

Judicial Information System Committee (JISC)

Friday, August 23, 2019 (10:00 a.m. – 10:45 a.m.)
CALL IN NUMBER: 877-820-7831 PC: 394116#

TELEPHONIC MEETING

	A	GENDA		
1.	a. Introductions b. Approval of Minutes c. New JISC Member Tenures 1. Mindy Breiner, Municipal Court (MPA) – New Member 2. Judge J. Robert Leach, Court of Appeals 3. Rich Johnson, Court of Appeals 4. Frank Maiocco, Superior Court (AWSCA) 5. Paulette Revoir, District Court (DMCMA)	Chief Justice Mary Fairhurst, Chair	10:00 – 10:05	Tab 1
2.	DDC Appeal Decision Point: Appeal of DDC decision denying access to Juvenile names and case numbers	Judge J. Robert Leach, Vice Chair, Court of Appeals	10:05 – 10:15	Tab 2
3.	JISC Rule 13 Request Decision Point: Olympia Municipal Court Request to Implement a Local Case Management System	Judge Scott K. Ahlf, Olympia Municipal Court	10:15 – 10:25	Tab 3
4.	JISC Rule 13 Proposed Amendment - Update	Mr. Frank Maiocco, Kitsap County	10:25 – 10:35	
5.	Expedited Data Exchange & Enterprise Data Repository (EDE/EDR) Go-Live Update	Mr. Kevin Ammons, PMO Manager	10:35 – 10:40	Tab 4
6.	BJA Update May 17 th Meeting Minutes	Chief Justice Mary Fairhurst, Chair		Tab 5
7.	Meeting Wrap Up	Chief Justice Mary Fairhurst, Chair	10:40 – 10:45	
8.	Informational Materials a. ITG Status Report			Tab 6

Persons with a disability, who require accommodation, should notify Brian Elvin at 360-705-5277 brian.elvin@courts.wa.gov to request or discuss accommodations. While notice 5 days prior to the event is preferred, every effort will be made to provide accommodations, as requested.

Future Meetings:

2019 - Schedule

October 25, 2019

December 6, 2019

JUDICIAL INFORMATION SYSTEM COMMITTEE

June 28th, 2019 10:00 a.m. to 1:20 p.m. AOC Office, SeaTac WA

Minutes

Members Present:

Chief Justice Mary Fairhurst, Chair - Phone

Judge Scott Ahlf

Judge John Hart - Phone

Mr. Rich Johnson

Judge J. Robert Leach

Mr. Frank Maiocco

Ms. Barb Miner - Phone

Chief Brad Moericke

Ms. Brooke Powell

Ms. Paulette Revoir

Ms. Dawn Marie Rubio

Judge David Svaren

Mr. Bob Taylor

Mr. Jon Tunheim

Ms. Margaret Yetter

Members Absent:

Mr. Larry Barker Judge Jeanette Dalton

AOC Staff Present:

Mr. Kevin Ammons

Ms. Vicky Cullinane

Ms. Vonnie Diseth

Mr. Curtis Dunn

M. D. . . El .

Mr. Brian Elvin

Mr. Mike Keeling Ms. Keturah Knutson

Mr. Dexter Mejia

Ms. Dory Nicpon - Phone

Ms. Cat Robinson

Mr. Kumar Yajamanam

Guests Present:

Mr. Enrique Kuttemplon

Judge Donna Tucker

Ms. Jennifer Ortega

Mr. Doug Fair

Ms. Lauren Bjurstrom

Mr. Adam Ahlf

Judge Kimberly Walden

Judge Rebecca Robertson

Judge Mary Logan

Mr. Clint Casebolt

Judge Jeffery Jahns

Mr. Terry Price - Phone

Judge Brian Sanderson

Mr. Michael Maga

Judge Susan Mahoney

Call to Order

Judge J. Robert Leach, JISC Vice-Chair and filling in for Chief Justice Mary Fairhurst, called the Judicial Information System Committee (JISC) meeting to order at 10:00 a.m. and introductions were made. Chief Justice Fairhurst will be joining the meeting at a later time.

April 26, 2019 Meeting Minutes

Judge Leach asked if there were any changes to be made to the April 26, 2019 meeting minutes. Hearing none, Judge Leach deemed the minutes approved.

JIS Budget Update

No budget report was given; however, the green sheet is viewable in the online materials and members' packet.

Access to Justice (ATJ) Technology Principles

Mr. Terry Price presented an update on the Access to Justice (ATJ) Board request for the JISC to endorse its Technology Principles. Mr. Price reminded the Committee of their request from the previous JISC meeting for the ATJ Board to add a preamble to their proposed amendments to the Technology Principles. Mr. Price stated he had drafted the preamble, which was subsequently passed by the ATJ Board and then forwarded to the AOC for review. After a few minor edits from AOC Leadership, it was then ratified by the ATJ Board and brought before the JISC for approval of both the amendments and preamble. Judge Leach asked if there were any questions from the Committee. Hearing none, he asked if there was a motion on the subject.

Motion: Chief Brad Moericke

I move to endorse the updated Access to Justice Technology Principles for submission to the Washington Supreme Court.

Second: Mr. Bob Taylor

Voting in Favor: Chief Justice Mary Fairhurst, Judge Scott K. Ahlf, Mr. Larry Barker, Judge John H. Hart, Mr. Rich Johnson, Judge J. Robert Leach, Mr. Frank Maiocco, Chief Brad Moericke, Ms. Brooke Powell, Ms. Paulette Revoir, Ms. Dawn Marie Rubio, Judge David Svaren, Mr. Bob Taylor, Mr. Jon Tunheim, Ms. Margaret Yetter

Opposed: None

Absent: Judge Jeanette Dalton, Ms. Barb Miner

The motion passed unanimously with two members absent.

Information Networking Hub (INH) Historical Review and Forecast

Mr. Kumar Yajamanam presented a historical timeline of the development of the Information Networking Hub (INH) which began in 2010 and is the foundation for current and future data exchanges to the new Enterprise Data Repository (EDR). The entire INH development work is not finished and will be on-going for several more years with additional enhancements and on-boarding of more local court data exchanges. The presentation is available in the meeting materials.

JISC Rule 13 Proposed Amendment

Judge Leach drew the Committee's attention to the next agenda item, the JISC Rule 13 amendments proposed by the CLJ-CMS Steering Committee. Judge Leach directed the Committee to the meeting materials, which contain three proposed draft versions of amendments to Rule 13, and asked Ms. Paulette Revoir to give the update. Ms. Revoir explained the first and second drafts were from the CLJ-CMS Steering Committee, the first draft including footnotes, and the last two drafts were submitted by

other groups. Ms. Revoir detailed the edits made to the CLJ-CMS Steering Committee's proposal after receiving feedback from members and stakeholders at the previous JISC meeting. Ms. Revoir started by drawing the Committee's attention to the footnotes on the Steering Committee's updated draft. The footnotes denote what is already required under the JISC-adopted Data Standards and IT Governance Framework. Also addressed was the issue many had regarding JISC funding; it was revised to clarify that it only applied to supplies and services provided that are not statutorily or constitutionally required. Regarding the other JIS Rule 13 draft proposals, Ms. Revoir deferred to those who were involved in the drafting of those proposals. Acting Chair Judge Leach followed up stating he was not sure if there was a majority in favor of any of the three proposals. He proposed identifying representatives from each group to form a workgroup to meet and find a proposal that satisfies everyone for the next meeting. It was asked what the reasoning was behind the two other proposals due to the significant differences. Ms. Brooke Powell spoke regarding the proposal from Juvenile Court Administrators Association, with Judge Tucker speaking to the third proposal. The third proposal was submitted collaboratively by King County Clerk's Office, King County Superior Court, Kitsap County District Court, King County District Court, Snohomish County District Court, and Yakima District Court, in addition to Seattle and Spokane Municipal Courts. Judge Tucker specified their version was the draft proposal with track changes in red lettering. All versions can be found online in the 6/28 JISC Meeting Materials.

Discussion followed regarding the different versions and the specific edits done by the groups submitting draft proposals and the merits of the various proposals. Discussion also revolved around the impact of multiple courts choosing their own CMS and the impact it would have on AOC and the limited resources at their disposal to support numerous independent courts with their own CMS. At the end of discussion, Judge Leach stated AOC and the JISC are not trying to impugn the motives of any court that wants to go off the statewide solution, but the goal is to try to figure out how to get everybody working together so there is a common repository of data that all courts need for public safety purposes to make the courts function. In addition, technology does not always work smoothly the first time through and limited resources presents a problem as well. Judge Scott Ahlf commented he did not think there seemed to be agreement regarding the three proposals before the Committee and said he would like to move to table the motion, create a working group, and discuss it at a later date.

Motion: Judge Scott K. Ahlf

I move to table the consideration of Rule 13 amendments and to form a workgroup comprised of individuals appointed by the Chief Justice to work together to see if they can prepare a single proposed amendment to the rule to bring back to the Committee, or alternatively to bring back parallel proposals to be considered by the Committee at a later meeting.

Second: Judge David Svaren

At this time Mr. Rich Johnson stated his concern that if more than <u>one amendment</u> comes out of the Committee, then nothing would be any different than the multiple proposals being submitted today. Mr. Johnson offered an amendment removing the language of parallel proposals in its

entirety, removing "or alternatively to bring back parallel proposals". This was accepted as a friendly amendment by Judge Ahlf in addition to the second by Judge Svaren.

Amended Motion:

I move to table the consideration of Rule 13 amendments and to form a workgroup comprised of individuals appointed by the Chief Justice to work together to see if they can prepare a single proposed amendment to the rule to bring back to the Committee or alternatively to bring back parallel proposals to be considered by the Committee at a later meeting.

Voting in Favor: Chief Justice Mary Fairhurst, Judge Scott K. Ahlf, Judge John Hart, Mr. Rich Johnson, Judge J. Robert Leach, Mr. Frank Maiocco, Ms. Barb Miner, Chief Brad Moericke, Ms. Brooke Powell, Ms. Paulette Revoir, Ms. Dawn Marie Rubio, Judge David Svaren, Mr. Bob Taylor, Mr. Jon Tunheim, Ms. Margaret Yetter

Opposed: None

Absent: Mr. Larry Barker, Judge Jeanette Dalton

Abstained: Dawn Marie Rubio

The motion was passed as amended. Following the vote, Chief Justice Fairhurst asked those interested in serving on the workgroup to express their interest by sending an email to her personally. As Chair of the JISC, she would then choose the members to sit on the JISCR 13 workgroup.

JISC Rule 13 Request

Presiding Judge Douglas J. Fair and Ms. Lauren Bjurstrom, from Snohomish County District Court presented their JISC Rule 13 request to leave the statewide JIS and implement their own case management system. Currently, they are still faxing documents back and forth to the jail; jail dockets are being prepared based on the court docket--not on the actual file--because they still have paper files all the way through the system. It was explained they spend an inordinate amount of time filing, pulling files, putting documents in files and pulling files out. Currently, the county government is not interested in funding any new positions, so Judge Fair stated they have reach the limits of their ability to reach their case load requirements. In order to become more efficient, they are looking at a CMS; at this time they are looking at JTI Technologies as their CMS vendor. To date they have visited King County to view their civil division and JTI Technologies has presented to them its integrated system complete with probation, criminal, civil etc. Snohomish County plans to adopt King County District Court configuration, not a completely new configuration. They have a provision in King County District Court's contract stating that they will get basically everything King County District Court does, and they will be able to adopt what King County District Court has done and not create any additional pressure on AOC by configuring their CMS differently. To date, Snohomish County has only started their scope of work with JTI and has not signed a contract and do not anticipate doing so before the end of the year. A project manager position has been approved in their budget, funded through the trial court improvement accounts due to the county's disinterest in approving a lot of funding at this time. Additional requests have been made for staff to assist in the conversion process, including the necessary double data entry. Discussion ensued on where the resources would be coming from in light of the county not providing additional resources, and concerns regarding staffing during data mapping and integration with the EDR.

Motion: Judge Scott K. Ahlf

I move that the JISC provisionally approve the Snohomish County District Court request to implement its own case management system, subject to Snohomish County District Court's agreement to comply with the JIS Data Standards for Alternative Electronic Court Record Systems and Implementation Plan.

Second: Judge David Svaren

Voting in Favor: Chief Justice Mary Fairhurst, Judge Scott K. Ahlf, Judge John Hart, Mr. Rich Johnson, Judge J. Robert Leach, Mr. Frank Maiocco, Ms. Barb Miner, Chief Brad Moericke, Ms. Brooke Powell, Ms. Paulette Revoir, Ms. Dawn Marie Rubio, Judge David Svaren, Mr. Bob Taylor, Mr. Jon Tunheim, Ms. Margaret Yetter

Opposed: None

Absent: Mr. Larry Barker, Judge Jeanette Dalton

The motion was passed unanimously.

Expedited Data Exchange & Enterprise Data Repository (EDE/EDR) Go-Live Update

Mr. Kevin Ammons presented the update on the Expedited Data Exchange (EDE) Project. Mr. Ammons informed the Committee of the progress of the final testing being carried out in preparation for the planned implementation of the King County Clerk's Office integration with the Enterprise Data Repository. He informed the Committee that the implementation was scheduled to occur during the July 12th – 15th time period. Mr. Ammons concluded by providing an overview of some of the major changes that will be seen in the JIS applications after the implementation.

King County District Court (KCDC) Project Status Update

Judge Donna Tucker gave an update on the King County District Court (KCDC) project. Phase one for civil and probation started in October 2017 continues to progress well. KCDC is currently in phase two, which includes eCourt and eProbation integration with the EDR; functionality will be deployed to all KCDC locations. KCDC has converted 2.4 million cases and person data from JIS into their eCourts system, in addition to the conversion of 11.5 million documents from their legacy electronic document

system into eCourts. All judges and court staff have completed module training and KCDC is currently in end-to-end testing. Next steps will be finalizing the last case configuration types, completing their end-to-end testing, including performance and stress testing, as well as the final training for all court staff, partners, attorneys etc. KCDC and JTI have set October 21st as the launch date and they will continue to work with AOC to make it happen.

Data Dissemination Committee Report (DDC)

Judge Leach reported that the DDC received two requests at their meeting held prior to the JISC meeting. The first request was from MDRC (previously Manpower Demonstration Research Corporation) stating their objection to language in AOC's standard data sharing contract. Current language requires those receiving data from AOC and wishing to publish a report based on that data provide the report sixty days prior to publication, in order to allow AOC to object if there are reasons to do so. The contract states, "any objection must be reasonable and rationally based." MDRC requested a language change to limit objections to confidentiality protections of the participants, claiming the current review process jeopardizes their perceived objectivity in the research community. Judge Leach reported this standard language has been used in AOC contracts for quite a long time with no complaints received where objectivity has been challenged due to the provision in the data sharing agreement. The DDC unanimously rejected the request to deviate from the contract.

The second request was from Melissa Santos, a reporter from Cross Cut. She is doing an investigation regarding the exercise of prosecutorial discretion for juveniles charged with crimes involving viewing, possessing, dealing in depictions of minors engaged in sexually explicit conduct. She is requesting a bulk date distribution to receive the case numbers and dates of birth of the juveniles involved. Judge Leach explained that several years ago, the DDC adopted a policy to not include case numbers or dates of birth in bulk distributions of juvenile offender records. The policy was adopted due to a compromise reached involving competing requests to deny all bulk data dissemination of juveniles or include all records. Currently, the DDC sees no reason to deviate from the current policy, and thus rejected the request unanimously. Ms. Santos indicated she may be bringing the DDC's decision to the JIS Committee for review at a future date.

Board for Judicial Administration Report (BJA)

Judge Leach reminded the Committee that the BJA minutes are contained in the JISC packet behind Tab 13.

Adjournment

Judge Leach adjourned the meeting at 12:40pm.

Next Meeting

The next meeting will be August 23rd, 2019, at the AOC SeaTac Facility from 10:00 a.m. to 2:00 p.m.

Action Items

	Action Items	Owner	Status
1	Chief Justice Fairhurst asked those interested in serving on the JISC Rule 13 workgroup to express their interest by sending an e-mail to her personally. As Chair of the JISC, she will choose the members to sit on the JISCR 13 workgroup	JISC Members and Interested Parties	Completed
2	Choose the members to serve on a workgroup to collaborate and bring back one unified proposal to update JISCR 13 for approval by the JISC.	Chief Justice Fairhurst	In Progress



JUDICIAL INFORMATION SYSTEM COMMITTEE

July 16th, 2019 3:00 p.m. to 4:00 p.m. Phone Conference

Minutes

Members Present:

Chief Justice Mary Fairhurst, Chair Judge Scott Ahlf Judge John Hart Mr. Rich Johnson Judge J. Robert Leach Mr. Frank Maiocco Chief Brad Moericke Ms. Brooke Powell Ms. Paulette Revoir Ms. Dawn Marie Rubio Judge David Svaren Mr. Bob Taylor Ms. Margaret Yetter

Members Absent:

Mr. Larry Barker Judge Jeanette Dalton Ms. Barb Miner Mr. Jon Tunheim

AOC Staff Present:

Ms. Vicky Cullinane
Ms. Vonnie Diseth
Mr. Brian Elvin
Ms. Keturah Knutson
Mr. Dirk Marler
Mr. Dexter Mejia
Mr. Ramsey Radwan
Ms. Cat Robinson

Guests Present:

Mr. Allen Mills Mr. Frankie Peters Ms. Jennifer Creighton Ms. Laurie Thompson Mr. Michael Maga

Call to Order

Chief Justice Mary Fairhurst called the Judicial Information System Committee (JISC) meeting to order at 3:00 p.m. and roll was taken. Chief Justice Fairhurst explained the purpose of the meeting was to review the recommendation of the Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Project Steering Committee based upon the Gartner report. The Gartner report considered three different options for the CLJ Case Management System (CMS), and presented their recommendation to the CLJ-CMS Project Steering Committee. A special meeting was called so action could be taken prior to the next scheduled JISC Meeting on August 23rd.

CLJ-CMS Project Update

Ms. Paulette Revoir began by reviewing the process and timeline for the project. The project was originally approved in April 2014, and for the next two and a half years the Court User Work Group (CUWG) and AOC project team gathered requirements and were preparing to publish the Request for Proposal (RFP). Proposals were received by December 2016, and evaluations of the top two vendors began in February 2017. Two evaluation teams were assembled, and the first team participated in three-day evaluations for each vendor. Several weeks later, the second evaluation team traveled to various courts around the country who were currently using the two vendors' products. At the completion of the evaluations, an Apparent Successful Vendor (ASV) was selected. Unfortunately, negotiations were not successful, which led to the ultimate termination of negotiations in November 2017 as voted by the JISC. In January 2018, the second vendor was invited back to Washington for a clarification meeting with the evaluation project team. In the end, the second vendor was not selected

as the gaps between their product and the project requirements were too large. Soon thereafter negotiation with the initial ASV were terminated. The project team took a deliberative pause in the process and developed a set of imperatives that would guide the project forward, and decided to seek the advice of a third-party independent consultant who would provide a fact-based analysis of the options. Gartner was selected in November 2018 to conduct the analysis. In April 2019 Gartner presented their analysis to the Project Steering Committee, recommending AOC use a commercial offthe-shelf (COTS) solution. Due to the results of the analysis, the Project Steering Committee decided to reconsider the two vendors that had previously responded to the RFP. The ASV was contacted and declined to reopen negotiations. At this time, AOC along with CLJ Project Steering Committee members approached the second vendor, Tyler Technologies, to discuss changes and functionalities that had occurred since their initial proposal. During that time, Tyler had made many changes to functionality. These changes made their product, Odyssey, more viable to better meet the needs of the courts and probation departments. For example, they acquired a probation product, CMS Case Load Pro, and expect to have it integrated into Odyssey by late this year. Tyler has also made improvements to Odyssey 2018 and has honed other systems that can be leveraged to fill other functionality gaps such as batch processing forms and reporting. Ms. Revoir concluded by stating the CLJ-CMS Project Steering Committee is recommending to the JISC that the project first except Gartner's recommendation to move forward with a COTS system. Second, the Project Steering Committee is recommending the JISC proceed with contract negotiations with Tyler Technologies.

CLJ-CMS project manager, Cat Robinson, walked the JISC through the review of Gartner's Options Analysis. All materials are included in the members' meeting materials.

Discussion was held with questions concerning the gaps from Tyler Technologies' previous submission and whether a current gap analysis would be conducted. Ms. Vonnie Diseth explained AOC conducted a conference call with Tyler to discuss their acquisitions and updates to their product since they first submitted their proposal two years prior. From that conversation, Tyler acknowledged probation was their weakest area and was a major factor in AOC not pursing a contract with them in 2018. To mitigate their deficiencies, Tyler alerted AOC they had purchased Case Load Pro in 2018 and are in the process of integrating it into the Odyssey CMS. They anticipate completing the integration by the end of 2019. On a side note, Washington State has over twenty courts currently using Case Load Pro and those courts were happy it would now be included in the Odyssey CMS. Tyler also acquired a new data analytics product. Additionally, Modria, a new product for online dispute resolution, has been added. Also, they are moving towards exposing their API's so that AOC can do more integration with third parties than previously has been allowed. Ms. Diseth said Tyler has made significant steps towards closing the previous gaps, and these would be the issues discussed in more detail should the Committee decide to approve discussions with Tyler.

Mr. Allen Mills, the Quality Assurance (QA) consultant for the CLJ-CMS Project stated he wanted to vouch for the process and address the risk analysis done along the way. He alerted the Committee that after AOC decided not to move forward with Journal or Tyler, the Project Steering Committee

formulated a list of imperatives. Those became the strategic principles that encompassed the fundamental requirements for a CLJ solution, as well as the gaps that were identified and were not addressed at that time. Those imperatives then became a framework for Gartner's analysis which Ms. Robinson summarized. Mr. Mills stated the report validated what many thought, but it did so in a factual and analytical way. While it did not look at specific cost estimates, it was clear from their report that approaches requiring any custom development (from modernization and replacement of legacy systems to some customization with a best of breed product) involved a great deal of expense and a high level of risk. Even if money was no object, Mr. Mills stated that finding skilled staff, assembling the staff, then keeping them in a career path is not AOC's core business. Therefore, the option that made the most sense from a feasible cost effective approach is a COTS approach. While it is not a surprise to a lot of people, with Gartner's report there is quite a lot of analytical data to support that conclusion. Mr. Mills then discussed the analysis of the decision to reengage with Journal to see if they were more flexible on their previous conditions. Upon finding they still held their previous position he explained the Project Steering Committee's desire to reengage with Tyler in light of their recent acquisitions and upgrades made in the last two years.

Ms. Revoir then presented the two decisions before the Committee and made a motion on the first decision.

Motion: Ms. Paulette Revoir

1. I move that the JISC accept the Gartner recommendation to choose a commercial off-the-shelf (COTS) solution for courts of limited jurisdiction and probation departments.

Second: Chief Brad Moericke

Voting in Favor: Chief Justice Mary Fairhurst, Judge John Hart, Mr. Rich Johnson, Judge J. Robert Leach, Mr. Frank Maiocco, Chief Brad Moericke, Ms. Brooke Powell, Ms. Paulette Revoir, Ms. Dawn Marie Rubio, Judge David Svaren, Mr. Bob Taylor, Ms. Margaret Yetter

Opposed: Judge Scott K. Ahlf

Absent: Mr. Larry Barker, Judge Jeanette Dalton, Ms. Barb Miner, Mr. Jon Tunheim

The motion was passed with one opposed.

Motion: Ms. Paulette Revoir

2. I move that the JISC accept the CLJ-CMS Project Steering Committee's recommendation that the Administrative Office of the Courts (AOC) proceed with

contract negotiations with Tyler Technologies for a statewide case management system.

Second: Chief Brad Moericke

Voting in Favor: Chief Justice Mary Fairhurst, Judge John Hart, Mr. Rich Johnson, Judge J. Robert Leach, Mr. Frank Maiocco, Chief Brad Moericke, Ms. Brooke Powell, Ms. Paulette Revoir, Ms. Dawn Marie Rubio, Judge David Svaren, Mr. Bob Taylor, Ms. Margaret Yetter

Opposed: Judge Scott K. Ahlf

Absent: Mr. Larry Barker, Judge Jeanette Dalton, Ms. Barb Miner, Mr. Jon Tunheim

The motion was passed with one opposed.

Adjournment

Chief Justice Fairhurst adjourned the meeting at 3:32pm.

Next Meeting

The next meeting will be August 23rd, 2019, at the AOC SeaTac Facility from 10:00 a.m. to 2:00 p.m.

Action Items

Action Items	Owner	Status

State of Mashington

MARY E. FAIRHURST

CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2053 E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

August 1, 2019

Mindy Breiner Tukwila Municipal Court 6200 Southcenter Blvd. Tukwila, WA 98188

Re: Appointment to the Judicial Information System Committee

Dear Ms. Breiner:

At the request of the Misdemeanant Probation Association (MPA), I am pleased to appoint you as the MPA representative to the Judicial Information System Committee (JISC). JISC Rule 2 provides for the appointment of five members from the courts of limited jurisdiction to the JISC. Your appointment is effective August 1, 2019, and continues through July 31, 2022.

Thank you for your interest in the success of the JISC. I appreciate your willingness to serve, and I am sure you will be a valuable asset to the committee.

Very truly yours,

MARY E. FAIRHURST

Mary E Fairhus -

Chief Justice

CC:

Ms. Toni Faris, President MPA

Ms. Dawn Marie Rubio, Court Administrator

Ms. Vonnie Diseth, ISD Director, AOC

Ms. Vicky Cullinane, AOC, JISC Business Liaison

State of Mashington

MARY E. FAIRHURST

CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



July 15, 2019

(360) 357-2053 E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

Honorable J. Robert Leach Court of Appeals Division One 600 University Street, One Union Seattle, WA 98101-1176

Re: Reappointment to the Judicial Information System Committee

Dear Judge Leach:

I am pleased to reappoint you as the Court of Appeals representative to the Judicial Information System Committee (JISC). I know you will continue to be a valuable member of the committee, and I want to thank you for the time and effort you have provided to the JISC. Your new appointment is effective August 1, 2019 and continues through July 31, 2022.

Thank you for your willingness to continue to contribute to the success of this important committee.

Very truly yours,

MARY E. FAIRHURST Chief Justice

Mary E. Fairhurst

cc: Dawn Marie Rubio, AOC State Court Administrator Vonnie Diseth, AOC, ISD Director Vicky Cullinane, AOC, JISC Business Liaison

State of Mashington

MARY E. FAIRHURST

CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



July 15, 2019

(360) 357-2053 E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

R. Richard D. Johnson Court Administrator/Clerk Court of Appeals Division One 600 University Street, One Union Seattle, WA 98101-1176

Re: Reappointment to the Judicial Information System Committee

Dear Mr. Zohnshn:

I am pleased to reappoint you as the Court of Appeals representative to the Judicial Information System Committee (JISC). I know you will continue to be a valuable member of the committee, and I want to thank you for the time and effort you have provided to the JISC. Your new appointment is effective August 1, 2019 and continues through July 31, 2022.

Thank you for your willingness to continue to contribute to the success of this important committee.

Very truly yours,

MARY E. FAIRHURST Chief Justice

Mary E. Fauhurst

cc: Judge J. Robert Leach, Court of Appeals
Dawn Marie Rubio, AOC State Court Administrator
Vonnie Diseth, AOC, ISD Director
Vicky Cullinane, AOC, JISC Business Liaison

State of Mashington

MARY E. FAIRHURST

CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



July 11, 2019

(360) 357-2053 E-MAIL MARY, FAIRHURST@COURTS, WA.GOV

Mr. Frank Maiocco Kitsap County Superior Court 614 Division St. MS 24 Port Orchard, WA 98355-4683

Re: Reappointment to the Judicial Information System Committee

Dear Mr. Marida

At the request of the Association of Washington Superior Court Administrators (AWSCA), I am pleased to reappoint you as the AWSCA representative to the Judicial Information System Committee (JISC). I know you will continue to be a valuable member of the committee, and I want to thank you for the time and effort you have provided to the JISC. Your new appointment is effective August 1, 2019 and continues through July 31, 2022.

Thank you for your willingness to continue to contribute to the success of this important committee.

Very truly yours,

MARY E. FAIRHURST Chief Justice

cc:

Ms. Pam Hartman-Beyer, AWSCA President

Ms. Dawn Marie Rubio, AOC, State Court Administrator

Ms. Vonnie Diseth, AOC, ISD Director

Ms. Vicky Cullinane, AOC, JISC Business Liaison

State of Mashington

MARY E. FAIRHURST

CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



July 15, 2019

(360) 357-2053 E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

Ms. Paulette Revoir Lynnwood Municipal Court 19321 44th Ave. W. Lynnwood, WA 98036-5664

Re: Reappointment to the Judicial Information System Committee

Dear MPRANDUTTE

At the request of the District and Municipal Court Management Association (DMCMA), I am pleased to reappoint you as the DMCMA representative to the Judicial Information System Committee (JISC). I know you will continue to be a valuable member of the committee, and I want to thank you for the time and effort you have provided to the JISC. Your new appointment is effective August 1, 2019 and continues through July 31, 2022.

Thank you for your willingness to continue to contribute to the success of this important committee.

Very truly yours,

MARY E. FAIRHURST Chief Justice

Mary E. Fairhus F-

cc: Dawn Williams, DMCMA President
Dawn Marie Rubio, AOC State Court Administrator
Vonnie Diseth, AOC, ISD Director
Vicky Cullinane, AOC, JISC Business Liaison

Date: July 19, 2019

From: Melissa Santos, Crosscut reporter

To: Members of the Judicial Information System Committee

In April, a woman contacted me in desperation. Her son, she said, had just been charged as a child pornographer for exchanging nude selfies with another teenager. The boy was 13 at the time of the offense.

This interested me because, as I had previously written about, the Legislature was in the process of changing state law so that felony charges would no longer apply to teens who exchange nude photos of themselves. This woman's son was charged only weeks before the Legislature passed the new law, House Bill 1742.

However, since the law is not retroactive, it won't help him. He still faces prosecution under the old statute, which lawmakers have overwhelmingly decided is unjust.

I started looking into this case as a means to explore a broader question: What happens to those who are left behind when outdated laws change?

I wanted to know whether the boy was alone, or if other teens are currently in a similar situation. How many other cases are still proceeding through the court system under the old statute, even as the new law is slated to go into effect in July?

In June, I requested data from the Administrative Office of the Courts that could help answer that question. However, despite my commitment to not using any juveniles' individual identifying information in my reporting, the Data Dissemination Committee rejected my request for the data to include case numbers. (I had also requested dates of birth, but frankly, the case numbers are the most crucial.)

I requested the case numbers simply so I could be fair to the prosecutors about whom I am reporting. It is important for me be able to find out whether a child is being charged with a child pornography charge as part of a compassionate plea deal, or whether the child's primary offense was in fact exchanging nude images of himself or herself. If there is substantive evidence of a child raping another child, and the charge was subsequently pleaded down to a child pornography offense, that is very different than the case of the 13-year-old boy whose mother contacted me. It would most likely not be fair to categorize such a case as an example of a child still being charged under a law that has now been determined to be overly harsh.

This information will be crucial to how I conduct my analysis. I need the case numbers to be able to access the case history and ensure my reporting is fair and accurate.

To an extent, I understand why the Data Dissemination Committee denied my request. I am aware that in 2013, the committee changed its policy to disallow bulk dissemination of juvenile court data, including case numbers.

But in so doing, the committee believed that this information would still be accessible at the county clerks' offices, according to meeting minutes from that time. "The juvenile offender records would still be available via JIS-Link subscription and at the court clerk's office," according to the minutes of the Data Dissemination Committee's meeting from Feb. 12, 2013.

I am here to tell you have I have not found that to be the case.

The information I received from the Administrative Office of the Courts has been insufficient for me to follow up with local county clerks and locate the case files I need. Even with information about the date charges were filed, the specific charges levied and the age of the defendant at the time of filing, some counties have said they cannot locate the cases I am looking for without a defendant name or case number.

This is despite individual counties having, at most, three or four cases each that meet my specified criteria, per the data the Administrative Office of the Courts so graciously provided.

Take, for instance, my experience with Whatcom County. I provided specifics about three minors who I knew were charged with specific charges on specific dates, along with their age at the time, based on the data I got from the AOC. However, the clerk's office said the staff could not locate the specific cases without a name or case number.

When I subsequently asked if they could produce case numbers for all cases that met certain criteria (similar to the criteria I gave to the Administrative Office of the Courts) they told me they could not.

"No. We do not have the time or staffing to do research for you," emailed the chief deputy Clerk. "As I said, you are welcome to come into our public viewing room and do your own research." The clerk's office also said I could not look up cases myself using the dates they were filed, or by type of charge.

When I then asked, "Can you cite to me on what portion of GR 31 or other law you are basing your denial of my request?" I received a rather curt reply.

"We are NOT denying your request. We are simply telling you that you must do your own research. Once again, we have a public viewing room in our office for you to do your research. We do NOT have the staffing to do your research for you. I don't know how else I can explain this to you."

In short, without case numbers from the AOC, I am unable to complete my work and my research. I am happy to sign a research agreement formally committing to not disseminate or report identifying details of these minors, specifically their names, a promise I previously made in my letter to the Data Dissemination Committee.

I believe that the committee's intention in adopting the 2013 rule was to prevent bulk sale of juvenile case data and to protect children. I do not believe it was intended to thwart the ability of members of the public to hold our institutions accountable, or to ensure our judicial system is treating children fairly and with compassion.

For this reason, I ask that members of the Judicial Information System Committee reverse the Data Dissemination Committee's decision to deny me case numbers associated with my prior request. My previous request is attached to this letter [Exhibit 2], as is my recent exchange with the Whatcom County Clerk's Office [Exhibit 1].

Sincerely

Melissa Santos

253-970-9436

Melissa.santos@crosscut.com

EXCHANGE WITH WHATCOM COUNTY CLERK'S OFFICE [Exhibit 1]

From: Santos, Melissa [mailto:Melissa.Santos@crosscut.com]

Sent: Wednesday, July 17, 2019 4:01 PM

To: Sandra Kiele

Subject: Locating teen sexting cases

Hello Ms. Kiele,

I am a reporter who has been covering our state's new law regarding teen sexting. It takes effect later this month: https://app.leg.wa.gov/billsummary?BillNumber=1742&Year=2019&Initiative=false

In the process I have been looking at ongoing cases against minors that are still proceeding under the old law or that have been filed recently under the old law. When I did a search with the Administrative Office of the Courts, I saw a few in Whatcom County.

I was hoping you could help me locate the charging papers in these cases or at least the case numbers so I can go find them through other means. I have the date when charges were filed, the charge and the age of the accused.

CASE 1:

Case filed: 1/8/2019

1st charge: 9.68A.050(2) DEAL DEPICT MINOR-SEX CNDCT-2ND DEGREE 2nd charge: 9.68A.050(2) DEAL DEPICT MINOR-SEX CNDCT-2ND DEG

3rd charge: 9A.88.010(2)(A) Indecent exposure 4th charge: 9A.88.010(2)(A) Indecent exposure 5th charge: 9A.88.010(2)(A) Indecent exposure

Guilty plea: 5/22/2019

Defendant age at time of filing: 17

CASE 2:

Case filed: 4/10/2019

1st charge: 9.68A.050(1) DEAL DEPICT MINOR-SEX CNDCT-1

2nd charge: 9.68A.050(2) DEAL DEPICT MINOR-SEX CNDCT-2ND DEG 3rd charge: 9.68A.070(1) POSSESS DEPICT MINOR-SEX CNDCT-1

4th charge: 9A.44.060 RAPE-THIRD DEGREE

5th charge: 9.68A.040 SEXUAL EXPLOITATION OF A MINOR 6th charge: 9.68A.040 SEXUAL EXPLOITATION OF A MINOR

Case appears to still be ongoing Defendant age at time of filing: 15

CASE 3:

Case filed: 4/30/2019

1st charge: 9A.36.041(2) Assault 4th degree

 2^{nd} charge: 9.68A.050(2) DEAL DEPICT MINOR-SEX CNDCT-2ND DEG 3^{rd} charge: 9.68A.050(2) DEAL DEPICT MINOR-SEX CNDCT-2ND DEG

Defendant age at time of filing: 13

Are these case records possible to locate with the above information?

Melissa Santos

Political Reporter, Crosscut 206-443-4815 (office) 253-970-9463 (cell) melissa.santos@crosscut.com www.crosscut.com

On Jul 18, 2019, at 7:44 AM, Sandra Kiele < SKiele@co.whatcom.wa.us> wrote:

I guess I'm confused as to how you have the charges and ages of these minors, yet no name or case number. We look up adult and juvenile offender cases by names of defendants.

Sandra L. Kiele Chief Deputy Clerk & Assistant Court Administrator 311 Grand Avenue, Suite 301 Bellingham, WA 98225 (360) 778-5566 skiele@co.whatcom.wa.us

From: Santos, Melissa [mailto:Melissa.Santos@crosscut.com]

Sent: Thursday, July 18, 2019 7:58 AM

To: Sandra Kiele

Subject: Re: Locating teen sexting cases

I got it from the Administrative Office of the Courts. They provided me this information and would give case numbers.

Melissa Santos

Political Reporter, Crosscut Office: 206-443-4815 Cell: 253-970-9463

melissa.santos@crosscut.com

www.crosscut.com

From: Santos, Melissa [mailto:Melissa.Santos@crosscut.com]

Sent: Thursday, July 18, 2019 8:33 AM

To: Sandra Kiele

Subject: Re: Locating teen sexting cases

I meant they would not give case numbers. However in some counties I have been able to get records with the date of filing and the charges filed, as these combinations of charges aren't super common.

Melissa Santos

Political Reporter, Crosscut Office: 206-443-4815

Cell: <u>253-970-9463</u>

melissa.santos@crosscut.com

www.crosscut.com

From: Sandra Kiele [mailto:SKiele@co.whatcom.wa.us]

Sent: Thursday, July 18, 2019 9:21 AM

To: Santos, Melissa < Melissa. Santos@crosscut.com >

Subject: RE: Locating teen sexting cases

As I stated, we look up cases by name and/or case number. You are welcome to use our public viewing room should you find a case name or number.

Sandra L. Kiele Chief Deputy Clerk & Assistant Court Administrator 311 Grand Avenue, Suite 301 Bellingham, WA 98225 (360) 778-5566 skiele@co.whatcom.wa.us

From: Santos, Melissa [mailto:Melissa.Santos@crosscut.com]

Sent: Thursday, July 18, 2019 9:23 AM

To: Sandra Kiele

Subject: RE: Locating teen sexting cases

OK. Can I file a request for all case numbers where the following charges were filed against people under 18 years of age that are either A) still ongoing or B) have been filed or resolved since 01/01/2019?

- 1) Dealing in depictions of minor engaged in sexually explicit conduct. (RCW 9.68A.050)
- 2) Possession of depictions of minors engaged in sexually explicit conduct (RCW 9.68A.070)
- 3) Sending, bringing into state depictions of minor engaged in sexually explicit conduct. (RCW 9.68A.060)
- 4) Viewing depictions of a minor engaged in sexually explicit conduct. (RCW 9.68A.075)

Melissa Santos

Political Reporter, Crosscut 206-443-4815 (office) 253-970-9463 (cell) melissa.santos@crosscut.com www.crosscut.com From: Sandra Kiele [mailto:SKiele@co.whatcom.wa.us]

Sent: Thursday, July 18, 2019 9:57 AM

To: Santos, Melissa < <u>Melissa.Santos@crosscut.com</u>> **Cc:** Dave Reynolds < <u>DReynold@co.whatcom.wa.us</u>>

Subject: RE: Locating teen sexting cases

No. We do not have the time or staffing to do research for you. As I said, you are welcome to come into our public viewing room and do your own research. I am copying Mr. Reynolds, our County Clerk / Court Administrator. He is aware of your request and the answer that I am again giving you.

Sandra L. Kiele Chief Deputy Clerk & Assistant Court Administrator 311 Grand Avenue, Suite 301 Bellingham, WA 98225 (360) 778-5566 skiele@co.whatcom.wa.us

From: Santos, Melissa [mailto:Melissa.Santos@crosscut.com]

Sent: Thursday, July 18, 2019 12:13 PM

To: Sandra Kiele **Cc:** Dave Reynolds

Subject: RE: Locating teen sexting cases

Is there a function to search by type of charge? Or cases filed on a certain date?

Melissa Santos

Political Reporter, Crosscut 206-443-4815 (office) 253-970-9463 (cell) melissa.santos@crosscut.com www.crosscut.com

From: Sandra Kiele [mailto:SKiele@co.whatcom.wa.us]

Sent: Thursday, July 18, 2019 12:53 PM

To: Santos, Melissa < <u>Melissa.Santos@crosscut.com</u>> **Cc:** Dave Reynolds < <u>DReynold@co.whatcom.wa.us</u>>

Subject: RE: Locating teen sexting cases

Name or case number.

Sandra L. Kiele Chief Deputy Clerk & Assistant Court Administrator 311 Grand Avenue, Suite 301 Bellingham, WA 98225 (360) 778-5566 skiele@co.whatcom.wa.us

From: Santos, Melissa [mailto:Melissa.Santos@crosscut.com]

Sent: Thursday, July 18, 2019 12:59 PM

To: Sandra Kiele **Cc:** Dave Reynolds

Subject: RE: Locating teen sexting cases

Can you cite to me on what portion of GR 31 or other law you are basing your denial of my request?

Melissa Santos

Political Reporter, Crosscut 206-443-4815 (office) 253-970-9463 (cell) melissa.santos@crosscut.com www.crosscut.com

From: Sandra Kiele [mailto:SKiele@co.whatcom.wa.us]

Sent: Thursday, July 18, 2019 1:00 PM

To: Santos, Melissa < <u>Melissa.Santos@crosscut.com</u>> **Cc:** Dave Reynolds < <u>DReynold@co.whatcom.wa.us</u>>

Subject: RE: Locating teen sexting cases

We are NOT denying your request. We are simply telling you that you must do your own research. Once again, we have a public viewing room in our office for you to do your research. We do NOT have the staffing to do your research for you. I don't know how else I can explain this to you.

Sandra L. Kiele Chief Deputy Clerk & Assistant Court Administrator 311 Grand Avenue, Suite 301 Bellingham, WA 98225 (360) 778-5566 skiele@co.whatcom.wa.us

ORIGINAL REQUEST TO DATA DISSEMINATION COMMITTEE [Exhibit 2]

June 24, 2019

To members of the Data Dissemination Committee:

I am a journalist who covers juvenile cases with some regularity. When I talk to families or young people accused of crimes, I have been consistent in protecting their identity and privacy. This is because I understand how including the name of a minor accused or convicted of a crime in a news story can follow them for life, running counter to the juvenile justice system's purpose of rehabilitation.

You can see for yourself how, in writing about some these issues this year, I withheld the names of a young woman and her mother to protect the family's privacy. I did this even though I had access to their names and dates of birth in the court file. I withheld the true name of both the mother and her daughter in these stories, which deal with a teen charged with the same offenses I am looking to write about now:

Example 1: 'Teens caught sexting in WA will no longer be treated as criminals': https://crosscut.com/2019/04/teens-caught-sexting-wa-will-no-longer-be-treated-criminals Example 2: 'In Washington, teen sexting is a felony — but that could change': https://crosscut.com/2019/03/washington-teen-sexting-felony-could-change

This is consistent with my view, shared by most journalists, that it is important not to harm juvenile subjects of our stories.

That said, in order to view specific details of a case that might help illustrate inconsistencies in application of the law or other systemic patterns, case numbers can still matter. In some cases, families don't remember all the details of the case accurately, requiring reporters to access case files to confirm key dates and events; other times, there is nuance to the path that cases take through the criminal justice system, requiring the viewing of case files to ensure that the reporter isn't making an assumption about the issues that were before the prosecutor. This can influence whether a case is included in a larger data analysis, even if the case itself isn't going to be specifically referenced in a story.

With this in mind, I am asking for data on juveniles charged with crimes related to sending/possessing/dealing and viewing depictions of a minor engaged in sexually explicit conduct since Jan. 1, 2019. My intention is to gauge how many young people are being charged under an old version of the law, versus the new one lawmakers just approved. I already am in contact with a family that is in this situation and have promised them that I am not going to put their child's name in the story. The same commitment would apply to any juveniles I encounter in my research using the case numbers associated with similar cases.

I am not requesting the case numbers to share juvenile's names or other identifying information with the public. Instead, I want that information to ensure I am telling the story accurately. That is my only goal.

My request also extends to all instances of those charges filed against minors that are still proceeding through the court system today. I would also like cases resolved and concluded between the dates of April 24 and the present to be included in this data extraction, even if the cases were filed against minors prior to Jan. 1 of this year. (April 24 is the date the new law was signed by Gov. Jay Inslee.)

My request extends to 1) the charge that was filed 2) and the status of those cases 3) dates they were filed 4) the jurisdictions and 5) the case numbers. If possible I would also like the dates of birth to determine the children's ages — not to print or disseminate, but without accurate data on the precise date of their birth it is not possible to indicate their age to the level of precision required for my reporting purposes. This would only be to calculate the ages of those facing charges.

In reviewing only a small sample of these types of cases, I have found that sometimes additional research is necessary to avoid presenting a skewed view of the circumstances surrounding a charging decision. That research can only be accomplished with case numbers that allow a more detailed review of a case's history and progression.

Thank you for considering my request, and for allowing me to explain the caution with which I would wield this information.

Sincerely,

Melissa Santos

Political Reporter, Crosscut

Melissa.santos@crosscut.com

253-970-9463





Dawn Marie Rubio, J.D. State Court Administrator

June 25, 2019

TO:

Judge Jay Leach, Chair, Data Dissemination Committee

FROM:

John Bell, Administrative Office of the Courts

RE:

Data request from Crosscut reporter, Melissa Santos

On June 20, 2019, AOC received a request from Seattle Crosscut political reporter, Melissa Santos, for data on juveniles charged with crimes related to sending/possessing/dealing and viewing depictions of a minor engaged in sexually explicit conduct since January 1, 2019. Ms. Santos is requesting case numbers and dates of birth. AOC explained that we could provide her with generic numbers like number of cases filed, counties where filed, etc., but we could not provide her with DOBs and case numbers as that would identify the juveniles. We based our denial on section 5 of the DD policy which states:

LIMITATION ON DISSEMINATION OF JUVENILE OFFENDER COURT RECORDS

The dissemination of juvenile offender court records maintained in the Judicial Information System shall be limited as follows:

- A. <u>Juvenile offender court records shall be excluded from any bulk distribution of JIS records</u> by the AOC otherwise authorized by GR 31(g), except for research purposes as permitted by statute or court rule.
- B. The AOC shall not display any information from an official juvenile offender court record on a publicly-accessible website that is a statewide index of court cases.

Additionally, RCW 13.50.050 (2) states the "official" record of juvenile offenses shall remain public. "The official juvenile court file of any alleged or proven juvenile offender shall be open to public inspection, unless sealed pursuant to RCW 13.50.260." The DDC, I believe, has interpreted "official" to mean records maintained by the clerk, and not JIS records. The underlying purpose of the DD policy is to allow the public to access juvenile criminal cases on a case-by-case basis, but not to allow bulk distribution of juvenile identities as these juvenile criminal cases may be sealed or destroyed in the future if the juvenile has not committed any further crimes and the court believes the juvenile has been rehabilitated. To allow such bulk distribution could affect the respondents' job and educational prospects.

Ms. Santos has requested a review of AOC's denial and I have attached her letter. AOC is opposed to release of these juvenile records for the reason set forth in this memo.

To members of the Data Dissemination Committee:

I am a journalist who covers juvenile cases with some regularity. When I talk to families or young people accused of crimes, I have been consistent in protecting their identity and privacy. This is because I understand how including the name of a minor accused or convicted of a crime in a news story can follow them for life, running counter to the juvenile justice system's purpose of rehabilitation.

You can see for yourself how, in writing about some these issues this year, I withheld the names of a young woman and her mother to protect the family's privacy. I did this even though I had access to their names and dates of birth in the court file. I withheld the true name of both the mother and her daughter in these stories, which deal with a teen charged with the same offenses I am looking to write about now:

Example 1: 'Teens caught sexting in WA will no longer be treated as criminals': https://crosscut.com/2019/04/teens-caught-sexting-wa-will-no-longer-be-treated-criminals

Example 2: 'In Washington, teen sexting is a felony — but that could change': https://crosscut.com/2019/03/washington-teen-sexting-felony-could-change

This is consistent with my view, shared by most journalists, that it is important not to harm juvenile subjects of our stories.

That said, in order to view specific details of a case that might help illustrate inconsistencies in application of the law or other systemic patterns, case numbers can still matter. In some cases, families don't remember all the details of the case accurately, requiring reporters to access case files to confirm key dates and events; other times, there is nuance to the path that cases take through the criminal justice system, requiring the viewing of case files to ensure that the reporter isn't making an assumption about the issues that were before the prosecutor. This can influence whether a case is included in a larger data analysis, even if the case itself isn't going to be specifically referenced in a story.

With this in mind, I am asking for data on juveniles charged with crimes related to sending/possessing/dealing and viewing depictions of a minor engaged in sexually explicit conduct since Jan. 1, 2019. My intention is to gauge how many young people are being charged under an old version of the law, versus the new one lawmakers just approved. I already am in contact with a family that is in this situation and have promised them that I am not going to put their child's name in the story. The same promise would apply to any juveniles I encounter in my research using the case numbers associated with similar cases.

I am not requesting the case numbers to share juvenile's names or other identifying information with the public. Instead, I want that information to ensure I am telling the story accurately. That is my only goal.

My request also extends to all instances of those charges filed against minors are still proceeding through the court system today. If possible, I would also like cases resolved and concluded between the dates of April 24 and the present to be included in this data extraction, even if the cases were filed against minors prior to Jan. 1 of this year. (April 24 is the date the new law was signed by Gov. Jay Inslee.)

My request extends to 1) the charge that was filed 2) and the status of those cases 3) dates they were filed 4) the jurisdictions and 5) the case numbers if possible I would also like the dates of birth to determine the children's ages — not to print or disseminate, but without accurate data on the precise date of their birth it is not possible to indicate their age to the level of precision required for my reporting purposes. This would only be to calculate the ages of those facing charges.

In reviewing only a small sample of these types of cases, I have found that sometimes additional research is necessary to avoid presenting a skewed view of the circumstances surrounding a charging decision. That research can only be accomplished with case numbers that allow a more detailed review of a case's history and progression.

Thank you for considering my request, and for allowing me to explain the caution with which I would wield this information.

Sincerely,

Melissa Santos

Political Reporter, Crosscut

Melissa.santos@crosscut.com

253-970-9463

ADMINISTRATIVE OFFICE OF THE COURTS REQUEST FOR INFORMATION

The following information is necessary for us to process your request for data from the Judicial Information System (JIS). Please complete this form and return it to:

Data Dissemination Administrator
Office of the Administrator for the Courts
PO Box 41170
Olympia, WA 98504-1170
fax: 360-956-5700

e-mail: dda@courts.wa.gov

** Do not send payment with this form. You will be invoiced at a later date**

Your request is subject to approval under the provisions of JISCR 15, the JIS Data Dissemination Policy, and the local Data Dissemination Policy and Procedures. Upon receipt of a completed form, AOC staff will review the request, contact you with questions or clarifications, and provide you cost/time estimates.

Name: Melissa Santos
Agency or Company: Crosscut
E-Mail Address: Melissa.santos@crosscut.com
Address: 401 Mercer Street
City: Seattle State: WA Postal Code: 98109
Day or Work Phone (with area code): 253-970-9463 Fax No. (with area code):
Information Requested (Please describe in detail. Continue on page three if necessary.):
I would like to get an accounting of how many of the following charges have been filed since Jan. 1, 2019, and the status of those cases/dates they were filed/case numbers if possible. I am only interested in charges filed against minors or people under the age of 18 (they may be older now). In other words, juveniles charged with these crimes since Jan. 1, 2019, date of filing, and those cases'
What will the information be used for?
News reporting.
To whom will the data be disseminated?

To help create a data analysis for a news report.

If this information concerns a named individual, please of birth, driver's license number, most current address	
Date information is needed: ASAP	
Date information to flooded.	
The following fees are applied to information reque JIS. Fees do <u>not</u> include printed copies of electron prints.	
Administrative Fee	\$50.00 / report
Data Warehouse Evaluation/Research	\$55.00 / hour
Programming Data Reporting Evaluation/Research	\$54.00 / hour
JIS System Run Time	\$12.00 / minute or portion thereof
(two minute minimum)	¢4.00 / name
Materials	\$1.00 / page \$12.00 / compact disc
Medium Requested: Paper (\$1.00/page, comp	
CD (\$12.00/each)	
E-mail - electronic file sent	as an attachment
I, the undersigned:	
 Agree to use and distribute the information 	only as provided in the above referenced
statement of intended use;Agree not to use the data received under this	e request for the commercial solicitation of
individuals named in the records (Data Disse	
Agree to pay, unless payment is waived, the	
Administrative Office of the Courts;	
 Understand that the Administrative Office of the Washington State County Clerks make n completeness of the data; 	o representation as to the accuracy or
 Agree to indemnify and hold harmless the Ac 	dministrative Office of the Courts from
any claims or damages arising from the use	and distribution of the information responsiv
to this request; and	
 Certify, under penalty of law, that all the information complete description. 	rmation supplied above is true and a
Melissa Santos	06/19/2019
Signature of Requestor	Date
Typed name will be accepted as signature when docu	ment is submitted electronically.

n be slightly flexible with this i	request and the	parameters -	- I go back to Janua	ary because it	would be more	convenient to ha
		•				
					•	•
					,	

From Page One:

I would like to get an accounting of how many of the following charges have been filed since Jan. 1, 2019, and the status of those cases/dates they were filed/case numbers if possible. I am only interested in charges filed against minors or people under the age of 18 (they may be older now). In other words, juveniles charged with these crimes since Jan. 1, 2019, date of filing, and those cases' status:

- 1) Dealing in depictions of minor engaged in sexually explicit conduct. (RCW 9.68A.050)
- 2) Possession of depictions of minors engaged in sexually explicit conduct (RCW 9.68A.070)
- 3) Sending, bringing into state depictions of minor engaged in sexually explicit conduct. (RCW 9.68A.060)
- 4) Viewing depictions of a minor engaged in sexually explicit conduct. (RCW 9.68A.075)

I would also like to know how many instances of the above charges filed against minors are still proceeding through the court system, even if they predate Jan. 1, 2019. [NEW: If possible I would also like cases resolved and concluded between the dates of April 24 and the present to be included in this data extraction, even if they were filed against minors prior to Jan. 1 of this year. Would it be possible to include Dates of Birth in the request as well?] Please include the court or jurisdiction in which the charges were filed.

From Page Three:

I would like to limit this request to people who are minors or at least were under the age of 18 when charges were filed against them.

To help create a data analysis for a news report.

I can be slightly flexible with this request and the parameters -- I go back to January because it would be more convenient to have more months of charges if that is possible.

I basically want to know how many cases are proceeding under the old version of the aforementioned statutes, rather than the new version the Legislature approved in April.



Judicial Information System Committee Meeting

August 23, 2019

<u>DECISION POINT</u> – JISC Review and Approval of Olympia Municipal Court Request for Local Case Management System

MOTIONS:

1. I move that the JISC provisionally approve the Olympia Municipal Court request to implement its own case management system, subject to Olympia Municipal Court's agreement to comply with the JIS Data Standards for Alternative Electronic Court Record Systems and Implementation Plan.

I. BACKGROUND

JISC Rule 13 requires courts to request approval from the JISC to leave the statewide Judicial Information System (JIS) and to use a local case management system (defined in JISCR 13 as a local court automated record system).

In 2014, the legislature approved the SC-CMS budget with a proviso requiring the JISC to develop statewide data collection and exchange standards. On October 24, 2014, the JISC approved the JIS Data Standards for Alternative Electronic Court Record Systems (JIS Data Standards) and the corresponding Implementation Plan. The JISC adopted the data standards to ensure the integrity and availability of statewide data and information to enable open, just and timely resolution of all court matters.

The standards contain the 215 data elements that courts with local case management systems must share with the statewide Judicial Information System (JIS). The Implementation Plan addresses how courts must comply with the standards.

On June 26, 2019, Olympia Municipal Court notified the JISC of its intent to purchase and install its own case management system.

II. DISCUSSION

AOC has become aware of multiple courts exploring the possibility of implementing local case management systems. As the number of courts with independent case management systems increases, the risk to the integrity of statewide judicial data increases. Without adherence to the JIS Data Standards, the integrity of statewide judicial data will erode, limiting the ability of judicial officers to make informed decisions, leaving judicial partners (including WSP, DOL, DSHS, SOS) with incomplete data, and jeopardizing public safety.

III. OUTCOME IF NOT PASSED -



Administrative Office of the Courts

Not having complete information in the statewide Judicial Information System jeopardizes public safety. Judicial officers will not have all of the information they need for judicial decision making. Court staff will not have necessary information for serving the public at the courthouse. Judicial partners will not have complete information, which could result in problems for law enforcement, firearms compliance, protection of vulnerable adults, and other critical needs. It could also result in non-compliance with statues, court rules, and other mandates.



City of Olympia Municipal Court 900 Plum ST SE/PO Box 1967

900 Plum ST SE/PO Box 1967 Olympia, WA 98507-1967 Phone (360)753-8312 Fax (360)753-8775 Online Payments: www.olympiatix.com AOC FISCAL RECEIVED
JUL 0 1 2019

June 26, 2019

Judicial Information System Committee State Court Administrator Washington State Administrative Offices of the Courts PO Box 41170 Olympia WA 98504-1170

Re: Request for approval of local automated case management system

Ladies and Gentlemen:

Pursuant to JISCR 13, the Olympia Municipal Court is providing notice that it plans to purchase an automated case management system. The court is seeking review and approval of this system from the Judicial Information System Committee. We anticipate purchasing and implementing this system as soon as the JIS Committee provides approval.

Olympia Municipal Court has entered into negotiations with Journal Technologies to purchase licenses for eCourts. We have already implemented eProbation in late 2018 as the Olympia Municipal Court probation case management system was no longer supported and the need for a new system was urgent. Information about this software can be found at http://journaltech.com/. Our court is particularity interested in this vendor because it will supply the court, probation, prosecution and defense the ability to integrate seamlessly and to provide improved access to data for our customers. Our prosecutor's office and our office of public defense are implementing eProsecution and eDefense in the coming months.

Olympia Municipal Court with the support of the City of Olympia IT department will work with Journal Technologies to ensure the seamless transfer of data with the Enterprise Data Repository (EDR) to push and pull information from the EDR without the need for additional data entry.

I am happy to meet with the Committee to provide any additional information. If there are any additional steps the court should take to assist in the evaluation and approval process, please let us know. Thank you.

Sincerely,

Scott Ahlf, Judge

Olympia Municipal Court

er. The co THE SECOND

U.S. POSTAGE PITNEY BOWES

での電気

0000356527 JUN 27, 2019.

Return Service Requested

Washington State Administrative Offices of the Judicial Information System Committee State Court Administrator Olympia WA 98504-1170 PO Box 41170 Courts



Expedited Data Exchange (EDE)

Program Update

Kevin Ammons, PMP Program Manager

August 23, 2019



KCCO to EDR Go Live

- KCCO integration with the EDR went live on Jul 15
- KCCO sends new and updated cases to the EDR
 - AOC removes old version of cases from SCOMIS
- AOC applications and data exchanges source KCCO data from SCOMIS and EDR
- Applications have experienced performance issues which AOC is working to correct



KCDC to EDR Preparation

- AOC is working with KCDC to prepare for end-toend testing of the KCDC integration to the EDR
- AOC is reviewing and loading KCDC's reference code mappings
- AOC will begin reviewing data sent by KCDC to the EDR when KCDC completes its review



Board for Judicial Administration (BJA) Meeting Friday, May 17, 2019 (9 a.m. – 12 p.m.)

AOC SeaTac Office, 18000 International Blvd, Suite 1106, SeaTac

MEETING MINUTES

BJA Members Present:

Chief Justice Mary Fairhurst

Judge Judy Rae Jasprica, Member Chair

Judge Doug Federspiel

Judge Gregory Gonzales

Judge Dan Johnson

Judge Robert Lawrence-Berrey (by phone)

Judge Mary Logan

Judge David Mann

Judge Judith Ramseyer (by phone)

Judge Kevin Ringus

Dawn Marie Rubio

Judge Michael Scott

Judge Laurel Siddoway (by phone)

Justice Charles Wiggins (by phone)

Guests Present:

Jim Bamberger

Sophia Byrd McSherry

Pam Hartman-Beyer (by phone)

Sonya Kraski

Joanne Moore

Dawn Williams

Margaret Yetter

Public Present:

Page Carter

Administrative Office of the Courts (AOC) Staff Present:

Jeanne Englert

Sharon Harvey

Penny Larsen

Dirk Marler

Dory Nicpon

Ramsey Radwan

Caroline Tawes

Call to Order

Chief Justice Fairhurst called the meeting to order at 9:00 a.m. The members introduced themselves.

Supreme Court Presentation

Chief Justice Fairhurst presented information on the Supreme Court, including the number of case filings and the duties of the justices. She encouraged the BJA members to listen to the State of the Judiciary address as it sets the tone for the judicial branch and how it relates to other branches of government.

Standing Committee Reports

Budget and Funding Committee (BFC): Judge Logan said the lack of funding in the budget for the Court System Education Funding Task Force was disappointing but they

Board for Judicial Administration Meeting Minutes May 17, 2019 Page 2 of 5

will continue to ask for funding. The Interpreter Services Task Force request was funded. Mr. Radwan reviewed the biennial budget information distributed at the meeting.

Court Education Committee (CEC): The Court System Education Funding Task Force received no funding. Judge Jasprica hopes the BJA will continue supporting the Task Force. Because conferences often occur near the end of the fiscal year, the CEC added clarifying language to its bylaws to require reimbursements requests be submitted within 30 days of completion of the conference, or by June 30, whichever is first. The CEC progress report was included in the meeting materials.

Legislative Committee (LC): Staff reviewed nearly 3,000 bills during the legislative session and are now working on implementation. Nearly one third of the bills had impact on or were of interest to the courts. AOC staff are reviewing 137 bills for implementation. The Uniform Guardian Act (UGA) bill and the bill regarding the Washington State Bar Association (WSBA) were discussed.

Policy and Planning Committee (PPC): The PPC met in March and is exploring BJA membership diversity.

Office of Public Defense (OPD)

Joanne Moore reviewed the history and mission of the OPD. The 2017 OPD Annual Report was included in the meeting materials. Chief Justice Fairhurst asked about the possibility of sharing training resources and information with the CEC. There was a discussion on collaborating on training and funding.

BJA Task Force Updates

The kick off for the Court Security Task Force was on April 24. The Task Force would like to make sure the incident report log on Inside Courts is current and complete. The Task Force plans to meet online in addition to two in-person meetings each year.

The Court System Education Funding Task Force and the Interpreter Services Funding Task Force will both meet on June 10 to evaluate activities and determine next steps. There was a brief discussion on the legislative funding strategy. Justice Wiggins volunteered to participate in future outreach efforts.

Jeanne Englert distributed a survey that requested feedback on Task Force work and activities in 2018. Members were asked to complete the survey and return it by the end of the meeting or by email Additional information will be shared at the June meeting after the Task Forces meet.

BJA Ad Hoc Committees

A red-lined copy of the BJA Rules (BJAR) and of the BJA Bylaws that included recommended edits, as well as a copy of each with the changes accepted, were included in the meeting materials. If the Rules are approved at this meeting they will go through the rules process.

It was moved by Judge Ringus and seconded by Judge Johnson to approve the BJA Rules as revised. The motion carried unanimously with Justice Wiggins abstaining.

It was moved by Judge Ringus and seconded by Judge Jasprica to approve the BJA Bylaws as revised. The motion carried unanimously with Justice Wiggins abstaining.

Amendment dates in each document will be updated.

The members discussed the open enrollment proposal for BJA committee assignments. Jeanne Englert asked the members to discuss this information at their court level by May 30 so that any changes can be approved at the June 14 BJA meeting.

Judge Ringus pointed out that, under the required membership for the Legislative committee, "BJA Member Chair" should be listed behind "Membership also includes..."

Judicial Leadership Summit 2018 Follow Up

Four questions from the 2018 Judicial Leadership Summit were included in the meeting materials for further discussion. The BJA members broke into four groups that each discussed one question. Ideas from the groups included:

Question 1: How do courts plan for turnover of judicial officers and administrators?

- It depends on the size of the court;
- some courts have a mentoring program;
- there should be a systematic way to deliver materials from the Judicial College to judges who start between Judicial College programs.

<u>Question 2</u>: How do you integrate new judicial officers and court administrators into the specific court culture/environment?

- Integration shadowing, pro tem pamphlets, etc.;
- more education regarding GR 29, especially at the Judicial College;
- establish working relationships with the sheriff's office, police department, and other partners regarding the court's role.

Question 3: How do you recruit and retain judicial officers and court administrators?

- Think about talent and diversity:
- recruit from inside, looking at desire and ability.

Question 4: How are new judicial officers and court administrations trained?

Board for Judicial Administration Meeting Minutes May 17, 2019 Page 4 of 5

- Court orientation and training for new judicial officers;
- how could this be captured for other courts and states?

BJA Business Account

It was moved by Judge Ringus and seconded by Judge Jasprica to remove Dory Nicpon as signer on the BJA Business Account and retain Jeanne Englert and Dirk Marler as signers on the BJA Business Account. The motion carried unanimously.

It was moved by Judge Scott and seconded by Judge Jasprica to approve the revised policies and procedures for the BJA Business Account. The motion carried unanimously.

March 15, 2019 Meeting Minutes

It was moved by Judge Jasprica and seconded by Judge Ringus to approve the March 15, 2019 BJA meeting minutes. The motion carried unanimously.

Information Sharing

The DMCJA Board Retreat is this weekend.

Judge Logan and Dawn Marie Rubio will be attending the 2019 Conference of Chief Justices (CCJ)/Conference of State Court Administrators (COSCA) Western Region Summit next week with representatives from all trial court levels.

Jeanne Englert reminded the members that the June meeting will begin at 8:30 a.m. and will be held in the meeting room on the Lower Plaza level.

Judge Scott has been talking to jurors about fast and slow thinking and will provide that information to the BJA members.

The Clerks' Conference is in Spokane from June 24–27. Sonya Kraski's last day as a clerk will be December 31, 2019.

Dawn Williams will become the District and Municipal Court Management Association (DMCMA) president at the DMCMA conference next week.

The Access to Justice Conference is June 14–16 in Spokane.

Board for Judicial Administration Meeting Minutes May 17, 2019 Page 5 of 5

<u>Other</u>

There being no further business, the meeting was adjourned at 11:58 a.m.

Recap of Motions from the May 17, 2019 Meeting

Motion Summary	Status
Approve the BJA Rules as revised.	Passed
Approve the BJA Bylaws as revised.	Passed
Remove Dory Nicpon as signer on the BJA Business Account and retain Jeanne Englert and Dirk Marler as signers on the BJA Business Account.	Passed
Approve the revised policies and procedures for the BJA Business Account.	Passed
	Passed

Action Items from the May 17, 2019 Meeting

Action Item	Status	
Members were asked to complete a survey requesting	Done	
feedback on BJA meetings and activities in 2018 and		
return it to Jeanne Englert by the end of the meeting or		
by email. A report will be available at the June meeting.		
Jeanne Englert asked the members to discuss the open		
enrollment proposal for BJA committee assignments at		
their court level by May 30 so this proposal can be voted		
on at the June 14 BJA meeting.		
March 15, 2019 BJA Meeting Minutes		
Post the minutes online.	Done	
Send minutes to the Supreme Court for inclusion in the	Done	
En Banc meeting materials.		



Strategic Stakeholders Technology **Priorities Status**

JIS IT Governance Report July 2019

IT Governance

"IT Governance is the framework by which IT investment decisions are made, communicated and overseen"



Summary of Changes Since Last Report

New Requests: 273 - Replace JIS with EDR as the statewide data source for

Odyssey

Endorsements: 256 - Spokane Municipal Court Data Transfer

Endorsement

Confirmations: None

Authorized: 251 - Electronic Filing - Snohomish County Clerk's Office

In Progress: None

Completed: 249 - Enhancement to Daily A/R Export file to Department of

Corrections

254 - Providing DOL Services to Non-JIS Courts

Closed: None

ITG Portal: None

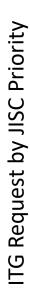


JISC ITG Strategic Priorities

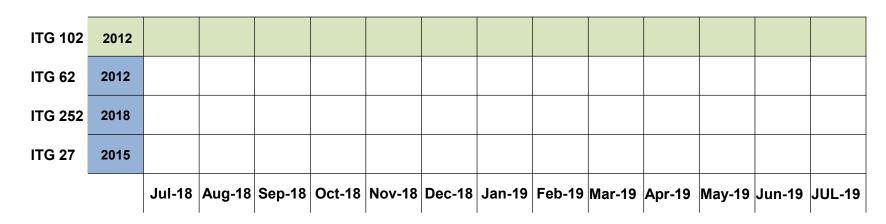
JISC Priorities					
Priority	ITG#	Request Name	Status	Requesting CLUG	
1	102	Courts of Limited Jurisdiction Case Management System	In Progress	CLJ	
2	62	Automate Courts DCXT Table Entries	Authorized	Multi-Level	
3	252	Appellate Electronic Court Records	Authorized	Appellate	
4	27	Expanded Seattle Municipal Court Case Data Transfer	Authorized	CLJ	



ITG Status Year in Review



Authorized



Completed

Withdrawn or Closed

In Progress



Current ITG Priorities by CLUG

Priority	ITG#	Request Name	Status	Approving Authority	Rank	
	Appellate CLUG					
1	252	Appellate Electronic Court Records	Authorized	JISC	Unspecified	
Superior CLUG						
1	107	PACT Domain 1 Integration	Authorized	Administrator	High	
Courts of Limited Jurisdiction CLUG						
1	102	Courts of Limited Jurisdiction Case Management System	In Progress	JISC	High	
2	27	Expanded Seattle Municipal Court Case Data Transfer	Authorized	d JISC High		
Multi Court CLUG						
1	62	Automate Courts DCXT Table Entries	Authorized	JISC	Medium	
N/A	3	Imaging and Viewing of Court Documents	Authorized	Administrator	Unspecified	



Installation Of Clerks Edition For Franklin County Superior

Allow MH-JDAT/MAISI data to be accessed through BIT from

Court Clerks Office

the Data Warehouse

DB2 Version 12 Upgrade

270

271

ITG Request Progress

			<u> </u>		
Awaiting Endorsement	Awaiting Analysis	Awaiting Endorsement Confirmation	Awaiting CLUG Recommendation	Awaiting Authorization	Awaiting Scheduling
Snohomish County District Court New CMS 273 Replace JIS with EDR as the statewide data source for Odyssey	Supplemental Race/Ethnicity 232 DQ for Statewide Criminal Data 236 DOL ADR Name Enhancement 248 WA State JUV Court Assessment 256 Spokane Municipal Court Data Transfer 265 Kitsap District Court CMS 266 Upgrade SC-CMS to Odyssey 2018 267 Odyssey Supervision Module Modification 268 Olympia Municipal Court CMS 269	241 JIS Person Business Indicator 242 PCN Number Change			3 Imaging/Viewing of Court Documents 27 Expand Seattle Muni DX 62 Automate Courts DCXT Table Entry 107 Pact Domain 1 Integration 122 Event Manager 251 Electronic Filing - Snohomish County 252 Appellate Electronic Court Records