	2	1	4.9
3. Written materials enhanced the presentation.	5	4	3	2	1	4.1
4. Audiovisual aids were used effectively.	5	4	3	2	1	4.7
5. The presentation kept my interest throughout.	5	4	3	2	1	4.8
<b>Average:</b>						<b>4.7</b>

### COMMENTS:

- Would have liked some written materials. Hard to read material on the screen. Best presentation of the conference, best presentation on race in many years.
- I loved the opportunity to participate with someone I didn't know. This was a very safe place to start out and practice the conversation!!
- Enlightening and fabulous.
- Excellent presentation. Liked the exercises.
- Excellent video.
- I learned information that was truly worth knowing.
- Excellent explanation of issues!
- Would be nice to have written materials to follow along with during the presentation. Very thought provoking.
- Outstanding.
- Would have liked slides as written material.
- Outstanding program.
- Awesome.
- Would have liked printed versions of statistics and graphs presented.
- Presenter was very personable.
- No written material. Data presentation was too reliant on very detailed PowerPoints. Violation of rule of using PowerPoint! Hard to follow. At first I intended to leave after first hour as I felt information was all something I was familiar with. I decided to stay for film. Discovered I had already seen it in judicial education in King County. A good thing to see again as a reminder. Dyads actually was useful.
- Excellent.
- This was my favorite session. I loved the Dyad exercise.
- Unbelievable! Fantastic!
- First presentation before the film was too long. Should save more time for discussion and sharing with the larger group.



# King County

October 2014

## REPORT on COOPERATIVE AGREEMENT - ICA15110

BETWEEN KING COUNTY SUPERIOR COURT and WASHINGTON STATE ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

Report Submitted by Deborah Greenleaf, RN, MN, DV Symposium Co-Chair

### PROJECT PURPOSE:

To assist and support the costs incurred by judicial officers attending the 6th Annual Domestic Violence Symposium, which was held on September 11-12, 2014.

### PROJECT FUNDING:

AOC distributed to King County Superior Court, a portion of the federal grant received by AOC from the Washington State Department of Commerce, Community Services and Housing Division, Office of Crime Victims Advocacy, under the federal STOP Violence Against Women Office, Grant No. 2013-WF-AX-0055.

### PROJECT EXPENDITURES:

King County Superior Court utilized project funding to support judicial officers from courts outside of King County Superior Court to attend the DV symposium. Funding supported:

- Eleven judicial officers' DV Symposium registration fees,
- Six judicial officers' travel-related costs including lodging, transportation, and per diem expenditures, and
- One pro tem backfill expenses for a judicial officer.

### PROJECT OUTCOMES:

The Sixth Annual DV Symposium, entitled "Reality DV Season 2: Coercive Control", was held on September 11 & 12, 2014 at Seattle University. The symposium was co-chaired by Deborah Greenleaf, King County Superior Court DV and Child Maltreatment Coordinated Response Coordinator and Tracy Orcutt, King County Office of the Prosecuting Attorney VAWA STOP Grant Coordinator. This year's symposium was supported by numerous community partners and grants, which allowed ease of accessibility and affordability for our multidisciplinary audience to attend this event. The on-line registration system's capacity was increased this year from 400 to 459 registrants; and, despite this, the symposium registration capacity was filled and the registration was closed earlier than in all other symposium offerings.

### *Symposium Participants*

Five hundred and seven participants attended the symposium. The following is a summary of the 2014 DV Symposium Participants:

- 430 registrants attended DV Symposium
- 77 participated as a speaker or volunteer
- 29 registrants (7%) did not attend the symposium

- 41 judicial officers attended the symposium, and 5 judicial officers presented during DV Symposium sessions. This was the largest number of judicial participants in the history of our DV Symposium offerings!

### ***Symposium Evaluations***

One hundred and forty seven (147) participants completed the DV symposium evaluation survey. Refer to Appendix A for a full summary of the evaluation findings.

Of these respondents,

- 92% rated the DV symposium’s content/information as being “excellent” or “very good”.
- 93% rated Dr. Evan Stark’s keynote presentation content as being excellent/very good and,
- 96% rated T.K. Logan’s keynote presentation content as being as excellent/very good

This was truly an amazing response from the survey respondents and their following comments about the symposium illustrate this finding.

*“I really appreciate all the hard work that goes into getting keynote speakers. Every year it gets better and better.”*

*“Really appreciate all the things you do in this. I have learned a lot from many of the speakers.”*

*“Always great to gain new insight and ways to empower the clients I serve.”*

*“Loved the emphasis on coercive control”*

*“Best Conference yet”*

*“Excellent symposium as usual - please keep it up. In fact, I would love to see even more cutting edge, provocative topics in the future (topics that really push the envelope, especially for criminal justice responders.)”*

### ***DV Lifetime Achievement Award***

During the Thursday morning plenary session the symposium granted its’ first “*Domestic Violence Lifetime Achievement Award*” to the Honorable Judge Joan DuBuque, *retired*. Attached in Appendix B is Judge DuBuque’s biography that was included into the participants packets. Judge DuBuque was presented a plaque that was signed by 60 judicial officers and colleagues from King County and Gender and Justice Commission members. The plaque inscription is as follows.

*“It is through her ongoing commitment to fairness, compassion, and justice for DV survivors and their children that we award the Honorable Judge Joan DuBuque with a Lifetime Domestic Violence Achievement Award. For Judge DuBuque promoting justice meant education and community action to promote safety and recovery from DV. We wholeheartedly thank Judge DuBuque for her exemplary leadership and expertise throughout her legal career.”*

It was quite an honor for Judge DuBuque to receive this recognition in the presence of many of her peers and colleagues that she had worked with over her career.

### ***Judicial Officer DV Symposium Sessions***

During the symposium, two specialized judicial officer sessions and a networking luncheon were held to allow judicial colleagues to gather, receive pertinent information for their work on the bench, and share best practices. The first session was entitled “*Through Our Eyes: A View From the Bench on Coercive Control Tactics and Strategies for Case Management.*” This session’s purpose was to have judicial panelists draw from their personal experiences and challenges from the bench. The panelists were Judge Berns, Judge Hirsch, Judge Jasprica, and Judge DeLaurenti. They shared what strategies have been effective and helped participants to transform their everyday challenges into opportunities. Twelve judicial participants completed an evaluation survey, and of these, ten (83%) rated the session content’s as being excellent/very good. Refer to the session evaluation summary in Appendix C.

The second judicial session offering was entitled “*Updates on the Domestic Violence Manual for Judges.*”

The panelists, Judge Berns, Grace Huang, and Dr. Anne Ganley presented on the revisions to the Washington State Supreme Court, Gender and Justice Commission's Domestic Violence Manual for Judges. New sections of this manual, including updates to DV statutes and procedures as well as LGBTQ DV, were presented. Nine judicial participants completed an evaluation survey, and of these, seven (78%) rated the session's content as being excellent/very good. Refer to the session evaluation summary in Appendix D.

Both sessions stimulated much dialogue among the presenters and participants. There always were more comments and questions than could be accommodated within these session timeframes. Most participants gave positive comments about these specialized judicial officer sessions as reflected in the following statements.

Comments on Judges Panel

*"I appreciate listening to advice and suggestions from my colleagues"*

*"Simply listening to opposing views from my peers"*

*"Wished we had more time for discussion"*

*"The sharing of information on how judicial officers handle particular offenses"*

Comments on DV Manual for Judges

*"I will need to read the manual"*

*"Wish the manual was out already"*

*"Thank you so much for your hard work on the manual. The manual has assisted me greatly."*

## Appendix A



# King County

## September 11, 12 DV Symposium

### Keynotes and Overall Symposium Evaluation

Total Survey Respondents: 147

On a scale of 1 to 5 (with 1 being poor, 5 being excellent) please rate the following:

Thursday, September 11, 2014

**PLENARY I : Looking Beyond Violence: Reframing Partner Abuse as Coercive Control**  
**SPEAKER: Evan Stark, Ph.D.**

**Content:**

5 = Excellent	4	3	2	1 = Poor
108 (66%)	44 (26%)	9	2	0

**Presentation:**

5 = Excellent	4	3	2	1 = Poor
74 (52%)	44 (31%)	18	2	2

- The plenary speaker's information came from the white perspective even though the speaker was well meaning
- He was a little scattered
- He got a little off topic at times
- Sometimes it was hard to follow but the material was very informative.
- Evan Stark was the perfect person to start the conversation (2 respondents)
- Stark is a great presenter and obviously knows what he is talking about
- I learned a lot from him
- Presentation somewhat general.
- Great information, please avoid sexist comments, especially with this audience.
- I have waited a long time to have this conversation. This plenary alone invigorated and motivated me. Thank you!
- This was very interesting. It's unusual to really learn new information
- "Human Rights" before "Women's Rights" will be taken seriously and resonated with me
- He was fabulous. (He might want to watch the gendered /transgender jokes though)
- Engaging speaker (9 respondents)
- Bring this speaker back (1 respondent)
- Good sense of humor (3 respondents)
- Evan presented compelling arguments about recognizing abusive control in DV. Great plenary!
- He was really informative (3 respondents)
- I really enjoyed his international perspective on DV (2 respondents)

- Thanks for bringing this pioneer to Seattle
- Wonderfully presented (2 presenters)
- I love his enthusiasm and passion
- Radical, entertaining, and informative
- A new way to think about DV as hostage taking and inescapability as an arm of patriarchy
- Excellent information on coercive control; and he provided a wealth of information/food for thought on sifting our focus on coercive control (3 respondents)
- He gave me words for what I see and was so helpful
- He was excellent and touched on the gap between law enforcement and DV survivors
- He gave factual and real life examples
- I really like the focus on the pattern of smaller “less serious” incidents and the effects on DV survivors
- I can use a lot of his material in my daily work, essentially, looking for evidence of coercive control (*Judicial respondent*)
- Mentions “effective early intervention”- would have loved to hear more about what that is.
- Discussion on “safety zones” – someplace or someone you can go to consider options was helpful.
- New-refreshing material about coercive control, framing using his perceptions and research to further define our DV context.
- Love the east coast style.
- I truly appreciated the tenacity and humor that the presenter used during his presentation.
- Dr. Stark was an engaging presenter. Hearing about the intersection between abuse and policy was interesting.
- He only gave race of non-white examples as being black
- Comedic commentary bordered on the offensive
- I didn’t like that he talked about abortion.
- He was a wee bit inappropriate. Need to screen speakers for “moral justice analysis” but I did appreciate his emphasis on human rights
- He correctly observed that we don’t like to joke about transgender identity here. We really value respecting gender expression, and I’m sure he does as well

Friday, September 12, 2014

**PLENARY II: A New Framework for Understanding and Assessing Stalking: Moving Forward**  
**SPEAKER: TK Logan, Ph.D.**

**Content:**

5 = Excellent	4	3	2	1 = Poor
101 (73%)	31(22%)	6	0	0

**Presentation:**

5 = Excellent	4	3	2	1 = Poor
99 (71%)	26 (19%)	9	1	1

- Excellent/outstanding/fabulous/fantastic/wonderful/competent/comprehensive/engaging presenter (30 respondents)
- Bring this speaker back (2 respondents)
- Such thought and expertise to share! I can use everything she brought to the plenary to help me with my clients
- Thank you for bringing Dr. Logan to enlighten us
- She was well prepared and thoughtful
- Excellent job highlighting significant aspects of research (3 respondents)
- Excellent use of both data and story telling
- I loved the framework STEPS! (2 respondents)
- How do we use this framework when seeking DVPOs? How do we make this available to judicial officers and law enforcement?
- Really framed the issue perfectly

- Very informative (8 respondents)
- Entertaining and interesting topic but heavy with slides/stats (3 respondents)
- Would have liked hard copies of her data and stats for the presentation
- A little boring and basic
- She is a dynamic and interesting speaker
- She was very knowledgeable and I learned a lot of great information (4 respondents)
- I learned a lot on serious stalking and how debilitating it is to DV survivors
- She was clear, concise and organized
- Well done! Pulling minute details together to allow a visual of the big picture is invaluable.
- I learned more about stalking from her presentation than I knew from my entire 25 year career (*judicial respondent*)
- Extremely important material
- Very informational-thank you for all of these examples
- Liked the research focus
- It definitely increased my understanding on stalking.
- Very clear, learned a lot about stalking and resources to learn more; Constructive thoughts on how we can change our approach to stalking; and really great balance of qualitative and quantitative data.
- The PowerPoint was nice touch- but it felt as though most of the info she talked about were on the slides. It would have been better to have it correlated not hand for hand.

## OVERALL SYMPOSIUM EVALUATION

**Overall, this conference was:**

Excellent	Very Good	Good	Fair	Poor
<b>91(66%)</b>	<b>36 (26%)</b>	<b>9</b>	<b>1</b>	<b>0</b>

**I will be able to apply this training to my work:**

5 (definitely)	4	3	2	1 (not at all)
<b>68 (66%)</b>	<b>21(20%)</b>	<b>12</b>	<b>2</b>	<b>0</b>

**Additional comments or suggestions:**

*Overall Symposium*

- A professionally done symposium
- Thank you for providing as a resource to our community
- Well done to all involved
- Best Conference yet (4 respondents).
- Excellent training experience!
- Always one of the best trainings (2 respondents). Thanks for bringing all these resources to one place
- Looking forward to next year (3 respondents)
- This was my first time and hope to come back, everything was efficient-- food, map and pre-conference communication. Thank you for your opportunity
- I really appreciate all the hard work that goes into getting keynote speakers. Every year it gets better and better
- Great conference, very helpful, great work (3 respondents)
- You changed the way of my practicing

- I will certainly attend again and have my staff attend
- Thanks for all your work in putting this together
- All the presenters were great
- Excellent symposium as usual - please keep it up. In fact, I would love to see even more cutting edge, provocative topics in the future (topics that really push the envelope, especially for criminal justice responders)
- Thank you for wonderful symposium, very applicable to my work and worth my time
- Great networking with all agencies and providers (2 respondents)
- Overall well done
- Applicable to my daily work and supportive of my clinical stance (*response from a therapist*)
- I am a bit disappointed that the conference was not inclusive of all
- Not applicable to my work but was eye opening and informative
- I wish some of the workshops were offered at different times (2 respondents)
- It is hard to make choices between sessions (3 respondents) and makes you wish it were a three day event
- I wish there could be resource information tables
- I really enjoyed all the sessions and speakers. I have a better idea and knowledge of DV cases and understand the importance of really listening to the survivor
- Loved the emphasis on coercive control ( 2 respondents)
- Need help in applying concepts of coercive control in court with the legal definitions of DV that we are stuck with when representing DV survivors
- A lot of stories and examples, which were great, and it kept my interest; BUT, there wasn't enough about what we can do, the resources weren't explicit enough, what can we do better, how can we make our case.
- Very helpful on reframing the context of DV in terms of Coercive control- still wishing for more of the what we need to do next piece.
- I really like/appreciate and admire for the story I heard and thankful to all who put their effort.
- Good overall data and background information
- Thank you very much for organizing this symposium! Really appreciate all the things you do in this. I have learned a lot from many of the speakers!
- Always great to gain insight and ways to empower the clients I serve.
- Very well executed and extremely organized.
- I like all of them and learned a lot from the symposium. One of my concerns is we need information on "*what would it be if we could help the people who commit crime when or before they did nothing wrong.*"

### *Symposium Sessions*

- I am concerned about the lack of knowledge about DV and gender issue with some of the participants
- I am not of fan of the "Reality DV" conference title it sound a bit like we are trivializing DV
- Loved *You be the Judge*
- The *In Their Shoes* teen violence workshop was amazing.
- Be more inclusive of all communities
- Some of the workshops had too much data
- Don't understand why there was the pervasive use of the word "victim" vs "survivors" throughout the symposium. This is not empowering at all.
- DV one on one required session should be provided for those who are not an advocate or mental health therapist
- Many sessions speakers did not stick with the topic/expectations of coercive control in their workshops
- More defined breakout sessions on police, therapeutic interventions, policy
- Sessions for TK Logan should have been longer
- Appreciated the sessions with Evan Stark regarding working with families and children
- Some great sessions but applying concepts to working with DV survivors will be a little trickier
- Would like to have more interactive activities and discussions with participants instead of lectures
- My personal experience was that, the workshops I attended on Thursday did not give me the tools/resources I needed to effectively support my clients. My experience on Friday was quite the opposite. Great, practical, hands-on.
- I really enjoyed the, "You Be the Judge" session and will recommend it to my coworkers next year.
- Excellent workshop on substance abuse and DV batterers treatment,
- Excellent workshop on religion and DV trafficking.
- The further/more in depth clarity of coercive control by Evan Stark was so refreshing
- The speakers had good information but the way they present can be boring and dry.

- It would be nice to include actual treatment programs to see what happens there. The topics seem to be the same which is fine for the new people.
- Great variety, awesome speakers, I loved Evan Stark
- The plenary was much better the first day but the sessions were better the second day
- Some session descriptions were misleading. Not the best training

### *Symposium Site and Operations*

- Need learning objective for every sessions
- Great job, some of the rooms a bit crowded and standing room only( 3 respondents)
- Seating difficult in the Champion room- have folks front and back and raise hands if there is a seat near them.
- Excellent organization, lunches, and location, Great job
- It was confusing and difficult to find some of the presentation. It was hard to go between the buildings ( 4 respondents)
- Not all the building were accessible for person with disabilities (5 respondents)  
Please identify which presentation is geared to sessions professional which are for more for those new to the new to field
- Would prefer 60 minute plenary session
- I appreciate SU sponsoring and hosting this conference, we may however a larger site that can meet communities capacities and necessity need, it is difficult with people with limited mobility to walk on campus.
- Too many good session to choose from
- When confrontational participant are identified in sessions, they need to be removed from the session somewhere very disruptive and destructive
- Need water easily available in all buildings
- Hard to hear plenary speakers
- Have computer techs help presenter at the beginning of their presentations
- In multiple sessions speakers were unaware of how time was remaining. Please signal presenters when time is running out.
- I love the location. You are very well organized
- It happened again, a guy who wants to argue about women being violent too. Could we have a disclosure somewhere that say, the conference is only focused on violence against women and children that men perpetrate
- The schedule is laid out well.
- The presenter for Judge DuBuque's award took too long (2 respondents)
- It would be nice to have access to materials and resources even from workshops not able to attend. Overall, a great experience.
- Develop strategies for dealing with participants with extreme biases and opinions that are being perceived as being inappropriate by the general audience

### **Future topics suggestions:**

- Sexual assault interviewing techniques. Connection between DV and sexual assault, and implication for increased risk to victims.
- Sexual Assault and Sexual Coercion
- Working with DV survivors who are early in DV process and unable to talk about it
- Women support groups
- Do a panel presentation of DV survivors and how their safety get addresses (2 respondents)
- Include disabled and hard hearing survivors in presentations
- More on cultural diversity and have by committed service providers from different communities of color, groups, culture, and ethnic background (3 respondents).
- A session for advocates on how to document stalking
- Information on victim defendants appropriate assessments and how to ensure coercive control is being respondents too
- DV in the presence of legal marriages where DV survivors are under 18 years of age and have immigrated from other countries
- Information about same sex relationships and DV ( 3 respondents)
- How the system can work better together and the best practices to serve DV survivors across the system
- How system can work together not re-victimize the DV survivors
- Researchers present on evidenced based practices and interventions

- Develop session geared to social workers who are working in medical settings
- Please develop sessions geared for family law attorneys and civil attorneys
- Parenting evaluation
- More dialogue between the advocate, commissioners and judges
- There needs to be a batter intervention track and reach out to them
- Discussion on prevention
  
- **Children/Youth Topics**
  - Emerging research in epigenetics about prenatal violence, its effects on fetus and resulting effect to genetics effect of the child
  - Information regarding children and their rights and what they want and can bring out in DV situation ( 2 respondents)
  - Make the connection between kids who experience DV and other adverse childhood experience that affect them into adulthood
  - Harm reduction models to support family with children exposed to coercive control
  - Training goal on writing good evaluation for children
  - DV dating relationship of middle, high school and college students
  
- **Mental Health Topics:**
  - Suggest trauma and responsive justice or accessibility
  - How to deal with survivors with severe PTSD, mental health issues that you would think are happening to them. But won't go to seek help from professional mental health therapists. You feel stuck about knowing what to do since you're only a DV advocate, but knowing that this participant needs serious help. What can be done other than listening and be supportive? Especially when the participant is hearing/seeing things or thinks has heard things
  - DV attachment, child development impact of DV exposure. Use treatment modalities, tips, writing clinical notes DV lenses
  - I would like a training on how to deal with difficult clients,-who have mental health issues (if they are mostly on meds that prevent them to be fully, present due to medical side effects and other things), violent behavior (verbal and physical) toward staff due to mental health issues. Mothers who are abusive to their children unconsciously or not know how to help them have a more healthy relationship with their children
  - More therapeutic techniques
  - Mental health issue with DV survivors what challenge for them to get mental health treatment
  - Discuss the intersection between trauma and DV
  - Some kind of interactive session that covers the impact of secondary trauma-particularly re: coercive control in the families we work with-how do we recognize signs of secondary trauma, what are ways of reducing/addressing it.
  
- **DV and Child Welfare System Topics:**
  - Working with DV survivors in the child welfare system and teaching techniques on working outside our own perspectives, challenges, beliefs, and feelings about what a DV survivor is doing.
  - Present on how to encourage fathers to be engaged in services.
  - Tools to use for co-parenting in families where the parents are living separately.
  - How to document in child welfare cases to protect the safety of the DV survivor
  - Present on services for DV perpetrators that are free or covered by medical insurance.
  - Collaborations with shelters and child welfare
  - I would like a DV specialty team in eastern Washington to staff DV cases in child welfare, and bring experts together to safety plan and support DV survivors
  - Continue to address perpetrators in varies context. We need to have meeting of the mind between attorney general office and defense council about the proper way to address DV in dependency
  - How to bring battering to the forth front of dependency actions

### **Suggested Speakers:**

- Linda Fredrick - BWJP
- Doctor Daniel Siegel -Neuroscience of trauma
- Sujata Warriar –cultural identity
- Center for court innovation (suggest Liberty Aldrich) language access
- Bring TK Logan back for a more in depth workshop for working on stalking survivors
- Detective Ginger Banya Riepl and Natlie Dolei would like to present

- “Daddy Boot Camp” presentation on improving bonding between fathers and children. Suggested speakers Cynthia Flynn, PhD, MSN, FACNM
- IF Project (2 responders)
- Anyone from INCITE on DV and social justice perspective

## Appendix B

6<sup>th</sup> Annual DV Symposium  
September 11, 2014

### Lifetime Domestic Violence Achievement Award Presented to The Honorable Judge Joan DuBuque



Judge DuBuque is a 1977 cum laude graduate of Seattle University School of Law, formerly the University of Puget Sound School of Law. During law school she was co-chair of the Law Women's Caucus which sponsored a community-based symposium to address sexual assault and domestic violence (DV) issues in the military and local community. She was admitted to the Washington State Bar in November, 1977. Judge DuBuque served as a King County deputy prosecuting attorney in the family support section before entering into private practice with an emphasis on family law. From 1978 to 1984 she was a volunteer lawyer with the Country Doctor free legal clinic and frequent lecturer on family law. In her private practice and volunteer work, Judge DuBuque experienced firsthand the bias, negative attitudes and challenges DV survivors and their families often faced in the legal and social welfare systems. Her commitment to a fair and impartial judiciary led her to accept an appointment as a Family Law Court Commissioner in 1984. She held that position until Governor Booth Gardner appointed her as a King Superior Court Judge in November, 1989. Judge DuBuque served in every department of the court. In addition, she was appointed to leadership roles as the Chief Criminal Judge in 1994 and Chief Judge of the Unified Family Court from 2002 to 2005. After 30 years of service as a judicial officer Judge DuBuque retired in April, 2014.

Throughout her legal and judicial career, Judge Joan DuBuque was steadfastly committed to providing fairness and justice to DV survivors and their children. She was instrumental in the development of statewide and local policy and practice guidelines, training curriculum, and educational opportunities to improve our practices. Judge DuBuque has provided training to judicial officers, attorneys, court staff, and others working in this field. In 1986 Judge DuBuque participated as a mock trial judge in a videotape entitled: *How to Get a Protection Order*, which was made for statewide distribution by the Washington State Bar Association. In 1987 she was a member of the King County Bar Association's DV Task Force; and she also served on the Advisory Board, King County DV Comprehensive Planning Committee.

Judge DuBuque was a member of the Washington State Supreme Court, Gender and Justice Task Force and served on its DV subcommittee during 1991 to 1993. The task force's goal was to eliminate gender bias in the courts through education, attitude awareness training, and commitment to the highest standards of fairness. Through this effort the Washington State Administrative Office of the Courts published in 1991 the first statewide *Domestic Violence Manual for Judges*, which was authored by Dr. Anne Ganley. Judge DuBuque served as a contributing reviewer of the manual as it has been updated over the years, and most recently with the 2006 and 2014 revisions. The judges DV manual continues to serve as a critical resource to judges and commissioners who preside over cases involving DV.

Washington State Supreme Court Justice Bobbe Bridge, now retired, recruited Judge DuBuque in 2004 to spearhead a new initiative in King County for improving systems-based responses to children experiencing DV and child abuse/neglect. She served as the project chair for the King County Domestic Violence and Child Maltreatment Coordinated Response Project from 2004 to 2013. Throughout this project, Judge DuBuque maintained her vision and commitment to improve collaborations and coordination among systems-based and community-based providers. As a result of her exemplary leadership, the first *King County DV and Child Maltreatment Coordinated Response Guideline* was released in 2007, and became a model guideline for others in the state to replicate.

During 2006 to 2012 Judge DuBuque was an valued member of the Washington State Supreme Court's Gender and Justice Commission where she shared her expertise in DV, developed community projects, and provided education for judicial officers. During 2006 to 2009 she contributed to the efforts of the yearly *Families and Children Experiencing DV Conference*. In 2010 Judge DuBuque expanded the partnerships of the first *DV Symposiums* that was initiated by Seattle University School of Law and King County Prosecuting Attorney's Office. Her efforts led to the inclusion of judicial officers and a larger interdisciplinary audience into these symposium offerings. Lastly, during 2012 to 2013 Judge DuBuque served as Washington State Judicial College faculty member where she trained newly elected judges on DV matters.

Throughout Judge DuBuque's judicial career, she has been honored and recognized for her excellence in judicial leadership and practice. In 1989, she was named *Judge of the Year* by the Family Law Section of the Washington State Bar Association. In 2003 Judge DuBuque was recognized as *Judge of the Year* by the Washington Women Lawyers for her work in Unified Family Court. In 2005 she was named the *Champion of Justice* by the King County Bar Foundation for her contributions to family law, criminal law and Unified Family Court. In 2009 she was awarded a *Norm Maleng Honoree Award* for her leadership and tireless work in support of justice for families and children by the Eastside Domestic Violence Program. Finally, in 2010 Judge DuBuque received a *Norm Maleng Public Policy and Systems Change Award* from the King County Coalition Against Domestic Violence for her outstanding service to children and their families experiencing DV.

It is through her ongoing commitment to fairness, compassion, and justice for DV survivors and their children that we award the Honorable Judge Joan DuBuque with a *Lifetime Domestic Violence Achievement Award*. For Judge DuBuque promoting justice meant education and community action to promote safety and recovery from DV. We wholeheartedly thank Judge DuBuque for her exemplary leadership and expertise throughout her legal career.

**Appendix C**  
**6th ANNUAL DOMESTIC VIOLENCE SYMPOSIUM**  
**“Reality DV Season 2 – Coercive Control”**  
 September 11, 2014  
 Workshop Evaluation

**Workshop on Through Our Eyes: A View From the Bench on Coercive Control Tactics and Strategies for Case Management**

**This workshop met my learning needs and expectations. Total = 12**

5 Strongly Agree	4 Agree	3 Somewhat	2 Disagree	1 Strongly Disagree
6	4	2	0	0

Comments:

- I had hoped for more solution oriented session
- I enjoyed hearing from my colleagues, although there were some who went on too long.
- The end of the discussion was helpful but the first part was too basic for many judicial officers

**The workshop presenter(s) was effective at conveying the workshop material.**

5 Strongly Agree	4 Agree	3 Somewhat	2 Disagree	1 Strongly Disagree
6	4	2	0	0

Comments:

- All of the presenters were knowledgeable and clear
- Too many comments from fellow judges disagreeing with each other

**My knowledge and understanding of the workshop topic has increased.**

5 Strongly Agree	4 Agree	3 Somewhat	2 Disagree	1 Strongly Disagree
4	4	3	1	0

Comments:

None

**What was the best idea / takeaway you gleaned from this workshop?**

- We should constantly be on the lookout for coercive control behaviors and address them ASAP
- The difference in family law and criminal proceeding and how this can be addressed
- Ideas for dealing with victim intimidation
- Developing a relationship with local DV treatment providers and learned more about them
- Resources and referrals from the bench when denying a motion to lift NCO
- I appreciated the audience “plants” of victims.

- My main take away is our normal criminal justice system fails our victims of DV
- I appreciate listening to advice and suggestions from my colleagues
- Evaluations of dismissals
- Batterer's treatment efficacy
- Simply listening to opposing views from my peers
- Wished we had more time for discussion
- The sharing of information on how judicial officers handle particular offenses
- For commissioners, the focus on criminal calendars is not helpful

**Appendix D**  
**6th ANNUAL DOMESTIC VIOLENCE SYMPOSIUM**  
**“Reality DV Season 2 – Coercive Control”**  
**September 12, 2014**  
**Workshop Evaluation**

Workshop Updates on DV Manual for Judges  
 Number of Surveys Completed = 9

**This workshop met my learning needs and expectations.**

5 Strongly Agree	4 Agree	3 Somewhat	2 Disagree	1 Strongly Disagree
2	5	2	0	0

Comments:

None

**The workshop presenter(s) was effective at conveying the workshop material.**

5 Strongly Agree	4 Agree	3 Somewhat	2 Disagree	1 Strongly Disagree
4	3	2	0	0

Comments:

None

**My knowledge and understanding of the workshop topic has increased.**

5 Strongly Agree	4 Agree	3 Somewhat	2 Disagree	1 Strongly Disagree
2	4	2	0	0

Comments:

None

**What was the best idea / takeaway you gleaned from this workshop?**

- I'll read the manual.
- Having the manual at the workshop would have been helpful.
- I'll need to read and become more familiar with the manual. Then the updates will make more sense to me—(I'm a recently appointed judge)
- Need to know the improvements to the manual to be able to make suggestions
- Wish the manual was out already
- Thank you so much for your hard work on the manual. The manual has assisted me greatly.





## Washington State Office of Civil Legal Aid

1206 Quince St. SE  
Olympia, WA 98504  
MS 41183  
360-704-4135

James A. Bamberger, Director  
jim.bamberger@ocla.wa.gov

To: CLNS Update Committee

From: Jim Bamberger, Director

Re: Status Update

Date: October 21, 2014

---

Below is a brief report on the status of the 2014 Civil Legal Needs Study Update.

During the period July through September, we completed the development and testing of the survey instrument. We received data from SESRC on usability, attrition and completion rates as well preliminary runs on the answers themselves. SESRC tested outreach and follow-up protocols, answered a series of detailed questions submitted by OCLA, and offered recommendations for modification of the proposed survey protocols consistent with the pilot testing experience. The changes in survey protocols related to the level of participation incentives (\$2 up front and \$20 for each completion) and the number of surveys/needed completions (total surveys reduced from 20,000 to 15,000 and anticipated completions reduced from 2,000 to 1,500). After extensive consultation with Justices Wiggins and González, a decision was made to move forward with the full probability based survey, consistent with the recommended changes in protocols. Surveys were sent on October 13<sup>th</sup> and follow-up to recipients has begun. Early indications show robust target population response rates.

Simultaneously with the testing and development of final protocols for the probability based survey, we developed strategies to secure about 500 completed surveys from members of discrete subpopulation groups that we anticipate will not be sufficiently represented in the random probability based survey responses. We are working with three volunteer SU law student Outreach Coordinators and have identified about 45 individual sites across the state to serve as survey dissemination and collection entities. Progress in securing completed surveys has been slower than anticipated. SESRC researchers are working closely with the Outreach Coordinators to ensure that we are successful in securing the number and diversity of completed surveys that we will need to complement the probability based survey results.

Because development and testing of the survey instrument took substantially longer than originally anticipated, there has been substantial slippage in the timeline. We have amended the contract to extend the task completion dates to reflect this slippage. We now anticipate submission of preliminary results by January 31, 2015 and submission of the final report by March 31, 2015. The updated timeline is set forth below:

Task No.1	Task Title	Due Date
1	Project Management Monthly Status Report	Monthly, 5 PM PST first Fri. each month
2	DRAFT Survey Instruments	April 15, 2014
2a	FINAL Survey Instruments	August 30, 2014
2b	Development of Data Analysis Tracking and Compilation Systems and Protocols for Pilot and Full Study;	September 30, 2014
2c	Certification of Completion of Pilot/Cognitive Testing and Submission of Recommendations for PS and N-PS Surveys	September 30, 2014
3	Certification of Completion of PS and N-PS Surveys	December 20, 2014, 2014
4	DRAFT Overview of Demographic Characteristics of Target Populations	November 30, 2014
4	DRAFT Preliminary Analysis of Principal Findings of PS and N-PS Surveys	December 31 15, 2014
4	FINAL Overview of Demographic Characteristics of Target Populations	December 31, 2014
4	FINAL Preliminary Analysis of Principal Findings of PS and N-PS Surveys	January 31, 2015
5	DRAFT CLNS Report – 2014 Update	February 28, 2015
5	FINAL CLNS Report – 2014 Update	March 31, 2015

Funding for the project has been obtained. We have or expect to receive final commitments from the following entities in the amounts reflected below:

Office of Civil Legal Aid	\$100,000
Legal Foundation of Washington	\$100,000
Washington State Bar Association	\$50,000
Minority and Justice Commission	\$28,598
Gender and Justice Commission	\$25,000
King County Bar Association	\$5,000
WSBA ATJ Board	\$3,000
Washington Association for Justice	\$5,000
King County Office of Public Defense	\$50,000

We hope to receive an additional \$5,000 from the Association for Justice after the first of the year, and also have a request for a similar amount pending with the Board of Industrial Insurance Appeals.

October 2, 2014

Hello Chief Justice Madsen:

On behalf of the Judicial Institute, I am writing to ask that the GJC formally support the 2015 Judicial Institute. As you are aware the Judicial Institute is a collaborative effort amongst judges, minority bar associations, the Initiative for Diversity, law schools and county and state bar associations to mentor and train diverse candidates for the judiciary.

As a supporting organization of the Judicial Institute, we ask that you:

- assist in distributing project announcements to your members and network;  
and
- provide financial sponsorship.

As a supporting organization, GJC would be listed in marketing materials.

Last year, the GJC made a financial contribution, and we hope you will continue to enable this important and successful project.

If we could let me know if GJC will be supporting sooner than later I could include GJC in the marketing materials which are scheduled to go out next week. As for the actual dollar amount, you can let me know later, if any.

Warm regards,  
Erica S. Chung  
Executive Director  
cell: (206)720-4996  
fax: (866) 486-6670  
[director@initiativefordiversitywa.org](mailto:director@initiativefordiversitywa.org)

WASHINGTON INITIATIVE FOR DIVERSITY | Post Office Box 1985 | Seattle, Washington  
98111-1985 | [www.initiativefordiversitywa.org](http://www.initiativefordiversitywa.org)

Here is our projected expense for the event per your request:

Judicial Institute Cost Breakdown by Program		
Education - \$13,500		
Prep time \$9000 = 180 hours @ \$50/hr		
	120 hours = \$50/hr ; 20 hours per month ; 6 months	6000
	30 hours the last month of the event	1500
	10 hrs for the event day	500
Wrap up and maintenance \$1500 = 30 hours @ \$50/hr		1500
	20 hours - post event for wrap up	
	10 hours - track progress of participants	
Event cost approximately \$4250		4250
	catering (\$2500)	
	parking (\$250)	
	travel expenses (\$500)	
	Printing (\$1000)	
Total Expenses		\$ 13,750

Our hope is that we will raise about \$8,000 to cover some of the expenses. What we don't cover the Initiative will have to absorb. We have received funds from WWL Foundation for \$500, KABA for \$250, SCBA for \$100, and we anticipate all of the law schools, WSBA, and many other MBAs will be sponsoring, but unclear at this time of amount since each organization has to ask its board members for approval.

As for the GJC, we were hoping that GJC can sponsor at the same level as 2014 which was the Advocate Level at \$500, and possibly increasing the sponsorship level to the next level to the Champion Level at \$1000. I have attached the form for your information.

Please let me know if you have any other questions or requests. Thank you and I look forward to hearing back from you soon. Take care.

Erica



**NEWS**

## Judge Evans brings courtroom experience to the classroom



13 HOURS AGO • BY JUSTIN PITTMAN

Kelso High School senior D.J. Morgan once had to appear in front of a judge after being caught illegally snagging fish. He described the experience as intimidating, but said the return of the “Street Law” program to Kelso’s classrooms has taught him judges aren’t completely uptight.

“It’s nice to see (judges) have a sense of humor, and that it’s not just some depressing guy,” said Morgan’s classmate, senior Kyle Birdsell, as they discussed the program Monday. Birdsell, who hopes to pursue a career in law or business, also

used to view judges as “stone-faced,” he said.

Washington’s street law program recruits judges to teach lessons in local classrooms. As part of the program, Cowlitz County Superior Court Judge Michael Evans attends KHS social studies teacher Lisa Streissguth’s 8 a.m. criminal justice class each Friday.

“It’s a really good resource,” Streissguth said of the weekly visits. Streissguth said Evans can give students information, perspectives and answers to questions that she can’t provide. Kelso had offered a criminal justice class for years, Streissguth says, and revived the program this year following a five- to six-year hiatus.

Evans’ visits usually cap a week of lessons about a single topic, such as the impact of religious beliefs on law, due process and civil rights.

During a Friday lesson on the different phases of a criminal trial, Evans created a fictional scenario about a recently immigrated man accused of striking his wife. He then asked the class’ 32 students to brainstorm questions prosecutors and defense attorneys might ask to discover bias in members of a jury pool. Evans later discussed the importance of jury duty and shared stories potential jurors had used in an attempt to get out of the obligation.

"It really is an extreme example of the freedoms we have," Evans said of serving on a jury.

Senior Leanne Byman said hearing a judge's perspective on jury duty helped drive home its importance, and role-playing exercises — such as the one Evans created Friday — help her see legal issues from the point of view of both the prosecutor and the defendant.

"I appreciate that, because it makes me have to think about the process you have to go through to prove things," said Byman, who hopes to become a lawyer. She also enjoys having someone to talk to and ask questions about the way things work in a courtroom.

Birdsell agrees Evans' lessons provide insights that may be useful as he pursues his future career, adding that they could also help students become better citizens.

"It's something that everyone can connect to ... and everyone seems to have an opinion about the law," Birdsell said. "We get some pretty good debates going on in class, and it's not just a bunch of kids counting the seconds until the bell rings."

Knowledge gained in the classes could also be useful to students who find themselves in "hairy" legal situations, Birdsell said.

After being shown real-life consequences of breaking the law, Morgan said students may also be better able to avoid getting into trouble in the first place.

"It kind of opens your eyes a little bit wider," he said.

The criminal justice class will last until the semester ends in January. Streissguth said she isn't sure whether the visits from judges will continue next semester, since they can be difficult to schedule due to the judges' crowded calendars.

"But it's such a good resource that it's worth it," Streissguth said.



Kelso High School teacher Lisa Streissguth briefs Superior Court Judge Michael Evans on her classroom's audio-visual system before Friday morning "court class." [Buy Now](#)

## In Her Shoes: Domestic violence in Federal Way | Editor's Note

by CARRIE RODRIGUEZ, Federal Way Mirror Editor

Oct 31, 2014 at 2:00PM updated Nov 3, 2014 at 2:38PM

Earlier this month, I stepped into another woman's shoes and experienced what her life felt like leading up to her murder.

Her name was Lena Petrovich.

For about half an hour, I was Petrovich, a 23-year-old Ukrainian. I fell in love with my pen pal's "beautiful, thoughtful" letters — something right out of a romance novel.

I could barely speak English when I came to the United States, so when my husband raped me, it was difficult to communicate with police, doctors and homeless shelter staff.

Sometimes I went back to my husband after he beat me. But he quickly became angry and accused me of flirting with other men.

On one particular Thanksgiving night, I made an effort not to put on any make-up. I didn't want him to think that I was going out of my way to look nice for other men who were gathered for a dinner party. I did speak with one of his relatives and later, during our drive home, my husband yelled at me. I told him I didn't want to ignore his relative and be rude.

He shot me in the chest seven times.

My experience was part of a role-playing workshop called In Her Shoes. The event was hosted by the Federal Way and Tukwila Municipal courts, The Supreme Court Gender and Justice Commission and St. Vincent de Paul Parish.

A community education tool, In Her Shoes is designed for learning about domestic violence and its impacts on the community.

Each participant during the event picked a card that included information on a particular domestic violence survivor or victim. As we roamed around the room at the St. Vincent de Paul Parish, selecting different cards for different scenarios, some of us were given

Band-aids or slings to put on. Some of us were given flowers after our batterers wooed us back to them.

The most challenging part about being a domestic violence survivor was navigating the different obstacles that women face, from language to transportation barriers.

I reflected on those barriers at the end of my journey in Petrovich's shoes, when I sat in an area labeled as a funeral home and held a candle alongside other "victims," including Federal Way Deputy Mayor Jeanne Burbidge.

It's not as simple as asking a woman to leave a man who hurts her.

I also listened to Judge Dave Larson cite statistics, including that there were 1,245 crimes against persons in Federal Way in 2012; 757 of those calls qualified as domestic violence crimes.

But it's difficult to sum up such a broad issue in one newspaper article.

So next month, the Mirror will launch a domestic violence series, also entitled In Her Shoes. While October marks domestic violence awareness month, it's important we remember that the issue affects our community all year long.

Mirror staff will interview survivors, local police and judges, as well as experts involved in treating offenders.

I hope this series will shine a light on domestic violence and the families the issue impacts. I hope you will take a walk In Her Shoes to help prevent others from becoming domestic violence victims.

# Extraneous factors in judicial decisions

Shai Danziger<sup>a,1</sup>, Jonathan Levav<sup>b,1,2</sup>, and Liora Avnaim-Pesso<sup>a</sup>

<sup>a</sup>Department of Management, Ben Gurion University of the Negev, Beer Sheva 84105, Israel; and <sup>b</sup>Columbia Business School, Columbia University, New York, NY 10027

Edited\* by Daniel Kahneman, Princeton University, Princeton, NJ, and approved February 25, 2011 (received for review December 8, 2010)

**Are judicial rulings based solely on laws and facts? Legal formalism holds that judges apply legal reasons to the facts of a case in a rational, mechanical, and deliberative manner. In contrast, legal realists argue that the rational application of legal reasons does not sufficiently explain the decisions of judges and that psychological, political, and social factors influence judicial rulings. We test the common caricature of realism that justice is “what the judge ate for breakfast” in sequential parole decisions made by experienced judges. We record the judges’ two daily food breaks, which result in segmenting the deliberations of the day into three distinct “decision sessions.” We find that the percentage of favorable rulings drops gradually from ≈65% to nearly zero within each decision session and returns abruptly to ≈65% after a break. Our findings suggest that judicial rulings can be swayed by extraneous variables that should have no bearing on legal decisions.**

decisionmaking | legal realism | mental depletion | expert decisionmaking | ego depletion

**D**oes the outcome of legal cases depend solely on laws and facts? Legal formalism holds that judges apply legal reasons to the facts of a case in a rational, mechanical, and deliberative manner (1, 2). An alternative view of the law—encapsulated in the highly influential 20th century legal realist movement—is rooted in the observation of US Supreme Court Justice Oliver Wendell Holmes that “the life of the law has not been logic; it has been experience” (3). Realists argue that the rational application of legal reasons does not sufficiently explain judicial decisions and that psychological, political, and social factors influence rulings as well (4). The realist view is commonly caricatured by the trope that justice is “what the judge ate for breakfast” (5). We empirically test this caricature in the context of sequences of parole decisions made by experienced judges (mean experience = 22.5 y, SD = 2.5) and, in so doing, demonstrate how extraneous factors can sway highly consequential decisions of expert decision makers.

Prior research suggests that making repeated judgments or decisions depletes individuals’ executive function and mental resources (6), which can, in turn, influence their subsequent decisions. For instance, sequential choices between consumer goods can lead to an increase in intuitive decisionmaking (7) as well as a reduced tolerance for pain in a subsequent task (8). Sequential choices and the apparent mental depletion that they evoke also increase people’s tendency to simplify decisions by accepting the status quo. German car buyers, for instance, were more likely to accept the default attribute level offered by a manufacturer later in a sequence of attribute decisions than earlier, particularly when these choices followed decisions between many alternatives that had required more mental resources to evaluate (9). These studies hint that making repeated rulings can increase the likelihood of judges to simplify their decisions. We speculate that as judges advance through the sequence of cases (whose order appears to be exogenously determined; see below for a detailed discussion), they will be more likely to accept the default, status quo outcome: deny a prisoner’s request.

## Materials and Methods

Our data consist of 1,112 judicial rulings, collected over 50 d in a 10-mo period, by eight Jewish-Israeli judges (two females) who preside over two different parole boards that serve four major prisons in Israel. Our prisoner sample consisted of 727 Jewish-Israeli males (65.3%), 326 Arab-Israeli males

(29.3%), 50 Jewish-Israeli females (4.5%), and 9 Arab-Israeli females (0.9%). The two parole boards process ~40% of all parole requests in the country. The prisons house felons convicted of crimes such as embezzlement, assault, theft, murder, and rape. Each parole board is composed of one judge, as well as a criminologist and a social worker who provide the judge with professional advice. For each day we obtained the entire set of rulings. The majority of the decisions in our sample (78.2%) consist of parole requests; the remainder consist of parolee requests to change the terms of their parole (e.g., a request to remove a tracking device) or requests by parole candidates to change the terms of their incarceration (e.g., a request for prison relocation). Our database includes the legal variables that appear in the case file: number of previous incarcerations, gravity of crime committed, months served, and whether a rehabilitation program would be available should the prisoner be granted parole (98.3% of prisoners had such a program in place). [A judge with 40 years of experience on the bench, two criminal attorneys, and two prison wardens with 10 years experience serving on the parole board, independently ordered the gravity of offense for the 7 classes of crimes committed. Ordering was identical for the five experts, and ranged from misdemeanor (1) to felony (7).] The judge was not provided these details in advance; the information was provided by a clerk only when the prisoner (and his or her attorney) appeared before the parole board. Every day a judge considered 14–35 cases (see *SI Materials and Methods*, *SI* for details) in succession ( $M = 22.58$ ,  $SD = 4.67$ ), and each case deliberation lasted ≈6 min ( $M = 5.98$ ,  $SD = 5.13$ ,  $Max = 40.00$ ). Our data include the time of day in which the prisoner’s request was considered and its ordinal position in the sequence of decisions for that day.

Executive function can be restored and mental fatigue overcome, in part, by interventions such as viewing scenes of nature (10), short rest (11), experiencing positive mood (12), and increasing glucose levels in the body (ref. 13; for a review see ref. 14). In our data, we record the two daily food breaks that the judge takes—a late morning snack and lunch—which serve to break up the day’s deliberations into three distinct “decision sessions.” Such a break may replenish mental resources by providing rest, improving mood, or by increasing glucose levels in the body. The meal is typically served to the judge at the bench and its timing, which is determined by the judge, varies by day. In our sample, the start time of the morning food break ranged between 9:49 and 10:27 AM (snack consisting of a sandwich and fruit) and lasted an average of 38.48 min ( $SD = 20.50$ ,  $min = 6$ ,  $max = 106$ ); the start time of the afternoon (lunch) break ranged between 12:46 and 2:10 PM and lasted an average of 57.37 min ( $SD = 22.00$ ,  $min = 15$ ,  $max = 110$ ). The breaks were taken after an average of 7.8 cases ( $SD = 4.51$ ,  $min = 2$ ,  $max = 28$ ) in the morning session and 11.4 cases ( $SD = 5.14$ ,  $min = 2$ ,  $max = 25$ ) in the postsnack/prelunch session. Thus, our data enable us to test the effect of the ordinal position of a case on the judge’s decision and the effect of the judge having taken a break to eat.

The judges’ decisions are classified into two categories, “accept request” and “reject request.” Under the reject category, we include both final rejections as well as rejections that include a stipulation for review at a later date (such delay decisions constitute 48.4% of the reject category). On average, such reviews occur ≈1 mo after the initial parole board review. Thus, a decision to delay effectively maintains the status quo for the prisoner. Overall, 64.2% of prisoner requests in our sample were rejected.

Author contributions: S.D., J.L., and L.A.-P. designed research; S.D., J.L., and L.A.-P. performed research; J.L. analyzed data; and S.D. and J.L. wrote the paper.

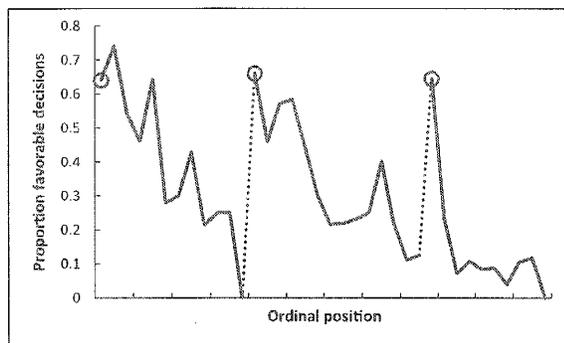
The authors declare no conflict of interest.

\*This Direct Submission article had a prearranged editor.

<sup>1</sup>S.D. and J.L. contributed equally to this work.

<sup>2</sup>To whom correspondence should be addressed. E-mail: jl2351@columbia.edu.

This article contains supporting information online at [www.pnas.org/lookup/suppl/doi:10.1073/pnas.1018033108/-DCSupplemental](http://www.pnas.org/lookup/suppl/doi:10.1073/pnas.1018033108/-DCSupplemental).



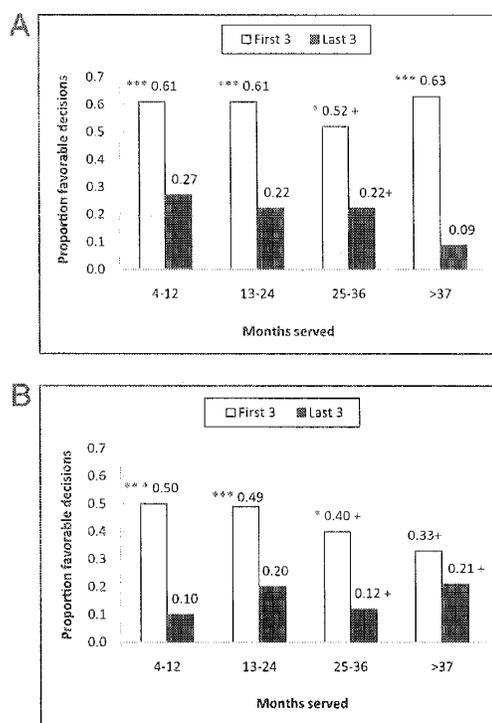
**Fig. 1.** Proportion of rulings in favor of the prisoners by ordinal position. Circled points indicate the first decision in each of the three decision sessions; tick marks on x axis denote every third case; dotted line denotes food break. Because unequal session lengths resulted in a low number of cases for some of the later ordinal positions, the graph is based on the first 95% of the data from each session.

## Results

We find that the likelihood of a favorable ruling is greater at the very beginning of the work day or after a food break than later in the sequence of cases. This pattern is readily evident in Fig. 1, which plots the proportion of favorable rulings by ordinal position for 95% of the observations in each decision session. The plot shows that the likelihood of a ruling in favor of a prisoner spikes at the beginning of each session—the probability of a favorable ruling steadily declines from  $\approx 0.65$  to nearly zero and jumps back up to  $\approx 0.65$  after a break for a meal. Fig. 2 *A* and *B* presents a histogram of the probability of a favorable ruling for cases of similar legal characteristics that appeared in one of the three ordinal positions at the beginning versus at the end of a decision session; from the perspective of the prisoner, there is a clear advantage to appearing at the beginning of the session (i.e., either at the beginning of the day or immediately following the break).

To account for the possible role of covariates in the patterns depicted in Figs. 1 and 2, we used a logistic regression with rulings as the dependent variable and a judge-specific fixed effect to control for the idiosyncratic tendencies of each judge (Table 1). The key predictors were several different indicators of a case's ordinal position: (i) dummy variables indicating the first three cases in a session, included to examine how judgments immediately after a break differ from those that preceded or succeeded them; (ii) dummies indicating in which of the three daily sessions the case had appeared; and (iii) two types of ordinal position counters (one indicating the ordinal position within the session and the other indicating the ordinal position within the day, each used in a different regression specification). The covariates included all of the legal attributes of the case that were available in the case file (severity of crime, months served, previous incarcerations, and rehabilitation program), prisoner demographics (sex, nationality), and the proportion of favorable rulings to that point in the day. The purpose of the latter was to control for the possibility that the judges have a daily “quota” of favorable decisions that they expect to render, which, once filled, are followed by unfavorable decisions.

The positive sign and significance of the dummy variables indicating the first three cases in each session confirms that the pattern in Fig. 1 holds even while controlling for the legal attributes of the case and for the overall tendency of the judges to rule against the prisoner as the number of cases before them mounts (i.e., the main effect of making repeated decisions). The results are nearly identical when we restrict our analysis only to parole requests (Table S1) and in analyses where we drop the two most frequently occurring judges (Table S2) and each of the judges in our sample (Tables S3–S10). In addition, a plot similar



**Fig. 2.** Proportion of favorable decisions for male felons with a rehabilitation program as a function of ordinal position, months served, and previous incarcerations. These histograms reflect the first three versus the last three decisions collapsed over the three decisions sessions. They are for illustrative purposes and are based on a subsample of the data. Plus signs (+) indicate cell sizes of  $<20$ . (A) Data for prisoners with no previous incarcerations. (B) Data for prisoners with one previous incarceration. Asterisks indicate results of a difference between proportions test. \* $P < 0.1$ , \*\* $P < 0.05$ , \*\*\* $P < 0.01$ .

to Fig. 2 for each judge shows that every judge in our sample was more likely to rule in favor of a prisoner at the beginning of a session than at the end of a session (Fig. S1). Nested model tests indicate that adding the ordinal position variables leads to better model fit (Table S11). Therefore, although our data do not allow us to test directly whether justice is what the judge had for breakfast, they do suggest that judicial decisions can be influenced by whether the judge took a break to eat.

We conducted an additional analysis to test the statistical robustness of the linear trend that is apparent between breaks in Fig. 1; regardless of the ordinal position counter we used, the trend was significant and negative (Table S12). We also conducted an analysis using cumulative minutes elapsed in a session in lieu of the ordinal position dummies as a predictor, as well as our control variables. Cumulative minutes serve as a proxy for mental fatigue among the judges. Similar to the results presented in Table 1, this analysis shows that as cumulative time within a session increases, the likelihood of a favorable ruling decreases (Table S13 and Fig. S2). However, note that in an analysis that included both the cumulative minutes variable and the ordinal position counter, only the latter was significant (Table S14). This analysis hints that the apparent depletion exhibited by the judges is due to the act of making decisions rather than simply elapsed time (this interpretation should be viewed in light of the high correlation between cumulative minutes and ordinal position,  $r = 0.72$ ,  $P < 0.0001$ ). Two indicators support our view that rejecting requests is an easier decision—and, thus, a more likely outcome—when judges are mentally depleted: (i) favorable rulings took significantly longer ( $M = 7.37$  min,  $SD = 5.11$ ) than unfavorable rulings ( $M = 5.21$ ,  $SD = 4.97$ ),  $t = 6.86$ ,  $P < 0.01$ , and (ii) written verdicts

**Table 1. Results of analysis using dummies for the first three decisions in a session**

Variable	Specification			
	1	2	3	4
Overall decision count	-0.078*** (0.020)	—	-0.080*** (0.021)	—
Overall count including nondecisions	—	-0.111*** (0.018)	—	-0.111*** (0.019)
Session 1/decision 1	0.850** (0.377)	0.670* (0.370)	—	—
Session 1/decision 2	1.366*** (0.383)	1.236*** (0.381)	1.409*** (0.387)	1.268*** (0.383)
Session 1/decision 3	0.374 (0.351)	0.270 (0.351)	0.336 (0.354)	0.261 (0.353)
Session 2/decision 1	1.055*** (0.355)	0.789** (0.359)	1.064*** (0.358)	0.809** (0.362)
Session 2/decision 2	0.259 (0.337)	0.042 (0.341)	0.221 (0.339)	0.026 (0.343)
Session 2/decision 3	0.761** (0.337)	0.592* (0.339)	0.735** (0.339)	0.583* (0.340)
Session 3/decision 1	2.873*** (0.425)	2.677*** (0.431)	2.805*** (0.425)	2.642*** (0.431)
Session 3/decision 2	0.888** (0.453)	0.677 (0.460)	0.818* (0.456)	0.644 (0.462)
Session 3/decision 3	-0.340 (0.660)	-0.520 (0.666)	-0.410 (0.662)	-0.555 (0.667)
Session 1	-0.341 (0.247)	-0.788*** (0.263)	-0.478* (0.253)	-0.874*** (0.265)
Session 3	-1.064*** (0.321)	-0.608* (0.334)	-0.943*** (0.326)	-0.542 (0.338)
Severity of offense	0.051 (0.096)	0.068 (0.097)	0.018 (0.099)	0.039 (0.101)
Previous imprisonments	-0.241*** (0.059)	-0.234*** (0.059)	-0.228*** (0.061)	-0.222*** (0.062)
Months served	-0.004 (0.003)	-0.004 (0.003)	-0.004 (0.003)	-0.004 (0.003)
Rehabilitation program	2.465*** (0.809)	2.415*** (0.825)	1.974** (0.845)	1.907** (0.862)
Ethnicity (0 = Jew, 1 = Arab)	-0.204 (0.156)	-0.227 (0.157)	-0.177 (0.160)	-0.198 (0.161)
Sex (0 = male, 1 = female)	-0.201 (0.299)	-0.218 (0.301)	-0.158 (0.305)	-0.172 (0.307)
Proportion favorable decisions	—	—	0.937*** (0.333)	0.631* (0.339)
-2 Log likelihood	1135.215	1110.609	1067.232	1045.706

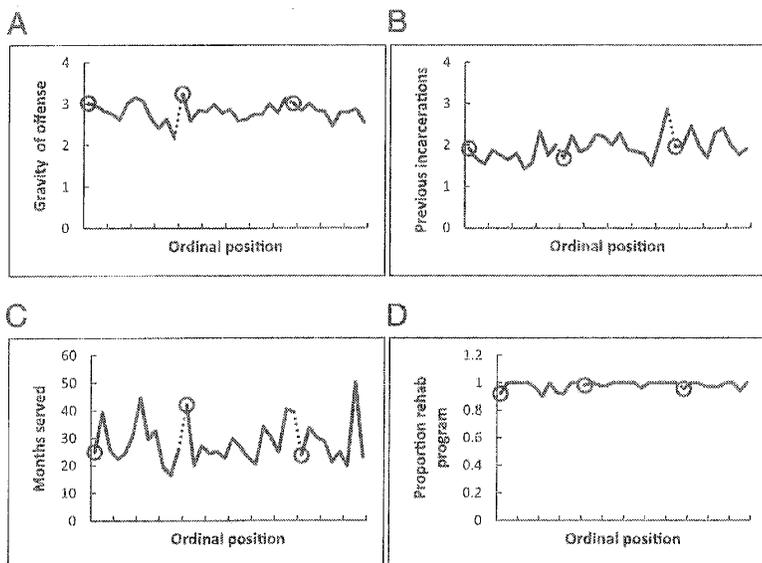
This table presents various fixed effects logistic regression specifications. The session *x*/decision *y* parameters are dummy variables that indicate the first three decisions in each of the three sessions. Note that in specifications 3 and 4 there is no value for the very first decision of the day because the regression includes a term for proportion of favorable decisions, which requires there to have been at least one other decision that day. Ethnicity and sex are dummy variables. SEs appear in parentheses. \**P* < 0.10, \*\**P* < 0.05, \*\*\**P* < 0.01.

of favorable rulings were significantly longer (*M* = 89.61 words, *SD* = 65.46) than written verdicts of unfavorable rulings (*M* = 47.36 words, *SD* = 43.99), *t* = 12.82, *P* < 0.01.

Of the legally relevant control variables entered in the regressions, only the prior number of incarcerations of the prisoner and the presence of a rehabilitation program consistently exerted a statistically significant influence on the judges' rulings. Prisoners who displayed a tendency toward recidivism were less likely to receive favorable judgments, as were prisoners who lacked a planned rehabilitation program. The severity of the prisoner's crime and prison time served tended not to exert an effect on

rulings, nor did sex and ethnicity. The lack of a significant effect of prisoner ethnicity indicates that the Jewish-Israeli judges in our sample treated prisoners equally regardless of ethnicity. Although previous research does hint at the presence of effects of prisoners' and judges' race on sentencing decisions, in some cases, as in ours, such effects are weak or absent (15–18).

A key aspect for interpreting the association between the ordinal position of a case and parole decisions is whether an unobserved factor determines case order in such a way that yields the pattern of results we obtain. For instance, if prisoners without a rehabilitation program or recidivists were somehow more likely



**Fig. 3. Mean level of control variables by ordinal position.** Circled points indicate the first decision in each of the three sessions; tick marks on x axis denote every third case; dotted lines denote food break. (A) Data for gravity of offense. (B) Data for previous incarcerations. (C) Data for months served. (D) Data reflecting the proportion of prisoners with a rehabilitation program. Because unequal session lengths resulted in a low number of cases for some of the later ordinal positions, the graphs are based on the first 95% of the data from each session.

to appear before a food break, we would naturally find a greater proportion of rejections occurring before the food break as well. A number of procedural factors preclude this possibility.

First and most critically, the judge both determines when the break will occur during the course of the day's proceedings and is unaware of the details of the upcoming cases. Thus, the judge cannot decide when to take a break based on information related to the nature of the upcoming cases. So, in the example above, a judge cannot decide to take a break because he or she knows that prisoners after the break will have no previous incarceration record. Relatedly, the type of case (e.g., severity of the crime) that the judge had just ruled on exerted no significant effect on the likelihood of taking a break (Table S15). Furthermore, the large variability in break start times and durations attests to the fact that their occurrence would be nearly impossible to predict by any of the prison staff involved in the parole proceedings.

Second, the ordinal position of cases is, with rare exception, determined by the arrival time of the prisoner's attorney. The attorneys are sequestered in a room where they are unable to view the proceedings of the board and, therefore, are unaware of any of the rulings of the judge, how many prisoners preceded their client's case, or when and whether the food break occurred (after the board's deliberations, attorneys exit through a different door). Thus, by design they cannot learn about the advantage of appearing after a break. Indeed, a survey administered to a sample of these attorneys after the primary data collection period indicated that they were unaware of the effect of ordinal position on rulings (see *S1 Materials and Methods, S2* for details). A similar survey administered to parole board members (judges, criminologists, and social workers) revealed the same results (see *S1 Materials and Methods, S3* for details).

Because of the factors discussed above, we did not expect significant correlations between ordinal position within either the day or the session and the control variables in our data (*S1 Materials and Methods, S4* and Table S16). Consistent with our expectations, there does not appear to be a deliberate ordering based on the characteristics of the prisoners (Fig. 3 *A–D* and *S1 Materials and Methods, S4*); certainly there appears to be no effect of a food break on the type of prisoner appearing before the judge. Note that although there was a slight but significant correlation between recidivism and ordinal position in the day, this correlation was not significant within a decision session, i.e., between breaks. Thus, it cannot explain the spikes in favorable decisions after breaks.

Another factor that can plausibly explain our effect is that judges might have a certain proportion of decisions that they expect

to be favorable, and once this “quota” is filled, then unfavorable decisions follow. As we explain earlier, we tested this possibility empirically by including a variable that computed the proportion of favorable decisions up to that point in the day (Table 1, specifications 3 and 4). Regardless of the analysis we conducted, the parameter estimate was positive and significant, suggesting that a judge who made a large proportion of favorable rulings up to a certain point was, in fact, more likely to rule favorably in a subsequent case.

## Discussion

We have presented evidence suggesting that when judges make repeated rulings, they show an increased tendency to rule in favor of the status quo. This tendency can be overcome by taking a break to eat a meal, consistent with previous research demonstrating the effects of a short rest, positive mood, and glucose on mental resource replenishment (11–13). However, we cannot unequivocally determine whether simply resting or eating restores the judges' mental resources because each of the breaks was taken for the purpose of eating a meal. We also cannot ascertain whether taking a break improved the judges' mood because mood was not measured in our study. Furthermore, although we interpret our findings through the lens of mental depletion, we do not have a direct measure of the judges' mental resources and, thus, cannot assess whether these change over time. Nevertheless, our results do indicate that extraneous variables can influence judicial decisions, which bolsters the growing body of evidence that points to the susceptibility of experienced judges to psychological biases (19, 20; for a review, see ref. 21). Finally, our findings support the view that the law is indeterminate by showing that legally irrelevant situational determinants—in this case, merely taking a food break—may lead a judge to rule differently in cases with similar legal characteristics.

Although our focus has been on expert legal decisions, we suspect the presence of other forms of decision simplification strategies for experts in other important sequential decisions or judgments, such as legislative decisions, medical decisions, financial decisions, and university admissions decisions. Our findings add to the literature that documents how experts are not immune to the influence of extraneous irrelevant information (22–24). Indeed, the caricature that justice is what the judge ate for breakfast might be an appropriate caricature for human decisionmaking in general.

**ACKNOWLEDGMENTS.** We thank Jim Bettman, Brett Gordon, Michael Heller, Eric Johnson, Daniel Kahneman, Itzhak Levav, Orly Lobel, Oded Netzer, Jeff Rachlinski, Derek Rucker, Uri Simonsohn, Richard Thaler, and Andrew Wistrich for comments.

- Leiter B (2005) *The Blackwell Guide to Philosophy of Law and Legal Theory*, eds Edmundson W, Golding M (Blackwell, Oxford), pp 50–66.
- Neuborne B (1992) Of sausage factories and syllogism machines: Formalism, realism and exclusionary selection techniques. *NYU L Rev* 67:419–449.
- Holmes OW (1881) *The Common Law* (Little, Brown, Boston).
- Frank J (1930) *Law and the Modern Mind* (Brentano's, New York).
- Kozinski A (1993) What I ate for breakfast and other mysteries of judicial decision making. *Loyola LA L Rev* 26:993.
- Muraven M, Baumeister RF (2000) Self-regulation and depletion of limited resources: Does self-control resemble a muscle? *Psychol Bull* 126:247–259.
- Pocheptsova A, Amir O, Dhar R, Baumeister RF (2009) Deciding without resources: Resource depletion and choice in context. *J Mkt Res* 46:344–355.
- Vohs KD, et al. (2008) Making choices impairs subsequent self-control: A limited-resource account of decision making, self-regulation, and active initiative. *J Pers Soc Psychol* 94:883–898.
- Levav J, Heitmann H, Herrmann A, Iyengar SS (2010) Order in product customization decisions: Evidence from field experiments. *J Polit Econ* 118:274–299.
- Kaplan R, Kaplan S (1989) *The Experience of Nature: A Psychological Perspective* (Cambridge Univ Press, New York).
- Tyler JM, Burns KC (2008) After depletion: The replenishment of the self's regulatory resources. *Self Ident* 7:305–321.
- Tice DM, Baumeister RF, Shmueli D, Muraven M (2007) Restoring the self: Positive affect helps improve self-regulation following ego depletion. *J Exp Soc Psychol* 43:379–384.
- Gailliot MT, Baumeister RF (2007) The physiology of willpower: Linking blood glucose to self-control. *Pers Soc Psychol Rev* 11:303–327.
- Hagger MS, Wood C, Stiff C, Chatzisarantis NLD (2010) Ego depletion and the strength model of self-control: a meta-analysis. *Psychol Bull* 136:495–525.
- Steffensmeier D, Britt CL (2001) Judges' race and judicial decision making: Do black judges sentence differently. *Soc Sci Q* 82:749–764.
- Gazal-Eyal O, Sulitzeanu-Keenan R (2010) Let my people go: Ethnic in-group bias in judicial decisions—Evidence from a randomized natural experiment. *Journal of Empir Leg Stud* 7:403–428.
- Blair IV, Judd CM, Chapleau KM (2004) The influence of Afrocentric facial features in criminal sentencing. *Psychol Sci* 15:674–679.
- Spohn C.C. (2000) *Criminal Justice 2000: Vol. 3. Policies, Processes, and Decisions of the Criminal Justice System*, ed Horney J (US Department of Justice, Washington, DC), pp 427–501.
- Guthrie C, Rachlinski JJ, Wistrich AJ (2001) Inside the judicial mind. *Cornell Law Rev* 86:777–830.
- Guthrie C, Rachlinski JJ, Wistrich AJ (2007) Blinking on the bench: How judges decide cases. *Cornell Law Rev* 93:1–44.
- Vidmar N (2011) The psychology of trial judging. *Curr Dir Psychol Sci* 20:58–62.
- Northcraft GB, Neale MA (1987) Experts, amateurs, and real estate: An anchoring-and-adjustment perspective on property pricing decisions. *Organ Behav Hum Decis Process* 39:228–241.
- Englich B, Mussweiler T, Strack F (2006) Playing dice with criminal sentences: The influence of irrelevant anchors on experts' judicial decision making. *Pers Soc Psychol Bull* 32: 188–200.
- Dhami MK (2003) Psychological models of professional decision making. *Psychol Sci* 14:175–180.