



Gender and Justice Commission (GJCOM)
SeaTac Office
18000 International Blvd
Friday, November 2, 2018 (8:45 AM – 12:00 PM)

MEETING NOTES

Present: Justice Sheryl Gordon McCloud, Chair, Judge Marilyn Paja, Vice Chair, Ms. Sydney Bay (UW Liaison), Judge Anita Crawford-Willis, Ms. Josie Delvin, Ms. Macaulay Dukes (SU Liaison), Judge Michael Evans, Ms. Gail Hammer, Ms. Elizabeth Hendren, Ms. Grace Huang, Ms. Trish Kinlow, Judge Eric Lucas (via phone), Judge Rich Melnick, Ms. Erin Moody, Mr. Sal Mungia (ATJ Board Liaison), Dr. Dana Raigrodski, Ms. Sonia Rodriguez True, Judge Cindy K. Smith, Ms. Vicky Vreeland, Ms. Cassidy Wisley-Paul (SU Liaison)

Guests: Ms. Rebecca Glasgow, Ms. Michelle Gonzalez, Mr. Kevin Flannery (via phone)

AOC Staff: Ms. Kelley Amburgey-Richardson, Ms. Michelle Bellmer, Mr. Curtis Dunn

Absent: Ms. Patty Eakes, Justice Susan Owens, Ms. Heather McKimmie, Ms. Riddhi Mukhopadhyay

CALL TO ORDER

The meeting was called to order at approximately 8:45am.

September 7, 2018 Meeting Notes

Minutes approved as presented.

WELCOME & INTRODUCTIONS

- Justice Gordon McCloud opened the meeting and welcomed those present.
- Introduced Michelle Gonzalez, who will be joining the meeting later as guest speaker on behalf of the Washington State Women's Commission.
- Ms. Amburgey-Richardson provided a staffing update. A new administrative assistant has been hired. She will start later this month. Mary Lou Boles is an experienced assistant who has also done program coordination. She will be getting up to speed on the work of all three Commission so she can best support our team and the Commission members.
- Justice Gordon McCloud reflected on recent violent events. It is difficult to fight for equal rights and equality, and she appreciates the work of the Commission members.

COMMITTEE & PROJECT UPDATES

Domestic & Sexual Violence Committee – Ms. Erin Moody, Co-Chair.

- The Committee has reviewed the recommendations from Judge Levinson and Sandra Shanahan related to firearms and pattern forms revisions and has agreed on a few to recommend that the Commission take up.

- Received about 14 different recommendations, and selected 2-3 to work on. This will be presented to the Commission, after it is reviewed by the committee.
- The proposals gave the committee an opportunity to talk to other stakeholders like the Washington State Association of Sheriffs and Police Chiefs (WASPC).
- Judge Lucas recommended the committee talk with Judge Plese in Spokane.
 - Ms. Moody had a very helpful conversation with her and Spokane's successful efforts.
 - Spokane's major problem is that they have too many surrendered guns and not enough storage.
 - There are regular firearms surrender meetings in Spokane and Judge Plese invited members of the committee to participate.
- First in-person meeting will be next week. Some agenda items are:
 - Process for making sure that the DV Manual for Judges and the Sexual Offense Bench Guide are updated regularly.
 - How can we individualize accountability of members, and assign projects that are appropriate to people's backgrounds and knowledge?

ACTION: Committee will submit a formal request to the Commission re: advocating for the selected pattern forms revisions.

Tribal State Court Consortium – Judge Cindy K. Smith, Co-Chair

- Annual Meeting was held in September in conjunction with the Fall Judicial Conference. Dinner was served and the committee discussed ongoing projects such as a court rule and protection order enforcement.
- Attendance was good, but it was recommended that in the future this meeting be planned as a lunch or an education session during conference, to allow others to attend.
- Workgroup updates:
 - Joint jurisdiction court – early conversations between Tulalip Tribe and Snohomish Superior Court on wellness court for youth involved in cases in both jurisdictions.
 - Justices Owens and Madsen requested WA AG's opinion on two questions:
 - Does Washington have an obligation to enforce protection orders issued by the courts of other states or by Indian tribal courts? Yes.
 - If Washington has such an obligation, is registration of a protection order in a Washington state court a prerequisite to enforcement? No.
 - You can read the opinion here <https://www.atg.wa.gov/ago-opinions/state-obligation-enforce-protection-orders-issued-courts-other-states-or-tribal-courts>
 - JABS/JIS - tribal court information is not integrated and the information doesn't show. This is a conversation that we should be having. Curtis Dunn can assist with this.
- The TSCC has also been discussing a more formalized structure, this is ongoing.
- A call is scheduled with the Co-Chairs soon to discuss next steps.

ACTION: Mr. Dunn will look into the issue of tribal court information and JABS/JIS.

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

- Success Inside & Out

- The conference was held on October 11-12th. The Commission and NAWJ helped plan and sponsored the event. Many judicial officers attended, and facilitated roundtable discussions on practical information like relief from LFOs, including Judge Paja.
- Commission members Elizabeth Hendren and Heather McKimmie participated in tabling at the resource fair.
- Justice Gordon McCloud spoke to the women on Friday about hope, freedom, and access to information.
- The judicial participation is very important, because for people who are incarcerated, often the judge was the last person that they have interacted with in the system. Having the judges inside helps.
- How is impact of conference measured?
 - There is an evaluation done after and women always report how meaningful the judicial participation is.
 - Maybe there should be a survey after 2 -5 years after the release, to find out what was helpful.
- Legal Information Computer (kiosk) is up and running.
 - Ms. Hendren will start training DOC staff volunteers soon.
 - This wouldn't be possible without GJCOM's commitment and involvement.
 - DOC structure presents number of obstacles that were not known until these conversations happened, including – union contracts, staff, training, etc. We appreciate their commitment to conversation, training, and moving forward with the project.
 - There have been conversations about expanding to other minimum security facilities. These are men's facilities and may present different access to justice issues.
 - Commission would like to hear a follow-up on this, see what usage is like over time.

Judicial Officer & Law Student Reception – Ms. Vicky Vreeland, Ms. Cassidy Wisley-Paul, Ms. Macaulay Dukes

- The 7th Annual event was held this Monday. Attendees enjoyed remarks by Dean Clark, Justice Gordon McCloud, and representatives from NAWJ (Judge Karen Donohue) and WSAJ (Ms. Vicky Vreeland). A \$1,000 scholarship was awarded to Ms. Cassidy Wisley-Paul.
- Event was well done and well attended. The speakers were great and the event encouraged the conversation about gender and justice. The space worked well, especially having seating for the formal portion of the program.
- SU students attended UW event last year. Excitement led to early planning. Committee sent out initial email and reminders earlier and this may have contributed to great turnout.
- Fewer people applied for the scholarship. Why might this be? SU has a new internal site for information sharing and it has caused confusion because students don't know how to access it as easily as previous options. This won't be an issue in the future.
- Discussion about how impactful this program is for students.
 - Should we do events more often, even if we can't provide scholarships?
 - There might be consequences of doing this. It could impact participation, especially without scholarships.

- Student liaisons think that it's better to collaborate together, especially for UW and SU. It might be helpful to set up an ad hoc committee to review the need, the program, etc.
- Washington Women Lawyers (WWL) would be interested in presenting a scholarship, as long as it is open to all law school students, and not just a selected school. Could we present a scholarship to a student from each school every year, and just rotate the venue? Gonzaga presents a geographical challenge for attendance.

ACTION: Law student liaisons will continue discussion and report back to the Commission about how to build on the success of this event.

Liaison/Representative Reports

- Washington Women Lawyers – Ms. Jennifer Ritchie
 - Recent CLE: Gender & Credibility Determinations. Suggestion to include these materials in OneDrive where materials are gathered for Gender Bias Study. Ms. Ritchie will review and then share.
 - Discussion about trial advocacy and moot court classes.
 - Some mock trial judges would comment on women's voices, clothes, hair, especially an issue for women of color
 - Important to have volunteer judges be people who understand gender and race issues.
 - Implicit bias must be part of conversation about credibility. Should be acknowledged directly.

ACTION: Law student liaisons discuss ideas for guidelines/best practices for mock trial judges. Continue the discussion on this and come back to Commission with recommendations.

- Access to Justice Board – Mr. Sal Mungia
 - BJA's Public Trust & Confidence Committee is looking for new members. Apply or encourage others to apply.
 - ATJ Board coordinates efforts between different alliance members, including fundraising. Funding protocols existed for a long time, and it took years to change them and secure stable funding. Currently in the process of making recommendations to the Legal Foundation of WA.
 - Important to get out in the community and let them know what resources are out there. Recent civil legal aid providers' event in Tacoma, community wide back to school event (some of the partners included Tacoma Housing Authority, Food Bank, CLS). There are plans to do this event again next year.
 - Mr. Mungia recommends taking the [Implicit Association Test](#).

GUEST SPEAKER

Ms. Michelle Gonzalez, Washington State Women's Commission (WSWC)

- The Women's Commission existed for many years, but it was decommissioned at some point.

- HB 2751, sponsored by Representative Beth Doglio, passed in 2018 creating this new version of the Commission. The bill provides two years of state funding.
- The purpose of the WSWC is to:
 - Improve the wellbeing of women, by enabling them to participate fully in all fields of endeavor, assisting them in obtaining governmental services, and promoting equal compensation and fairness in employment for women.
 - Address issues relevant to the problems and needs of women, such as domestic violence, child care, child support, sexual discrimination, sexual harassment, equal compensation and job pathways opportunities in employment, and the specific needs of women of color.
- Oversight and funding for Washington's celebration of the 2020 National Suffrage Centennial rests with the WA State Historical Society. In the bill, the WSWC can make recommendations.
- Structure of the WSWC
 - First meeting was in October. The purpose of this meeting was to establish priorities and assure focus, and set the tone for what they want to do.
 - The focus is on Washington State Agencies, since it is the largest employer in the state.
 - People can volunteer and sign-up on the website when it is finished.
 - Nine commissioners appointed by Washington State Governor. The commissioners – all women – come from different backgrounds.
 - There are five committees:
 - Centennial Celebration
 - Gender-based Violence and Sexual Harassment
 - Healthcare
 - Economic Opportunity I (corporate boards, carrier-connected workforce, education)
 - Economic Opportunity II (childcare- access and affordability, which is on the governor's priority list, housing/homelessness, working poor)
- The committees will meet and determine work plans for the year. The WSWC should meet 5 times in 2019 and they are in the process of selecting the dates.
- Points of connection: gender based violence, sexual harassment model policy development.
- Grace Huang is a member of both Commissions and can serve as an informal liaison.

ACTION: Ms. Gonzalez will connect with Erin Moody, who is developing a model sexual harassment policy for the courts.

Note: Important to acknowledge that not all women obtained the right to vote in 1920. Per Judge Cindy K. Smith, a quick review of the Washington historical society info on this states that "Native American women, immigrant Asian women, and those who could not read and speak English were barred from the ballot box." <http://www.washingtonhistory.org/files/library/equalrights.pdf>

Education Committee - Judge Melnick & Committee

- Report back from recent programs
 - Fall Conference

- Programs on Procedural Justice and Immigration's Impact on the Judiciary received good evaluations.
- Presentation of immigration issues – interesting questions, it would be great to have more opportunities to explore civil issues.
- DMCMA Line Staff Conference
 - David Ward and colleagues presented on Transgender People and the Courts.
 - The training was phenomenal, very well received. Provided 101 information and practical tips. Validated good practices and suggested improvements. Evaluations revealed some biases.
 - Discussed presenting this to other groups. We submitted it for AWSCA, have not heard back yet. Ms. Delvin suggest presenting this to court clerks.
- Updates on upcoming programs
 - Judicial College – shadow selected
 - Judge Patti Connolly Walker was selected as a shadow for Judge Lori Kay Smith. She will shadow in 2019 and then teach with Judge Anne Hirsch.
 - Expecting 60 new judicial officers. Commissioners attend but not pro tem judges.
 - Discussion about how best to get ongoing DV education to court commissioners, who handle most protection order cases.
 - Commissioners attend JC but often cannot attend other conferences due to local funding limitations and need to keep court running.
 - Topic for next education committee meeting, we have a new member who is a commissioner.
 - SCJA Spring Program
 - The G&J session proposal on Title 26 GALs was accepted (in the packet). Focus on bias, recognizing it in reports and testimony, addressing in court.
 - Related issues: GALs go through training, but how often and what is covered? Differs from county to county. Is there a role for the Commission in GAL training? Recent statewide training – we can request agenda, curriculum.
 - The DV session we proposed was not accepted, but it is anticipated the G&J Ed. Committee will be asked to participate in planning a different DV session on firearms.
 - DMCJA Spring Program
 - The G&J session proposal on the Neurobiology of Trauma was accepted and will be the opening plenary.
 - The DV Trial session was also accepted and will include development of mini bench book on legal issues.
 - Two additional programs G&J may have insight about were accepted, DV treatment and sexual harassment. We may have an opportunity for input.
- The committee will be scheduling a meeting to plan for these programs.

ACTION: Ms. Amburgey-Richardson will share evaluations from recent programs with the Commission.

Gender Bias Study – Justice Gordon McCloud, Chair

- Update on study progress
 - The National Center for State Courts has provided a report of their work on Task One of the contract project, which was to review the effectiveness of the recommendations from the 1989 study.
 - Justice Gordon McCloud and staff met about the report and the need to provide feedback to NCSC. We will be scheduling a call with the task force to discuss next steps.

ACTION: Please let Justice Gordon McCloud or Ms. Amburgey-Richardson know if you would like to participate in this effort.

DISCUSSION ITEMS

Pattern forms & gender

- Mr. Kevin Flannery, clerk to Justice Gordon McCloud, provided an overview.
 - At the September Commission meeting, Jill Mullins from the Pattern Forms Committee presented on about updates needed to pattern forms to be inclusive of LGBTQ people, including the new “x” gender marker.
 - It was requested that the Commission help with these updates, by convening or contributing to a work group of stakeholders. In addition, Jill suggested that a style guide would be a helpful resource.
 - A group of volunteers met via phone recently to discuss how the Commission may contribute to this effort and related issues that may need addressing.
 - The issue is important, but there was no consensus about how to move forward, what role the Commission might play. We don’t have the resources to rewrite 800+ pattern forms, but we can make recommendations.
 - On the call, discussed practical obstacles to implementing pattern forms changes in Odyssey. The issue is that the system is asking for a specific identifiers, to verify person’s identity.
 - If that’s the goal, how do we do that in the best way? Is identifying gender necessary?
 - How do we correctly identify a person in a respectful manner?
- Pattern Forms Committee sets its priorities, it’s not the Commission’s role to do this. If they want to prioritize and work on this issue, GJCOM could provide input.
- Some options for involvement might be:
 - Sending a letter saying GJCOM thinks this issue is important, copy to trial court associations and pattern forms staff.
 - Contributing best practices information
 - Contacting national groups with expertise to see if resources have been developed
- Discussed need to connect with staff to the Pattern Forms Committee and its leadership to get clarity on what is being asked of GJCOM.

ACTION: Ms. Amburgey-Richardson will connect with Ms. Merrie Gough, AOC staff to the Pattern Forms Committee, and report back.

CHAIR & STAFF REPORTS

Chair Report – Justice Gordon McCloud

- Ms. Becca Glasgow is here as a guest today, but we hope she will be joining the Commission as a member soon.

Vice Chair Report – Judge Paja

- Report back from recent NAWJ Conference in San Antonio. Sessions were interesting and topics may be adapted for Washington State judges.
 - Potential topics:
 - Neuroscience of trauma
 - Federal judges talking about federal courts and the current events and how does that impact judicial decision making process.
 - Mental health in courts, especially how it impacts women in court.
- Women’s History Month CLE
 - Last year was the first annual partnership with WWL, WSBA to put this on. Planning has begun for 2019 CLE.
- Recognized ATJ Board Liaison Sal Mungia who also participates on the LFO Consortium, and recently served as faculty with Judge Paja for a DMCJA Conference session.

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