



Gender and Justice Commission
Friday, January 31, 2020
8:45 AM – 12 PM
AOC SeaTac Office
18000 International Blvd., Suite 1106, SeaTac, WA
Teleconference: 1-877-820-7831
Passcode: 904811#

MEETING NOTES

Members & Liaisons Present

Justice Sheryl Gordon McCloud (Chair)
Judge Marilyn Paja (Vice Chair)
Ms. Josie Delvin
Ms. Laura Edmonston
Judge Rebecca Glasgow
Justice Steven González (phone)
Ms. Gail Hammer (phone)
Ms. Lillian Hawkins
Ms. Elizabeth Hendren
Judge Eric Lucas (phone)
Ms. Eleanor Lyon
Ms. Heather McKimmie
Ms. Erin Moody
Judge Rich Melnick
Ms. Riddhi Mukhopadhyay
Mr. Sal Mungia
Ms. Renée Pilch
Dr. Dana Raigrodski
Ms. Sonia Rodriguez-True
Judge Jackie Shea-Brown
Judge Cindy K. Smith
Ms. Vicky Vreeland

Staff

Ms. Kelley Amburgey-Richardson
Ms. Michelle Bellmer (phone)
Ms. Moriah Freed
Ms. Sierra Rotakhina (phone)

Members & Liaisons Absent

Judge Anita Crawford-Willis
Ms. Grace Huang
Ms. Elaine Kissel
Ms. Michelle Gonzalez
Ms. Jennifer Ritchie
Ms. Stephanie Verdoia

WELCOME AND ANNOUNCEMENTS

Welcome and Call to Order

The meeting was called to order at 8:54 AM

- Justice Gordon McCloud and members introduced themselves.
- The Commission welcomed several attendees to their first meeting:

- Renée Pilch, Gonzaga University School of Law – Ms. Pilch is one of the Co-Presidents of Gonzaga’s Women’s Law Caucus and was instrumental in planning the successful Judicial Officer & Law Student Reception last year.
- Eleanor Lyon, University of Washington School of Law – Ms. Lyon and Stephanie Verdoia share liaison duties on behalf of the UW Women’s Law Caucus.
- Lillian Hawkins, DMCMA representative, King County District Court - Shoreline. Ms. Hawkins is taking over for Annalisa Mai, who is no longer a DMCMA member.

November 1, 2019 Meeting Minutes

The meeting minutes were approved as presented.

COMMITTEE AND PROJECT UPDATES

Immigration Enforcement at Courthouses Ad Hoc Committee – Judge Shea-Brown, Judge Paja, & Ms. Riddhi Mukhopadhyay

Proposed Rule Change – GR 38

- Judge Paja provided background information about the development of GR 38. The work of the ad hoc committee has been a combined effort by the Gender & Justice Commission, Minority & Justice Commission, Interpreter Commission, and the Access to Justice Board.
- The Gender & Justice Commission submitted a letter comment to the Supreme Court in support of proposed GR 38. The letter may be found in the packet on page 10.
 - Advocacy organizations that proposed the rule are recommending amendments to the text of the rule as published for comment. They will include these recommendations in their letters of support, which have not yet been submitted.
 - The ad hoc committee discussed these potential amendments, but they were not included in the GJC letter of support.
- Rebuttal is anticipated. Advocates of the proposed rule plan to monitor comments and respond to concerns in their own comments on the rule.
- You may view all comments filed on the WA Courts [website](#).
- The comment period for GR 38 has been extended by 30 days and will now close on March 3.

MOTION: Justice Gordon McCloud moved to ratify the position expressed in the GR 38 letter/comment. Unanimously passed.

ACTION: Given the extended comment period, the ad hoc committee will monitor and consider submitting an additional comment. If Commission members have input to share, please email committee members or staff.

Proposed Legislation – HB 2567

- HB 2567 (Concerning open courts) addresses similar issues. Some judicial branch groups support the bill, while others oppose.
 - The Board for Judicial Administration (BJA) originally took an “oppose” stance on the bill due to separation of powers issues. The chairs of the Commissions (GJC, MC, IC) requested they reconsider this position. The BJA then took a position of “support with concerns.” Having previously expressed those specific concerns to legislators, the BJA will sign in as “other” at the legislature (support, oppose, or other are the only options).
 - The Superior Court Judges Association (SCJA) is still leaning toward “oppose.”
 - The Interpreter Commission and Minority & Justice Commission are also discussing whether to take a position on this legislation.
- Commission members engaged in discussion over HB 2567.
 - Some members expressed concern about separation of powers. Others expressed that the legislation deals with these issues adequately.
 - Discussed a potential “support with concerns” position. Members expressed that a strong showing of “support” without reservation is critical on a bill impacting access to justice and safety. It is crucial to show our vulnerable communities support given the current culture.
 - It is important to speak as a unified judicial branch voice, unless that voice is on the wrong side of justice.

MOTION: Justice Gordon McCloud moved to vote on position of “support with concerns” for HB 2567.

MOTION: Justice González moved to table the vote on “support with concerns.” Motion passed 13 yes, 6 no. The motion to table was understood by the Chair to be a motion to table indefinitely.

MOTION: Justice González moved to vote on position of “support” for HB 2567. Motion passed 13 yes, 4 no, 2 abstained.

ACTION: Immigration ad hoc committee will continue to monitor this legislation along with GR 38.

MJC – GJC Symposium – Justice Gordon McCloud

June 3, 2020 Symposium

- MJC selected the following topic: The Increase in Incarceration Rates of Women and Girls of Color
 - GJC proposed several topics, and the others should be incorporated into future education sessions.
 - MJC indicated they are likely to explore the community impact of incarceration, policing, and intersectionality so that it touches on trans women as well.

- Members noted the importance of not overlooking local jail populations. The Prison Policy Initiative report includes jail statistics.
- Planning committee members are still needed. Ms. Elizabeth Hendren and Judge Maureen McKee agreed to join the committee. Ms. Laura Edmonston agreed to assist with research.

Tribal State Court Consortium – Chief Judge Cindy K. Smith

Workgroup Updates

- Branding & Messaging
 - This group has reviewed the 2020 Communication Plan, Annual Report and the new National Tribal State Court Forum Directory listing. Other 2020 projects to increase awareness and support for the TSCC include updating website resources, rolling out a factsheet and webinar about rule 82.5 changes, and supporting the messaging for the DV PO Enforcement project.
 - Next up, look for the February TSCC Update, an email to include updates as well as a Tribal Court Spotlight. To improve relationships and foster respect, the group hopes to feature a new Tribal Court in each update.
- Spring Regional Meeting Planning
 - Save the Date: Friday, May 15, 2020 at the Temple of Justice and Nisqually Tribal Court.
 - New Justice Raquel Montoya-Lewis will be invited to attend.
 - This group is exploring a Tribal/State Court Relationship Questionnaire ahead of the meeting and sharing results of the survey at the meeting.
- DV PO Enforcement
 - This workgroup will start on Thursday, February 6, 2020. The first project will be to oversee a protection order process survey. Additionally this group will work on distributing the 2018 AGO Opinion on full faith and credit for tribal protection orders.
- ICWA Bench Card
 - Cindy Bricker is hiring a short term contractor to cover this project in 2020. Interested parties will be notified soon.
- Joint Jurisdiction Pilot
 - This project needs Tulalip Tribe’s Council approval to move forward.

Future Training

- Ms. Cynthia Jones is beginning to coordinate funding efforts with the TSCC for programs. Judge Pennell, Court of Appeals, Div. III, is interested in having some of the training in Eastern WA.

Superior Court Judges’ Association’s Self-represented Litigant Ad-Hoc Workgroup – Professor Gail Hammer

Overview

- The first workgroup meeting will be on Monday 2/3. Topics of discussion include current resources available, and the development of online resources and bench guides to assist self-represented litigants and court staff.
- The workgroup is chaired by Judge Jennifer Forbes, and includes a mix of justice system stakeholders.
- Judge Paja suggested that the group should include court clerks from Superior and CLJ courts, if it does not already.
- Justice Gordon McCloud wondered if there are any technology experts on the work group. Professor Hammer will look into this.

Education Committee – Judge Rich Melnick, Judge Rebecca Glasgow & Committee

Judicial College

- Judicial College took place this week. The Gender & Justice Commission’s session was on Wednesday.
- Ms. Amburgey-Richardson was present to assist presenters and observe the session.
- Judge Anne Hirsch will be retiring. The Education Committee is seeking a judicial officer to take her place.

New Session Proposals Submitted - Annual Fall Judicial Conference

- Law, Justice, and the Holocaust: How the Courts Failed Germany
- Sex Harassment in the Courthouse: How to Be Part of the Solution, Instead of the Problem
- Law, Language, and Power: An Exploration of Discrimination and Tribal Jurisdiction in the Pacific Northwest

Planning in Progress

- Appellate Program
 - Myths and Misperceptions about Native Americans: What Every Judge Should Know (with MJC)
- SCJA Spring Program
 - Tribal Court Jurisdiction
 - New SCJA liaison – Commissioner Indu Thomas has agreed to be a liaison to the SCJA Education Committee. She is one of the committee’s Co-Chairs.
- DMCJA Spring Program
 - Implementing Changes in Weapons Surrender Laws in Your Jurisdiction
 - Poverty Simulation (with MJC)

ACTION: Email Ms. Amburgey-Richardson and/or the Education Committee Chairs if you or someone you know is interested in replacing Judge Hirsch as Judicial College faculty.

GR 34 Update – Judge Rich Melnick

Name Change Petitions and Fee Waivers

- Judge Melnick confirmed that Clark County is allowing a GR 34 fee waiver for name change petitions. There is still a question of whether someone may obtain a fee waiver when they file a petition for name change via mail.
- The facilitator fee is not waived unless Judge makes it mandatory in court order.
- Clark County Auditor does not charge a fee to record the name change.

Communications Committee – Judge Marilyn Paja & Committee

3rd Annual Women’s History Month CLE

- Registration is now open for the March 3rd event, co-sponsored by the Gender & Justice Commission.
- Some spots are reserved for pre-law students UW Tacoma to attend.

ACTION: Email Ms. Amburgey-Richardson if you would like support from the Gender and Justice Commission to attend.

2017-2019 Commission Report

- Judge Paja is working with staff on the report. The first draft of content is now complete.
- There will be two versions of the report – one will be colorful, shorter, and include links to the website for more detail. The second will be online and more detailed.

Incarceration, Gender & Justice Committee – Ms. Elizabeth Hendren & Committee

Update on Mission Creek Legal Resource Computer

- Judge Paja provided background and an overview of current issues.
- Judge Paja and Judge Michael Evans visited Mission Creek for the Success Inside & Out Conference and attempted to use the computer. It froze upon use, and is in an area labeled “out of bounds.”
- Ms. Hendren plans to work with the IGJ Committee at today’s meeting to draft a letter to Mission Creek about the issues. Once the letter is complete, it will be submitted to the Commission Chairs for approval.

New Women’s Prison – Maple Lane

- DOC has confirmed plans to convert Maple Lane into a third women’s prison.
- The first zoning hearings were held earlier this month. DOC is petitioning Thurston County for a special use permit, and are calling for proposals for a facility to house up to 700 women.

Black Prisoners’ Caucus Legislative Summit

- The Black Prisoners’ Caucus had its first legislative summit at Purdy. This is the first time women have been able to participate, because previous legislative summits have been held at men’s facilities.

- Specific legislative recommendations were proposed, and discussion topics included the rise in mass incarceration, overcrowding, gender specific oppression, and families. Senator Jeannie Darneille was present.

Liaison & Representative Reports

Access to Justice Board – Mr. Sal Mungia

- Immigration Issues – The ATJ Board has taken a position of support on GR 38 and proposed amendments to Rule of Professional Conduct 4.4.
- Delivery Systems Committee – Research is being completed on what civil legal aid resources are available for immigrants.
- The ATJ Board previously distributed surveys about priorities. Please fill those out if you have not.
- The Goldmark Luncheon will be held on February 14th in downtown Seattle. Mr. Mungia encouraged people to register and attend.

Law Library – Ms. Laura Edmonston

- Mr. Rob Mead and Ms. Laura Edmonston have been working on research for the Gender Justice Study.
- The January news roundup is complete. Topics include implicit bias, incarcerated women and pregnancy, domestic violence, missing and murdered indigenous women, and campus sexual assault.

Domestic & Sexual Violence Committee – Judge Jackie Shea-Brown, Ms. Erin Moody, & Committee

Update on Committee Projects

- The Committee's ex parte weapons surrender bench card was included in the Judicial College session materials.
- Work continues on several weapons surrender projects, including a survey.

E2SHB 1517 DV Workgroups – Judge Marilyn Paja & Judge Eric Lucas

Report on Recent Meeting and Progress

- Staff coordinator, Laura Jones, provided a written report on page 26 of the packet.
- The work groups will be presenting at a working session of the House Public Safety Committee on February 13th.

Gender & Justice Study Task Force – Justice Sheryl Gordon McCloud, Dr. Dana Raigrodski, & Ms. Sierra Rotakhina

- Staff project manager, Sierra Rotakhina, provided a written report on page 27 of the packet.

ACTION: Send any materials that may be helpful to the study to Dr. Dana Raigrodski, Co-Chair.

Legislative Session – All

- The BJA will be discussing the Clean State Act on its Monday call. The IGJ Committee should discuss at its meeting and provide any input. If others have thoughts, email them to Ms. Amburgey-Richardson.
- Ms. Amburgey-Richardson circulated and will be maintaining a bill tracking list for bills of interest to the Gender & Justice Commission.
- Members identified HB 2602, concerning hair discrimination, as a new bill to add.

ACTION: Send Ms. Amburgey-Richardson any bills of interest to include in the report.

CHAIR AND STAFF REPORTS

Chair Report – Justice Sheryl Gordon McCloud

Announcements

- Anti-Harassment Model Policy – GJC will be presenting to the BJA on 2/21
- Commission Order of Renewal – the Court voted to approve an order renewing the Commission for five years at a recent en banc meeting.
- Meeting Location – Is the SeaTac meeting location still working for the Commission? Is it practical to meet in a different location and/or to do outreach at that location?
 - Commissions staff are working on getting Zoom up and running to make future meetings more accessible for remote participants.

Message on Inclusivity & Substantive Discussion

- Justice Gordon McCloud thanked the Commission for engaging in an honest, substantive discussion of HB 2567, and encouraged members to continue sharing their opinions. One goal of the Commission meetings is open, substantive discussion.

Vice Chair Report – Judge Paja

- Judge Paja attended the Women’s Commission and LGBTQ Commission Outreach Event on January 30th at the Temple of Justice. She has reached out to the LGBTQ Commission about future collaboration.

Staff Report – Ms. Amburgey-Richardson

- The next Commission meeting is on March 27, 2020.

The meeting was adjourned at approximately 11:50 AM