

WASHINGTON STATE  
MINORITY AND JUSTICE COMMISSION

COMMISSION MEETING



SEATTLE UNIVERSITY  
SEATTLE, WASHINGTON 98122  
FRIDAY, APRIL 5, 2013, AT 8:45 A.M.

# WASHINGTON STATE MINORITY AND JUSTICE COMMISSION

## COMMISSION MEMBERS

Justice Charles W. Johnson  
Co-Chairperson  
Washington State Supreme Court

Judge Mary I. Yu  
Co-Chairperson  
King County Superior Court

Justice Debra L. Stephens  
Washington State Supreme Court

Judge Veronica Alicea-Galvan  
Des Moines Municipal Court

Mr. Jeffrey A. Beaver  
Graham and Dunn

Ms. Ann Benson  
Washington Defender Association

Professor Robert C. Boruchowitz  
Seattle University School of Law

Judge Vickie I. Churchill  
Island County Superior Court

Ms. Jennifer K. Davis-Sheffield  
Lane Powell PC

Ms. Callie Dietz, State Court Administrator  
Administrative Office of the Courts

Judge Deborah D. Fleck  
King County Superior Court

Ms. Bonnie J. Glenn  
Models for Change, DSHS

Mr. Russell D. Hauge  
Kitsap County Prosecuting Attorney

Mr. Uriel Iñiguez  
Washington State Commission on  
Hispanic Affairs

Ms. Carla Lee  
Center for Children and Youth Justice

Dr. Sandra E. Madrid  
University of Washington School of Law

Commissioner Joyce J. McCown  
Court of Appeals, Division III

Judge LeRoy McCullough  
King County Superior Court

Ms. Karen W. Murray  
Associated Counsel for the Accused

Ms. P. Diane Schneider  
National Latino Peace Officers Association

Judge Mariane C. Spearman  
King County Superior Court

Mr. Jeffrey C. Sullivan  
Retired, US Attorney

Judge Gregory D. Sypolt  
Spokane County Superior Court

Judge Vicki J. Toyohara  
Judge Pro Tem

Judge Dennis D. Yule, Retired



# MINORITY AND JUSTICE COMMISSION

FRIDAY, APRIL 5, 2013 (8:45 A.M.)  
 JUSTICE CHARLES W. JOHNSON, CO-CHAIR  
 JUDGE MARY YU, CO-CHAIR  
 HELD AT SEATTLE UNIVERSITY

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**Washington State Minority and Justice Commission (WSMJC)**  
Friday, February 1, 2013, (8:45 p.m. – 1:00 p.m.)  
Washington State Bar Association  
1325 4<sup>th</sup> Avenue, 6<sup>th</sup> Floor, Seattle, Washington



## MEETING NOTES

### Commission Members Present:

Justice Charles W. Johnson, Co-Chair  
Judge Mary I. Yu, Co-Chair  
Justice Debra Stephens  
Jeffrey A. Beaver  
Ann E. Benson  
Robert C. Boruchowitz  
Judge Vickie I. Churchill  
Jennifer Davis-Sheffield  
Judge Deborah D. Fleck  
Bonnie J. Glenn  
Russell Hauge  
Carla C. Lee  
Sandra E. Madrid, Ph.D.  
Karen W. Murray  
P. Diane Schneider  
Jeffrey C. Sullivan  
Judge Mariane C. Spearman  
Judge Gregory D. Sypolt  
Judge Vicki J. Toyohara  
Judge Dennis D. Yule

### Members Not Present:

Callie Dietz  
Uriel Iñiguez  
Commissioner Joyce J. McCown  
Judge LeRoy McCullough

### AOC Staff Present:

Kathy Bradley, JIS Liaison  
Myra Downing  
Monto Morton

### Guests from the Washington State Bar Association:

Joy Eckwood, Diversity Program Manager  
Tracy Flood, Board of Governors  
Paula Littlewood, Executive Director  
Megan McNally, Director of Advancement & Chief Development Officer  
Michelle Radosevich, President

### Other Guests:

Jack Guthrie, SU School of Law 3L Student  
John Yasutake (Representing Rosa M. Melendez)

### WSBA Diversity in the Legal Profession Presentation

The Washington State Bar Association Membership Study was presented to the Commission. A professional research and evaluation firm, TrueBearing LLC, conducted the study from September 2011 through February 2012. The study captured significant data from the WSBA membership and is designed to address and improve the legal profession in Washington. Information about the study can be found on the WSBA Web site at:  
<http://www.wsba.org/About-WSBA/Diversity/Membership-Study>.

### King County Bar Association Annual Reverend Dr. Martin Luther King, Jr. Luncheon

Dr. Michelle Alexander, author of "The New Jim Crow: Mass Incarceration in the Age of Colorblindness," was the guest speaker at the King County Bar Association Annual Reverend Dr. Martin Luther King, Jr., Luncheon which was held January 18, 2013. The event can be viewed on the King County Bar Association Web site at  
<http://www.kcba.org/newsevents/kcbaevents/mlk/video13.aspx> and on You Tube at  
<http://www.youtube.com/watch?v=Lv6vXY7ZF8E> (Dr. Alexander's speech starts at minute 51:00.)

## **2013 Judicial College**

Judge Gregory Sypolt reported that the cultural competency session presented at the 2013 Judicial College was very successful. Fifty new judicial officers attended the session. The session was presented by Judge LeRoy McCullough, Benita Horn, Peggy Nagae, and himself. This year featured Ms. Tayonna Gault and Mr. Joe'l Harris sharing their experience with the juvenile justice system. The faculty worked with the R.O.Y.A.L. (Raise Our Youth as Leaders) organization. The session was well received and judicial officers seemed actively engaged with faculty, panel guests, and workgroup session discussions on scenarios that were based on real court cases.

## **Commission Strategic Plan**

Myra Downing presented a draft of a two-year strategic plan to Commission members to begin the discussion and decision-making process. The main discussion concerned clarifying what committees/workgroups are needed, and what would be the goal and possible activities for each committee. Despite the conversation at the retreat, the Commission needs to organize itself around various workgroups or committee structures. Below are the committees/workgroups and their possible projects for discussion:

### Executive Committee

Members consist of the chairs of each committee who meet to discuss governance issues that arise.

### Education Committee

- Goal – Develop educational opportunities for judicial officers, court administrators, and others of the justice system.
- Possible Activity – Develop an educational session for judges on the change in pretrial release rules and risk assessment tool.

### Juvenile Justice Committee

- Goal – Address disproportionate minority contact (DMC) in the justice system.
- Possible Activity – Plan a presentation to the Washington State Supreme Court on juvenile justice.

### Legislation Committee

This is a new Committee being proposed for the MJCOM. It was proposed that the Committee ensures that bills of interest are reviewed and, when appropriate, comment on the legislation. It was recommended that the MJCOM not take positions on any legislation. Myra will send out an inquiry regarding interest in establishing and/or serving on this Committee.

### Outreach Committee

Commission members proposed combining the work of several committees into one. Those committees were Meeting and Town Halls, Collaboration, and Outreach. Members of these three committees will meet and propose an organization structure and a breakdown of activities.

### Research Committee

- Goal – Support research pertinent to the work of the Commission. Myra will send out a request for Committee members.
- Possible Activities:
  - Conduct a study of the perceptions of the justice system in Washington State.
  - Maintain current demographics of judicial officers.

- Assess the effectiveness of the change in pretrial release rules and the use of the risk assessment tool.
- Review research, programs, projects, and educational sessions conducted by other organizations/states.

#### Workforce Diversity Committee

- Goal – Ensure a diverse workforce within the court community.
- Possible Activities:
  - Develop and produce a follow up or update to the “Building a Diverse Court: Recruitment and Retention Manual.”
  - Work with the Washington State Bar Association in addressing what was learned from their recent Membership Study.
  - Develop a guidebook on establishing youth and law forums and programs. Note: Margaret Fisher, Administrative Office of the Courts, is developing a report describing the youth and law related programs in Washington State.
  - Continue to support the Judicial Leadership Institute.

The committees will meet and develop project plans for the next two years. The Commission will review these plans as they are developed during the next few meetings. Once there is agreement, the information will be added to the strategic plan document. Each committee is being asked to develop specific goals and projects.

#### **Juvenile Justice Stakeholder Meeting**

Carla Lee, Chair of the Juvenile Justice Committee, reported on the December 20, 2012, meeting of juvenile justice system stakeholders. She stated that there was good attendance of stakeholders and representation from each of the groups listed in the Task Force on Race and the Criminal Justice System Juvenile Justice Committee recommendations. The stakeholders that attended are taking the recommendations and the requests of the Supreme Court for information about their current and future programs and plans for addressing disproportionate minority contact (DMC) seriously. She expressed that those who attended the meeting agreed that addressing this issue will take a collaborative effort and a statewide strategic plan.

She also reported that the Washington State Center for Court Research (WSCCR) released its data on DMC on December 20<sup>th</sup> and the information was presented to meeting attendees for discussion.

Judge Yu stated that there is still a need for better data collection. Dr. Carl McCurley, Washington State Center for Court Research, reported and recommended who needed to be involved in the process.

Judge Yu provided documents and a flow chart that explained and illustrated how the Minority and Justice Commission will take a lead role in convening the judicial associations and other entities in addressing DMC and collecting this data.

Judge Yu stated that she recently met with the Washington Association of Juvenile Court Administrators (WAJCA) to listen to their concerns and share the plans of the Commission. Myra will request participation from the Superior Court Judges’ Association (SCJA), the Court Clerks, JCA, and WSCCR on the Data Collection Committee. She will arrange a meeting once the entities have identified their representatives.

Judge Yu announced that Carla Lee will be leaving the Center for Children and Youth Justice (CCYJ) in March. She will stay on with the Commission, but they have asked that CCYJ recommend a new Chair for the Juvenile Justice Committee.

**Next Commission Meeting**

The next meeting is scheduled for Friday, April 5, 2013, from 8:45 a.m. to 12:30 p.m. at Seattle University.



Washington State Office of Civil Legal Aid

**REPORT AND RECOMMENDATIONS  
OF THE CIVIL LEGAL NEEDS  
SCOPING GROUP**

**DECEMBER 2012**

Washington State Office of Civil Legal Aid  
PO Box 41183  
Olympia, WA 98507  
360-704-4135  
[ocla@ocla.wa.gov](mailto:ocla@ocla.wa.gov)





## EXECUTIVE SUMMARY

In September 2003, the Washington Supreme Court's Task Force on Civil Equal Justice Funding published its Civil Legal Needs Study (2003 Study), which for the first time documented the unmet civil legal needs of low and moderate income Washingtonians. The 2003 Study described the substance and prevalence of the civil legal problems experienced by low income individuals, families and communities, the degree to which necessary legal assistance was available, and the consequences experienced by those unable to timely secure civil legal assistance. The Study's findings were striking. They galvanized a decade-long effort to expand public support for civil legal aid within the context of a new, non-partisan judicial branch administrative infrastructure.

Much has changed in the ten years since the 2003 Study's publication. There have been substantial changes in the demographics of low income individuals and families, the substantive laws and legal frameworks that affect low income people, governmental policies affecting the poor and technology-based practices that adversely affect the ability of low income individuals to access necessary services and secure health care, housing, credit and employment. Like the rest of the Nation, Washington State was hit hard by the Great Recession of 2008-09 and the catastrophic loss of jobs which drew hundreds of thousands of residents into the ranks of the poor. Our housing markets collapsed, resulting in a foreclosure crisis fueled in part by high risk, predatory lending and perpetuated by across-the-board declines in pre-recession housing values. New legal problems emerged, many of which were experienced by individuals and families who, until the Great Recession hit, had been hard working members of the middle class.

Ten years have passed since the data were gathered for the 2003 Civil Legal Needs Study. Given the changes that have occurred over the past decade, the Washington State Office of Civil Legal Aid, in consultation with the Washington Supreme Court's Access to Justice Board, convened a broad-based, diverse group of leaders to explore (a) whether it was necessary to conduct a new or updated assessment of the civil legal needs of low income people and, if so, (b) the focus, scope and methodology that should be employed in undertaking such an assessment. This Civil Legal Needs Scoping Group met through the summer and fall of 2012. Its principal recommendations, more fully developed below, are that:

- It is important to update our understanding of the nature, gravity and consequences of legal problems that low income people face in Washington State
- The 2003 Civil Legal Needs Study should serve as the baseline reference point for such an update

- The update should document legal barriers that prevent low-income individuals and families from successfully participating in society
- The update should document the value to low income individuals, families and communities resulting from the ability to secure civil legal aid
- A two-stage approach should be employed – (a) facilitated focus groups that are representative of key demographic constituencies and (b) a detailed survey of low income Washingtonians
- The update should be conducted through the coordinated efforts of the Washington State Office of Civil Legal Aid and the Washington State Center for Court Research, working under a bipartisan, blue ribbon panel co-chaired by a Supreme Court Justice, a current or recent member of the bipartisan Civil Legal Aid Oversight Committee and a representative of the Supreme Court’s Access to Justice Board

## **1. Background**

### **A. 2003 Civil Legal Needs Study**

In September 2003, the Washington Supreme Court’s Task Force on Civil Equal Justice Funding published the first ever assessment of unmet civil legal needs of low and moderate income Washingtonians. The 2003 Civil Legal Needs Study was the product of three years of coordinated effort on the part of many organizations operating under the Task Force’s umbrella.

The Study chronicled the prevalence and substance of the civil legal problems experienced by low and moderate income people, commonalities and differences between the problems experienced by members of different demographic groups and subgroups, differences between problems experienced by low and moderate income households, the degree to which legal assistance was available to those experiencing civil legal problems, and the impact that civil legal assistance (and the lack thereof) had on an individual’s ability to effectively resolve their legal problem(s) and on their respect for the civil justice system as a whole.

The 2003 Civil Legal Needs Study consisted of three components: (1) a field study of 1333 individual low income responders across the state; (2) a random digit telephone study (land lines) of 810 low and moderate income respondents; and (3) a survey of stakeholder groups and organizations (bench, bar, courthouse facilitators, social and human services providers, legal aid organizations, etc.). The field study was coordinated through the Department of Sociology at Portland State University. The telephone survey was conducted by the Social and Economic Research Services Center at Washington State University. The stakeholder

survey was conducted by Task Force staff. Information was gathered from study participants from July 2002 through February 2003.

The results of the 2003 Civil Legal Needs Study were striking. Among the key findings were:

1. More than three-quarters of all low income households experienced at least one civil legal problem for which legal help was indicated; of these, nearly nine in ten were unable to obtain the civil legal help they needed.
2. Legal help was most available for individuals with family related legal problems (nearly 30%), and was least available for individuals with civil legal problems involving housing (9.8%), employment (7.5%), health care (5.1%) and the availability of public and municipal services (3.3%).
3. Problems involving housing, family relationships, employment, consumer issues and access to health care and public benefits were most prevalent, making up a combined 78% of all civil legal problems experienced by low income households. Issues involving discrimination and disparate treatment were prevalent in a substantial percentage of legal problems in the areas of employment, health, access to public and municipal services, consumer and housing.
4. Farmworkers, individuals with disabilities, Native Americans, persons living in long term care facilities and homeless individuals were least likely to secure civil legal help, while seniors, domestic violence survivors and recent immigrants were most able to secure legal help. No group was able to secure legal help more than 25% of the time.
5. Women and children experienced substantially more civil legal problems than the general population. Members of different demographic groups experienced disproportionately more of certain types of legal problems than the general population.
6. Legal assistance made a difference in both resolving the problem and promoting respect for the justice system. Those unable to get legal help ended up living with the consequences of the legal problem, were substantially dissatisfied with the outcome of the situation and had a "very negative" view of the justice system. Those able to secure legal help were generally satisfied with the outcome in their cases and had a positive view of the justice system.

Publication of the Civil Legal Needs Study was accompanied by the simultaneous publication of an objective assessment of what it would cost to address the civil legal needs of those who had a need for civil legal assistance in the areas of the study's substantive focus. All of the materials relating to the Civil Legal Needs Study can be found at:

<http://www.courts.wa.gov/newsinfo/index.cfm?fa=newsinfo.displayContent&theFile=content/ResourcesPubsReports>

## **B. Changes Resulting From the 2003 Civil Legal Needs Study**

In response to the final recommendations presented by the Task Force on Civil Equal Justice Funding (May 2004), the Washington State Legislature established an independent judicial branch agency – the Office of Civil Legal Aid – to administer and oversee state appropriations dedicated to the provision of civil legal aid services to indigent persons. The Legislature also established a bipartisan Civil Legal Aid Oversight Committee to ensure effective and ongoing oversight of the Office of Civil Legal Aid.

Among the functions assigned to the Office of Civil Legal Aid is the responsibility to “report biennially on the status of access to the civil justice system for low-income people eligible for state-funded legal aid.” RCW 2.53.020(3)(c). Biennial reports documenting client demand and service statistics were published by the Office of Civil Legal Aid in September 2009 and September 2012.<sup>1</sup>

In addition to creating an administrative framework for administration and oversight of state legal aid funding, the Legislature responded to the findings of the 2003 Civil Legal Needs Study by substantially increasing state level appropriations for civil legal aid services. Biennial funding increased from \$12.6 M in FY 2004-05 to \$23.6 M in FY 2012-13. Statewide infrastructure and support for the civil legal aid system, including the centralized statewide legal education, advice and referral system (known as CLEAR) was enhanced. Geographic access was expanded, with small legal aid offices opening in rural and remote regions of the state<sup>2</sup> that had not seen local legal aid services in more than 30 years. Client service levels increased, volunteer legal services expanded, and progress began to be achieved in closing the “Justice Gap” documented by the Civil Legal Needs Study.

Unfortunately, many of the gains were short-lived, and recent years have witnessed substantial contraction in the system’s aggregate capacity to deliver services to clients. Because of the recession and the sustained period of historically low interest rates, legal aid funding generated from interest on lawyer trust accounts (IOLTA) has dropped from historical levels of \$7 million per year, to less than \$2 million per year during 2009-2011. State funding for legal aid has remained relatively constant over this time period. While small increases in federal funding were realized in 2009 and 2010, these have been lost due

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<sup>1</sup> These reports are found at: <http://www.ocla.wa.gov/reports.html>

<sup>2</sup> Between 2007 and 2008, small legal aid offices opened in Colville (serving Ferry, Stevens and Pend Oreille Counties), Walla Walla (serving southeast Washington), Longview (serving Cowlitz and Wahkiakum Counties) and Aberdeen (serving Grays Harbor and Pacific Counties).

to a combined 17% reduction in congressional appropriations for the federal Legal Services Corporation over the past two federal fiscal years. Today, aggregate funding in actual dollars from the three primary sources (state, federal, IOLTA) is about \$1.5 million (or about 7.5%) less per year than what it was in 2005.

As a consequence of these funding challenges, client service staffing levels at the state and federally funded Northwest Justice Project dropped by 18.5 FTE attorneys (18%) between 2010 and 2012. Volunteer and specialized providers that relied on IOLTA funding as a principal source of operating revenues, experienced similarly deep cuts and client service capacity reductions. Rural offices that had been opened with staffing levels of three attorneys are down to just one, and offices serving urban and regional centers are operating with an average ratio of 1 legal aid attorney for every 20,000 eligible clients. Reflecting these trends, client service levels dropped between FY 2010 and FY 2012, just at the time that new demand driven by the Great Recession peaked.

### **C. The Need for an Updated Assessment of Civil Legal Problems**

Data developed for the 2003 Civil Legal Needs Study were obtained more than 10 years ago. Since then, Washington State has experienced significant demographic changes, many of which are chronicled in the 2010 Census and annual updates published by the Census Bureau through its American Community Survey (ACS) and Small Area Income and Poverty Estimates (SAIPE).

According to the 2000 federal census 815,000 individuals were living at or below 125% of the Federal Poverty Level (FPL).<sup>3</sup> According to the most recent 5-Year American Community Survey data (2010), there are now 1,023,264 individuals living at or below 125% FPL – an increase of 25%.<sup>4</sup> In addition to changes in the absolute number and percentage of people living in or near poverty,<sup>5</sup> there has been substantial migration into and within the state amongst a wide range of demographic groups and subgroups.

Demographic changes have been similarly significant for counties and cities. Recent Census reports confirm that the expanding and deepening level of poverty disproportionately affects areas with high migrant, ethnic and minority populations. In 2010, three counties

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<sup>3</sup> The Federal Poverty Level provides a uniform, income-based standard to assess whether a household is living in poverty. The 2012 standards are found at: <http://aspe.hhs.gov/poverty/12poverty.shtml#guidelines>

<sup>4</sup> Note that the mid-year point of the 2010 five-year ACS analysis is 2008, which marked the on-set of the Great Recession. Thus, the numbers are likely well below actual 2010 levels. According to the one-year ACS for 2011, 13.9% of all Washingtonians live at or below 100% of the FPL.

<sup>5</sup> According to the Census Bureau, 10.6% of Washingtonians lived in poverty in 1999; that number jumped to 13.4% in 2010.

(Benton, Franklin and Yakima) had majority minority populations. As outlined in a recent presentation by Office of Financial Management demographer Erica Gardner at the 2012 Access to Justice/Bar Leaders Conference, these trends are accelerating and will have long term consequences at the local, regional and statewide level.<sup>6</sup>

Circumstances facing low and moderate income people in Washington State are markedly different than they were during 2002-03 when field work was completed for the 2003 Civil Legal Needs Study. New problems have arisen for low-income individuals and families. These new problems arise from changes in the economy, population demographics, government policy, the misuse of data and information and new practices that target and take advantage of low income individuals and families.

The economic contraction that began in 2007 and 2008, and other structural changes to the economy have stalled job growth, increased unemployment, and severely limited employment opportunities for job seekers. While the overall state unemployment rate remains near 8% and more than 270,000 Washingtonians remained unemployed in November 2012, unemployment rates are substantially higher for low-income individuals, families and communities.<sup>7</sup> Compounding this is the recent expiration of extended unemployment insurance benefits for thousands of Washingtonians.

The welfare-to-work shift in policy at the national and state levels, fully implemented over the past decade, requires low income people to make their way in the private economy at the same time that public and private data mining practices operate to limit access to employment, credit and lending, and housing. Income-related differences in access to technology and information divide society into information “haves” and “have-nots,” with important consequences for finding economic opportunity, navigating government and private bureaucracies, access to education, and the exercise of basic rights and prerogatives. Finally, new private sector practices have emerged that target and take advantage of low income individuals and families. All of these changes to the economy, demographics, government policy, use of information and predatory practices have led to new types of legal problems and associated legal needs.

Crucial decisions relating to client service system design, operation and resource deployment should be made on good information. The Alliance for Equal Justice is an

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<sup>6</sup> This presentation can be found on the OCLA [website](#).

<sup>7</sup> Bureau of Labor Statistics, Employment status of the civilian noninstitutional population by sex, race, Hispanic or Latino ethnicity, marital status, and detailed age, 2011 annual averages, <http://www.bls.gov/lau/table14full11.pdf> at 77 of 82.

integrated client-service enterprise, comprised of individual civil legal aid programs across the state working together to address the civil legal problems experienced by low income people within the framework of expectations established by the Washington State Supreme Court's Access to Justice Board. These programs are faced with making difficult decisions of lasting impact regarding the focus of their activities, including the type of problems that they should place as the highest priority for various levels of legal assistance. These decisions are informed by work done regularly at the programmatic and regional levels to informally assess client community needs and establish client service priorities. While important and effective in helping programs prioritize their client service efforts, these efforts are, by their very nature, limited in scope and wanting in depth of analysis.

The Access to Justice Board's Delivery Systems Committee recently affirmed the need to undertake a comprehensive assessment of the legal problems experienced by low income people and communities and to take the necessary steps to ensure the ongoing effectiveness of the services provided by Alliance programs to the people and communities they are dedicated to serving. Given its statutory charge to monitor and report regularly on the status of access to the civil justice system for low income people, the Office of Civil Legal Aid has agreed to take lead responsibility in this effort.

## **2. The Civil Legal Needs Study Scoping Group**

In the spring of 2012, the Office of Civil Legal Aid sought and secured authority to engage the Washington State Center for Court Research (WSCCR) to help facilitate a scoping process designed to determine the purpose, scope, focus and methodology that will be used to update our understanding of the civil legal problems experienced by low income Washington State residents. A 16-person Civil Legal Needs Scoping Group (Scoping Group) was convened to guide this effort. Members of the Scoping Group were recruited from a wide array of organizations, with the goal of bringing a diverse and expansive range of perspectives and competencies to this initial discussion. Below is a list of Scoping Group members.



Name	Organizational Affiliation	Interests Represented	Geographic Region
Joan Kleinberg	Northwest Justice Project, Director of Strategic Initiatives	General Legal Aid Delivery; Statewide Perspective	Urban, Seattle
Richard Harrison	Northwest Justice Project, Board of Directors	Eligible client, consumer of governmentally funded services, active with Seattle Housing Authority Tenants Council	Urban, Seattle
Rita Ryder	YWCA of Seattle-King-Snohomish Counties; 5-State Pacific NW Region Council	Human and social services affecting women and children and minorities, with a Puget Sound and greater Pacific Northwest geographic focus	Urban, Seattle
Aiko Schaffer	Access to Justice Board, University of Washington School of Social Work	Poverty action and low income community empowerment groups	Urban, Seattle
Maurice Classen	King County Prosecuting Attorney	Civil-criminal interface; collateral consequences; non-profit effectiveness and strategic orientation; outcomes measurement	Urban, Seattle
Elizabeth Fry	Access to Justice Board; Colville Tribe	Reservation-based Native American issues and interests; knowledge of statewide legal aid system	Rural, North Central Washington
Pamela Banks	Urban League of Municipal King County	Urban issues facing minority populations, including African Americans	Urban, Seattle
Ninfa Quiroz Ledesma	SeaMar Community Health Centers	Low-income multi-purpose, statewide health and human service provider	Puget Sound region
Dr. Robert Chang	Seattle University School of Law; Korematsu Center	Law schools, race and justice issues	Urban, Seattle
Cecile Greenway	Regional Office of US HHS	Extended understanding of health and human services, tribal-state relations, civil legal aid delivery, planning and assessment	Pierce County, Olympic Peninsula
Sally Pritchard	Vice-President for Community Impact, Spokane United Way	Youth, including youth involved in the juvenile justice and foster care systems	Eastern Washington, Spokane County
Brenda Carlstrom	Columbia Legal Services Board of Directors	Civil legal aid, client service delivery	Rural Western WA
Dr. Sandra Madrid	Minority and Justice Commission	Law schools, Minority and Justice Commission	Seattle
Laura Contreras	Gender and Justice Commission	Migrant and immigrant women, children, families; understanding of civil legal aid; cultural competency and sensitivity	Rural, Yakima Valley
Jesse Magaña	Civil Legal Aid Oversight Committee	Oversight Committee, Southwest Washington, Persons with Disabilities	Vancouver/SW WA
Gail Stone	King County Executive, Law and Justice Policy Advisor	King County, Civil Legal Aid, State-Local relations	King County

In addition to those listed, the Scoping Group received the benefit of contributions from two students from Seattle University School of Law, Sarah Haywood and Trice Anderson.

Scoping Group members reviewed the 2003 Civil Legal Needs Study, legal needs studies from other states and other relevant information. An extended in-person meeting was held in mid-August and was facilitated by WSCCR Manager Dr. Carl McCurley, PhD. Additional meetings were held by teleconference. An internal website was created to allow for the review, comment and editing of materials, including early drafts of this report.

### **3. Civil Legal Needs Study Scoping Group Recommendations**

#### **A. 2003 Study to Serve as Baseline Point of Reference**

The Scoping Group determined that the 2003 Civil Legal Needs Study should serve as a baseline reference point for understanding changes and trends in the civil legal problems experienced by low income people, their access to necessary civil legal assistance and the benefits resulting from providing such access. Information and analysis gained in this assessment should be measured against the findings of the 2003 study.

The study update should include a section providing an update on civil legal aid during the period since publication of the 2003 study. This section should document changes in policies, funding levels, demand and service trends and the civil legal aid service delivery system itself that occurred since the 2003 study. The section should also incorporate information related to whether, and to what degree, these changes were effective in responding to the needs identified in the 2003 study.

#### **B. Principal Study Objectives**

The Scoping Group identified the following objectives for the 2013-14 update to the 2003 Civil Legal Needs Study:

1. Expand understanding of the nature, gravity and consequences of legal problems that low-income people face in Washington State
2. Document the legal barriers that prevent low-income individuals, families and communities from successfully participating in society
3. Identify new civil legal problems that have emerged since the 2003 study and assess the impact of those problems on low income individuals and families
4. Document the value (including economic value) to low income individuals, families and communities resulting from the ability to secure civil legal aid

5. Document the impact of changes in funding for civil legal aid services on the capacity of Washington State’s civil legal aid delivery system to meet the civil needs of low income individuals and families since the 2003 Civil Legal Needs Study
6. Serve as a basis for further discussion and strategic direction for legal aid delivery system planners, providers of civil legal aid services and other community-based organizations
7. Identify areas of compelling legal problems to which legal authority to use state-appropriated funds should be expanded

### **C. Target Audiences**

Like the 2003 Civil Legal Needs Study, the 2013-14 update will need to speak to multiple audiences and serve multiple purposes. The scoping group identified the following principal target audiences:

1. Federal, state and local governmental funders (Congress, Washington State Legislature, Counties and Cities)
2. Private supporters and investors
3. Local and statewide opinion leaders
4. Health, education, human and social services providers
5. The general public

### **D. Focus**

The 2013-14 update should provide newly-validated understandings with respect to:

1. The substance and prevalence of “persistent civil legal problems” (defined as those legal problems identified in the 2003 study and continuing as areas of high prevalence over the past decade)
2. The substance and prevalence of “newly emergent civil legal problems” (defined as those problems that have emerged incidental to changes in government policy, new information technology uses, social and demographic changes, and legal or structural systems or processes that operate to limit the ability of low income residents to meet important personal and family obligations and societal expectations)<sup>8</sup>

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<sup>8</sup> The Scoping Group discussed the contradictions between governmental policy goals that a) condition the availability of certain types of assistance on an individual’s ability to seek and secure employment, and b) impose obstacles or barriers limiting the ability of these same people to find and hold employment. Although a full exploration of these issues would be a vast expansion of the scope of the proposed study, the Scoping Group encourages study designers to explore these issues in the questions posed to respondents and in the

3. The benefits (economic and other) to individuals, families and communities resulting from the effective assertion or defense of civil legal rights and prerogatives through the timely provision of civil legal aid<sup>9</sup>
  
4. The degree to which there are differences in the substance and prevalence of civil legal problems for low income individuals and families based on the following identity characteristics:<sup>10</sup>
  - a. Age
  - b. Gender
  - c. Race and ethnicity
  - d. Family composition
  - e. Language
  - f. Disability (physical and cognitive)
  - g. Dependency status (e.g., minor children, persons living under legal guardianship, individuals in state care or custody)
  - h. Employment status
  - i. Native American status (enrolled or descendant)
  - j. Religious identity
  - k. National origin/identity
  - l. Immigration status
  - m. Veteran status

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framing of results from the interview and survey process. In particular, inquiries should be designed to help gain understanding on the practical operation of public laws and processes and of private sector practices on the ability of low-income individuals and family members to a) achieve in school, b) secure and maintain employment, c) maintain residential stability, and d) secure credit. Inquiries along these lines will also allow for identification of disparate impacts and consequences of governmental policy focus depending upon one's identity with one or more sub-demographic cohorts.

<sup>9</sup> The benefit of civil legal aid often depends on how it relates to individual and family goals. Some benefits are monetary in nature (e.g., successful representation to secure income assistance benefits) and can be easily quantified. Others are more qualitative and may not be intuitively understood by reference to the substantive problem itself. For example, a client seeking help to expunge a criminal conviction from long ago isn't just seeking to clear her record; she wants to be able to get a job, go to school, rent an apartment, etc.

<sup>10</sup> Although the number of groups that can be engaged is limited by time and resources, people living in poverty are the most diverse sector of society. According to the Census Bureau, substantially higher levels of poverty are experienced by racial and ethnic minorities, youth and seniors, persons with disabilities, and women—especially women who are also single heads of households. An important, if not paramount, component of the 2003 Study and any updated assessment of civil legal needs is the ability to differentiate across sub-demographic cohorts.

## 4. Methodology

The Scoping Group recommends a phased approach to exploring changes that have occurred since the 2003 study.

- Phase 1 will consist of listening sessions with target demographic audiences across the state through focus groups, community meetings, etc. These listening sessions will allow group members to identify and explore issues affecting low income individuals, families and communities and help study designers identify areas of potential problems that should be explored in more detail in the second phase
- Phase 2 will involve a detailed survey of macro- and sub-demographic target group members with surveys informed by information gained through Phase 1 listening sessions

The initial stage will involve authentic, community-based engagement with members of the target populations. These will be accomplished through a series of focus groups and other community engagement processes that are targeted both geographically and sub-demographically. The Scoping Group recommends that these conversations be guided by trusted facilitators trained to prompt discussion of problems that arise in different areas of life, including housing, employment, school, health care, credit and finances, differential treatment and discrimination, infractions, and government agency decisions. The conversations should be framed contextually and in ways that are relevant to the circumstances prevalent within the target groups. Because there is enormous diversity of civil legal problems and the underlying contexts within which they arise, follow-up and deeper inquiry will need to be focused on situations that have recognizably high levels of seriousness and/or prevalence, i.e., targeted areas of focus where the study will drill deeper into the practical and extended impact of effective civil legal aid services.

Informed by information obtained in Phase 1, Phase 2 will involve a larger scale, more focused and rigorous survey effort. Much like the 2003 study, this will be designed to provide statistically significant estimates of the prevalence and severity of distinct problem types, decisions of those affected to seek legal help or not, where help is sought, how responsive and successful that help is, and the benefits of obtaining timely civil legal aid.

New survey instruments will be developed and administered with multi-mode data collection involving some mix of phone, mail, in-person, and on-line data collection.<sup>11</sup> Each mode of data collection has advantages and disadvantages, and the mix of approaches should be tailored to the characteristics of the information being collected and the potential respondents. "Hard to reach" individuals, including youth and adults with mental health problems, veterans, people who live on the streets or in shelters, and others who face physical, cultural, linguistic and other barriers to participation, will require a special effort relying on in-person interviews. Like the Phase 1 engagements, this broader survey effort will require contacts with trusted community and opinion leaders who will be asked to endorse the effort both publicly and in writing.

Both focus groups and survey stages will need to offer compensation to respondents for their time and cooperation.

## **5. Administration**

A study of this nature will require effective oversight and professional administration. Because the results of this study will have policy implications for the Office of Civil Legal Aid, Washington State courts and others involved in providing access to the civil justice system, the Scoping Group recommends that the Washington State Center for Court Research, in partnership with the Office of Civil Legal Aid, remain involved and assume lead responsibility for design and administration of the study itself.

The credibility of the 2003 Study not only resulted from the integrity of its underlying methodology, but from the stature and credibility of those involved in overseeing the effort. The Supreme Court's Task Force on Civil Equal Justice Funding was broad-based and bipartisan. It was chaired by a sitting Supreme Court Justice. The Civil Legal Needs Study Work Group operating under the umbrella of the Task Force was chaired by a sitting Court of Appeals Judge and included diverse and bipartisan representation.

Consistent with the 2003 approach, the Scoping Group recommends that the Civil Legal Need Study Update be overseen by an inclusive, bipartisan blue ribbon panel, co-chaired by

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<sup>11</sup> The 2003 Study relied in part on a random land-line telephone survey. Because of significant changes in telecommunications technology, including the proliferation of cell and smart phone usage and the virtual elimination of the land line as a primary source of communications for low income people and members of certain racial and ethnic groups, the Scoping Group recommends that study designers exercise caution in their use of telephone surveys. Complementary strategies should be used so that the use of telephone surveys does not compromise the ability of the overall study to secure information from all key target demographic groups.

a Supreme Court Justice, a current or recent member of the bipartisan Civil Legal Aid Oversight Committee<sup>12</sup> and a representative of the Access to Justice Board.

## **6. Cost**

A study along the lines proposed will involve significant expense. Depending upon the approach employed, cost estimates for the in-depth component of the study range between \$75 and \$150 per completed interview. Preliminary estimates from the Washington Center for Court Research suggest that total expenses associated with the data gathering component of the study consistent with the outline set forth in this report could range between \$100,000 and \$150,000, depending upon the data gathering method employed and the degree to which in-kind resources can be secured through coordination with potential research partners. WSCCR and OCLA staff members are exploring potential opportunities to work with other agencies that regularly conduct interview-centered quantitative research relating to the characteristics of individuals living at or near poverty (e.g., DSHS and DOH). Potential partnerships are also being explored with relevant schools within the state's research institutions.

The Office of Civil Legal Aid will underwrite a portion of this effort. Efforts will be undertaken to secure additional funding from other sources with a common interest in the outcome of this study.

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<sup>12</sup> The Civil Legal Aid Oversight Committee was established by the Legislature to oversee the Office of Civil Legal Aid. [RCW 2.53.010](#).

## **Diversity Pipeline Programs for Youth**

### **Diversifying the Bench and Bar in Washington State Prepared by Margaret E. Fisher**

**January 2013**

#### **Background**

The Gender and Justice Commission has a long-standing commitment to bring diversity to the bench and bar. I was asked to explore and report on existing diversity pipeline programs for youth. To do this, I contacted and met or spoke with representatives of all the key secondary school pipeline programs in Washington and at the national level, and spoke with the admissions officers at all three law schools. In addition, I met with the Washington State Bar Association Diversity Manager.

Before reporting on my findings, I did want to identify that today the term diversity encompasses a broader field than traditional racial and gender diversity. The American Bar Association includes racial and ethnic minorities, women, persons with disabilities, and the lesbian, gay, bisexual, and transgender community. The Law School Admissions Council (LSAC) further defines diversity as including socioeconomic status, race, ethnicity, language, nationality, gender, gender identity, sexual orientation, religion, geography, disability, and age. The GJCOM should decide whether to broaden its diversity efforts.

In summary, I learned that:

- Existing pipeline programs for secondary students in the state are generally unaware of other pipeline programs, are very interested in learning more, and value the idea of collaboration.
- The Washington State Bar Association has no plans to offer pipeline programs itself but is developing criteria for when it will partner with pipeline programs.
- Both the ABA Council on Legal Education Opportunity (CLEO) and LSAC support a wide range of pipeline programs from middle school through graduate school (non-law) and are interested in supporting efforts in Washington State to be better focused on diversity recruitment to legal and judicial careers.

#### **Types of Pipeline Programs**

In Washington State, there are many secondary school pipeline programs. Each has its unique approach and targeted audience. They fall basically into three categories: (1) those that exist specifically to get minority, poor, and traditionally disenfranchised youth into legal and judicial careers; (2) those that address broader law-related careers; and (3) those that have multiple goals including exposure to legal and judicial careers and involve broader audiences but include minority, poor, and the traditionally disenfranchised.



There are many national diversity programs for secondary school students, some but not all with a Washington presence, which support diversity in the law and judicial systems. These include CLEO, Just the Beginnings Foundation, LSAC, Street Law, Inc., and others.

### **Sample Existing Middle and High School Pipeline Programs (see attached chart)**

#### **A. Seattle**

1. The Future of Law Institute of the King County Bar Association is the most focused effort aimed at diversity. High school students:
  - Attend substantive legal workshops at both Seattle University School of Law and the University of Washington Law School.
  - Participate in career counseling.
  - Participate in a mock trial and a courthouse tour.
  - Meet with legal professionals.
  - Partner with an attorney, judge, or law student mentor for the school year.
  - Have access to competitive paid and unpaid summer internships in law firms and courts.
  - Compete for a \$500 scholarship if they go on to higher education and \$1,000 if they go to law school.
  - Receive a newsletter with law-related scholarships, events, and interviews with local legal professionals.
2. Since 1990, the First AME Church in Seattle has offered an annual Youth and Law Forum. Now in partnership with the Loren Miller Bar Association, the city of Seattle, law enforcement, and other groups, this one-day program for youth and their families provides opportunities to interact with representatives of the legal community to gain firsthand information on how the legal system works for and with them.
3. The Gender and Justice Commission has sponsored the Color of Justice Program for young women and youth of color in secondary schools. This Program runs for just more than half a day. It consists of a keynote by female and minority leaders of the bar and judiciary, panel discussions with judges and lawyers sharing personal insights, and small group discussions over lunch. Variations include mock trials and other interactive activities that engage students and explore the role of the judiciary and lawyers in everyday life.
4. The Washington Young Lawyers Division of the Washington State Bar Association has offered a Pre-Law Conference in Yakima for the last 17 years for Eastern Washington high school students.

The conference workshops and speakers inspire at-risk youth and minority students to consider a legal career and to take active leadership roles in their communities and student governments, while creatively addressing hot button legal issues.

5. Street Law classes at both Seattle University School of Law and the University of Washington Law School exist in high schools in Seattle with high minority populations. These classes run for the semester and involve two hours per week taught by law students and a culminating mock trial.
6. The national Corporate Diversity Pipeline Program is organized through Street Law, Inc., and the Association of Corporate Counsel. This involves minority attorneys at corporations teaching lessons and leading activities to students who come to the corporation to see how corporation counsel work. Schools are selected upon the basis of their diverse population. In Seattle, Chief Sealth High School participates with Allstate Insurance.
7. Seattle Youth Traffic Court involves Garfield High School students in sentencing defendants who have received traffic citations in Seattle. A very diverse group of high school students from Garfield High School spend hours each week through the school year working as colleagues with judges, lawyers, law students, law professors, law enforcement, as they act as judges, prosecutors, defense attorneys, court staff, and jurors.
8. CLEO and Just the Beginning Foundation held a week-long high school summer institute at Seattle University Law School from 2009-2011. U.S. District Court Judge Richard Jones took a lead with this. However, Paula Lucas, Director of Just the Beginning Foundation reported in November 2012, that "we were unable to get enough community support and buy-in to continue to sustain our program there. That said, several of our partners and Judge Jones have been exploring ways for us to reconnect there."

#### B. Tri-Cities

Tri-Cities Youth Law Forum, sponsored by the Minority and Justice Commission, celebrated its tenth anniversary in October 2012. This forum focuses on judicial and legal careers as well as court reporters, interpreters, corrections officers, law enforcement, and others. This forum added an evening event in 2012 for students unable to attend the one-day forum. The forum itself is one day and approximately 200 eighth through twelfth graders attend. Mentorships are encouraged but there is no formal structure to ensure this happens.

#### C. Pierce County

Pierce County Youth and the Law Community Forum is sponsored by the Pierce County Minority Bar Association, the bench, prosecutors, defense attorneys, and law enforcement. This one-day program reaches 100-200 youth each year. The primary purposes are to change youth attitudes towards law enforcement, reduce

disproportionality minority confinement, and encourage respect for the law enforcement and judicial systems. The pipeline aspect is a by-product, but not a direct goal.

#### D. Spokane

1. Gonzaga Law School and the Spokane County Bar Association Diversity Committee offer a Color of Justice program in partnership with the federally funded Gear Up program for first-generation students who are identified in seventh grade and are part of the program throughout high school. These students are encouraged and supported to attend college with presentations on a wide variety of careers.
2. Spokane also has a Street Law program at Gonzaga Law School, although it varies from the Seattle University Law School and University of Washington Law School programs.

#### E. Other Programs

1. In addition, other programs in Washington operate such as the YMCA Mock Trial Competition, YMCA Youth Legislature, Judges in the Classroom, Street Law taught by judges, We the People, Youth Courts, and iCivics. These programs exist in many communities throughout Washington. Although they are not specifically a pipeline program, they do serve that purpose.
2. National database – the ABA operates a database of pipeline programs throughout the United States, with a wide variety of approaches and methods. (See attached chart.) They organize the programs by type, target audience, scope of participation, education level, and by state.

### **Intensity of the Focus on Legal and Judicial Careers**

There is a continuum of intensity of the focus where these pipeline programs fall. A one-half day program for diverse middle and high school students is at one end – planting the seed for possible fruition. At the other end are some of the college and law school programs cosponsored by the CLEO that teach how to prepare for the LSAT, how to write essays/personal statements, and sample programs on how to adjust to the rigors of law school.

#### **Question**

Where should this revised program fall on the end of the continuum – from planting a seed in a half-day program or a more intensified effort?

#### **Options for Consideration**

1. One option that I recommend is hosting a strategic planning event of the various pipeline programs and interested state and national parties (See attached chart). Joy Eckwood, Diversity Program Manager at the Washington State Bar, reported to me that she believes that WSBA would be very interested in co-hosting such an event. LSAC indicated that this is the type of program that they are interested in funding through their *Diversity Initiatives Fund General Grants*. (Grant application cycles are January 1, and June 1.)

The purpose of this strategic planning would be to introduce programs to each other, develop collaboration among individuals and organizations, eliminate duplication and maximize resources, identify what is lacking and work to involve resources, non-profit, government agencies, and the bar association in moving forward.

2. The Future of Law Institute (FLI) of the King County Bar Association offers the most significant and meaningful secondary school program that has as its specific focus to diversify the bar and bench (see above).

Another option is to enhance the FLI program and consider further expansion to the other diverse audiences and other geographical areas.

3. Another option is to consider a partnership with Gear Up, as the Spokane Color of Justice Program does. Gear Up is a federally funded program that identifies and supports first-generation, low-income students in going to college. The program identifies students in cohorts from seventh through twelfth grades, and works with them for this entire period.

This eliminates the need to recruit students and gives a long-term exposure to these students. Note though that legal and judicial careers are two of several careers that are presented at the sessions with students.

4. A major gap that I identified in Washington is the lack of pipeline programs at the college level. While groups at the college level do offer career days to diverse audiences, none is dedicated specifically to legal and judicial careers. CLEO offers a wide array of college programs but not in Washington – see attached chart. The programs range from awareness programs in college, four-week pre-law residential programs, assistance in taking the LSAT and applying to law school. LSAC offers the *discoverlaw.org* Web site that provides ongoing support to college students interested in possible law and judicial careers. I would recommend offering a program at the college level, in conjunction with CLEO and LSAC.

There are many options to consider. I think any or all of those set out above would have very positive outcomes.



## 2013 Diversity Pipeline Programs

Name	Purpose	Schedule and Length of Program	Nature of Program
<p>Future of Law Institute  <a href="http://www.futureofthelaw.org">www.futureofthelaw.org</a>                      Seattle, WA</p> <p>Sponsors:                      King County Bar Association; WA bench; state, local, and minority bar associations; law schools</p> <p>Contacts:                      Megan McCloskey, Chair 2012-2013                      Staff Liaisons, Christine Dreps, <a href="mailto:chrisd@kcba.org">chrisd@kcba.org</a>;                      Janielle Harris, <a href="mailto:janielleH@kcba.org">janielleH@kcba.org</a></p>	<p>Minority and economically disadvantaged high school students interested in learning more about legal and judicial careers.</p>	<p>Year-long; recruitment in early October through liaisons with schools from King County Bar Association members and from on-going program connections. Recruitment from business law and college preparation courses. 500 students from 25 schools 2002-2009, and 55 students participated in the summer internship in 2012.</p>	<p>Substantive legal workshops;                      Career counseling;                      Mock trial, courthouse tour;                      Meetings with legal professionals;                      Matched with attorney, judge, or law student mentor for the school year;                      Competitive paid and unpaid summer internships in law firms and courts;                      Parents' workshops;                      Scholarship of \$500 to attend a vocational school, community college, or a university and \$1,000 to attend law school; and                      FLI Newsletter with news of law-related scholarships, events and interviews with local legal professionals.</p>
<p>Color of Justice                      Sponsor:                      Gender and Justice Commission (GJCOM)                      Contact:                      Myra Downing, Executive Director  <a href="mailto:myra.downing@courts.wa.gov">myra.downing@courts.wa.gov</a></p>	<p>This program encourages minority and female students from grades six to twelve to consider law and judgeships careers.</p>	<p>Program has partnered with Seattle University Law School to bring Seattle secondary students to attend a program from 9 a.m. to 1 p.m.</p>	<p>GJCOM staff recruits students through contacts with schools.</p>

Name	Purpose	Schedule and Length of Program	Nature of Program
<p>First AME Church of Seattle's Youth and Law Forum <a href="http://www.fameattle.org/505296.ihtml">www.fameattle.org/505296.ihtml</a> Seattle, WA Sponsors: First AME Church, Loren Miller Bar Association, City of Seattle, law enforcement, and other groups Contacts: Katheryne Davis, Nancy Stephens, Judge LeRoy McCullough, <a href="mailto:leroy.mccullough@kingcounty.gov">leroy.mccullough@kingcounty.gov</a></p>	<p>The Youth &amp; Law Forum recognizes that decisions made as a youth contribute to future endeavors. The Forum strives to assist students in making decisions that lead to success.</p>	<p>One-day program of workshops, entertainment, and a relaxed forum where youth and their parents interact with representatives of the legal community to gain firsthand information on how the legal system works for and with them.</p>	<p>Partners recruit youth and families for this program that runs from 8 a.m. to 2 p.m.</p>
<p>Tri-Cities Youth Law Forum Pasco, WA Sponsors: Minority &amp; Justice Commission with partners Contact: Pam Dittman <a href="mailto:pam.dittman@courts.wa.gov">pam.dittman@courts.wa.gov</a></p>	<p>Focus on careers in the justice system – court reporter, interpreter, corrections officer, forensics officer, K-9 unit, judges, and lawyers. Promote connections of youth to judges, law enforcement, attorneys. Mentoring – encouraged but not structured.</p>	<p>One evening for youth with problems attending school and one day for students (more than 200 eighth to twelfth graders) with an interest in law, whom schools have recommended.</p>	<p>Schools recommend youth with an interest in the law to attend the forum. Educational Service District does the recruitment – told to focus on economic disadvantaged and youth of color.</p>
<p>Yakima Pre-Law Students' Leadership Conference Contact: Alma Zuniga, 2012 Chair, <a href="mailto:almaz@nwjustice.org">almaz@nwjustice.org</a></p>	<p>Purposes are to inspire all students to consider a legal career and to be leaders in their communities and student governments.</p>	<p>Day-long program at the Davis High School in Yakima. Welcome, breakfast, mock trial on hot-button legal issues, plus opportunities for networking and follow-up.</p>	<p>2012 was the 17<sup>th</sup> time the program was offered. About 50 high school students attended in 2012. Sponsorship is in flux.</p>

Name	Purpose	Schedule and Length of Program	Nature of Program
<p>Pierce County Youth and Law Community Forum  <a href="http://www.orgsites.com/wa/pcmba/">http://www.orgsites.com/wa/pcmba/</a>            Tacoma, WA            Sponsors:            Pierce County Minority Bar Association; Bench, Prosecutors, Defense Attorneys, and Law Enforcement            Contact:            Judge Frank Cuthbertson</p>	<p>Provide youth with positive exposure to law enforcement personnel, judges, attorneys, and other community role models.            Primary purposes are to effect an attitude change towards law enforcement, reduce disproportionality minority confinement, and encourage respect for law enforcement and justice system.            Pipeline is not a direct goal, but is a by-product.</p>	<p>One-day program in the spring: speaker, icebreaker in which youth meet and talk with law enforcement and other legal personnel.            Youth trained beforehand perform a skit from which a mock trial is organized in four to five courtrooms.            Prosecutors, judges, and defense attorneys work with the youth to prepare for the trials.            100-200 youth plus parents, teachers, and community leaders plus 40 law volunteers.</p>	<p>Community groups, parks departments, church groups, and other organizations recommend youth to participate, including youth who are doing well on probation.            Targeted to low income and minority high school students.</p>
<p>Corporate Diversity Pipeline Program, Partnership of Street Law, Inc., and Association of Corporate Counsel, with program at Chief Sealth High School,  <a href="http://www.streetlaw.org/en/programs/corporate_legal_diversity_pipeline_program">www.streetlaw.org/en/programs/corporate_legal_diversity_pipeline_program</a>            Seattle, WA            Contact:            Lee Arbetman, <a href="mailto:larbeman@streetlaw.org">larbeman@streetlaw.org</a></p>	<p>The design of this effort is to increase minority students' knowledge and interest in the law and legal careers.</p>	<p>Program partners corporate legal departments with nearby, diverse high school law classes. Corporate counsel teaches lessons and lead activities, including arranging field trips to corporate headquarters.</p>	<p>Street Law recruits schools through its law school network after a corporation has been recruited.</p>



Name	Purpose	Schedule and Length of Program	Nature of Program
<p>Gonzaga Law School</p> <p>Contacts: Susan Lee, Admissions Director, <a href="mailto:SLee@lawschool.gonzaga.edu">SLee@lawschool.gonzaga.edu</a> and John Sklut, <a href="mailto:jsklut@lawschool.gonzaga.edu">jsklut@lawschool.gonzaga.edu</a></p> <ol style="list-style-type: none"> <li>1. Color of Justice (twice) with Spokane County Bar Diversity Committee – partners with Gear Up - Gaining Early Awareness and Readiness for Undergraduate Programs – for first generation, low income students.</li> <li>2. Street Law – LSAC funds program as a student club.</li> </ol>		<p>Gear Up accepts cohort at seventh grade through high school low-income, first generation students and exposes them to multiple careers and provides support to get to college. Law school is one career.</p>	
<p>Seattle University School of Law</p> <p>Contacts: 1. Whitney Earles, <a href="mailto:wearles@seattleu.edu">wearles@seattleu.edu</a> Collaborates with Alaska's Color of Justice Program 2. Street Law and Youth Traffic Court Margaret Fisher, <a href="mailto:fisherm2@seattleu.edu">fisherm2@seattleu.edu</a></p>		<ol style="list-style-type: none"> <li>1. Partners with Alaska's AOC and others to offer two programs (a) with Mt. Whitcumbe High School in Sitka AK, a residential high school for diverse students and (2) Anchorage program at the University of Alaska.</li> <li>2. Law students teach two hours per week in area high schools for one semester, with culminating mock trials. High school student's sentence peers for traffic violations.</li> </ol>	

Name	Purpose	Schedule and Length of Program	Nature of Program
University of Washington Law School Contacts: 1. Michelle Storms, Alaska Color of Justice <a href="mailto:mestorms@u.washington.edu">mestorms@u.washington.edu</a> 2. Julia Gold, Street Law <a href="mailto:julgold@u.washington.edu">julgold@u.washington.edu</a>		1. Participates in FLI and Alaska's Color of Justice program – recommends strategic planning meeting and will help in whatever way is needed. 2. Law students teach in area high schools for two quarters.	
Just the Beginning Foundation <a href="http://www.jtbf.org">www.jtbf.org</a> Contact: Paula Lucas, Executive Director <a href="mailto:plucas@jtbf.org">plucas@jtbf.org</a>	Pipeline programs directly aimed at inspiring young students and increasing diversity in the legal profession and judiciary.	Partnered with CLEO for Summer Institute for High School Students in Seattle.	Middle School and High School Summer Legal Institutes; Advanced Summer Legal Institute; law student externships; law student scholarships; programming in schools that target under-served and minority high school and college students, and biennial conferences that bring together diverse legal leaders of local communities.
WSBA Contacts: Megan McNally – Justice & Diversity Initiatives, Foundation Director and Director of development. <a href="mailto:joye@wsba.org">Joy Eckwood, joye@wsba.org</a>		Does not offer a pipeline program but will partner with organization(s) based on who it is and criteria that is under development.	Possible interest in being a convener or co-convener of strategic planning meeting on pipeline programs in Washington.

Name	Purpose	Schedule and Length of Program	Nature of Program
<p>ABA Council on Legal Education Opportunities,  <a href="http://www.cleoscholars.com/">www.cleoscholars.com/</a>  Sponsor: American Bar Association  Contact: Bernetta Hayes,  <a href="mailto:Bernetta.Hayes@americanbar.org">Bernetta.Hayes@americanbar.org</a>  Based in Chicago and partners with programs throughout the USA</p>	<p>Expand opportunities for minority, low-income, and disadvantaged students to attend law school</p>	<p>Partnered with Just the Beginning Foundation for Summer Institute for High School Students in Seattle</p>	<p>High School and College:</p> <ul style="list-style-type: none"> <li>• Pre-law students in college.</li> <li>• CLEO/Thurgood Marshall The Road to Law School; Sophomore Super Saturdays; Juniors Jumpstart the LSAT; and Achieving Success in the Application Process pre-law seminars designed especially for undergraduate students.</li> <li>• College Sophomore Summer Institute: four-week residential pre-law program; Ambassadors distribute information on campus &amp; receive a stipend.</li> <li>• Six-Week Summer Institute for graduating college students planning to attend college.</li> <li>• Achieving Success In The Application Process for juniors, seniors &amp; graduate student to provide tools to understand application process &amp; become competitive law school applicants.</li> <li>• Attitude is Everything – college graduates who have been accepted into an ABA-</li> </ul>

		<p>accredited law school. Graduate School (not law school) Law School.</p>
<p>Law School Admissions Council (LSAC) Contacts: Yessenia Garcia Lebron, <a href="mailto:ygarcia@LSAC.org">ygarcia@LSAC.org</a> Yusef Abdul-Kareem, <a href="mailto:YAbdul-Kareem@lsac.org">YAbdul-Kareem@lsac.org</a></p>	<p>Gives money to FLI and Spokane Color of Justice program as well as funding Alaska's Color of Justice Program through Seattle University Law School.</p> <p>LSAC is interested in bringing people and organizations together not to compete but to maximize resources— identify where there are duplications and what is lacking. Prefers providing resources and networking groups. Lots of collaborations with undergraduate and law schools.</p> <p>See <a href="http://discoverlaw.org">discoverlaw.org</a> to provide college students with an on-going connection once event is over – all LSAC programs must include registration on the Web site.</p> <p>Interested in Washington having a strategic planning meeting and there may be funding to implement a plan – two funding cycles on January 1, and June 1, highly competitive</p> <p>ABA's Diversity Pipeline Resource Manual (funded by LSAC) <a href="http://apps.americanbar.org/abanet/op/pipelineDir/search.cfm">http://apps.americanbar.org/abanet/op/pipelineDir/search.cfm</a></p> <p>I. Type of pipeline program:</p> <ul style="list-style-type: none"> <li>• Student-oriented conference and class year round.</li> <li>• Student-oriented conference and class summer only.</li> <li>• Law school and career information.</li> <li>• LSAT preparation program.</li> <li>• Study skills, tutoring and academic support.</li> <li>• Moot court.</li> <li>• Mentoring/advising service.</li> <li>• Scholarships and financial aid assistance.</li> <li>• Internships and hands-on experiences.</li> <li>• Clerkship.</li> <li>• Bar passage programs.</li> <li>• Parents focused program.</li> <li>• Other.</li> </ul>	

<p>2. Target audiences:</p> <ul style="list-style-type: none"> <li>• African American/Black.</li> <li>• Asian American.</li> <li>• Latino.</li> <li>• Native American.</li> </ul> <p>3. Scope of participation:</p> <ul style="list-style-type: none"> <li>• Open to a general or national audience.</li> <li>• Restricted to an institution, community, or defined audience.</li> </ul> <p>4. Education level:</p> <ul style="list-style-type: none"> <li>• Early intervention (pre high school).</li> <li>• High School.</li> <li>• 2-year post-secondary (community college, junior college, etc.).</li> <li>• 4-year post-secondary college and universities.</li> <li>• Law school.</li> <li>• Returning students and adult career change.</li> </ul> <p>5. Washington programs:</p> <ul style="list-style-type: none"> <li>• Future of Law Institute.</li> </ul>	
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You are invited to a CLE titled:

**“Assessing Race, Ethnicity, and Justice in Washington State”**

Thursday, April 11, 2013  
12 Noon to 1:30  
Seattle City Hall  
Room L280, 600 4<sup>th</sup> Avenue, Seattle, WA

Dr. Carl McCurley will speak about juvenile court disproportionate minority contact (DMC), multi-systems contact, and the 2012 Justice in Washington State Survey findings. He will be joined by members of the Washington State Minority and Justice Commission to discuss with participants how the growing amount of current research is being used and what are some of the “next steps” in addressing DMC.

Carl J. McCurley, Ph.D., works for the Administrative Office of the Courts (AOC) as the Center for Court Research Manager. He came to the AOC in March 2006 from the National Center for Juvenile Justice, where he worked on topics related to juvenile problem behaviors such as violent offending, violent sex offending, domestic violence, and substance use.

His evaluation experience includes an evaluation of the Pennsylvania Bureau of Juvenile Justice Services’ aftercare program. Dr. McCurley authored the 2006 report, *Self-Reported Law—Violating Behavior From Adolescence to Early Adulthood in a Modern Cohort*, for the National Institute of Justice. He has extensive experience with the analysis of survey data and data from official sources, such as courts and law enforcement agencies.

Dr. McCurley holds a B.A. in government from the University of Texas and a Ph.D. in political science from Indiana University.

This session is being co-sponsored by the  
Washington Defender’s Association and the  
Washington State Minority and Justice Commission.



## **Justice Steven González challenges Latino students to rise above bias**

By Rufus Woods  
March 25, 2013

Washington State Supreme Court Justice Steven González challenged local Latino students to find constructive ways to overcome negative racial stereotypes during a speech at Diversity Justice Day for Youth at Wenatchee Valley College on Monday.

Some people perceive Latinos as lazy, criminal, illegal uneducated and unable to speak English and will judge them on those biases rather than on the merits of the individual, said González. "Each one of us has a responsibility to to change that," he told the students and urged them to avoid conforming to that stereotype and do what it takes to succeed.

González has a background that many Latinos here can relate to. He found the inspiration to go to college when cleaning public toilets as a young man and decided he wanted a better life. He was the first person in his family to go to college and then proceeded on to law school and a career in civil and criminal law, including 10 years as a King County superior court judge.

More than 250 students attended the day-long event to explore potential careers in law enforcement and the justice system. González was the keynote speaker.

González was appointed to the Supreme Court in 2011 and was elected last November, but how that 2012 election played out reflects the racial attitudes that exist in this state. González was forthright and direct as he analyzed the results and what they mean.

Even though he won 60 percent of the votes statewide, 29 of the 39 counties (including all Eastern Washington counties) went for his opponent, Bruce Danielson, despite the fact that Danielson had limited qualifications, never campaigned, had no endorsements and was not even supported by his own local bar association. González' campaign spent a record amount of money for a judicial race to get the word out and had the endorsement of every newspaper (including The World). Despite the overwhelming difference in experience and qualifications, Danielson had a higher percentage of the vote in some counties than Rob McKenna did against Inslee in the governor's race.

González also spent time talking to the students about seizing opportunities and accepting responsibility. He told the young men that being macho doesn't mean fighting or dressing a certain way, but instead it's "having the courage to do the right thing, even when it is not popular," he said. To the women, he talked about seeking their dreams and going to college. "You will encounter those who doubt you and call you names," said González, but encouraged them to turn that into a positive by proving those people wrong by achieving more in their lives.

Finally, he spoke about the need for immigration reform in this country. He described the system as broken and has "added to the bias that we face as Latinos. It's our duty to fix the broken immigration system."

These are messages and perspectives that all of us in North Central Washington need to take note of and acknowledge. While race relations in this region are not nearly as toxic as other areas of the state or country, biases still exist and it's something that we need to continue working on. The Latino population here is changing and evolving, with many taking on civic leadership positions, running for public office, contributing on boards and in other aspects of civic life. We should take González's words as a challenge to all of us to break down barriers, confront the biases and build a stronger society based on merit rather than skin color.





## **Feds probing Seattle schools' treatment of black students**

Originally published March 5, 2013

By Keith Ervin and Maureen O'Hagan

Seattle Times staff reporters

As the U.S. Department of Education investigates whether Seattle Public Schools discriminated against African-American students by disciplining them more frequently and more harshly, Superintendent José Banda promises to find solutions.

The numbers are stark, although Seattle school administrators and many parents have been aware of them, and troubled by them, for years.

African-American students are suspended from school more than three times as often as white students from elementary schools to high schools.

More than one-fourth of black middle schoolers have received short-term suspensions every year since 1996. Native Americans are disciplined more often than Asian Americans and Pacific Islanders.

Now the U.S. Department of Education is investigating whether Seattle Public Schools discriminates against African Americans by disciplining them "more frequently and more harshly than similarly situated white students," department spokesman Jim Bradshaw said Tuesday.

The "compliance review" began in May but didn't become public knowledge until it was reported Tuesday by KUOW radio.

District Superintendent José Banda acknowledged problems with student discipline — and said he intends to do something about them.

Banda pledged cooperation with the investigation and said he expects the Department of Education will find disproportionate disciplining of black students.

"I think we have a serious problem here," Banda said. "We do. We acknowledge that. We acknowledge the fact that the data is clear that there is a disproportionate number of students of color being suspended and expelled.

"It's something that we're moving on, in addition to working with the Department of Education, who are conducting their own review," he said.

Seattle Public Schools has set up two advisory committees — one called Positive Climate and Discipline, the other Equity and Race — that are studying disproportionality in discipline.

Banda said he didn't know how long the federal compliance review will take, and the Department of Education's Bradshaw declined to provide additional information.

In September the department settled its first discipline-related compliance case in years when it reached an agreement with California's Oakland Unified School District.

Oakland school officials agreed to avoid suspensions or expulsions as much as possible; to collaborate with experts to create positive, nondiscriminatory school climates; to give more help to at-risk students; to revise discipline policies; and to survey students, staff members and families each year.

James Bible, president of the Seattle-King County branch of the National Association for the Advancement of Colored People, welcomed the federal investigation, saying uneven treatment of races is "so deeply embedded in the fabric of this particular school district, and perhaps others in our region, that it's absolutely necessary for outside entities to intervene.

"I think that until we have true transparency and something in place in terms of the outside looking in, we're not going to see much in terms of change here," Bible said.

Doug Honig, spokesman for the American Civil Liberties Union of Washington, said the group is concerned about the 50,000 students suspended or expelled in the state each year, both because of racial disparities and because too many of those students receive no education while they're being punished.

"In effect, the suspension or expulsion can put them so far behind in schoolwork that it becomes an educational death sentence," Honig said.

About two years ago, Seattle's School Board asked to see statistics on expulsions.

"Those numbers showed us we had a growing problem," said board President Kay Smith-Blum. "They showed a disproportionate amount of students being disciplined at the suspension or expulsion level in our minority groups."

Banda and several board members said discipline policies should be clear and consistent and should, in most cases, provide a way for students to continue their studies even if they are removed from their regular classrooms.

"The goal should be, obviously, to get every kid in school so that we can teach them. It's hard to teach a student who's not in school," said board member Harium Martin-Morris.

Board member Marty McLaren said she wants to shut down the "schools-to-prison pipeline" that can begin with inappropriate discipline.

Several board members and a district spokeswoman said they weren't aware of the federal investigation, which began last year. "I just became aware of that myself," Banda said.

The district's new attorney, Modessa Jacobs, recently told other district officials the Department of Education was requesting district data as part of its review.

Stephanie Alter Jones, a parent and community organizer in Southeast Seattle, said that while she wasn't aware of the investigation, discipline has been a topic of much debate both in Seattle and in the Legislature.

Kids who are tossed from the classroom are often "the ones most in need of the education," she said.

# **In Our View: Modernizing Justice**

## **Focus on local juvenile offenders shifts from punishment to rehabilitation**

Published February 5, 2013

Clark County is embarking on a new system of juvenile justice that avoids incarceration for low-risk offenders, and the decision is backed by solid, positive results already established elsewhere in the state. In a typical year, more than two-thirds of incarcerated (more than four hours) juvenile offenders have not committed felonies and present no danger to public safety, which poses the question: Why are they locked up? The easy answer: They don't always have to be. But system reform requires a modern approach based on sophisticated analysis of each case and careful use of alternatives such as community service, house arrest, weekend programs, electronic monitoring and alternative schooling.

Nine local agencies — mostly justice- and law-enforcement-related — signed a memorandum of understanding last summer to adopt the Juvenile Detention Alternatives Initiative, or JDAI, which is drawing praise in nine other Washington counties. And judging by the capacity crowd at a local meeting Wednesday, support is growing for the program that should be in place in four to six months.

It's unknown if JDAI will yield direct cost savings for taxpayers. Although other counties have not been closing juvenile detention facilities or reducing staffs, they have reduced overcrowding and avoided the need to expand facilities. But long-term gains include effective rehabilitation of juvenile offenders, repositioning them on education tracks and preventing them from becoming career criminals, plus success in the humanitarian pursuit of turning wayward teens into productive adults.

In the nine Washington counties that have adopted JDAI, youth incarcerations have been reduced by 58 percent in recent years, and juvenile rehabilitation commitments have dropped 54 percent, all without jeopardizing public safety. These triumphs are achieved because the approach has changed from punishment to restoration. Keeping low-risk juvenile offenders out of detention facilities keeps them away from the negative influences of felony offenders.

JDAI was launched 15 years ago by the Annie E. Casey Foundation and has been adopted by 24 states, including Washington in 2004. It follows eight core strategies: collaboration of local agencies; statistically driven policies and case-level work; objective detention decisions; a broad variety of non-secure detention alternatives; more efficient case processing; improved confinement conditions; reduced special populations such as probation violators; and racial and ethnic fairness in policy and case-level decisions.

When JDAI began in Seattle, skeptics called it "a big jail break," but the clearly quantified benefits have quelled the critics.

It's good to see Clark County prosecutors and justice and law-enforcement officials collaborating on a modern approach to dealing with low-risk teens such as truants and runaways, plus those needing mental health or substance abuse services.

With careful monitoring and the flexibility to adjust along the way, JDAI could make a big difference in Clark County.

<http://www.columbian.com/news/2013/feb/05/modernizing-justice/>



**Washington Courts: News and Information**  
**Margaret Fisher Recipient of Sandra Day O'Connor Award for Civics Education**  
**February 04, 2013**

**Washington State Court Leader Named Recipient of**  
**2012-2013 Sandra Day O'Connor Award for Civics Education**

**NCSC recognizes Margaret Fisher for three decades of civics education work**

**Williamsburg, VA (Feb. 1, 2013)** Margaret E. Fisher, court program analyst with the Washington State Administrative Office of the Courts and Distinguished Practitioner in Residence at the Seattle University School of Law, has been named the 2012-2013 recipient of the Sandra Day O'Connor Award for the Advancement of Civics Education by the National Center for State Courts (NCSC). The award honors an organization, court, or individual who has promoted, inspired, improved, or led an innovation or accomplishment in the field of civics education related to the justice system. The date and location of the award presentation has not been determined.

"The sheer breadth of Margaret Fisher's work in the field of civics education, which spans more than 35 years, is so worthy of recognition," said NCSC President Mary C. McQueen. "Through her steadfast commitment, Margaret has made a difference to so many. She has developed innovative programs for school children, college students, juvenile offenders, prison inmates, immigrants and more. Margaret's perspective is that everyone, including society, benefits from a strong civics education program, which she delivers."

Throughout her career as an attorney and educator, Ms. Fisher has brought civics education to thousands of students and raised the bar on how it is taught. She began her career at Georgetown University Law Center, where she conducted the Street Law Program in which law students teach civics education programs in prisons. After moving to Washington State in 1982, Ms. Fisher launched the Street Law program at Seattle University School of Law. This program continues today. More than 25,000 high school students in Washington State have benefited from this semester-long program.

In 2003, Ms. Fisher established a new version of Street Law, in which judges commit to teach civics once a week in a high school. She also developed lesson plans for Washington State Courts' flagship civics education program, *Judges in the Classroom*, where K-12 teachers request judges for classroom visits. In 2009, she became the Washington State coordinator for iCivics, retired Supreme Court Justice Sandra Day O'Connor's web-based program. In addition, Ms. Fisher, a Senior Fullbright Scholar, introduced Street Law to Southern Africa.

Ms. Fisher's accomplishments and contributions are far-reaching. "I have seen Ms. Fisher work tirelessly to strengthen judicial participation in civics education," wrote Washington State Chief Justice Barbara Madsen in a letter of recommendation. "She actively conducts civics education programs with youth, and she has created one of the most innovative programs involving judges in the education of youth in civics and judges in partnership with teachers to teach Street Law course in high schools."

Ms. Fisher also served as an advisor to the NCSC during the development of its *Justice Case Files* graphic novel series, which teaches civics education to elementary, middle and high school children.

This is the third year the O'Connor Award has been presented. The first recipient was South Carolina Chief Justice Jean H. Toal and last year's winner was the Louisiana Center for Law and Civic Education. The award is named for retired U.S. Supreme Court Justice Sandra Day O'Connor in honor of her commitment to improving civics education. Since retiring from the bench in 2006, Justice O'Connor has become a tireless advocate of civics education, working to increase awareness and understanding of how our government works. She also established iCivics, a program that uses Web-based educational tools to teach civics education and to inspire students to be active participants in society. **Justice O'Connor personally approves the selection of each recipient.**

*The National Center for State Courts, headquartered in Williamsburg, Va., is a nonprofit court reform organization dedicated to improving the administration of justice by providing leadership and service to the state courts. Founded in 1971 by the Conference of Chief Justices and Chief Justice of the United States Warren E. Burger, NCSC provides education, training, technology, management, and research services to the nation's state courts*

**National Center for State Courts, 300 Newport Avenue, Williamsburg, VA 23185-4147**

## County explains alternatives to juvenile detention

Published Friday, February 1, 2013

By Patty Hastings -Columbian staff writer

Clark County has launched an initiative aiming to move low-risk youth out of secure detention and back into the community through alternative programs.

The leaders of the Juvenile Detention Alternatives Initiative spoke to a full house Wednesday afternoon at the Public Service Center. They talked about how it aligns with the county's already-progressive stance on juvenile incarceration.

"Sometimes that sort of concept can make law enforcement nervous, but not in this community," said Prosecutor Tony Golik.

This nationwide initiative spans 200 jurisdictions in 40 different states; it's the largest of its kind. Clark County adopted the initiative last year and has since been collecting data and laying program groundwork.

About 70 percent of Clark County's incarcerated youths did not commit felonies and presented no danger to public safety, according to a 2012 survey of local juvenile records.

Rand Young, a former Spokane County Court administrator, said that two decades ago, detention centers were overcrowded and overrepresented youth of color. Even though the youth crime rate was falling, the incarceration rate was rising. When the initiative was introduced in King County, it was considered "a big jail break" by opponents, he said.

The initiative, however, has proved wildly successful around the state.

Since the state adopted the program, youth incarceration populations dropped 58 percent, juvenile rehabilitation commitments decreased 54 percent and felony petitions saw a 57 percent decrease -- all without compromising public safety.

Alternatives to secure detention include community service, house arrest, weekend programs, electronic monitoring and alternative schooling.

"It makes a lot of sense when you think about it," Young said.

The hope is to influence lower-risk youths before they potentially wind up in prison as adults.

Putting these kids in detention with felons is detrimental, Young said, because it starts a downward spiral toward more criminal behavior. When youths who have committed misdemeanors or missed a court date are in detention, they're away from school, which can be a stabilizing environment.



Camas School District Superintendent Mike Nerland said he's worked with students who could have benefitted from the initiative and having a mentor.

"I know their futures would have been different," he said.

Those arrested while in high school are twice as likely to drop out and four times as likely to quit school once they visit court, he said.

The initiative changes the conversation and changes the focus of the juvenile justice system from punishment to restoration by giving offenders self-worth and showing them they can have a positive impact in the community.

A data-driven assessment would determine which offenders would qualify for alternative programs and which would pose a potential danger or flight risk; those high-risk youths remain in secure detention.

The alternatives program should be up and running in four to six months, said Jodi Martin, juvenile court program coordinator for the county.