



## CALL TO ORDER

The meeting was called to order at 9:00 AM

### Welcome and Introductions

- The MJC Co-chairs introduced themselves.
- Attendance was called via roll-call.

### Approval of September 9<sup>th</sup> Meeting Minutes

- The minutes were approved as presented.

## GUEST PRESENTATIONS

### SCJA Unrepresented Litigants Work Group, Court-based Help Center Pilot Program— Judge Jennifer Forbes

- A majority of civil cases involve unrepresented litigants, some of whom have a poverty background. In 2019 Superior Court Judges Association made it a priority to address access to justice issues for pro se litigants and making the courts more efficient. An Ad Hoc Workgroup launched in 2020, with stakeholders including DMCJA, Commissions, OCLA, AOC, Law Library, Clerks, Administrators, Facilitators, LLLTs, NJP, ATJ, WSCADV, Judicial Conduct Commission.
  - The first priority was to formulate goals and purpose and formed 3 subgroups: judicial education, website and technology, self-help centers.
    - Judicial Education: training, draft proposed languages to amend language to provide greater detail about judge's obligation to accommodate pro se people and ensure they have a fair opportunity to participate.
    - Portal subgroup, partnered with Microsoft and additionally hoping to partner with AOC and OCI to provide centralized resources for people.
    - Self-help center: provides legal information, forms, filing, review and connecting litigants with appropriate resources. Received funding for pilot project for ~\$520,000 where Spokane and Grays Harbor are beginning the trial.
  - The Workgroup has sought more funding from the legislature with an assigned AOC staff person, which would offer better opportunity to develop resources.
  - Asking for MJC support on the request for funding self-help centers (it's in the AOC budget package)
  - The Workgroup applies a racial equity lens in all it's priorities.
- Discussion around support for the Office of Public Defense request to get funding for post-conviction representation and hopefully being able to support both.
- The pilot projects had money allocated with very few parameters, the proviso was very simple. Typically, there's a staff managing attorney who supervises paralegals, volunteers, etc.
  - Is there a potential for partnering with law schools to help provide space and support and to connect students with the courts? In Spokane they're thinking more creatively, partner with nonprofits and talking about using them for tutorials/portals.
  - The issue of Language Access/ Accommodations was raised; when developing these programs, who is being served, what populations, what interpreter and

- translation services are needed, what demographic info is collected and who's benefiting from these pilot programs. Are we engaging grassroots communities?
- Money is very limited; the pilot programs are considering best use of resources and using courts standard resources for language access.

**WSBA DEI Council, Definition of Diversity Workgroup— SaNni Lemonidis**

- SaNni Lemonidis, a volunteer with the Diversity Committee at WSBA, chair of definition of diversity workgroup, discusses the proposed change to the definition of diversity.
- The purpose of at-large governor's position on the board of WSBA seeking a new working definition of diversity to meet the intent of the position.
- Law school liaisons raised the issue of difference between lived experience and a more superficial idea of what diversity is.
- Discussion of terminology of gender, identity, expression and geographic diversity, and inclusion of formerly incarcerated/ detained/ veteran status.
- Consider whether definition will accomplish underlying goals, not just a list of different classifications, but what are the structural barriers that actually preclude people from getting elected.

**Berkeley Law Policy Advocacy Clinic, Youth LFO Legislative Proposal— Gus Patel-Tupper, Liz Trautman**

- The overall goal of the Youth LFO Legislative Proposal is racial and socio-economic justice. The niche focus is on reducing or eliminating monetary sanctions.
- Several partners/ stakeholders: Debt-free Youth Justice, Washington Coalition, Columbia Legal Services, Team Child, Civil Survival, Choose 180.
- Monetary sanctions or LFOs increase recidivism, disproportionately harm BIPOC, strain family relationships, waste Law Enforcement resources, net little revenue for government, is not evidence based and undermine faith in government.
- The YEAR act: eliminated many juvenile fees and fines, but did not eliminate VPA, DNA collection fee, did not waive outstanding debt, unevenly implemented. Data on fines and fees shows that it's steadily decreasing, but FY19 is incredibly high.
- Black youth are 4% of WA, but 12% of fines and fees. Their tool shows outstanding fees and fines per county and shows disparities from county to county.
- In 2023, there are the following legislative requests:
  - Exclusively amending Chapter 13. 40
  - Eliminate all remaining fees and fines (VPA, DNA)
  - Waiving outstanding debt
  - Replace youth restitution with a more sustainable system
  - Improve data collection and reporting
- They are seeking to create community compensation fund, to actually compensate harmed parties and task force to implement the fund. Victims not receiving penalties. The bill is informed by directly impacted youth, young adults, community members, organizations, available research and data and victim/ survivor advocacy group. They are seeking systems input: judges, prosecuting attorneys, public defenders, clerks, etc.
- Some of the gaps are in the lack of statewide restitution data, and the lack of perspectives on law enforcement in WA.
- Community compensation fund: drawing on King County Restorative Community Pathways program, implemented by task force, exclude all insurance companies and non-individuals.

- They are asking for MJC to review draft legislation and support the effort.
- Additional data needed: key points missing are total amount of restitution ordered, collected and paid to victims, any demographic data.

## **CHAIR & STAFF REPORT**

### **Jury Diversity Study Update – Frank Thomas**

- Jury Diversity Study will have published report to provide to the MJC Commission and will be provided to the legislature for deliberations for continuing the survey project to improve jury diversity in the state. This is a BJA budget request and will have the report by the next Commission meeting. The research team was led by Seattle University and King County Superior Court Judge Steve Rosen.
- Top line findings show large scale disproportionality/ under-representation, especially among Black and Native prospective jurors. The team has a close partnership with pierce county, which has a great case management system to collect demography of jurors at the summons phase and also track jurors throughout the jury selection process, which will give more information about the demographic composition of empaneled juries in pierce county and in other steps along the process (excusal for hardship, voir dire, etc.). Also proposing child support and an increase in juror pay.

### **NCREF National Conference 2023 Update – Frank Thomas**

- The NCREF 2023 will be held May 21<sup>st</sup> -24<sup>th</sup> and include the MJC Annual Symposium at the Motif hotel in Seattle. There is a PR and Engagement Workgroup and a Curriculum Workgroup established to prepare.

### **Research Update – Frank Thomas**

- Researchers from WSCCR are looking at disproportionality in pre-trial race and gender and have obtained two sets of data, both statewide and from county jails. In preliminary analysis, researchers found a significant discrepancy between overlapping years between the two data sets and are drafting a short white paper on the subject. Any scholarship or analysis of state data would have relied on the WSP data set, so it's important to alert the community regarding the discrepancy and prime them for more robust data to be released soon.

## **ADJOURNMENT**

**The meeting was adjourned at 12:00 PM**