

MINORITY AND JUSTICE COMMISSION

GONZAGA UNIVERSITY SCHOOL OF LAW
721 N. CINCINNATI STREET – ROOM 227, SPOKANE, WA 99202
FRIDAY, SEPTEMBER 28TH, 2018
9:00 A.M. – 11:45 A.M.
JUSTICE MARY YU, CO-CHAIR
JUDGE G. HELEN WHITENER, CO-CHAIR

VIDEO CONFERENCE: <u>HTTPS://ZOOM.US/J/783808975</u>
Teleconference: 1-669-900-6833 or 1-646-8769923

Passcode: 783808975

AGENDA

CALL TO ORDER 9:00 – 9:05 a.m. (5 minutes)

- Welcome
- > Approval of June 29th, 2018 Meeting Minutes

CO-CHAIRS' REPORT 9:05 – 9:25 a.m. (20 minutes)

- Welcome Judge Whitener as new co-chair
- Welcome Chanel Rhymes MJC Court Program Analyst
- > Welcome new Commission Members
- > 2017-18 Annual Report
- Welcome new Law Student Liaisons

PRESENTATIONS AND Q&A 9:25 – 9:55 a.m. (30 minutes)

- > Local Announcements & Updates Kitara Johnson
 - Spokane Reginal Law & Justice Council Race and Equity Committee
 - Development of Anchor Team

STAFF REPORT 9:55 – 10:15 a.m. (20 minutes)

- > Staff Report Chanel Rhymes & Cynthia Delostrinos
 - Courts Engaging Communities Grant Jury Diversity
 - LFO Grant
 - o Shout-outs
- Upcoming Youth Events:
 - o Color of Justice Thurston County: October 16th @ Thurston County Superior Court
 - o Color of Justice Yakima: November 2nd @ Yakima County Juvenile Court, Yakima, WA
 - o Tri-Cities Youth and Justice Forum: November 2nd @ Columbia Basin College, Pasco, WA
- Pretrial Reform Task Force Intisar Surur (via phone-in)

COMMITTEE REPORTS 10:15 – 11:45 a.m. (75 minutes – 15 minutes each)

➤ Jury Diversity Task Force – Travis Stearns 10:30 – 10:45 a.m.

- **Education Committee Justice Debra Stephens and Judge Lori K. Smith** 10:45 11:00 a.m.
 - o 2018 Programs
 - Institute for New Court Employees: October 15-18, 2018, Oxford Suites, Yakima, WA
 - Understanding Our Diverse Communities Cultural Competence Faculty: Jessica Gurley and Laurie Tuff
 - Faculty Development: November 5-8, 2018, AOC, Olympia, WA
 - o 2019 Programs
 - Judicial College: January 27-February 1, 2019, Heathman Lodge, Vancouver, WA
 - Emerging Through Bias: Towards a More Fair and Equitable Courtroom Faculty: Judge Veronica Alicea-Galván and Judge G. Helen Whitener
 - Appellate Spring Program: March 24-27, 2019, Alderbrook, Union, WA
 - Superior Court Administrators' Spring Program: April 28-30, 2019, Spokane, WA
 - Superior Court Judges' Spring Program: April 27- May 1, 2019, Davenport Grand, Spokane, WA
 - Managing Immigrant Families and Non-English Speakers in Family Law: What Judges Need to Know & What You Can Do – IFJC & MJC
 - Legal Financial Obligations (LFOs) Update on the law, available tools, research results from 1) an analysis of Washington State LFO data and 2) the national perspective on LFO reform and litigation - MJC
 - District and Municipal Court Judges Spring Program: June 2-5, 2019, Skamania Lodge, Skamania, WA
- ➤ Tribal State Court Consortium Judge Lori K. Smith 11:00 11:15 a.m.
 - Annual Meeting
- ➤ Outreach Committee Lisa Castilleja and Judge Michael Diaz 11:15 11:30 a.m.
 - o The Dignity, Fairness, and Respect PSA video
- ➤ Workforce Diversity Committee Judge Bonnie Glenn and Judge Veronica Alicea-Galván 11:30 11:45 a.m.
 - Update: Seattle hosting National Consortium on Race and Ethnic Fairness in the Courts Conference

Law Student Liaison Orientation 1:30 – 2:30 p.m.

Next MJC meeting: Friday, November 30, 2018, 8:45 am – 2 pm, AOC SeaTac Office - 18000 International Blvd. Suite 1106 SeaTac, WA 98188

Please complete, sign, and submit your travel reimbursement forms to staff before you leave. Reimbursement form included in the meeting packet.

The Pursuit of Justice: Law, Leadership, and the Role of the Civil Rights Activist

The Center for Civil and Human Rights Gonzaga University School of Law

Friday, September 28, 2019

Minority and Justice Commission Meeting (catered breakfast - Room TBD)

9:00 to 11:45 AM

Lunch (Herak Room)

12:00 to 1:15 PM

Keynote Address: The Honorable Mary Yu, JD, Washington Supreme Court

Panel 2: Interdisciplinary Avenues to Justice

1:30 to 3:00 PM

The purpose of this panel is to explore the concerns, benefits, and possibilities of using an interdisciplinary approach to achieving justice for marginalized individuals and groups. The work of lawyers and legal scholars is increasingly informed by a wide range of research and considerations from disciplines other than law. The social sciences, medicine, business, political science, and the humanities have influenced—or at the very least challenged—how legal decisions are made, what law schools teach, and how lawyers practice law. The emergence of interdisciplinary scholarship and the explicit recognition of non-legal perspectives on the law, however, is not without contention. The interdisciplinary approach challenges normative theories of legal formalism and the notion that the law in theory and in practice is a distinct discipline. This panel will explore some of these concerns, as well as propose new ways of thinking about law and legal practice that draws on the theories, methodologies, and practical applications of disciplines other than law.

Moderator: Laurie Arnold, PhD, Director of Native American Studies, Associate Professor of History, Gonzaga University

Panelist:

- 1. Alexes Harris, PhD, Presidential Term Professor, Department of Sociology, University of Washington
- 2. Jeffrey Omari, JD/PhD, Visiting Assistant Professor, Gonzaga Law School
- 3. Rachel Safren, MD, Professor of Medicine, University of Washington School of Medicine
- 4. Tirien Steinbach, JD, Executive Director, East Bay Community Law Center

Break

3:15 to 3:30 PM

Panel 3: The Future of Social Justice Lawyering

3:30 - 5:15

The purpose of this panel is to consider the future of social justice lawyering. The panel will consist of faculty and administrators who direct a center or project or otherwise promote a social justice approach to legal education. Lawyers have always played a critical role in major civil rights movements—desegregating the South, promoting women's rights, battling for marriage equality—often by using the Constitution as a sword to challenge official

actions and policies. The question of whether this strategy remains an effective approach, however, is under debate, especially as the legal landscape continues its gradual shift under our Supreme Court. As the number of social justice concerns in the national spotlight continues to grow—from Black Lives Matter, to the #MeToo Movement, to Immigration, to Wrongful Convictions, and on—the question of how best to be an advocate for the marginalized and underserved remains at the forefront. The panelists will draw on their experience and offer their insight about social justice lawyering and the direction it may take.

Moderator: Jason Gillmer, JD/LLM, Hemmingson Chair in Civil Liberties and Professor of Law, Director of the Center for Civil and Human Rights, Gonzaga Law School

Panelist:

- 1. Robert Chang, JD, Professor of Law, Executive Director of the Korematsu Center, Seattle University Law School
- 2. Justin Hansford, JD, Associate Professor of Law, Executive Director of the Thurgood Marshall Civil Rights Center, Howard University Law School
- 3. Jacqueline McMurtrie, JD, Professor of Law, Founder of the Innocence Project Northwest, University of Washington Law School
- 4. Carla D. Pratt, JD, Dean and Professor of Law, Washburn University School of Law

Reception and Dinner (Volkar Room)

5:30 to 8:00 PM

Keynote Address: Kenneth Mack, JD/PhD, Lawrence D. Biele Professor of Law and Affiliate Professor of History, Harvard Law School



Washington State Minority and Justice Commission (WSMJC)

Friday, June 29, 2018 8:45 am – 2 pm AOC SeaTac Office

18000 International Blvd., Suite 1106, SeaTac, WA Teleconference: 1-877-820-7831

Passcode: 358515#



MEETING NOTES

Commission Members Present

Justice Charles Johnson, Co-Chair Justice Mary Yu, Co-Chair Judge Veronica Alicea-Galvan Judge Lisa L. Atkinson (phone) Professor Lorraine Bannai

Jeffrey Beaver Ann Benson Diana Bob

Professor Robert Boruchowitz (emeritus)

Professor Robert Boruc Lisa Castilleja Judge Faye Chess Steve M. Clem Judge Linda Coburn Lieutenant Adrian Diaz Judge Lisa Dickinson Anthony Gipe Annie Lee

Annie Lee Karen Murray Jasmin Samy P. Diane Schneider Judge Lori K. Smith Travis Stearns

Judge Helen Whitener

AOC Staff Present

Cynthia Delostrinos Nichole Kloepfer

Guests

Elly Krumwiede, WA Supreme Court Library Diana Garcia, Columbia Legal Services Shaunita Felder, Extern to Justice Debra Stephens
Michael McCorkle, Seattle University
Hyun-Mi Kim, Seattle University
Noe Merfeld, Seattle University
Jacob Walsh, Seattle University
Masih Fouladi, CAIR – WA
Amanda Misasi. CAIR – WA

Student Liaisons Present

Briana Oretga Catalina A. Saldivia Lagos

CALL TO ORDER

The meeting was called to order at 8:45 a.m.

April 16, 2018 meeting minutes are approved as amended.

CO-CHAIRS REPORT

2018 MJC Symposium Debrief

• The Symposium had over 150 attendees, and more watching both in Spokane and through TV-W's live streaming. A recording of the Symposium can be viewed here.

- The court was presented with new research on LFOs and racial disproportionality from Dr.
 Alexes Harris from the UW. They also heard an update from the LFO Stakeholder Consortium,
 the group that was formed using the funds from the Department of Justice's Price of Justice
 grant initiative.
- Judge Coburn gave a demonstration of the LFO Calculator, which is now available for anyone to use. The website is http://beta.lfocalculator.org/
- Judge Walden and Trish Kinlow reported from Tukwila Municipal Court, about <u>King County's Unified Payment Program</u> and community service and alternatives to sanctions.
- The feedback from the symposium included: a majority of the attendees had never been to a symposium before, nearly all indicated they enjoyed the symposium and would attend again in the future. Some of the key takeaways include, "the current system is abusive, excludes people from full participation in society far longer than justified, disenfranchises minorities, and affects a person's ability to put their conviction behind them." Also, "It is heartening to hear that there are people in Washington working to change this, courts are really taking the issue seriously, and there is growing appreciation of the impact of LFOs."

Judicial Branch Policy Goal

• The Washington Supreme Court recently adopted a new <u>Judicial Branch Policy Goal</u> that specifically states the goal to "identify and eliminate bias-based practices and procedures that deny fair treatment for persons due to their race, gender, ability or other personal characteristics unrelated to the merits of their cases."

Spokane Youth & Justice Forum

- The current co-chairs of the Spokane Y&J Forum (Eric Roth and Gloria Ochoa) stepped down from forum planning. Historically, it was supported by former Commission member Joyce McCown. Currently, we don't have any Spokane Commission members involved.
- Are there any Commission members in Spokane that want to be involved in planning this event?
 The Commission will be in Spokane in September for their next meeting. Judge McCullough
 offered to schedule a meeting with folks in Spokane who might be interested in taking on the
 Youth and Justice Forum for 2019.

ACTION: Justice Yu will send a letter to Ms. Ochoa acknowledging the Commission's role in the Youth and Justice forums.

Federal Way Municipal Court's Jury Diversity Efforts

• The Jury Diversity Commission in Federal Way asked the Commission to join them at an event in Federal Way on August 18 called the "Flavor of Federal Way." They have been working on community engagement strategies to increase jury diversity. These efforts were in response to last years' symposium around Jury Diversity, where Federal Way came in close to last in whether the demographic makeup of their jury pools was reflective of their community.

ACTION: Cynthia will forward the invite to the Commission.

LFO Recommendations from Sentencing Guidelines Commission

- The Commission received a request from Judge Catherine Shaffer on behalf of the Sentencing Guidelines Commission to provide a formal endorsement of recent recommendations on LFOs. The memo of recommendations was included in the packet. The decision was made to support the recommendations of the SGC.
- Some concern was raised around prioritization of insurers, as some believed that individual victims should be prioritized over insurance companies as victims.
- Justice Yu asked for a vote to support the recommendations. Recorded as a unanimous vote.

ACTION: Justice Yu will draft a letter of support on the SGC's LFO recommendations.

MJC Court Program Analyst Position

• There were 21 applicants for the position. Cynthia is currently reviewing the applicant materials and will be scheduling interviews in the next couple weeks.

PRESENTATIONS & REMARKS

Administrative Juvenile Record Sealing Model Protocol -- Diana Garcia, Columbia Legal Services

- TeamChild and Columbia Legal Services have been working on a model protocol for the automatic sealing of juvenile records. Open records cause barriers to employment and housing.
- Youth are eligible to have their records sealed and do not have to be present in court to get their records sealed.
- The model protocol might be something that the SCJA's Juvenile and Family Court Judges committee is interested in taking up, and would be a better endorser than the MJC.
- The Commission agreed to support the protocol and education around it. Also to encourage standardization across the state. The Commission supported it unanimously.

ACTION: Justice Yu and Judge Galvan will draft a letter to SCJA passing this information along to them for their Juvenile and Family Law Committee to consider taking up further.

2018 National Consortium on Racial & Ethnic Fairness in the Courts Report

- Judge Veronica Alicea-Galvan gave a presentation on her experience at the 2018 National Consortium on Racial and Ethnic Fairness.
- There was a great deal of discussion around the possibility of hosting a future Consortium in Seattle. Some remember when AOC hosted many years ago, and remembered that it was quite a bit of work for staff and the Commission.
- It was decided that more information is needed from the Consortium in order to make a more sound decision.

ACTION: Judge Galvan and the Workforce Diversity Committee were asked to explore the idea of hosting a future Consortium in Seattle. Will submit a proposal for consideration at the September meeting.

LAW STUDENT LIAISON

- The UW Law Student Liaisons held a panel discussion on April 12, entitled "Just for Kids: A Two-Panel Discussion on the Challenges and Opportunities for Juvenile Justice in Washington." The first panel featured youth voices and the second panel was made up of individuals who work within the Juvenile Justice system.
- The 2018-2019 liaisons' first meeting will be September 28, with an orientation to follow.

STAFF REPORT

Budget

- Changes from last year's budget include an increase to the Commissions Meetings category, and the 2018 Tri-Cities sponsorship has already been given to this year's organizers.
- For FY 2018-19, funds will be allocated to the NAWJ and SCJA's Color of Justice programs, and an allocation for Jury Diversity research to be done by WSCCR.

ACTION: Motion to adopt and approve the 2018-19 budget was unanimously approved.

LFO Bench Card and LFO Grant Update

- The CLJ and Superior Court bench cards have been updated to reflect the recent changes from HB 1783.
- Staff will be sending laminated bench cards to every judge in the state. Please distribute widely. Contact Cynthia if there are any community groups who are interested in the bench cards.

ACTION: Send the link to the bench cards to the Commission and public defenders.

September 28 MJC Meeting and Center for Civil and Human Rights Conference at Gonzaga Law

- Our next meeting will take place in Spokane at Gonzaga School of Law. Professor Jason Gillmer is launching the first ever conference by the new Center for Civil and Human Rights at Gonzaga Law.
- Justice Yu will be one of the keynote speakers for the event. More details are forthcoming.
- The Commission meeting will be in the morning from 9am 11am, and then Commission members will join the conference luncheon.

ACTION: Explore the idea of having a Youth and Justice Forum meeting in Spokane during that trip.

Monthly MJC Issue and Media Report from Law Library - Elly Krumwiede

- Cynthia has been working with Elly Krumwiede from the Supreme Court's law library on producing a monthly report, similar to a report that was done for the Gender and Justice Commission in preparation for their Gender Bias Study.
- The monthly report would give news updates, articles, and relevant research on topics that the MJC has been focused on, as well as race in the courts in-general. Feedback on the reports would be great so that they could be tailored to our needs.

ACTION: Forward report to Judge Steve Rosen because there are links addressing jury diversity.

Co-sponsorship updates:

Civics Day for Kent and Renton School Districts - May 2018

- Twyla Carter had asked the Commission to co-sponsor "Civics Day" events for Kent and Renton School Districts. There were 9 events total, all taking place in different high schools across those districts.
- Honorariums for speakers participating in the youth panels have been distributed.
- Other Co-sponsors were the ACLU national and ACLU-WA.
- Feedback from teachers who were present for the trainings was all positive.

Tri-Cities Youth & Justice Forum ("Using Your Voice for Change") – November 2, 2018, Columbia Basin College, Pasco, WA

- Planning is underway for the Tri-Cities Youth and Justice Forum. The MJC has already released sponsorship funds for the 2018 program.
- If anyone is interested in attending please let Cynthia know. MJC has covered travel expenses for Commission members to be able to volunteer at the Youth and Justice Forum events.

Shout-outs

- Judge Bonnie Glenn was awarded the Justice Charles Z. Smith Award from the WSBA Apex Awards Committee. The award will be presented at the WSBA Apex Award Ceremony on Thursday September 27, 2018 at 5:30pm at the Sheraton in Seattle.
- Judge Linda Coburn has spent over 400 hours helping to create and officially launch the LFO Calculator.
- The UW Law was awarded with the LSAC's Diversity Matter's Award. Lisa Castilleja has been central to UW's pipeline efforts. The award acknowledged UW Law's "impact" in reaching the greatest number of students from the target audience.
- **Jeffery Beaver** received the life time achievement award from the Loren miller Bar Association.
- Judge Lori K Smith was recently appointed to the Court of Appeals Division 1. She is the first black woman to serve at that level.
- Judge Faye Chess was appointed to serve as a judge on the Seattle Municipal Court.

PROJECT UPDATES

WPI Juror Orientation Video – Ben Santos

The committee has selected a vendor to start working with.

BJA Public Trust & Confidence Committee Public Service Announcement – Judge Mike Diaz and Judge Linda Lee

- All of the Commissions have provided \$1,000 in sponsorship for the PSA. Invoices have been paid.
- The message is dignity, fairness and respect in the courts. Once completed will be run by the other judges associations.

Past Youth Events

Yakima Youth & Justice Forum – Lisa Castilleja

- There were about 180 8th through 12th grade students participating. Demonstrations were provided to the students, including a demonstration from the SWAT team, drones, and K9s.
- Heritage is supported to a certain extent. Hope to keep the event alive. Karen Murray drove with Professor Adamson to the event, and he did a great job on the panels.

Seattle Youth & Justice Forum – Judge LeRoy McCullough

- The event is typically held on Saturdays so that all kids are able to participate. Everyone was invited, parents and guardians included. There were 300+ people in attendance.
- Save the Date, the next Seattle Youth and Justice Forum will be April 27, 2019.

ACTION: Get stats, evaluations, and information from Judge McCullough from the forum.

Upcoming Youth Events:

Color of Justice - Judge G. Helen Whitener

- Color of Justice, color meaning many aspects of marginalized groups.
- Focus is to bring marginalized youth into the courtroom and make them the focus with marginalized judges.
- The SCJA is sponsoring three locations, which are being decided on soon. Yakima is the first confirmation. The keynote speakers for this event will be Justice Yu, Judge Alicea-Galvan and number of tribal judges.
- Spokane and Kitsap county have an interest in hosting the program as well.

 Just presented for the Gender and Justice Commission, emphasis on bringing community in and together. Good for the judiciary, inspiring youth. Will be also discussed at NCJFCJ in Colorado.

ACTION: Judge Whitener will be giving a presentation at the National Council on Juvenile and Family Court Judges. She would like us to send her more Judges of Color Directories.

COMMITTEE REPORTS

Education Committee - Justice Debra Stephens and Judge Lori K. Smith

2018 Spring Programs

Superior Court Administrator's Program – April 8, Chelan, WA

 Co-sponsored session with GJC and Interpreter Commission, "Immigration's Impact on the Courts"

SCJA - April 9, Chelan, WA

Sponsored 2 sessions (1) Immigration's Impact on the Courts, and (2) Beyond Batson:
 Approaches to Addressing Bias at Jury Selection

DMCJA - June 4, Chelan, WA

Sponsored one session, Beyond Batson: Approaches to Addressing Bias and Jury Selection.

District and Municipal Court Management Association Regional Trainings – April 2018, locations throughout Washington

• Sponsored 3 regional Poverty Simulation trainings in Burlington, Gig Harbor, and Des Moines. Other Eastside locations had to be cancelled due to lack of attendees registered.

Fall Judicial Conference - September 23 - 26, Yakima, WA

- There are several Commission-sponsored programs that will be held at this year's Fall Judicial Conference. (1) Immigration's Impact on the Courts: ER 413 MJC is co-sponsoring with GJC; (2) Combatting Bias Against Muslims in the Legal System: Equipping and Empowering Washington Judges; and (3) Poverty as a Barrier to Justice For All.
- The Tribal State Court Consortium will also be holding their Annual Meeting at the conference.

Bail Law Bench Card - Judge Theresa Doyle

The Bail Law Bench Card was approved and distributed by the Pretrial Task Force.

Other Items

- <u>Dr. Robin DiAngelo, White Fragility</u>, possible speaker for a forum, judicial conference, or faculty development?
- Judicial officers will need tools and tips to take the knowledge, identify and create standards for them to apply and how to identify that.
- University of Washington and Seattle University have implemented a mandatory ethics training for new students to understand bias.

Juvenile Justice Committee - Annie Lee

- The committee will be hearing a presentation by Rhonda Berry, King County Public Health. Ms. Berry will be talking about the county's Zero Youth Detention Initiative and the county's move from a punitive model to a public health model.
- For the past year, the JJ Committee has been participating in a listening tour of various programs, places, and projects that are doing work to eliminate racial disparities in the Juvenile Justice system.

Outreach Committee - Lisa Castilleja

- The Outreach Committee had selected the new artwork for 2018, a piece by Diane Covington called "Water Song". The image will be used to create posters, create post cards, and be presented on the cover of the MJC's 2017-18 Annual Report.
- An official agreement is in the works. We are still waiting on a high resolution photo to be able to print posters and the Annual Report cover.

Workforce Diversity Committee – Judge Bonnie Glenn and Judge Veronica Alicea-Galvan

- Co-chair of the WFD Committee, Judge Bonnie Glenn was the first ever recipient of the WSBA's Justice Charles Z. Smith Excellence in Diversity Award. The award will be presented at the APEX Award Dinner on September 27, 2018.
- The Committee will be looking into follow up from the April 6, 2018 presentation on the Tacoma Northwest Detention Center.

Tribal State Court Consortium - Judge Lori K. Smith

- The regional meeting was held June 1, 2018. Tulalip Tribal Court was the host of this year's regional meeting. There were 32 participant's total, with 13 tribal judges, 5 state court judges, and 3 Supreme Court justices.
- Jennifer Walter was the keynote presenter from the Tribal Law and Policy Institute. She
 discussed Consortium structures and specific areas for problem solving such as child
 welfare, domestic violence, school to prison pipeline, bail reform, and trafficking.
- The Consortium identified areas where it would like to continue to focus work on, such as protection orders, dependency cases, and exploring joint-jurisdictional court pilots.
- The TSCC's Annual meeting will be at fall conference on September 24, 2018, at 5:30pm in Yakima.

Jury Diversity Task Force - Judge Steven Rosen

- The task force split into 3 subcommittees. Each subgroup came up with a proposal for priorities.
- Next step is to bring the group back together and come to a consensus on what the priorities will be moving forward.

ACTION: Judge Rosen will work with Cynthia on scheduling the next meeting of the Task Force.

Meeting adjourned at 1:15pm

NEXT COMMISSION MEETING:		
Friday, September 28, 2018	9:00 a.m. – 11:30 a.m.	Gonzaga University School of Law 721 N. Cincinnati St. Spokane, WA 99202



Increasing Jury Diversity Through Community Engagement: A Washington State Pilot Project

Letter of Interest

Submitted By

Washington State Supreme Court Minority and Justice Commission Cynthia Delostrinos, Supreme Court Commissions Manager Chris Gaddis, Court Administrator of Pierce County Superior Court

Washington State Administrative Office of the Courts 1112 Quince St SE Olympia, WA 98504 Phone: (360) 705-5327

I. Summary

The Washington State Supreme Court's Minority and Justice Commission in partnership with Pierce County Superior Court seek to be selected as one of the pilot projects for Community Engagement in the State Court's Initiative.

Our pilot project will focus on increasing jury diversity through strategies developed with direct input from minority and low-income communities we are meaning to serve. Community members will be invited to serve on a Community Advisory Group where they will engage with the Minority and Justice Commission and Pierce County Superior Court staff to help us understand reasons why individuals are not responding to juror summonses. The Community Advisory Group will have the opportunity to engage with court stakeholders to share some of their concerns about the courts and together create a plan aimed at encouraging minorities and low-income communities to participate in jury service. The plan created through the collaborative group will be implemented and tested as part of the pilot project. The response rate of juror summonses will be examined before, during, and after to determine the effectiveness of the program.

II. Primary Leaders of the Project & Statement of the Issue

The primary leaders of the project will be the Minority and Justice Commission (Commission) and the Pierce County Superior Court (Pierce County). The mission of the Commission is to promote and support a fair and bias-free judicial system in Washington's state courts. For the past two years, the Commission has spearheaded a statewide effort to address jury diversity starting with a yearlong demographic survey to collect data regarding the racial makeup of jury pools in Washington State. The data found all courts in the survey lacked jury pools that were reflective of the communities they served. Specifically, it found that jurors who were summoned from predominately white and more established neighborhoods were showing up for jury duty at significantly higher rates than those from more transient (frequently moving), low-income, and largely minority neighborhoods. The Commission presented its findings to the Supreme Court at a Symposium focused on jury diversity in 2017, and was tasked with creating a Jury Diversity Task Force to establish recommendations on how to improve jury diversity in Washington State.

Pierce County has the second largest superior court in the state of Washington. For the past two years, it has focused their efforts on jury administration. To better understand the jury duty participants, it partnered with their Geographic Information Systems (GIS) department to produce "heat maps" based on its juror summons statistical data. One of the critical questions asked was, "Could we have an impact on the makeup of potential jurors who make it into the doors of the County-City Building?" With this question in mind as well as the juror summons statistical data, the following goals were created:

- Encourage Jury Service
- Provide a representative/diverse jury for those involved in the court system
- Increase access to justice for all
- Decrease the number of juror summons sent on an annual basis
- Increase communication with stakeholders
- Engage with the public to increase understanding and trust of the court
- Create opportunities for dialogue
- Develop the relationship between the court and Pierce County Municipalities

It is Pierce County's objective to better understand and engage with communities that are not participating in jury duty. The lack of established resources has greatly impacted Pierce County's ability to successfully accomplish these goals.

In 2017, the Commission and Pierce County came together when the Court Administrator of Pierce County Mr. Chris Gaddis was invited to present his findings as part of the Commission's Symposium on Jury Diversity (the Symposium is a formal public presentation to the Washington Supreme Court). The Commission is currently leading the Jury Diversity Task Force in conjunction with stakeholders who are working on systemic changes aimed at increasing jury diversity. The Commission and Pierce County propel the need and urgency to pilot a community engagement project to address jury diversity in light of their respective training, common goals, and expertise. There are two (2) key staff assigned to advance the project:

- Cynthia Delostrinos, J.D., is the Manager of the Supreme Court
 Commissions. She has been with the Administrative Office of the Courts since
 2013. Most of her work has involved the design and implementation of court
 innovation strategies to address racial equity, gender equity, and language
 access in the courts.
- **Chris Gaddis** is the Court Administrator for Pierce County Superior Court. Chris has been with the court since 2016. Prior to joining the court, he served as police chief for a suburban police department in King County, WA focused on efforts to better understand the demographic makeup of Pierce County jury pools. He currently serves as the Vice President of the Association of Washington Superior Court Administrators and is a member of the Board for Judicial Administration's Public Trust & Confidence Committee.

The staff team will be responsible for continuing to engage community and court partners. We have commitments from local city and court partners who have agreed to participate in the grant initiative. Washington's public affairs network,

TVW, has committed to creating and developing a documentary showcasing the significance of jury duty in our state's courts. TVW will also prepare and publish a public service announcement to market the importance of jury duty. Additionally, staff will be responsible for engaging community members to serve on a Community Advisory Committee. We will be partnering with local civic organizations, municipal and county administrations and local community colleges to recruit a diverse and reflective pool to serve on the Community Advisory Committee for this project.

III. Methods for Engagement

Establish a Community Advisory Group

The Advisory Group will be made up of 12-15 community members who are from minority and low-income communities in Pierce County. Priority would be given to those living in the community of Lakewood, WA, the area that had the highest rates of non-responses to jury summonses. Staff will utilize incentives for participation such as gift cards, a stipend, and possibly childcare. Per Pierce County's juror summons statistical data, the following information was obtained as it relates specifically to Lakewood:

- Population 58,613 (2010)
 - o 59% White
 - o 15% Hispanic/Latino
 - o 12% African American
- 6873 Summons sent in 2016
 - o 840 completed, 12.2%
 - o 1249 undeliverable, 18.2%
 - o 1322 excused, 19.2%
 - o 519 not qualified, 7.6%
 - o 2189 summoned, 31.8%
 - o Population summoned, 11.8%
 - o No response rate, 31%

The Advisory Group will engage in 2-3 facilitated discussions about the courts and jury duty, and will identify reasons for the lack of responses to juror summonses. The discussions will be facilitated by Minority and Justice Commission staff. The Advisory Group will be asked to propose actions that would encourage and inspire juror participation as well as discuss barriers impacting such participation. Their recommendations will be shared at a Community Stakeholder meeting with local court and government personnel.

Organize Two (2) Community Stakeholder Meetings

The Community Stakeholder meetings will take place after the recommendations from the Community Advisory Group have been developed. The discussions will involve members of the Community Advisory Group, Pierce County court administrators, managers, and judges. The recommendations will be presented to

the court leaders at the first meeting. Staff will facilitate a dialogue around the recommendations and guide the group towards identifying proposals that are actionable and can be tested for effectiveness in increasing jury diversity in the county. A second follow-up discussion will focus on findings from the pilot efforts, and whether there was a known or perceived impact from the efforts.

Documentary, Public Service Announcement & Media Campaign –David Johnson from TVW will record the progress of this project. TVW is Washington's public affairs network, which provides coverage of the Washington State Legislature sessions, Washington State Supreme Court hearings, and other public affairs events. They are interested in partnering with us on this effort as it relates to some of the work they have done around documentary storytelling. They have also agreed to assist with some of the recommendations that come out of the Advisory Group, such as a public service announcement and additional media campaign.

IV. Decision-Making Process & Points

Step 1: Staff (Delostrinos & Gaddis) will select a Chair for the Advisory Group. The Chair of the Advisory Group will approve the recommendations made through a consensus of the group. The recommendations will then be discussed at the first Community Stakeholder meeting.

Step 2: The Community Stakeholder meeting will be the forum where the Advisory Group and court stakeholders come together to develop realistic strategies for implementation. Staff will be responsible for weighing in on whether the strategies suggested are achievable within the time period of the grant initiative, and the group as a whole will vote on what particular strategies will be implemented and tested.

Step 3: Staff will implement the strategies and come up with a plan (in partnership with NCSC) on how to measure the success of such strategies. Staff will determine the best time to report back to the Advisory Group and court stakeholders about the findings of the project through another Community Stakeholder meeting. The meeting will invite the stakeholders to engage in both the strengths, weaknesses, and future opportunities for the project.

Step 4: On the peripheral, the process of the project will be shared with the statewide Jury Diversity Task Force that is convened by the Minority and Justice Commission, of which, Cynthia Delostrinos and Chris Gaddis participate on. Recommendations and findings from this project will be shared statewide. For recommendations that are not deemed to be actionable within the time period of the grant, those recommendations can be brought forward to the Jury Diversity Task Force for further exploration and pursuit through legislation or changes in court policies and procedures.

V. What Success Looks Like

Sustainability - Identifiable Solutions & Findings

Solutions will be provided by individuals who are from communities of color and low-income, as well as groups that have not historically had a formal way of weighing in on court practices and procedures. The solutions will be sustainable using the platform of the Minority and Justice Commission which has a public web presence, regularly produces best practice and guidance documents for the court community, and annually presents education at judicial and court conferences.

Measurement - An Increase in Jury Diversity

A successful project will bring an increase in the number of jurors who respond to juror summonses from identifiable low-income and minority communities. The City of Lakewood would be a focus for measurement, where we would like to see the noresponse rate decrease from the low 30%. We would also be looking at all juror responses from Pierce County and measuring the outcome of jury summonses compared to the past 5-10 years. Specifically, we will be using the Trial Court Performance Measurements provided by CourTools as a reference on measuring the projects performance. If successful, the same strategies could be applied on a county, state or national level to not only increase jury responses which lead to a more representative jury pool, but also to build trust between the courts and diverse populations.

Engagement - Repairing a Relationship Between Courts and Community

Pierce County would like to continue to understand why its constituents from predominantly minority and low-income communities are not responding to jury summons and proactively work on steps that will encourage and inspire their participation. The NCSC's Community Engagement Initiative provides an opportunity for the Commission and Pierce County to work together on addressing the issue of jury diversity through a strategy that has not yet been used by either group – community engagement.

VI. **Budget & Letters of Support** – Please see attached.



Callie T. Dietz State Court Administrator

August 27, 2018

National Center for State Courts 300 Newport Ave Williamsburg, VA 23185

Re: Letter of Support for WA State Pilot Project – Increasing Jury Diversity through Community Engagement

Dear NCSC Advisory Board,

As the State Court Administrator of the Washington State Administrative Office of the Courts (AOC), I fully support the grant application of the Minority and Justice Commission and Pierce County Superior Court in their efforts to engage the community in a pilot program to increase jury diversity in Pierce County and across the state.

The AOC provides support for Washington's non-unified courts through a wide range of services to promote the efficient administration of justice. The Minority and Justice Commission and its staff operate within the AOC. The Commission has been providing the courts with research and training on issues of race, poverty, and access to justice since it was established in 1990. It consistently presents the courts with innovative solutions on how to address racial bias, such as its annual Symposiums at the Supreme Court addressing issues on Jury Diversity, Legal Financial Obligations, and Reentry to name a few. The Minority and Justice Commission is in a unique position to engage in the proposed grant initiative because of its statewide impact and its ability to engage communities of color on court and justice related issues.

We are very proud of the work that both the Commission and Pierce County have done to advance the issue of jury diversity here in Washington. This makes them uniquely qualified to develop and implement a project that engages in outreach to minority communities. Their work will, particularly through this grant, expand the wonderful efforts they continue to support in Washington and will develop an excellent roadmap for counties and states across the nation. I urge you to give the highest consideration to this proposal. Thank you, in advance, for your support.

Thank you,

Callie T. Dietz

State Court Administrator



2018 Commission Members

Justice Mary I. Yu Co-Chairperson Washington State Supreme Court

> Judge G. Helen Whitener Co-Chairperson Pierce County Superior Court

Judge Veronica Alicea-Galván King County Superior Court

Judge Lisa Atkinson Northwest Tribal Court Judges' Association

Professor Lorraine Bannai Seattle University School of Law

Mr. Jeffrey A. Beaver Miller Nash Graham & Dunn LLP

Judge Johanna Bender **King County Superior Court**

Ms. Ann Benson Washington Defender Association

Ms. Diana Bob

Ms. Lisa Castilleja University of Washington School of Law

Magistrate Faye Chess Seattle Municipal Court

Washington Association of Prosecuting Attorneys

Judge Linda Coburn **Edmonds Municipal Court**

Ms. Grace Cross Skamania County Clerk

> Ms. Theresa Cronin **Community Member**

Lieutenant Adrian Diaz Seattle Police Department

Judge Mike Diaz King County Superior Court

Judge Lisa Dickinson Northwest Intertribal Court System

Judge Theresa Doyle King County Superior Court

Professor Jason Gillmer Gonzaga University School of Law

Mr. Anthony Gipe Shatz Law Group, PLLC

Judge Bonnie J. Glenn Office of Administrative Hearings

> Mr. Abdullahi Jama Independent Consultant

Ms. Kitara Johnson **Excelsior Youth Center**

Ms. Anne Lee

Judge Linda Lee Washington State Court of Appeals

Judge LeRoy McCullough King County Superior Court

Ms. Karen Murray King County Associated Counsel for the Accused

> Ms. Rosalba Pitkin Clark College

Ms. Jasmin Samy Council on American-Islamic Relations Washington

> Judge Lori K. Smith Washington State Court of Appeals

Mr. Travis Stearns **Washington Defender Association**

Justice Debra L. Stephens **Washington State Supreme Court**

Ms. Leah Taguba King County Prosecutor's Office

Ms. Lisa van der Lugt Commission on Hispanic Affair

Washington State MINORITY AND JUSTICE COMMISSION

300 Newport Ave National Center for State Courts Williamsburg, VA 23185

Re: Letter of Support for WA State Pilot Project – Increasing Jury **Diversity through Community Engagement**

Dear NCSC Advisory Board,

As Co-chairs of the Minority and Justice Commission, thank you for your leadership in creating the "Community Engagement in the State Courts Initiative." In Washington State, the Minority and Justice Commission has been taking measurable steps to address several of the issues that were outlined in your request for proposals. In particular, one topic that we have been diligently working on that aligns with the initiative's goals are - increasing jury diversity.

In 2016, the Minority and Justice Commission initiated a year-long survey to provide baseline data on whether juries across the state were racially representative of their communities. This was the first time in our state that data on the racial makeup of our jury pools was captured. The data supported what we knew from anecdotal reports; that those serving on juries did not reflect the racial diversity of the populations in the respective jurisdictions. The Commission was subsequently asked by the Washington State Supreme Court to further examine the issue and to develop recommendations for action. We convened a statewide Jury Diversity Task Force to look at the issue and after gathering some additional data, we feel poised to take additional steps on increasing jury diversity. Thus, the timing for community engagement is perfect.

If selected as a recipient of the grant, the Minority and Justice Commission in partnership with the Pierce County Superior Court, intends to directly engage local communities of color in a deeper discussion of jury service and the barriers to serving. We hope the direct engagement would foster innovative strategies for improving the jury response rate. We appreciate the opportunity to partner with the National Center for State Courts on this pilot project, and hope that our findings can be useful to other jurisdictions in increasing jury diversity across the U.S.

Thank you,

Mary Yu, Justice. Co-chair

Minority and Justice Commission

Helen Whitener Judge, Co-chair

Minority and Justice Commission

Administrative Office of the Courts ♦ Post Office Box 41170 ♦ Olympia, Washington 98504-1170 Telephone (360) 705-5327 • Telefacsimile (360) 956-5700 E-mail: AOCMIN/JUS@courts.wa.gov ♦ Website: www.courts.wa.gov



Re: Letter of Support for WA State Pilot Project – Increasing Jury Diversity through Community Engagement

Dear NCSC Advisory Board,

As the Director of Education/Producer for TVW, Washington State's public affairs television network, I support the grant application of the Minority and Justice Commission and Pierce County Superior Court in their efforts to engage the community in a pilot program to increase jury diversity in Pierce County and across the state.

Pierce County Superior Court has identified jury diversity as an important policy for the court to take on, and has already taken steps to better understand the extent of the issue. The Minority and Justice Commission is also in a unique position to engage in the proposed grant initiative because of its statewide impact addressing issues of race in the justice system and its recent focus around jury diversity.

TVW is Washington State's version of C-SPAN, and as such our primary focus is civic education and engagement. We are particularly interested in showing how Washington citizens interact with their civic and governmental institutions. This project will allow us the opportunity to examine reasons why potential jurors do not respond to a jury summons, as well as highlight stategies to increase jury participation.

Our agency is willing to commit to work with the Minority and Justice Commission and Pierce County Superior Court to promote the mission of the project in the following ways:

- --Create a documentary which examines reasons why potential jurors do not respond to a jury summons, and highlights strategies for increasing jury participation.
- --Create or assist with the creation of a public service announcement about the importance of jury duty.

Thank you for your commitment to improve trust between courts and minority or low-income communities. If selected, we hope that Washington can help provide meaningful solutions to other courts across the U.S. on improving jury diversity through community engagement.

Thank you,

David Johnson

Director of Education/Producer

TVW



Office of the County Executive

930 Tacoma Avenue South, Room 737 Tacoma, Washington 98402-2100

(253) 798-7477 • FAX (253) 798-6628 www.PierceCountyWA.gov

BRUCE F. DAMMEIER
Executive
(253) 798-7477
Bruce.Dammeier@PierceCountyWA.gov

August 23, 2018

Minority and Justice Commission 1112 Quince St SE Olympia, WA 98504

Re: Letter of Support for WA State Pilot Project – Increasing Jury Diversity through Community Engagement

Dear NCSC Advisory Board:

As County Executive of Pierce County, Washington, I support the grant application of the Minority and Justice Commission and Pierce County Superior Court in their efforts to engage the community in a pilot program to increase jury diversity in Pierce County and across the state.

Pierce County Superior Court has identified jury diversity as an important policy for the court to take on and has already taken steps to better understand the extent of the issue. The Minority and Justice Commission is also in a unique position to engage in the proposed grant initiative because of its statewide impact addressing issues of race in the justice system and its recent focus around jury diversity.

The mission of the County is "Through collaboration and partnerships, Pierce County delivers efficient, innovative and reliable public service to enhance our quality of life." I am pleased with the program's intention of creating a community advisory group to improve the outreach between the courts and their potential jurors. I hope this engagement increases the response rate of jurors in our county to provide a more representative jury pool from which to draw from.

Our agency is willing to commit to work with the Minority and Justice Commission and Pierce County Superior Court to promote the mission of the project in the following ways:

- Communications Department staff time to prepare and/or review promotional and outreach materials as time and budget allows.
- Executive staff participation at the Community Stakeholder meetings to discuss findings from the Community Advisory Group.
- Participation in social media and TV/Radio outreach developed by the Community Advisory Group pending content review.

Thank you for your commitment to improve trust between courts and minority or low-income communities. If selected, we hope that Washington can help provide meaningful solutions to other courts across the U.S. on improving jury diversity through community engagement.

Sincerely,

Bruce F. Dammeier

Pierce County Executive

Cc: Elizabeth Martin, Pierce County Superior Court Presiding Judge

Chris Gaddis, Pierce County Superior Court Administrator

Chris L. Gaddis

4633 Alameda Ave• University Place, WA 98466 Phone: 253-405-4140 • E-Mail: chrisgaddis2007@comcast.net



Overview

- Current Superior Court Administrator for Pierce County Superior Court.
- Vice President for the Association of Washington Superior Court Administrators.
- 23 years of Law Enforcement experience with last four years of employment as Chief of Police for the City of Normandy Park.
- Certified Executive through the Washington State Criminal Justice Training Commission.
- Graduate of the Northwestern University School of Police Staff and Command. This 10 week training is one of the top 3 Law Enforcement Executive trainings in the United States.
- Graduate of Basic and Advanced Special Weapons & Tactics (SWAT) training and SWAT Command and Supervision School.

Experience

Pierce County Superior Court Administrator	2016 - Present	104 Staff
Chief of Police, Normandy Park	2012 – Present	17 Staff
Acting City Manager, Normandy Park	December 2014-January 2015	31 Staff
Assistant Chief of Police, Normandy Park	2010-2012	10-16 Staff
Sergeant, Normandy Park	2000-2010	4-8 Staff
Master Narcotics K-9 Handler, Normandy Park	1999-2007	
Patrol Officer, Normandy Park	1996-2000	

Education

Central Washington	University, Ellensburg, WA	1995-2012

Bachelor of Arts, Law & Justice

Northwestern University, Evanston, IL 2004

School of Police Staff and Command, earned 21 credits from Northwestern University with a focus on Business Administration.

Volunteer/Membership

Vice President AWSCA

2018

Vice President of the Association of Washington Superior Court Administrators. Chair for the AWSCA Court Education Committee and a member of the State Court Education Committee.

Member of the Board for Judicial Administration Public Trust and Confidence Committee 2018

Member of the PT&C committee and Chair of a sub-committee charged with creating high school lesson plans on the importance of jury service.

Minority and Justice Committee's Jury Diversity Task Force 2017-2018

Member of the Jury Diversity Task Force which is aimed at making statewide system level changes to increase jury diversity.

Normandy Park Communications Committee

2012-2016

Volunteer with the Communications Committee. This committee was responsible for coordinating community messages to include the quarterly City Scene Magazine.

Pierce County Office Mom's & Dad's

2015-Present

Volunteer with the Pierce County Department of Social Health Services to assist with the child intake process during emergency placement.

Southwest King County Coalition Against Human Trafficking 2012-2016

Law Enforcement Chair, responsible for assisting with training and public education programs.

WASPC - Committee on Building Trust

2015-2016

Member of the Washington Association of Sheriffs and Police Chiefs committee on building public trust. This committee helps to ensure positive relationship building with police and the communities served throughout Washington State.

WEPIN Member 2015-2016

Member of the Washington Emergency Public Information Network.

Former Kittitas County Reserve Deputy Sheriff, Ellensburg Reserve Police Officer, and Cowlitz County Sheriff Explorer 1993-1996

CYNTHIA F. DELOSTRINOS

5625 S 149st St. | Tukwila, WA 98168 | 206.683.1585 | Cyn.Delostrinos@gmail.com

EXPERIENCE

Washington State Administrative Office of the Courts, December 2015 – Present

Manager of the Supreme Court Commissions

- Manage a staff team of 6 that oversees the work of the Supreme Court Commissions including the Gender and Justice Commission, Minority and Justice Commission, and Interpreter Commission.
- > Oversee budgets and federal grants awarded to the Commissions, including a recent Department of Justice grant to address legal financial obligations in Washington State.
- Collaborate and maintain partnerships with a broad range of criminal justice stakeholders including judges, prosecutors, defense attorneys, court administrators, state legislators, legal aid attorneys, advocacy organizations, and impacted communities to help inform the work of the Commissions.
- Managed the implementation and collection of juror demographic data through a statewide survey looking at jury diversity in Washington State.

Washington State Administrative Office of the Courts, August 2013 – December 2015

Court Program Analyst - Minority and Justice Commission

- Oversaw criminal justice policy projects of the Minority and Justice Commission aimed at addressing racial disproportionality in the criminal justice system; including reentry, legal financial obligations, school to prison pipeline, pre-trial, and jury diversity.
- > Staffed bi-monthly Commission meetings involving thirty (30) state-wide members representing all areas of the justice system. Various duties include developing agendas, preparing materials, setting meeting schedule, organizing guest presentations, taking meeting minutes, and following up on action items.
- Reviewed, analyzed, and made recommendations on legislative bills that would impact racial disproportionality in the criminal justice system. Helped the Commission spearhead the introduction of a bill creating Racial Impact Statements, and testified at a legislative hearing in support.

Center for Children and Youth Justice, September 2012 – May 2013

Legal Research and Policy Extern

- > Reviewed and analyzed school discipline policies for nine different King County school districts.
- Developed a tool and recommendations on school discipline policy changes for nine school districts in King County.
- ➤ Presented recommendations at a King County based School-Court Partnership Summit that brought together juvenile court judges and school administrators to address the school-to-prison pipeline.

King County Superior Court, Seattle, WA, June 2012 – August 2012

Legal Extern for Judge Mary Yu

- > Drafted bench memoranda and made recommendations for rules on motions for summary judgment and motions to dismiss on topics relating to corporate litigation, construction defect, health insurance claims, collections, and public accommodations discrimination.
- > Drafted a detailed brief on the Supreme Court ruling in Miller v. Alabama for use at a Washington State Minority and Justice Commission, Juvenile Task Force meeting.

TeamChild, January 2012 – May 2012

Juvenile Reentry Policy Extern

- > Drafted a research report on best practices in juvenile reentry services, focusing on mentoring as a strategy to reduce recidivism.
- Conducted interviews with community representatives, case workers, and community leaders who worked with incarcerated and formerly incarcerated youth helping them with reentry.
- ➤ Participated in several Task Force meetings focused on addressing racial disproportionality in the juvenile justice system.

Seattle Office for Civil Rights, May 2011 – August 2011

Civil Rights Enforcement Extern

- Drafted administrative Findings of Fact and Determination for public accommodations and employment discrimination cases.
- Made recommendations on whether gender specific swim times are a violation of anti-discrimination laws.
- Participated in and learned about the administration of the Race and Social Justice Initiative (RSJI).

Asian and Pacific Islander Community Leadership Foundation, Seattle, WA, May 2009 – November 2009 Community Leader

- ➤ Worked with a team of 15 community leaders in developing a plan to increase participation of Asian Americans in the 2010 Census, as part of the ACLF Community Leaders Program.
- ➤ Designed translated brochures and t-shirts for the Census outreach, which included seven different Asian languages.
- ➤ Presented the results of the Census outreach project to the Mayor of Seattle, community leaders, social service providers, and community members.

BAR ADMISSIONS

Washington State Bar Association – 2013 to Present

EDUCATION

Seattle University School of Law

Juris Doctor, May 2013

- ➤ Student Bar Association, *Vice President* (2012-2013)
- ➤ Black Law Student Association, *Mentorship Award* (2013)
- ➤ Incarcerated Mother's Advocacy Project, Executive Board Member (2011-2013)
- Racial Justice Leadership Institute, *Student Leader* (2011)
- Filipino Lawyers of Washington's Pangarap Scholarship, *Recipient* (2011)
- Asian Bar Association of Washington's General Scholarship, *Recipient* (2011)

University of Washington

Bachelor of Arts, Philosophy, September 2009

- ➤ Undergraduate Law Review, *Associate Editor* (2008-2009)
- Filipino American Student Association (2008-2009)
- > Students for Barack Obama, UW Chapter (2008)

COMMUNITY VOLUNTEER WORK

Filipino Lawyers of Washington
Board Member, 2013 - Present
King County Bar Association Family Law Mentor Program
Volunteer Attorney, 2014
Future of the Law Institute, King County Bar Association
Mentor, 2009



BUDGET NARRATIVE

Increasing Jury Diversity Through Community Engagement: A Washington State Pilot Project

The budget is based on the following:

 Total Budget:
 \$60,000

 NCSC Funds:
 \$30,000

 WA Match Funds:
 \$30,000

General Grant Budget		
Goods & Services Honorarium for Participation Giftcards Printed Materials for Meetings Meals with Meetings Depends on whether this expense can be covered by grant funds. Can be provided in-kind by MJC if food is not a coverable expense.	\$7,195	
TravelAdvisory Committee Member TravelStaff Travel	\$3,120	
Contracts	\$19,685 \$30,000	
•		
	ch (In-Kind)	
 Salaries Court Administrator (7.52% FTE) Commissions Manager (10% FTE) 	\$22,000	
Benefits	\$8,000	
Total for Category	\$30,000 (Provided in-kind)	



Sponsored by the Superior Court Judges' Association

The Superior Court Judges' Association Equality and Fairness Committee is proud to present the *Color of Justice*. This is a one-day program created by the National Association of Women Judges (NAWJ) that seeks to inspire and encourage minority boys and girls ages 11-18 to consider a career in the law and judiciary. These events give youth the opportunity to learn from judicial mentors and foster diversity in the judiciary.

- Learn from prominent Washington judges and lawyers the steps to a successful career
- *Connect* with students and professionals with similar backgrounds and experiences
 - *Watch* court proceedings in action

Upcoming Events

October 16, 2018
Thurston County Superior Court
All-day event
Registration open to 75 students

November 2, 2018 Yakima County Juvenile Court

Half-day event Registration open to up to 50 students



"Because you believed in me,
I believe in me."



Interested in hosting a Color of Justice event? Contact the Equality and Fairness Committee at Cynthia.delostrinos@courts.wa.gov.

Washington Bail Law

Washington is a right to bail state. Article I, section 20: criminal defendants "shall be bailable by sufficient sureties." Except if:

- charge is a capital crime ("when the proof is evident or the presumption great") <u>OR</u>:
- crime punishable by possibility of life (if "clear and convincing evidence of a propensity for violence")

Criminal Rule (CrR) 3.2 and Criminal Rule for Limited Jurisdictions (CrRLJ) 3.2 were amended in 2002, due to concerns that the prior court rule had disparate racial and economic impacts.

PRESUMPTION OF RELEASE under CrR 3.2(a) and CrRLJ 3.2(a) unless:

- Likelihood of court nonappearance(FTA); OR
- Likely interference with witnesses, administration of justice; <u>OR</u>
- Likely commission of a violent crime
 - "violent crime" not limited to SRA definition, RCW 9.94A.030
 - but see Blomstrom v. Tripp, 189 Wn.2d
 379 (2017) DUI is not a "violent crime"

Showing of likely failure to appear (FTA)

Relevant factors under CrR 3.2(c) and CrRLJ 3.2(c) for assessing likely FTA:

• Prior bench warrants

NOTE: The number could include warrants unrelated to court FTA, i.e., DOC warrants for noncompliance, warrants issued to ensure transport from another jurisdiction, arrest warrants for new charge when defendant is already in custody

- Employment, family/community ties
- Enrollment in school, counseling, treatment, or volunteer activities
- Reputation, character, mental condition
- Length of residency
- Criminal record
- Willingness of responsible community member to vouch for reliability and assist in compliance with release conditions
- Nature of the charge if relevant to risk of nonappearance

If FTA risk found, CrR 3.2(b) and CrRLJ 3.2(b) require least restrictive conditions:

- Placement with designated person or organization agreeing to supervise accused
- No contact orders with persons, places, geographical areas
- Restrictions on travel or place of abode
- Pretrial supervision- e.g., day reporting, work release, electronic monitoring, etc.
- Any condition other than detention to reasonably assure appearance
- Bond with sufficient solvent sureties or cash in lieu thereof
 - But no "cash only" bail <u>State v. Barton</u>,
 181 Wn.2d 148 (2014)
 - NOTE: Bond can be forfeited <u>only</u> for FTA - <u>State v. Darwin</u>, 70 Wn. App. 875 (1993)
 - Bonding company keeps fee
- Appearance bond bond in specified amount, and deposit in the court registry in cash or other security. Deposit:
 - o not to exceed 10% of bond amount
 - can be forfeited for noncompliance with any condition, i.e., a new crime
 - returned upon performance of conditions
- Unsecured bond basically a written promise to appear, without any security
 NOTE ON MONEY BAIL: Court must consider accused's financial resources in setting a bond that will reasonably assure appearance.
 CrR 3.2(b)(6), CrRLJ 3.2(b)(6)

Showing of substantial danger
Relevant factors under CrR 3.2(e), CrRLJ 3.2(e)
for assessing substantial risk of violent
reoffense or interference with administration of
iustice:

- Nature of charge
- Criminal record
- Past or present threats or interference with witnesses, victims, administration of justice
- Past or present use or threatened use of deadly weapon, firearms
- Record of committing offenses while on pretrial release, probation or parole
- Reputation, character and mental condition
- Willingness of responsible community member to vouch for reliability and will assist in compliance with conditions



Accord RCW 10.21.050

If court finds substantial risk of violent reoffense or interference with justice, CrR 3.2(d), CrRLJ 3.2(d) allow:

- Placement with designated person or organization agreeing to supervise accused
- No contact order with persons, places, geographical areas
- Restrictions on travel or place of abode
- No weapons or firearms, abstain from alcohol or non-prescribed drugs
- Pretrial supervision- e.g., day reporting work release, electronic monitoring, etc.
- No criminal law violations
- Any condition other than detention that will assure justice noninterference, reduce danger
- Unsecured bond basically a written promise to appear, without security
- Bond with sufficient solvent sureties or cash in lieu thereof
 - No "cash only" bail <u>State v. Barton</u>, supra
 - NOTE: Bond be forfeited <u>only</u> for FTA -<u>State v. Darwin, supra</u>
 - Bonding company keeps fee
- Appearance bond bond in a specified amount, and deposit in court registry cash or other security. Deposit:
 - o not to exceed 10% of bond amount
 - can be forfeited for noncompliance with <u>any</u> condition, i.e., a new crime
 - returned upon performance of conditions

NOTE ON MONEY BAIL: Court must consider accused's financial resources in setting bond that will reasonably assure community safety, prevent justice interference. CrR 3.2(d)(6), CrRLJ 3.2(d)(6); accord RCW 10.21.050(3)(a)

The court must find <u>no less restrictive</u> <u>condition(s)</u> than money bail will assure public safety and/or noninterference with justice. CrR 3.2(d)(6), CrRLJ 3.2(d)(6).

Delay of release authorized when:

 Person is intoxicated and release will jeopardize safety or public safety. Person has mental condition warranting possible commitment. CrR 3.2(f), CrRLJ 3.2(f)

Review of Conditions

Right to reconsideration after preliminary appearance if unable to post bail. CrR 3.2(j) NOTE: There is no parallel CrRLJ to CrR 3.2(j).

Revoking or Amending Release Order
Change of circumstances or new information or good cause. CrR 3.2(j)(k), CrRLJ 3.2(j)(k); accord RCW 10.21.030

 Revocation requires clear and convincing evidence. CrR 3.2(k)(2), CrRLJ 3.2(k)(2)

Cases and Statutes

- Individualized determination; no blanket conditions - <u>State v. Rose</u>, 146 Wn. App. 439 (2008); <u>accord</u> RCW 10.19.055 (individualized basis for class A, B felonies)
- Condition must relate to CrR 3.2, CrRLJ 3.2 goals, preventing FTA or violent crime or justice interference <u>State v. Rose</u>, <u>supra</u> (random UAs not causally connected to court appearance); <u>cf.</u>,"<u>Blomstrom</u> "fix" below
- Condition must not authorize unlawful search <u>Blomstrom v. Tripp</u>, 189 Wn.2d 379 (2017)-random UAs as a first-time DUI condition is unlawful search; not authorized by CrRLJ 3.2 or statute. <u>But see</u> "<u>Blomstrom</u> "fix"- RCW 10.21.030 authorizes UAs as pretrial condition for misdemeanors, gross misdemeanors (DUI), felonies.
- Condition must be least restrictive condition

 Butler v. Kato, 137 Wn. App. 515 (2007)
 (alcohol treatment and sobriety meetings not least restrictive condition to assure court appearance and hence violate CrRLJ 3.2; also unconstitutional search and violated Fifth Amendment)
- RCW 10.21.015 no work release, electronic monitoring, day monitoring or other pretrial supervision program if violent or sex offense and violent or sex offense in last 10 years, unless person has posted bail
- RCW 10.21.055 ignition interlock or SCRAM required where charge is DUI, physical control, vehicular homicide or vehicular assault <u>and</u> prior conviction that involved alcohol

SCJA Education Committee Session Proposal Form Superior Court Judges' Spring Program April 2019

PROPOSAL DEADLINE: September 5th to phil.zitzelman@courts.wa.gov

PROPOSED SESSION TITLE: Managing Immigrant Families and Non-English Speakers In Family Law: What Judges Need To Know & What You Can Do			
PROPOSED BY: International Families Justice Coalition/MJC Education Committee CONTACT NAME: Anthony Gipe CONTACT PHONE: 206-389-1647 CONTACT EMAIL: adgipelaw@gmail.com		TARGET AUDIENCE: ☐ Experienced Judges ☐ New Judges ☐ Experienced Commissioners ☐ New Commissioners	
PROPOSED DURATION: (Including break times) ☐ 90 Minutes ☐ 3 Hours ☐ 2 Hours ☐ Other:	SESSION TYPE: ☑ Plenary ☐ Choice ☐ Colloquium	IS THERE A LIM PARTICIPANTS¹ ☐ Yes ☐ No If yes, maximum	
	TOPIC A	REA:	
☐ Criminal Law ☐ Family Law ☐ Civil Law ☐ Ethics ☐ Evidence ☐ Decision-Making ☐ Courtroom Skills ☐ Good Communication	☐ Guardianship and Probate ☐ Domestic Violence ☐ Mental Health/ITA ☐ Administrative Issues ☑ Judicial Procedures ☑ Other: Hague Convention/Immigrant Issue touching on family law		
REQUIRED COMPONENTS The session must address the following essential areas of information:			
Substantive Knowledge	Administrative/	Procedural	Skills, Attitudes & Beliefs
 Immigrant Issues in Family Law 101 Language & Cultural Barriers Hague Convention Vulnerable Spouses & Children 	 Problematic Procedures Proposed Procedures to Reduce Impact on Vulnerable Families 		 Cultural Competence in Family Law

SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program
April 2019

PROPOSAL DEADLINE: September 5th to phil.zitzelman@courts.wa.gov

RECOMMENDED FACULTY, INCLUDING CONTACT INFORMATION:

Anthony Gipe, International Families Justice Coalition (A.D. Gipe – 206-389-1647, adgipelaw@gmail.com) Professor Gillian Dutton, Seattle University (206-398-4010, duttong@seattleu.edu) Tentative/Pending - Leticia Camacho, NW Justice Project (Leticiac@nwjustice.org) Professor Deidre Bowen, Seattle University (dbowen@seattleu.edu)

SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course and how the information will apply to their work in the courts (this information will be included in the program flyer as your session description).

Immigrant families, either composed of one or more non-citizen parents, face certain challenges when going through the family law process. These can include lack of sufficient language skills, lack of interpreters outside of the courtroom, inequitable power between the parties, including ability to retain counsel, lack of language proficient counsel, and implicit/explicit biases in the access of services. There are also differences in how the international families are handled in international law, the Hague Convention and conventions on human trafficking/exploitation, as well as cultural differences in how communities view and respond to family courts. Finally, court systems for handling family law sometimes exacerbate the inequalities and can fail to adequately insure the immigrant/non-citizen spouse/parent is being protected.

LEARNING OBJECTIVES: Describe how participants will be able to apply the information to their work.

As a result of this session, participants will be able to:

- A. Define the barriers facing immigrant families in the family law system, recent developments in international law, and common misconceptions and stereotypes of international cultures.
- B. Recognize the issues facing immigrant families in divorces, and provide a more inclusive and accommodating environment for all participants in our legal system.
- C. Provide recommendations for courts to review local rules and procedures to help eliminate systemic barriers which could have disproportionate impact on immigrant families in divorces.

FUNDAMENTALS COVERED: Describe the case law, best practices, or "nuts and bolts" that will be addressed during the session.

- Immigrant Issues in Family Law 101
- Language & Cultural Barriers
- Hague Convention
- Vulnerable Spouses & Children
- Resources and techniques for judicial officers to recognize procedural and legal barriers to equal access to legal services and court services.

SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program

April 2019

PROPOSAL DEADLINE: September 5th to phil.zitzelman@courts.wa.gov

PARTICIPANT RESOURCES: Describe the resources faculty will recommend participants reference when handling the key issues described in this session (e.g., bench books, checklists, bench cards, websites, organizations, agencies, etc.).

Attending judicial officers will be provided with:

- 1. Relevant materials and articles.
- 2. A list of web sites and other resources to provide assistance on specific issues.
- 3. Recommendations for judicial officers to use in addressing systemic issues and procedures.

PROPOSED TEACHING METHODS AND ACTIVITIES: Describe how the session will be presented to actively engage the audience in the education (e.g., small/large group discussion, hypotheticals, case study review, role play, lecturette, etc.).

All panelists will participate in the entire presentation to allow for an open discussion and responses to audience questions. Individuals or groups of panelists will address (1) personal stories and experiences of immigrant/non-native speakers involved in family law cases and obstacles faced, (2) cultural competency, (3) disconnects between interpreters in the court and lack of interpreters out of court, and (4) instructing and equipping judicial officers on how to address these issues in court and to provide a more inclusive and accommodating process for all participants in divorce cases.

Depending on final proposals from panelist, the presentations may also include other materials and multimedia.

ANTICIPATED COST: (e.g., honorariums, travel, lodging, transportation, etc.)

Transportation, accommodation, lodging. To date no honoraria requested.

FUNDING RESOURCES: (Is the session sponsored/paid for by another entity? If so, please let us know.)

IFJC – Willing to sponsor and has confirmed funding for judicial education

Minority & Justice Commission – Potential IFJC has a budget of \$5,000 for Continuing Judicial Education for this year, and are willing to cover lodging, transportation (mileage/airfare), meals, etc., up to that amount. If any additional expenses or overage of that required we would need MJC support.

SCJA Education Committee Session Proposal Form Superior Court Judges' Spring Program April 2019

PROPOSAL DEADLINE: September 5th to phil.zitzelman@courts.wa.gov

PROPOSED SESSION TITLE: Legal Financial Obligations (LFOs) Update on the law, available tools, research results from 1) an analysis of Washington State LFO data and 2) the national perspective on LFO reform and litigation			
PROPOSED BY: Washington State Minority and Justice Commission CONTACT NAME: Chanel Rhymes CONTACT PHONE: 360-704-5536 CONTACT EMAIL: Chanel.Rhymes@courts.wa.gov		TARGET AUDIENCE:	
break times) ⊠ 90 Minutes □ 3 Hours	SESSION TYPE: Plenary		
TOPIC AREA:			
Criminal Law Family Law Civil Law Ethics Evidence Decision-Making Courtroom Skills Good Communication	Guardianship and Probate Domestic Violence Mental Health/ITA Administrative Issues Judicial Procedures Other:		
REQUIRED COMPONENTS The session must address the following essential areas of information:			
Substantive Knowledge	Administrative/Procedural Skills, Attitudes & Beliefs		Skills, Attitudes & Beliefs
Case law updatesCurrent court rules	calculating LFOs using LFO experiences calculator the legal sys with regards		Greater sense of individuals' experiences working through the legal system to find relief with regards to mitigating, reducing or eliminating their LFO debt.

SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program
April 2019

PROPOSAL DEADLINE: September 5th to phil.zitzelman@courts.wa.gov

RECOMMENDED FACULTY, INCLUDING CONTACT INFORMATION:

Judge Theresa B. Doyle, King County Superior Court or Judge David Keenan, King County Superior Court Professor Bryan L. Adamson, Seattle University School of Law Dr. Alexes Harris, Ph.D., University of Washington Judge Linda W.Y. Coburn, Edmonds Municipal Court

(Short presentations by 2-3 people who have had the assistance of the SU Law School LFO Clinic regarding requesting remission.)

SESSION DESCRIPTION: Describe the purpose of the session and key issues to be presented. Explain what judicial officers will learn in the course and how the information will apply to their work in the courts (this information will be included in the program flyer as your session description).

Legal Financial Obligations (LFOs) continue to be a hot topic locally and nationally. This session will help judges understand the recent changes in law since the passage of HB 1783. They will be given a live demonstration of the LFO Calculator, a tool that was create for judges through the support of Microsoft and a federal grant that was awarded to the Minority and Justice Commission in 2017. Research results from an analysis of 14 years of Washington State LFO data will also be shared.

They will learn about an emergent issue whereby collection agencies are filing motions as interested parties in the context of Petitions for Remission and what procedural processes are available to judges in considering such motions. The session will also feature 2-3 individuals who can share their experience trying to access the court to find relief from LFO debt.

LEARNING OBJECTIVES: Describe how participants will be able to apply the information to their work.

- To identify and discuss the recent changes in the laws related to sentencing and remission of LFOs
- To improve current LFO practices and to be in compliance with the recent changes in laws around LFOs
- To review and discuss the remission process, how it may differ across jurisdictions, issues that have come up relating to collection companies as third-parties, and what courts can do to properly and efficiently facilitate the process.

SCJA Education Committee Session Proposal Form

Superior Court Judges' Spring Program
April 2019

PROPOSAL DEADLINE: September 5th to phil.zitzelman@courts.wa.gov

FUNDAMENTALS COVERED: Describe the case law, best practices, or "nuts and bolts" that will be addressed during the session.

- Education on the new LFO Law (particularly in regards to remission) focused specifically on the Superior Court level.
- Provide Legislative and LFO Case law update
- Demonstration of the LFO Calculator
- Education around post-conviction remission requests.

PARTICIPANT RESOURCES: Describe the resources faculty will recommend participants reference when handling the key issues described in this session (e.g., bench books, checklists, bench cards, websites, organizations, agencies, etc.).

- LFO Calculator website
- New LFO bench cards

PROPOSED TEACHING METHODS AND ACTIVITIES: Describe how the session will be presented to actively engage the audience in the education (e.g., small/large group discussion, hypotheticals, case study review, role play, lecturette, etc.).

- Case study review
- Live demo of LFO Calculator
- Interactive questions via responders (hypotheticals; legal questions)

ANTICIPATED COST: (e.g., honorariums, travel, lodging, transportation, etc.)

Transportation, accommodation, lodging and printing of benchcards - \$1000

FUNDING RESOURCES: (Is the session sponsored/paid for by another entity? If so, please let us know.)

Minority & Justice Commission

6th Annual Tribal State Court Consortium

"Planning the Future for a Collaborative Consortium" MONDAY, SEPTEMBER 24, 2018 5:30 - 7:30 PM

YAKIMA CONVENTION CENTER, YAKIMA, WA

Participant Agenda

5:30 – 5:50 PM	Sign In and Buffet Dinner Service
5:50 – 6:00 PM	Welcome and Introductions Judge Lori K. Smith and Judge Cindy Smith, Co-chairs of the Tribal State Court Consortium
6:00 - 6:20 PM	 Workgroup Updates Justice Barbara Madsen and Justice Susan Owens Court Rule Attorney General Opinion
6:20 - 6:50 PM	Year in Review Judge Lori K. Smith and Judge Cindy Smith, Co-chairs of the Tribal State Court Consortium
	 Regional Meeting Planning Committee meeting ABA Article on Tribal State Forums by Judge Atkinson Scholarships awarded
6:50 – 7:20 PM	Moving Forward Judge Lori K. Smith and Judge Cindy Smith, Co-chairs of the Tribal State Court Consortium
	 Tribal-State Court DV/SA Forum

• Protection Order Enforcement Data Gathering

Next Regional Meeting

7:20 – 7:30 PM **Shout Outs – Wrap Up**

WA Courts: 30 PSA – Dignity, Fairness, and Respect – DRAFT 8/1/18

Visuals	Audio
Tight shots of a hispanic female as she moves down a long, dark, cold hallway.	NARRATOR: In times of uncertainty and confusion
She moves hesitantly and looks uncertain about which way to go. We can't tell where she is yet.	NARRATOR: When it seems like there is no place to turn
She sees a doorway lit up at the end of the hallway and moves towards it.	NARRATOR: There is a place
She enters the doorway.	NARRATOR: where you can expect to be treated
HISTORIC IMAGE/B-ROLL MONTAGE:Justice Yu officiating WA'S first gay marriage	NARRATOR: with dignity, fairness, and respect.
Brown Vs Board of Education	NARRATOR: A place where your voice can be heard
REVEAL that the hispanic woman has walked into it a WA courtroom.	NARRATOR: and justice will be served.
B-ROLL MONTAGE:Historical courthousesGeographically diverse courthousesJuvenile Courts	NARRATOR: The Washington Courts NARRATOR:
Court of Appeals Temple of Justice	Independent, impartial, and representative. NARRATOR:
MATCHING SHOTS OF:	At all levels, the Washington Courts are committed
Court interpretersVictim/witness service personnelClerksJudges	NARRATOR: to ensuring justice
	NARRATOR: Regardless of sex, class, color, or creed.
ON SCREEN: A WA Supreme Court Justice, now revealed as the narrator, in robes and in a court setting.	SUPREME COURT JUSTICE: The Washington Courts – A place of dignity, fairness, and respect.