

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, MARCH 18, 2016
9:00 A.M.**

**AOC SEATAC OFFICE
18000 INTERNATIONAL BOULEVARD, SUITE 1106
SEATAC, WASHINGTON**

Board for Judicial Administration Membership

VOTING MEMBERS:

Chief Justice Barbara Madsen, Chair
Supreme Court

Judge Scott Sparks, Member Chair
Superior Court Judges' Association
Kittitas County Superior Court

Judge Thomas Bjorgen
Court of Appeals, Division II

Judge Bryan Chushcoff
Superior Court Judges' Association
Pierce County Superior Court

Judge Harold Clarke III, President
Superior Court Judges' Association
Spokane County Superior Court

Judge Scott Collier
Superior Court Judges' Association
Clark County Superior Court

Judge Janet Garrow
District and Municipal Court Judges' Association
King County District Court

Judge Judy Rae Jasprica
District and Municipal Court Judges' Association
Pierce County District Court

Judge Michael Lambo
District and Municipal Court Judges' Association
Kirkland Municipal Court

Judge Sean Patrick O'Donnell
Superior Court Judges' Association
King County Superior Court

Justice Susan Owens
Supreme Court

Judge Kevin Ringus
District and Municipal Court Judges' Association
Fife Municipal Court

Judge Ann Schindler
Court of Appeals, Division I

Judge Laurel Siddoway
Court of Appeals, Division III

Judge David Steiner, President
District and Municipal Court Judges' Association
King County District Court East Division - Bellevue

NON-VOTING MEMBERS:

Ms. Callie Dietz
State Court Administrator

Judge Michael Downes, President-Elect
Superior Court Judges' Association
Snohomish County Superior Court

Mr. William Hyslop, President
Washington State Bar Association

Judge J. Robert Leach
Presiding Chief Judge
Court of Appeals, Division I

Ms. Paula Littlewood, Executive Director
Washington State Bar Association

Judge G. Scott Marinella, President-Elect
District and Municipal Court Judges' Association
Columbia County District Court



Board for Judicial Administration (BJA)

Friday, March 18, 2016 (9:00 a.m. – Noon)

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

AGENDA

1. Call to Order	Chief Justice Barbara Madsen Judge Scott Sparks	9:00 a.m.
2. Welcome and Introductions	Chief Justice Barbara Madsen Judge Scott Sparks	9:00 a.m.
3. February 19, 2016 Meeting Minutes <i>Action: Motion to approve the minutes of the February 19, 2016 meeting</i>	Chief Justice Barbara Madsen Judge Scott Sparks	9:05 a.m. Tab 1
4. BJA Business Account Audit Results and Response <i>Action: Motion to remove Ms. Colleen Clark from account and add Ms. Jan Nutting</i>	Ms. Misty Butler	9:10 a.m. Tab 2
5. Budget Update	Mr. Ramsey Radwan	9:30 a.m. Tab 3
6. Legislative Update	Ms. Mellani McAleenan	9:55 a.m. Tab 4
Break		10:15 a.m.
7. Standing Committee Reports <ul style="list-style-type: none"> • Budget and Funding Committee <i>Action: Motion to approve AOC Budget Reduction Criteria</i> • Court Education Committee • Policy and Planning Committee <i>Action: Motion to approve revised committee charter</i> <i>Discussion: Resolutions on Civil Legal Needs Assessment and WINGS</i> • Legislative Committee 	Judge Bryan Chushcoff Judge Judy Rae Jasprica Judge Janet Garrow Judge Sean Patrick O'Donnell	10:30 a.m. Tab 5
8. SCJA Legislation Update	Chief Justice Barbara Madsen Judge Scott Sparks	11:10 a.m.
9. Other Business <ul style="list-style-type: none"> • Next meeting: May 20, 2016 AOC SeaTac Office 	Chief Justice Barbara Madsen Judge Scott Sparks	11:50 a.m.
10. Adjourn		Noon

Persons with a disability, who require accommodation, should notify Beth Flynn at 360-357-2121 or beth.flynn@courts.wa.gov to request or discuss accommodations. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.

Tab 1



Board for Judicial Administration (BJA) Meeting

Friday, February 19, 2016 (9 a.m. – Noon)
AOC Office, 1112 Quince Street SE, Olympia

MEETING MINUTES

BJA Members Present:

Chief Justice Barbara Madsen, Chair
Judge Scott Sparks, Member Chair
Judge Bryan Chushcoff
Judge Harold Clarke III
Judge Scott Collier
Ms. Callie Dietz
Judge Michael Downes
Judge Janet Garrow
Mr. William Hyslop
Judge Judy Rae Jasprica
Judge Michael Lambo
Judge J. Robert Leach (by phone)
Judge G. Scott Marinella
Judge Sean Patrick O'Donnell
Judge Kevin Ringus
Judge Ann Schindler (by phone)

Guests Present:

Mr. Jim Bamberger
Ms. Karen Campbell
Ms. Ruth Gordon
Mr. Dennis Rabidou
Ms. Paulette Revoir
Commissioner Tony Rugel
Mr. Paul Sherfey (by phone)

Public Present:

Dr. Page Carter

AOC Staff Present:

Ms. Shirley Bondon
Ms. Misty Butler
Ms. Beth Flynn
Mr. Steve Henley
Mr. Dirk Marler
Ms. Mellani McAleenan
Mr. Ramsey Radwan

Judge Sparks called the meeting to order.

December 18, 2015 Meeting Minutes

It was moved by Judge Garrow and seconded by Judge Chushcoff to approve the December 18 Board for Judicial Administration (BJA) meeting minutes. The motion carried.

Administrative Manager Update

Ms. Butler reported that Ms. Colleen Clark, BJA bookkeeper, gave notice that she is ready to step down from that position at the end of February. Ms. Jan Nutting, another AOC staff person, indicated her interest, experience and references in writing and the BJA Co-chairs and Administrative Manager agreed to offer her the position. They also decided it was a good time to look at compensation for the bookkeeper and agreed to raise the monthly payment from \$50, which it has been for at least 20 years, to \$100.

The BJA's account was recently audited and there were a few recommended changes. Ms. Butler will report back to the BJA regarding the audit in March. There was nothing remarkable found during the audit but there are a few recommendations to address.

It was suggested that the bookkeeper be paid hourly or at least she should track her time monthly to make sure she is being properly compensated.

It was moved by Judge Garrow and seconded by Judge Lambo to refer the BJA bookkeeper compensation question to the BJA Budget and Funding Committee. The motion carried.

In the meantime, Ms. Butler will move forward with paying the new BJA bookkeeper \$100 per month.

Civil Legal Needs Study

Mr. Bamberger, from the Office of Civil Legal Aid (OCLA), stated that the final Civil Legal Needs Study Update was included in the meeting materials. The survey was undertaken in the fall and winter of 2014/2015 and analysis was completed in the spring of 2015. The final report was issued in late fall 2015.

The initial 2003 survey was conducted face-to-face with 1,800 people. The 2014 survey was sent to 15,000 households that were identified by their poverty or minority status. The participation rate was geographically and demographically represented.

The most recent survey found that 7 of 10 low-income Washington households face at least one significant civil legal problem each year. The average number of problems is rising. The most common problems are health care, consumer/finance and employment. Victims of domestic violence and sexual assault experience much higher rates of legal problems.

The Minority and Justice Commission asked OCLA to take a deep look at race in the survey results. They found that if you are Native American or African American you have a substantially higher prevalence of legal problems. They also found that there are significant problems with discrimination and unfair treatment for particular issues. Mr. Bamberger was asked how discrimination and unfair treatment were determined and he stated that it is perception based. The survey respondent indicated a perception of discrimination and/or unfair treatment.

Survey respondents indicated a high rate of discrimination based on prior juvenile or criminal record and credit report information. Unfair treatment on the basis of credit history hits Native Americans and African Americans particularly hard.

The survey indicated 76% of the legal problems go unaddressed and 65% of the survey respondents did nothing to get legal help because they did not know there was a legal problem, they did not have money for an attorney, or they did not know where to go for legal help. For those who did try to get some help, one-third were not able to get any legal help at all. Two-thirds got some help.

The recommended standard minimum access for civil legal aid attorneys is one attorney for every 5,000 people. Washington State does not even have half the attorneys needed. An additional 238 attorneys are needed to achieve minimum access.

Steps to take to improve civil legal access in Washington (which will cost \$25-\$30 million above the current biennial appropriation):

- Expand closing the legal literacy gap.
- Upgrade and expand pro bono services.
- Expand professional staff legal aid capacity.

Mr. Bamberger plans to start with a significant budget request during the 2017-19 budget cycle and will then request additional funding in the 2019-21 budget cycle.

Mr. Bamberger asked the BJA to embrace a resolution related to civil legal aid which will go through the BJA Policy and Planning Committee for review and recommendation. Hopefully, it will be on the March BJA agenda for discussion with a decision in May.

Northwest Justice Project Relicensing Program

Ms. Campbell, from the Northwest Justice Project (NJP), gave an overview of the services the NJP provides. They are a statewide legal aid provider and they take clients with incomes up to 200% of the federal poverty guidelines. They receive state and federal funds and focus on consumer, housing, family and public benefits law. Their main office is in Seattle and they have offices around the state. They also administer the CLEAR line. In addition, they provide specialized services for Native Americans, farmworkers, veterans and foreclosure.

The goal of the statewide relicensing program is to remove barriers to employment. The main barrier is unpaid tickets. Nearly 7% of the adult population in Washington were suspended for unpaid tickets. There are a number of social costs on the criminal justice system such as the costs of incarceration and pay for police officers. Looking at JIS data from Spokane County, this problem fell most heavily on racial and ethnic minorities. It has a disparate impact on minority populations.

Common barriers to relicensing are poverty and unemployment and dealing with collection agencies and fees/interest rates. The biggest barrier is having to work with multiple jurisdictions and each jurisdiction only having control over its own cases. NJP saw these barriers and thought about what they could do about them so they held relicensing summits in 2014. They decided that the way to solve the problem is through a statewide relicensing program which would consolidate all the cases into one system and people could make one, reasonable payment to take care of their fines.

Collection rates rise substantially with one reasonable payment. NJP put together a white paper regarding a statewide relicensing program and started meeting with stakeholders last summer and they created and filed request legislation. If there is a statewide program, they are hoping there will be a simple and direct method for suspended drivers to regain their license which will result in decreased costs and burdens of license suspension, and an increase in fine collections, leading to a decrease in unlicensed drivers.

WINGS Program

Commissioner Rugel explained that the age wave is coming. The Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) group is to try to take care of some of the issues they see coming along and the changes will most likely be dramatic.

Washington received a WINGS grant for \$7,000 and received more than \$14,000 in matching funds.

With those funds they held a conference in Wenatchee and they have another conference coming up. They anticipated 75 attendees for the first conference and had to cut off registration at 205. The number of attendees exemplifies the need for a program like this in Washington. During the first conference, they created four committees to work on priorities. The committees are Legislative, Long-Range Planning, Information and Training, and Standards and Best Practice.

The second conference will be held March 17 and will focus on the priorities developed during the first conference and in the committees and will include decision-making. The priorities for each of the committees are listed in the meeting materials.

Commissioner Rugel reminded everyone that these problems will pertain to them in the future if they do not already. Guardianship issues will very much impact everyone. The WINGS Steering Committee is working to help courts prepare for the changes that will emerge as we all continue to age and live longer.

State Budget Update

A letter from Chief Justice Madsen regarding the 2017-19 biennial budget was included in the meeting materials along with a budget timeline. Mr. Radwan explained that this year the BJA Budget and Funding Committee will prioritize the budget requests which are due in April. Mr. Radwan will work with the Trial Court Advocacy Board (TCAB) regarding their process of reviewing and prioritizing budget requests.

The revenue forecast came out with a 1% decrease in revenue. It most likely will not be increasing in the near future and Mr. Radwan hopes that it stays flat and does not decrease. There is a huge demand for funding and the branch needs to really consider what to fund. There will be a lot of pressure to fund things with general funds for the next biennium.

There was quite a bit of discussion regarding the BJA budget request process.

Legislative Report

Ms. McAleenan reported that there was a fairly full room for the BJA legislative reception. Attendance was heavy on legislative staff in comparison to legislators themselves which was a result of competing events.

There is a new legislator in the 2nd District, Andrew Barkis. He was appointed to replace Representative Graham Hunt who resigned because of questions surrounding his service record.

It is the 40th day of the legislative session and 20 days remain. The first two-thirds of the session was spent on house of origin bills. There are opposite house policy committee hearings from now through Friday. There will be a lot of hearings next week although quite a few have been canceled because not that many bills passed through to the opposite house.

The court transcriptionist bill passed out of the House unanimously on cutoff day. The District and Municipal Court Judges' Association and Superior Court Judges' Association request bills are all moving forward.

Standing Committee Reports

Budget and Funding Committee (BFC): Judge Chushcoff stated that the BFC developed budget reduction criteria and included their proposal in the meeting materials. The criteria will guide the BFC in determining cuts to take in the event of a budget reduction. They are hoping the BJA will approve the criteria at next month's meeting and/or suggest revisions to the criteria. One suggested revision was to add a component of where this item falls in the priorities of the BJA or AOC or whatever organization is being impacted by the cuts.

The BFC is also considering the idea of having an executive committee to work on budget issues as they arise. The group would consist of representatives from all court levels.

Court Education Committee (CEC): Judge Jasprica reported that the CEC looked at judicial branch education across the state. Because of increasing expenses, the amount of education they can provide has gone down. They are trying to get more funding for education and they estimate they need about \$1 million for the biennium to restore essential programs and services. They have another budget package focusing on small and rural courts which would be a \$475,000 request.

They also submitted an SJI grant to develop a strategic plan for judicial education. They should hear back in the next few weeks regarding the grant for \$50,000. It is also tied into the budget request because the grant will allow the CEC to lay the groundwork for court education in Washington but without funds, they will not be able to put their plan into motion.

Policy and Planning Committee (PPC): Judge Garrow pointed out that the PPC report is included in the meeting materials. The PPC submitted a recommendation on the concept of judicial evaluations that was presented to the BJA by members of the Washington Chapter of the American Judicature Society. It was referred to the Policy and Planning Committee. The PPC discussed it twice and concluded that a branch-sponsored evaluation system is not something the BJA should endorse, and that the underlying goals of the proposed program could be advanced through other means. The committee appreciated very much the efforts of the judges who spent time on the proposal.

It was moved by Judge O'Donnell and seconded by Judge Chushcoff to thank the group that brought the concept of judicial evaluations to the BJA and let them

know that the BJA decided not to pursue the concept internally. The motion carried.

The PPC is working on their committee membership. Three of the current six positions rotate every year, creating challenges to continuity, and the expanding workload of the committee will require more members and wider diversity of perspective. The committee recommends adding the following members: a superior court judge, a district court judge, a member of the Court Management Council, the executive director of the Washington State Bar Association, and one at large public member. A proposed revision to the committee's charter was included in the meeting materials. The committee requests that the BJA approve the revisions during the March meeting.

The committee's Strategic Issue Management Initiative is in process. Five issue workgroups have been meeting and developing issue analyses and proposals. The committee hopes to have workgroup proposals in hand by the end of April to then bring recommendations to the BJA in May for BJA action in June.

The OCLA and WINGS proposed resolutions have been referred to the PPC and they will be discussing them during their meeting this afternoon.

SCJA Legislation Update

It was moved by Judge Garrow and seconded by Judge O'Donnell to table this discussion until the next meeting. The motion carried.

The BJA members were directed to Tab 9 in the meeting materials for the 2015 Court Management Council Annual Report for the BJA members' review.

There being no further business, the meeting was adjourned.

Recap of Motions from the February 19, 2016 Meeting

Motion Summary	Status
Approve the December 18, 2015 BJA meeting minutes.	Passed
Refer the BJA bookkeeper compensation question to the BJA Budget and Funding Committee.	Passed
Thank the group that brought the concept of judicial evaluations to the BJA and let them know that the BJA decided not to pursue the concept internally.	Passed
Table the Office of Superior Court next steps discussion until the March BJA meeting.	Passed

Action Items from the February 19, 2016 Meeting

Action Item	Status
<u>December 18, 2015 BJA Meeting Minutes</u>	
<ul style="list-style-type: none"> • Post the minutes online • Send minutes to the Supreme Court for inclusion in the En Banc meeting materials 	<p>Done</p> <p>Done</p>

Board for Judicial Administration Meeting Minutes

February 19, 2016

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Action Item	Status
<u>BJA Policy and Planning Committee</u> <ul style="list-style-type: none">• Draft and send letter to the group that brought the idea of judicial evaluations to the BJA• Add the Policy and Planning Committee charter revision to March BJA meeting agenda	Done Done
<u>BJA Budget and Funding Committee</u> <ul style="list-style-type: none">• Add budget reduction criteria to March BJA meeting agenda for action• Refer the pay of the BJA bookkeeper to the BJA Budget and Funding Committee	Done Done
<u>Office of Superior Courts</u> <ul style="list-style-type: none">• Add to March BJA meeting agenda	Done

Tab 2



March 11, 2016

TO: Board for Judicial Administration (BJA) Members
CC: Jan Nutting, BJA Business Account Bookkeeper
FROM: Misty Butler, BJA Administrative Manager
RE: 2016 BJA Business Account Audit Response

In 1987, the Board for Judicial Administration, under the leadership of Chief Justice Pearson, established a private account funded with dues paid by judges from their personal funds. The reason for establishing the account was to pay for activities that would otherwise be inappropriate for public funds (lobbying, salary commission expenses, etc.). Contributions from judges on all court levels was deemed appropriate as the legislative agenda of the BJA represents the judiciary as a whole and generally seeks improvements that affect all levels of court. The dues have been levied on an as-needed basis through the years. The most recent dues levy occurred in 2015.

The BJA Business Account employs a bookkeeper to send dues notices, collect dues, pay expenses and reconcile the account. The bookkeeper works in conjunction with the BJA Administrative Manager to ensure that controls are in place that protect the assets and bookkeeper.

In January 2016, an audit of the account was conducted independently by the Financial Services Business Manager at the Administrative Office of the Courts. The purpose of the audit was to compare the business account policies and procedures against actual practice.

Methodology

The period under review was 2008-2015 and the following methodology was used to check for compliance and accuracy:

- Deposits were compared against bank statements and dues spreadsheets.
- All disbursements over \$1,000 were reviewed for supporting documentation.
- A random sample of 14 checks under \$1,000 were reviewed for supporting documentation.
- Four bank reconciliations per year were randomly sampled for accuracy and unusual reconciling.
- All voided checks were reviewed and checked for accurate documentation.

Findings

The findings of the audit indicated the following opportunities for improvement:

1. There were instances where prior written authorization was not provided.
2. No record of BJA Administrative Manager reviewing bank statements against bookkeeper account records.
3. A line item on someone's credit card is not appropriate documentation for reimbursement.
4. When deposits need to be made in advance for an event we didn't always have agreements in writing as supporting documents.
5. Bank statements do not list deposits separately. An itemized deposit list should be maintained.
6. Copies of deposited checks were not made.
7. There is no reconciliation between who dues notices were sent to and if/when dues were received from those individuals.

Response to Audit Findings

The BJA Administrative Manager and BJA Bookkeeper met to discuss how to come into compliance with the BJA Business Account Policies and Procedures and other accounting standards.

1. The BJA Administrative Manager will provide written prior authorization on all expenditures, except in the cases where checks are written to her, in which case the backup signer will provide authorization.
2. Although the BJA Administrative Manager was reviewing bank statements against bookkeeper account records, she was not making a record of it. In the future when she reconciles the account she will send an email to the bookkeeper.
3. Credit card line items will not be considered appropriate documentation.
4. When deposits need to be made in advance for an event we will have agreements in writing as supporting documents.
5. An itemized deposit list will be maintained and used to reconcile deposits against bank statements.
6. The BJA Bookkeeper will electronically scan deposited checks to be included with other documentation.
7. When dues statements are sent out the names and amounts of dues owed by each person will be recorded in a spreadsheet. When the dues are received the amount of the payment, date of the check and date of the deposit are entered into the spreadsheet.

Tab 3



General Fund Revenue Forecast Update March 1, 2016

On February 17, 2016 the Economic and Revenue Forecast Council updated the general fund forecast for the current and ensuing biennium.

2015-2017 Biennium

The February revenue forecast predicts that current state general fund revenue will be \$67 million less than the November 2015 forecast. This represents a .02% decrease.

The current 2015-2017 general fund forecast of \$37.1 billion is \$1.7 billion greater than the November 2012 forecast. This represents a 5% increase in the forecast since November 2012.

The current general fund forecast of \$37.1 billion is \$3.5 billion (10%) greater than 2013-2015 collections.

2017-2019 Biennium

The February revenue forecast predicts that 2017-2019 state general fund revenue will be \$442 million less than the November 2015 forecast. This represents a 1.1% decrease.

The current 2017-2019 general fund forecast of \$40.1 billion is \$1.1 billion greater than the June 2014 forecast. This represents a 2.8% increase in the forecast since June 2014.

The current general fund forecast of \$40.1 billion is \$3.0 billion (8%) greater than 2015-2017 forecast and represents a \$6.5 billion/19% increase in revenue when compared to 2013-2015 collections.

Budget Outlook

The current budget outlook projects a \$700 million budget deficit by the end of the 2017-2019 biennium. Costs for McCleary and mental health are not included, therefore the deficit is understated. Unless new or increased revenue can be generated the deficit will rise substantially.

With the exception of Medicaid the caseload forecast for the current biennium is flat or marginally down.

**Washington State Judicial Branch
2016 Supplemental Budget Request Recommendation**

Supreme Court State General Fund Maintenance Level Requests				
Title	FTE	Amount Requested	House Proposed	Senate Proposed
Benefits Associated with Justices' Salary Increase	FTE 0.0	\$12,000	\$12,000	\$12,000
Funding to pay for the additional benefit costs associated with the elected official's salary increase.				
Employment Security	FTE 0.0	\$19,000	\$2,000	\$2,000
Funding for payment of unemployment compensation invoices.				
Retirement Buyout	FTE 0.0	\$48,000	\$33,000	\$33,000
Funding to meet the leave buyout obligation for employees.				
Full Reinstatement of Merit Increments	FTE 0.0	\$133,000	\$0	\$0
Funding is requested to restore staff compensation to levels that would have been attained if salaries had not been frozen.				
Central Services Adjustment		\$0	\$58,000	\$58,000
Maintenance adjustment for statewide central services costs.				
Total Request – Supreme Court	FTE 0.0	\$212,000	\$105,000	\$105,000

**Washington State Judicial Branch
2016 Supplemental Budget Request Recommendation**

Administrative Office of the Courts - General Fund State Requests				
Title	FTE	Amount Requested	House Proposed	Senate Proposed
Fund Transfer for the Expedited Information Networking Hub	FTE 0.0	\$5,344,000 (SGF) -\$5,344,000 (JIS)	\$0	\$0
Funding is requested from the state general fund rather than the Judicial Information System Account to implement the courts of limited jurisdiction information networking hub (\$5.3 million from JIS to SGF).				
Total Request- State General Fund	FTE 0.0	\$5,344,000	\$0	\$0

Administrative Office of the Courts - State General Fund Maintenance Level Requests				
Title	FTE	Amount Requested	House Proposed	Senate Proposed
Employment Security Department	FTE 0.0	\$107,000	\$57,000	\$57,000
Funding is requested for payment of unemployment compensation invoices.				
Technical Correction to Technology Savings	FTE 0.0	\$278,000	\$0	\$0
Funding is requested to correct errors in the computations used to implement information technology savings.				
Central Services		\$0	\$26,000	\$26,000
Maintenance adjustment for statewide central services costs.				
Total Maintenance Level Request State General Fund	FTE 0.0	\$385,000	\$83,000	\$83,000

**Washington State Judicial Branch
2016 Supplemental Budget Request Recommendation**

Administrative Office of the Courts-JIS Requests				
Title	FTE	Amount Requested	House Proposed	Senate Proposed
Operational Staffing for Odyssey Support	FTE 4.0	\$492,000	\$492,000	\$0
Funding is requested to hire staff to support the new Superior Court Case Management System.				
AC-ECMS	FTE 0.0	\$271,000	\$271,000	\$0
Funding is requested for ongoing licensing and maintenance for the electronic case management system for the Appellate Courts.				
Total Request JIS	FTE 4.0	\$763,000	\$763,000	\$0

Administrative Office of the Courts-Other				
Title	FTE	Amount Requested	House Proposed	Senate Proposed
Eliminate Thurston County Impact Fee	FTE 0.0	\$0	\$0	-\$811,000
Funding provided to Thurston County to compensate for state impacts on the courts is eliminated.				
Judicial Lobbyist Office Reduction	FTE 0.0	\$0	\$0	\$0
Funding for the Office of Judicial and Legislative Relations is reduced.				
Funding for SCJA	FTE 0.0	\$0	\$0	-\$516,000
\$516,000 of existing appropriation authority is set aside for either a) the Office of Superior Courts if SB 6317 passes or b) if the bill does not pass the SCJA has the authority to determine how the funding would be expended.				
One Family One Team Partnership	FTE 0.0	\$0	\$500,000	\$0
Funding is provided for the establishment and administration of a One Family, One Team court pilot program				
Legal Financial Obligations	FTE 0.0	\$0	\$400,000	\$0
E2SHB 1390 (legal financial obligations), funding is provided to implement changes to laws regarding LFOs.				
Traffic Fines Consolidation	FTE 1.0	\$0	\$255,000	\$0
EHB 2659 (traffic fines consolidation), funding is provided to develop a plan to consolidate traffic-based financial obligations into a unified and affordable payment plan.				
Total Other	FTE 1.0	\$0	\$1,155,000	-\$1,327,000

**Washington State Judicial Branch
2016 Supplemental Budget Request Recommendation**

Total AOC Request (Net)	FTE 4.0	\$1,148,000	\$2,001,000	-\$1,244,000
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Court of Appeals				
Title	FTE	Amount Requested	House Proposed	Senate Proposed
Reinstatement of Merit Increments	FTE 0.0	\$319,000	\$0	\$0
Funding is requested to reinstate salary step increases for eligible employees.				
Office of the Attorney General	FTE 0.0	\$20,000	\$20,000	\$20,000
Funding is requested to reimburse the Attorney General's Office for services provided in fiscal year 2015 and to ensure that anticipated AGO costs will be paid in 2016.				
Employment Security Department	FTE 0.0	\$75,000	\$45,000	\$45,000
Funding is requested for payment of unemployment compensation invoices from ESD.				
Fringe Benefits for Elected Officials' Salary Increase	FTE 0.0	\$12,000	\$12,000	\$12,000
Funding is requested to cover the increase in benefits due to the salary adjustment for the Court of Appeals Judges.				
Building Maintenance (Capital Request for Minor Works)	FTE 0.0	\$103,000	Not in Capital Budget	\$103,000
Funding is requested to repair and maintain building structure of the Court Facility				
Retirement Buyout	FTE 0.0	\$94,000	\$41,000	\$41,000
Funding is requested to meet the leave buyout obligation for employees who have been employed with the state for many years.				
Central Services		\$0	\$8,000	\$8,000
Maintenance adjustment for statewide central services costs.				
Total Request Court of Appeals	FTE 0.0	\$623,000	\$126,000	\$229,000

**Washington State Judicial Branch
2016 Supplemental Budget Request Recommendation**

Office of Public Defense General Fund State Requests				
Title	FTE	Amount Requested	House Proposed	Senate Proposed
Mandatory Defense Expenditures	FTE 0.0	\$980,000	\$890,000	\$892,000
Funding is requested to pay for expert defense services for indigent persons facing sex predator civil commitment proceedings under Chapter 71.09 RCW.				
Leave Costs	FTE 0.0	\$14,000	\$14,000	\$14,000
Funding is requested for leave buyout for OPD employees who will depart the agency in FY 2016 who have significant accrued leave.				
Parents Representation Expansion	FTE 0.0	\$0	\$143,000	\$0
Funding is provided for the Office of Public Defense to expand the Parents Representation Program into Okanogan County.				
Total Request Office of Public Defense	FTE 0.0	\$994,000	\$1,049,000	\$906,000

Office of Civil Legal Aid General Fund State Requests				
Title	FTE	Amount Requested	House Proposed	Senate Proposed
Northwest Justice Project	FTE 0.0	\$555,000	\$555,000	\$0
Funding is requested to protect the ability of Northwest Justice Project to maintain presence in two key areas of the state.				
Maintenance Level	FTE 0.0	\$0	\$15,000	\$15,000
Funding is provided for ongoing licensing and maintenance for the electronic case management system for the Appellate Courts.				
Foreclosure Fairness Act	FTE 0.0	\$0	\$204,000	\$204,000
Pursuant to Substitute House Bill 2876 (deed of trust foreclosure), expenditure authority is provided to reflect revised expenditures from the Foreclosure Fairness Account.				
Personnel Benefit Cost Increase	FTE 0.0	\$0	\$0	\$435,000
Funding is provided for increased personnel health benefit costs for the contract with the Northwest Justice Project.				

**Washington State Judicial Branch
2016 Supplemental Budget Request Recommendation**

Non-Personnel Related Charges	FTE 0.0	\$0	\$0	\$102,000
Funding is provided for increased telecommunication costs for the statewide Coordinated Legal Education, Advice and Referral (CLEAR) system.				
Total Request Office of Civil Legal Aid	FTE 0.0	\$555,000	\$774,000	\$756,000

**Washington State Judicial Branch
2016 Supplemental Budget Request Recommendation**

State Law Library - State General Fund Maintenance Level Requests				
Title	FTE	Amount Requested	House Proposed	Senate Proposed
Central Services		\$0	\$26,000	\$26,000
Maintenance adjustment for statewide central services costs.				
Total Maintenance Level Request State General Fund	FTE 0.0	\$0	\$26,000	\$26,000

Tab 4



Board for Judicial Administration *Sine Die* Report

Current as of Friday, March 11, 2016

Thursday marked the end of the 2016 regular session. Technically, with the beginning of a special session, all previously introduced bills are reintroduced and placed in the highest status they reached in their house of origin. However, this report will show the status of bills at the end of the regular session. On Thursday night, the Governor vetoed 27 bills, two of which were being tracked by the Administrative Office of the Courts.

Here are the highlights regarding bills BJA is tracking and other legislation of interest:

BJA Request Legislation

SHB 1111

SUMMARY: Updating the court transcriptionist statutes and implementing the recommendations of the Court Management Council, in conjunction with court rule passed last year. Technical amendments made in committee.

POSITION: BJA Request

STATUS: Delivered to Governor

DMCJA Request Legislation

~~HB 2097~~

SUMMARY: Authorizing parity with superior courts in the setting of jury fees post-conviction.

POSITION: DMCJA request from 2015.

STATUS: Dead

~~HB 2371/~~~~HB 2463/~~~~SB 6402~~

SUMMARY: Provides that the requirement for a court to file a copy of any relied-upon document in the case file after consulting the Judicial Information System applies only if a party requests so.

POSITION: DMCJA Request

STATUS: Delivered to Governor

~~HB 2462/~~~~SB 6403~~

SUMMARY: When a surety surrenders a defendant to custody, the surrender must be made to the county or city jail affiliated with the jurisdiction issuing the warrant resulting in bail. Upon surrender, a person must be held until the next judicial day or until another bond is posted.

POSITION: DMCJA Request

STATUS: Died in Senate Law & Justice

~~HB 2529/SSB 6297~~

SUMMARY: As amended, for counties with a population of less than 100,000, infraction revenue for Discover Pass violations is split 75% to the state and 25% to the county. Further amended to limit local retention of the fine to those counties whose infraction dismissal rate is less than 12%.

POSITION: DMCJA Request

STATUS: Died in House Appropriations

SCJA Request Legislation

~~HB 2587/SB 6538~~

SUMMARY: Revises two statutory references to the "Association of Superior Court Judges" to instead refer to the "Superior Court Judges' Association."

POSITION: SCJA Request

STATUS: Delivered to Governor

~~SB 6317~~

SUMMARY: Creates the Office of Superior Courts as a new state agency within the judicial branch.

POSITION: SCJA Request. AOC and others opposed.

STATUS: Died in House Judiciary but proviso in Senate budget would require AOC to give SCJA \$516,000 from existing budget.

DATA DISSEMINATION/ACCESS TO COURT RECORDS

~~2ESHB 1553~~

SUMMARY: Creates a process by which a person with a criminal record can be granted a certificate of restoration of opportunity, which removes any professional bar imposed solely as a result of the conviction.

POSITION: BJA and SCJA Support

STATUS: Delivered to Governor

~~SHB 2076/SSB 5752~~

SUMMARY: The Caseload Forecast Council (CFC) must produce (Senate - make recommendations for) racial impact statements on the effect proposed legislation will have on racial and ethnic minorities, including how legislation will impact the racial and ethnic composition of the criminal and juvenile justice systems.

POSITION: BJA supports study before implementation. SCJA support.

STATUS: Bills are dead but there is a study provision in the House budget.

~~HB 2811~~/ESB 6413

SUMMARY: Modifying residential landlord-tenant act provisions relating to tenant screening, evictions, and refunds.

POSITION: JISC Data Dissemination Committee concerns about criminal history records provision.

STATUS: Delivered to Governor

ELECTIONS

~~HB 2784~~

SUMMARY: Reduces size of Supreme Court to five.

POSITION: Watch

STATUS: Dead

~~HJR 4217~~

SUMMARY: Provides for two 4-year terms for Supreme Court justices.

POSITION: Watch

STATUS: Dead

~~SB 5685~~

SUMMARY: Requires the election of Supreme Court justices by district.

POSITION: BJA oppose

STATUS: Dead

~~SJR 8205~~

SUMMARY: Requires the election of Supreme Court justices by district.

POSITION: BJA watch

STATUS: Dead

PROBLEM SOLVING COURTS

~~SB 6556~~

SUMMARY: Therapeutic courts may require a surety bond to ensure juvenile or adult offender participation in a treatment program.

POSITION: SCJA Watch

STATUS: Dead

LEGAL FINANCIAL OBLIGATIONS

~~ESHB-1248~~

SUMMARY: Changes provisions for mandatory arbitration including raising fees and diverting some to indigent criminal defense.

POSITION: DMCJA pro on underlying bill. Position pending for amended bill.

STATUS: Dead

~~E2SHB-1390/SB-5713~~

SUMMARY: Eliminates interest accrual on the non-restitution portions of legal financial obligations and modifies standards to reduce or waive interest. Creates indigency exception. Establishes provisions governing payment plans and priority of payment of LFOs. Addresses sanctioning for noncompliance. Makes DNA fee a one-time payment. Has technology-related issues. Amended in Senate Law & Justice to change interest rate to 4% and add language from SB 6642 regarding priority of restitution payments.

POSITION: Watch

STATUS: Dead

~~SHB-2674/SB-6448~~

SUMMARY: Increases the local option filing fee surcharge in district court and adds the surcharge superior court for alternative dispute resolution.

POSITION: BJA concerns; SCJA oppose.

STATUS: Dead

~~HB-2764~~

SUMMARY: Clarifies budget proviso from 2015 - \$900,000 of state general fund portion of traffic infraction fine increase is appropriated to the Office of Public Defense to be split 50-50 between cities and counties.

POSITION: Watch

STATUS: Dead

~~SB-6642~~

SUMMARY: Creates priority payment tiers for legal financial obligations.

POSITION: Pending

STATUS: Language amended in to HB 1390.

TRAFFIC

~~SHB-2085~~

SUMMARY: Requires the court to allow a person who is assessed a monetary penalty for a traffic infraction to enter into a community restitution plan in lieu of all or part of the monetary penalty if the person is indigent, otherwise qualified, and a plan exists in that community.

POSITION: No position

STATUS: Dead

~~EHB 2659~~/SSB 6360

SUMMARY: Developing a plan for the consolidation of traffic-based financial obligations. Senate version creates a workgroup led by the Attorney General. House version includes a more extensive workgroup led by the Administrative Office of the Courts. House Judiciary amended portions of HB into SB regarding what the workgroup must consider. Senate did not concur with House amendments.

POSITION: Support

STATUS: Delivered to Governor

~~ESHB 2700~~

SUMMARY: Address impaired driving provisions related to destruction of records, license suspensions, vehicular homicide, phlebotomists, arrest and custody, victim impact panels, license suspensions and ignition interlock devices, 24/7 sobriety program. Technical amendment in S Transportation.

POSITION: DMCJA support

STATUS: Dead

~~SB 6105~~

SUMMARY: Creating a new traffic offense of aggravated left lane driving.

POSITION: No position

STATUS: Dead

~~SB 6236~~

SUMMARY: Concerning the 24/7 sobriety program.

POSITION: No position

STATUS: Dead

CRIMINAL

~~SHB 2558~~

SUMMARY: Creates the Joint Legislative Task Force on Jail Standards. Members include courts and court administration.

POSITION: DMCJA support, SCJA watch

STATUS: Dead

~~HB 2706/E2SB 5105~~

SUMMARY: Making a fourth driving under the influence offense a felony.

POSITION: No position

STATUS: Dead

~~SSB 6366~~

SUMMARY: Establishes a statewide DNA database for adults arrested for crimes against persons or residential burglary. Provides for destruction under certain circumstances. Requires AOC to perform a study.

POSITION: Pending

STATUS: Dead

~~HB 2789/SSB 6498~~

SUMMARY: Creating a testimonial privilege for alcohol and drug addiction recovery sponsors.

POSITION: No position

STATUS: Vetoed

~~HB 2654/SB 6503~~

SUMMARY: The court may (senate) or must (house) determine the reliability of informant testimony outside the presence of the jury.

POSITION: Oppose

STATUS: Dead

JUVENILE

~~HB 1734~~

SUMMARY: Directs AOC to participate in a One Family One Team Public-Private Partnership that will create court demonstrations with grants to superior courts that commit to an early intervention and a multi-disciplinary team-based approach for resolving child welfare cases.

POSITION: AOC pro. SCJA pro but with public funding.

STATUS: Bill is dead but there is House budget proviso.

~~2SHB 2449~~

SUMMARY: Providing court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy.

POSITION: SCJA support

STATUS: Delivered to Governor

~~SB 6557~~

SUMMARY: Reestablishing the juvenile justice partnership council under the Administrative Office of the Courts instead of DSHS/JRA.

POSITION: AOC support.

STATUS: Heard in Senate Human Services. Bill sponsor elected not to pursue upon receiving concessions from JRA.

OTHER

~~SHB 2496/SSB 6300~~

SUMMARY: A program is created at the Office of the Attorney General to provide pro bono legal aid to active duty military personnel and veterans.

POSITION: No position

STATUS: Dead

SSB 5449/HB 2111

SUMMARY: Creates a tax division of the court of appeals.

POSITION: Concerns

STATUS: Dead

SB 6151

SUMMARY: Allows sexual assault protection orders to be entered permanently.

POSITION: SCJA support

STATUS: Dead

SSB 6255

SUMMARY: The Legislature respectfully requests the commission on judicial conduct to adopt rules to discipline any judge who fails to disqualify themselves because their impartiality is questioned by contributions greater than \$1,000 to their election or who fails to disclose contributions greater than \$1,000 by a party to a case.

POSITION: Watch

STATUS: Dead

BUDGET

ESHB 2376/ESSB 6246/PSSB 6667

SUMMARY: Supplemental operating budget.

ESHB 2376 does not include the requested \$5.3 M in general fund dollars to replace the use of JIS funds to create the information networking hub/data exchange without which the JIS Account balance could go negative.

ESSB 6246 does not include that request, nor does it include the \$492,000 request for JIS funds for SCCMS support staff. Corrected in Ways & Means, it originally included a reduction to AOC's Office of Judicial and Legislative Relations. It eliminates the Thurston County Impact Fee and has a proviso requiring \$516,000 of existing AOC resources be reallocated directly to the SCJA.

PSSB 6667 is identical to ESSB 6246 in its treatment of the judicial branch budget.

POSITION: Pro on original budget (contains Supreme Court budget), concerns with House budget, oppose both Senate budgets for AOC.

STATUS: Bills passed respective houses on party line votes and will be negotiated.

Tab 5

BJA BUDGET AND FUNDING COMMITTEE AOC BUDGET REDUCTION CRITERIA

Preface:

A sizeable portion of the Administrative Office of the Courts' budget cannot be reduced due to several factors including, but not limited to, constitutional provisions, statutory provisions, statewide federal cost allocation rules and executed legal agreements. Funds allocated to superior court judges' salary and benefits, Becca/Truancy pass through funding, central service and revolving fund costs and lease payments are a few examples. The budget allocation for items exempted from reduction will be identified and removed from consideration prior to any reduction exercise.

- Will the reduction adversely impact an activity that meets a constitutional, statutory or court rule mandate?
- Will the reduction adversely impact the Principal Policy Goals?
- Will the reduction adversely impact a BJA resolution?
- Does the activity further AOC's mission, goals and/or objectives?
- What would be the programmatic consequences if the reduction were implemented?
 - Will the reduction impact the activity such that the remaining funding is insufficient to produce the intended outcome? Will remaining funding maintain an adequate level of service?
 - How will the reduction be perceived by the public? Legislature? Stakeholders?
 - Will the reduction shift costs to another organization(s) including local government?
- Have previous reductions been taken in this area?
- If the reduction were to occur are there funding or other alternatives?
- Is there research or data that supports reduction or exemption/exclusion from reduction?



March 10, 2016

TO: Board for Judicial Administration Members

FROM: Judge Judy Rae Jasprica, BJA Court Education Committee Chair
Judge Douglas J. Fair, BJA Court Education Committee Co-Chair

RE: Court Education Committee Report

I. Work in Progress

The CEC met online on February 24, 2016 to continue discussion on the budget and the CEC retreat. The SJJ grant will be reviewed on April 18, 2016 and we should hear soon after if we were successful.

The CEC budget committee met electronically on February 17, 2016 and will meet again on March 9, 2016 to continue working on the documentation for the biennial request. Mr. Ramsey Radwan provided input on suggested rewrites.

The Committee for the Education of Court Employees (CECE) met February 29, 2016 to continue their work on identifying the court education available to administrators, county clerks, and line-staff and to identify the gaps in education that are missing. They will make a formal recommendation to the CEC at the March meeting.

The upcoming meetings are:

- CEC meetings:
 - March 25, 2016 – SeaTac
 - April 25, 2016 – Online
 - May 20, 2016 – SeaTac (directly after the BJA meeting); and
 - June 15, 2016 - Online
- CEC Budget committee: March 9, 2016 – Online
- CECE meetings:
 - March 29 – Conference Call

II. Short-term Goals

The CEC plans to:

- Adopt a communication plan to foster a holistic relationship between the other BJA standing committees.
- Develop an in-state Judicial Education Leadership Institute.
- Biennial request to the BJA, due in March 2016.

III. Long-term Goals

- If SJI grant approved, begin strategic planning and development of judicial branch education with consultant.
- Develop a stable funding source for court education.



March 10, 2016

TO: Board for Judicial Administration Members
FROM: Judge Janet Garrow, Policy and Planning Committee
RE: REPORT OF POLICY AND PLANNING COMMITTEE

The Policy and Planning Committee has met twice since the committee last reported to the BJA on February 19, 2016. This report summarizes committee activities since that time.

I. Recommendation on BJA Resolutions

Two resolutions were submitted to the BJA in February. One concerned the Updated Civil Legal Needs Study commissioned by the Office of Civil legal Aid, the other concerned the WINGS program (Working Interdisciplinary Network of Guardianship Stakeholders). Pursuant to BJA policy Ms. Misty Butler, the BJA Administrative Manager, referred the proposed resolutions to the committee for review and recommendation.

The committee met with proponents of both resolutions on February 19. In response to input from committee members the proponents made revisions to the proposed resolutions. The committee recommends adoption of both resolutions as revised.

II. Committee Membership

The assignment of Judge J. Michael Leach to the committee ends on March 31st. The committee extends its sincere appreciation to Judge Leach for his dedication and thoughtful service to the committee. He will be replaced by Judge Lisa R. Worswick of the Court of Appeals, Division II, effective April 1st.

The committee has requested revision of its charter in order to expand its membership. A proposed revised charter was presented to the BJA on February 19. The committee awaits board action on the proposed revised charter.

III. Strategic Issue Management Initiative

The committee continues to implement its Strategic Issue Management Initiative. The purpose of this project is to encourage collaboration among judicial branch stakeholders in developing and implementing mutually agreed upon strategies to address important issues facing the judicial system of Washington. Five subject-matter workgroups have been formed, comprised of approximately forty volunteers from twenty judicial branch stakeholder organizations. The workgroups are:

- Local Funding
- Juveniles
- Access and Technology
- Mental Health.
- Indigent Defense

Between the February meeting of the BJA and the date of this report two more of the workgroups held their in-person meetings (Local Funding and Juveniles) and have begun work on their proposals. The fifth and final workgroup, Access and Technology, is scheduled to meet on Monday, March 14. Thus by the date of the March BJA meeting all five workgroups would have met and begun work on their proposals.

The committee is hopeful that all five groups will complete their proposals by the end of April. At that point the committee will review the proposals and circulate them to all of the stakeholder organizations participating in the project. The committee's goal is to provide recommendations on the proposals to the full BJA at its May meeting for action in June.

IV. Mission, Vision, Principal Policy Objectives, Goals of the BJA

The committee is charged with recommending a schedule and process for review of the higher-order elements of the board's planning elements. These are: the mission, vision, and strategic goals of the BJA, and the principal policy objectives of the judicial branch. The committee is developing a plan and timeline to conduct these processes in the second half of the calendar year.



March 10, 2016

TO: Justice Barbara A. Madsen
Judge Scott Sparks
Co-Chairs, Board for Judicial Administration

FROM: Judge Janet Garrow, Chair, Policy and Planning Committee

RE: RECOMMENDATION IN RE: PROPOSED RESOLUTION REGARDING
WORKING INTERDISCIPLINARY NETWORK OF GUARDIANSHIP
STAKEHOLDERS (WINGS)

BACKGROUND

Board for Judicial Administration member Ms. Callie Dietz sponsored a proposed resolution in February 2016 for consideration by the board concerning the support for the WINGS program. WINGS is a project to develop and implement a strategic plan to improve the provisions of decisional support for Washingtonians. The resolution was submitted by Judge Robert Lewis and Commissioner Tony Rugel on behalf of the Working Interdisciplinary Network of Guardianship Stakeholders (WINGS). Pursuant to the board policy on proposed resolutions (BJA document, "Process and Guidelines for Resolution Requests") the BJA Administrative Manager referred the proposal to the Policy and Planning Committee for review and recommendation.

Commissioner Rugel made a presentation on the WINGS program to the board at its meeting on the morning of February 19, 2016, and answered questions posed by board members. The Policy and Planning Committee met that afternoon. Ms. Dietz presented the proposed resolution to the committee. In response to several questions and comments from committee members, Ms. Dietz revised and resubmitted the proposed resolution. The revised proposed resolution was circulated to committee members on Tuesday, February 23.

The committee met via telephone on Tuesday, March 8 and discussed the revised proposed resolution.

RECOMMENDATION

The Policy and Planning Committee recommends adoption of the resolution.

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BOARD FOR JUDICIAL ADMINISTRATION

RESOLUTION REQUEST COVER SHEET

IN SUPPORT OF THE WORKING INTERDISCIPLINARY NETWORK OF GUARDIANSHIP STAKEHOLDERS (WINGS)

**SUBMITTED BY: JUDGE ROBERT LEWIS, CLARK COUNTY SUPERIOR COURT
AND
COMMISSIONER TONY RUGEL, SPOKANE COUNTY SUPERIOR COURT
CO-CHAIRS OF THE WORKING INTERDISCIPLINARY NETWORK OF
GUARDIANSHIP STAKEHOLDERS (WINGS)**

- (1) Name(s) of Proponent(s):** Callie T. Dietz, State Court Administrator
- (2) Spokesperson(s):** Commissioner Tony Rugel, TRUGEL@spokanecounty.org
- (3) Purpose:** To support the formation and mission of the Working Interdisciplinary Network of Guardianship Stakeholders (WINGS).
- (4) Desired Result:** The resolution will provide key judicial branch support for WINGS' mission to develop and implement a strategic plan to improve the provision of decisional-support for Washingtonians.
- (5) Expedited Consideration:** Expedited consideration is requested.
- (6) Supporting Materials:** Draft Resolution, WINGS Charter and priorities.

BJA DRAFT RESOLUTION

In Support of the Working Interdisciplinary Network of Guardianship Stakeholders

WHEAREAS, the National Center for State Courts has conducted substantial research efforts estimating that there are at least 1.5 million guardianships and conservatorships in the United States; and

WHEREAS, the number of vulnerable elderly persons will increase rapidly over the next twenty years. Washington residents age 65 and over has increased 53% since 2010 and is estimated to increase 45% by 2040; and

WHEREAS, the effect of dementia, Traumatic Brain Injury (TBI), serious mental illness and developmental disabilities on decision-making create particular challenges for individuals and systems, including courts.

The number of persons with dementia, including Alzheimer's disease, will increase significantly in the next 25 years. The Alzheimer's Association expects between 215,000 and 270,000 citizens age 65 or older will have a form of dementia in 2040.

National estimates indicate that about 2% of the US population live with long-term or lifelong traumatic brain injury (TBI) related disability.

The National Alliance on Mental Illness of Washington reports that seven percent of the US population is seriously affected by mental health challenges; and

WHEREAS, these trends are likely to result in a substantial increase in the number of cases intended to protect vulnerable and elderly persons including abuse and neglect cases, guardianship and conservatorship proceedings; and

WHEREAS, the delegates from ten national organizations participating in the Third National Guardianship Summit adopted a far-reaching set of recommendations, standards for performance, and training for guardians and conservators, as well as additional recommendations for action by courts, legislatures and other entities; and

WHEREAS, the Office of Professional Guardianship and the Washington Administrative Office of the Courts recognized that lack of sufficient financial resources has made it difficult for trial courts to improve their handling of guardianship cases and promote least restrictive alternatives; and

WHEREAS, the Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) organization was recommended to every state as a mechanism to raise awareness of the issues facing vulnerable and elderly persons and improve procedures for documenting, tracking and monitoring guardianships and conservatorships; and

WHEREAS, the Office of Professional Guardianship and the Administrative Office of the Courts were awarded a grant to establish Washington WINGS as part of a national effort to raise awareness of issues facing vulnerable and elderly persons; and

WHEREAS, an impressive collection of stakeholders, such as certified guardians, lay guardians, judges, commissioners, care providers, social worker and others have affirmed their willingness to participate in collective efforts through the Washington WINGS to:

- (1) Identify strengths and weaknesses in the state's current approach to adult guardianship and less restrictive decision-making options;
- (2) Address key policy and practice issues;
- (3) Engage in outreach, education and training, including, for example, training on supported decision-making; and
- (4) Serve as an ongoing problem-solving mechanism to enhance the quality of care and quality of life of adults affected by or potentially affected by guardianship and other decision-making alternatives, and provide the support they need;

NOW, THEREFORE, BE IT RESOLVED that the Board for Judicial Administration strongly supports the Washington Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) and their efforts to:

- (1) Develop a comprehensive strategy to address timely, accurate, and complete data on the number of guardianship, conservatorship, and elder abuse cases which are essential in determining the policies, procedures, practices and resources needed to address these cases effectively and in measuring how courts are performing in these cases.
- (2) Promote public awareness of abuse, neglect and exploitation of the elderly and persons with disabilities.
- (3) Foster education and training for judges, court personnel, professional guardians, Guardians ad Litem, lay guardians, attorneys, law enforcement and others on matters affecting the elderly such as dementia, TBI, mental illness, financial exploitation, physical abuse and neglect.
- (4) Provide education, training and awareness for the family and friends of persons in navigating the court system to promote beneficial outcomes and fostering overall system accountability.
- (5) Recommend changes in statute, court rules, court structure, practices, procedures, or regulations in order to protect the legal rights of the elderly and vulnerable, promote process fairness, monitor guardianships, and facilitate the economic use of available resources.
- (6) Increase the capacity and availability of services for incapacitated and vulnerable adults including alternatives such as supported decision-making.



March 10, 2016

TO: Justice Barbara A. Madsen
Judge Scott Sparks
Co-Chairs, Board for Judicial Administration

FROM: Judge Janet Garrow, Chair, Policy and Planning Committee

RE: RECOMMENDATION IN RE: PROPOSED RESOLUTION REGARDING
UPDATED CIVIL LEGAL NEEDS STUDY

BACKGROUND

Board for Judicial Administration (BJA) member Judge Janet Garrow sponsored a proposed resolution in February 2016 for consideration by the board concerning the 2015 update of a civil legal needs study commissioned by the Office of Civil Legal Aid (OCLA). The resolution was submitted by Mr. James Bamberger on behalf of the OCLA. Pursuant to the board policy on proposed resolutions (BJA document, "Process and Guidelines for Resolution Requests") the BJA Administrative Manager referred the proposed resolution to the Policy and Planning Committee for review and recommendation.

On the morning of February 19, 2016, Mr. Bamberger made a presentation of the findings of the updated study to the full BJA. The Policy and Planning Committee met that afternoon and Mr. Bamberger presented the resolution to the committee. In response to several questions and comments from committee members, Mr. Bamberger subsequently revised the draft resolution. The revised draft was circulated to committee members on Tuesday, February 23.

The committee met via telephone on Tuesday, March 8 and discussed the pending proposed resolution. The committee recommended several revisions to the draft resolution, which were accepted by the sponsor and Mr. Bamberger on behalf of the OCLA.

RECOMMENDATION

The Policy and Planning Committee recommends adoption of the resolution as revised.

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BOARD FOR JUDICIAL ADMINISTRATION

RESOLUTION REQUEST COVER SHEET

RESOLUTION RE: 2015 CIVIL LEGAL NEEDS STUDY UPDATE

SUBMITTED BY: JIM BAMBERGER, DIRECTOR OFFICE OF CIVIL LEGAL
AID

(1) **Name(s) of Proponent(s):** Judge Janet Garrow, Chair, BJA Policy and Planning Committee

(2) **Spokesperson(s):** (List who will address the BJA and their contact information.) Judge Garrow, Jim Bamberger (Director, Office of Civil Legal Aid)

(3) **Purpose:** (State succinctly what the resolution seeks to accomplish.) To acknowledge the findings of the 2015 Civil Legal Needs Study Update and to call for coordinated action to address the lack of access to necessary civil legal help for low income people in Washington State.

(4) **Desired Result:** (Please state what action(s) would be taken as a result of this resolution and which party/-ies would be taking action.) This resolution will provide important judicial branch support for OCLA's efforts to develop and promote a coordinated Civil Access to Justice Reinvestment Program and ensure unity of judicial branch perspective on the importance of this issue.

(5) **Expedited Consideration:** (Please state whether expedited consideration is requested and, if so, please explain the need to expedite consideration.) Expedited consideration is NOT requested.

(6) **Supporting Material:** (Please list and attach all supporting documents.) Draft Resolution and Final Report of the 2015 Civil Legal Needs Study Update

RESOLUTION RE: 2015 CIVIL LEGAL NEEDS STUDY UPDATE

Whereas, the Board for Judicial Administration is the principal policy making body for the judicial branch; and

Whereas, the Board for Judicial Administration has established Principal Policy Goals for the Judicial Branch, which include the commitment to ensure that “[l]itigants with important interests at stake in civil judicial proceedings should have meaningful access to counsel;” and

Whereas, access to and the ability to secure just outcomes in the civil justice system for all regardless of income, race, gender, language, age and other characteristics are core commitments of our legal system; and

Whereas, in September, 2003, the Washington State Supreme Court’s Task Force on Civil Equal Justice Funding issued the first and then only study on the unmet civil legal needs of low-income Washington residents, and that this study served as the benchmark for developing policy and budget responses designed to address the significant gap in access to justice for low-income individuals documented in the study; and

Whereas, publication of the 2003 Study along with the May 2004 final recommendations offered by the Supreme Court’s Task Force on Civil Equal Justice Funding led to the Legislature’s establishment of the Office of Civil Legal Aid and substantial increases in state appropriations made available for civil legal aid services; and

Whereas, the basic standard for eligibility for civil legal aid is 125% of the federal poverty level by family size, and that the number of people in Washington State living at or below this level increased by more than 40% between the 2000 Census and the 2013 Census Bureau’s American Community Survey report, with the number of such persons increasing from 815,000 to nearly 1.2 million.

Whereas, since 2009, basic field legal aid capacity has declined by nearly 20% due to reductions in public support and increased costs of client service operations, and that the ratio of full-time legal aid attorneys to people living at or below 125% of the federal poverty level has gone from 1:9,000 in 2009 to the current level of 1:11,500. This places Washington State substantially below the federal “minimum access” level of 1:5,000.

Whereas, in December, 2013, the Washington Supreme Court concluded that a comprehensive update of the 2003 Civil Legal Needs Study was needed and established a Civil Legal Needs Study Update Committee (Update Committee) to oversee the update; and

Whereas, Washington State University’s Social and Economic Sciences Research Center (WSU-SESRC) was engaged to conduct the Civil Legal Needs Study Update; and

Whereas, on the basis of research reports produced by WSU-SESRC, the Update Committee published its Final Report of the 2015 Washington State Civil Legal Needs Study Update on October 29, 2015 and this Final Report offers a troubling picture of the scope and prevalence of legal problems experienced by low-income Washington residents and their limited ability to secure legal help for a wide-range of problems affecting their physical and family safety, economic security, access to essential health care, residential stability and other matters affecting basic human needs; and

Whereas, the Final Report also documents racial disparities of significance in the substance and prevalence of civil legal problems experienced by low-income Washington residents. In particular, low-income African American and Native American households experience a higher prevalence of legal problems across nearly every substantive problem area than the general low income population, and victims of domestic violence, persons with disabilities and youth ages 15-21 also experience higher than average rates of legal problems than the general low income population; and

Whereas, the Final Report further documents that more than 50% of low-income Washington residents lack the legal literacy to self-diagnose and self-refer for legal assistance with respect to many of the problems they experience, that more than 75% of those who experience civil legal problems do not get any legal help, and that more than 60% of low-income respondents expressed that they had limited or no trust and confidence that the courts and the civil justice system would help people like them solve important civil legal problems;

NOW THEREFORE, the Board for Judicial Administration

1. Accepts the findings of the 2015 Civil Legal Needs Study Update as an up-to-date representation of the civil legal problems experienced by low-income Washington residents in 2014, the serious lack of legal literacy among the low-income population, the disproportionate experiences of members of certain subgroups of the low-income community with regard to the problems they experience, and the systemic lack of access to necessary legal assistance to help low-income Washington residents solve important civil legal problems; and

Encourages the Office of Civil Legal Aid to work with the bipartisan Civil Legal Aid Oversight Committee established by RCW 2.53.010 and coordinate, as appropriate, with the Board for Judicial Administration, the Washington State Supreme Court's Access to Justice Board, the Administrative Office of the Courts, the Washington State Bar Association, the broader civil justice community and other key stakeholders to develop strategies to address the issues documented in the 2015 Civil Legal Needs Study Update.



Board for Judicial Administration (BJA)

POLICY AND PLANNING STANDING COMMITTEE CHARTER

-- PROPOSED AMENDMENTS --

I. Committee Title

Policy and Planning Committee

II. Authority

Board for Judicial Administrative Rules (BJAR 3)

III. Charge or Purpose

The charge and purpose of the Policy and Planning Committee is to create and manage a process of engagement within the judicial branch around policy matters affecting the courts of Washington, to identify and analyze priority issues, and to develop strategies to address those issues. In doing so the standing committee will work to advance the mission, vision and principal policy goals of the BJA.

The Policy and Planning Committee shall:

1. Create and oversee a planning process on a two-year cycle that accomplishes the following:
 - a. Sets out a clear and accessible plan and schedule for outreach to justice system partners and stakeholders that provides multiple opportunities for input and identifies major decision points.
 - b. Provides for preliminary identification of issues advanced for attention by the BJA.
 - c. Produces written analyses of proposed issues that outlines the substance of the issue, its impact on the courts, the scope of potential strategies to address the issue, the potential benefits and risks of undertaking a strategic initiative to address the issue, a statement of desired outcomes and the feasibility of achieving desired outcomes, the major strategies that might be employed to address the issue, the resources necessary, and a timeline.
 - d. Provides analyses of issues to branch stakeholders for their review and additional input.
 - e. Selects one or more issues for recommendation as strategic initiatives to be sponsored by the BJA.

- f. For any strategic initiative approved by the BJA drafts and submits to the BJA a proposed charter for a steering committee or task force to implement the initiative. The charter should provide for the composition of the task force or steering committee, its charge, desired outcomes of the campaign, its deliverables, a timeline for reporting and ending of the body, and a detailed identification of resources necessary to implement the initiative, including staff and fiscal resources.
 - g. Produces recommendations to the BJA for action, referral, or other disposition regarding those issues not recommended for a strategic initiative.
 - h. Provides a critique and recommendations for changes in the planning process for consideration in subsequent cycles.
2. Serve as the oversight body of any committee or task force created to implement a strategic initiative.
 3. Identify strategic goals of the BJA and propose recommendations to address them in conjunction with the other standing committees.
 4. Propose a process and schedule for the periodic review of the mission statement, vision statement, and principle policy goals of the Board for Judicial Administration, and oversee any process to propose revisions and present proposed changes to the BJA.
 5. Provide analyses and recommendations to the BJA on any matters referred to the standing committee pursuant to the bylaws of the Board.

IV. Policy Area

The committee is authorized to research and make recommendations regarding any area of policy affecting the courts of Washington which is within the plenary authority of the BJA.

V. Expected Deliverables or Recommendations

The Policy and Planning Committee will produce interim and final reports and recommendations, analyses of issues conducted during its planning cycle, and reports of the status of ongoing strategic initiatives.

VI. Membership

All members of the Policy and Planning Committee shall be voting members regardless of voting status on the full body.

Representative

Chief Justice
BJA Member, SCJA
BJA Member, DMCJA
COA Presiding Chief Judge
SCJA President-Elect
DMCJA President-Elect

The committee chair, by majority vote of the representative members may appoint the following members:

one superior court judge,

one district court or municipal court judge,

one member of the Court Management Council,

the Executive Director of The Washington State Bar, and

one at-large member.

VII. Terms Limits

The terms of BJA members shall coincide with their term and seat on the BJA. ~~A~~The president-elects of the a judicial associations shall serve on the committee until becoming president, ~~and shall be then be replaced by the incoming president elects.~~

The terms of any additional members shall be two years, beginning on July 1 and ending on June 30 or even-numbered years.

VIII. Other Branch Committees Addressing the Same Topic

There are a number of existing committees within the branch created to address policy in specific subject matter areas or functions. The Policy and Planning Committee has a uniquely general assignment concerning any policy matter that affects the judicial branch.

IX. Other Branch Committees with Which to Partner

The Policy and Planning Committee will conduct its work in consultation with the other standing committees of the BJA.

The Policy and Planning Committee will initiate and maintain dialog with a number of branch entities and committees both within and outside of the judicial branch.

Branch committees and entities include:

- Washington Supreme Court
- Court of Appeals
- Superior Court Judges' Association
- District and Municipal Court Judges' Association
- Judicial Information System Committee
- Access to Justice Board
- Gender and Justice Commission
- Minority and Justice Commission
- Office of Public Defense
- Office of Civil Legal Aid

Other entities include:

- Office of the Governor
- Washington State Legislature
- Washington State Bar Association
- Washington Association of Prosecuting Attorneys
- Washington Association of Criminal Defense Attorneys
- Washington State Association for Justice
- Washington State Association of Counties
- Association of Washington Cities
- Washington State Association for Municipal Attorneys

X. Reporting Requirements

The Policy and Planning Committee shall provide a final report and recommendations near the conclusion of its two-year planning cycle, and shall provide an interim biennial report of activities and the status of any ongoing strategic initiatives or other projects.

XI. Duration/Review Date

The standing committee should be reviewed every three years to ensure that it is functioning consistent with its charge, producing deliverables and that the mission and goals of the BJA are being advanced. The first review should occur in 2018 and reoccur every three years thereafter.

Adopted: July 18, 2014
Amended: September 19, 2014
September 18, 2015
February 19, 2016

Tab 6

BOARD FOR JUDICIAL ADMINISTRATION RULES (BJAR)

TABLE OF RULES

Rule

Preamble

- 1 Board for Judicial Administration
- 2 Composition
- 3 Operation
- 4 Duties
- 5 Staff

BJAR
PREAMBLE

The power of the judiciary to make administrative policy governing its operations is an essential element of its constitutional status as an equal branch of government. The Board for Judicial Administration is established to adopt policies and provide strategic leadership for the courts at large, enabling the judiciary to speak with one voice.

[Adopted effective January 25, 2000.]

BJAR 1
BOARD FOR JUDICIAL ADMINISTRATION

The Board for Judicial Administration is created to provide effective leadership to the state courts and to develop policy to enhance the administration of the court system in Washington State. Judges serving on the Board for Judicial Administration shall pursue the best interests of the judiciary at large.

[Amended effective October 29, 1993; January 25, 2000.]

BJAR 2
COMPOSITION

- (a) Membership. The Board for Judicial Administration shall consist of judges from all levels of court selected for their demonstrated interest in and commitment to judicial administration and court improvement. The Board shall consist of five members from the appellate courts (two from the Supreme Court, one of whom shall be the Chief Justice, and one from each division of the Court of Appeals), five members from the superior courts, one of whom shall be the President of the Superior Court Judges' Association, five members of the courts of limited jurisdiction, one of whom shall be the President of the District and Municipal Court Judges' Association, two members of the Washington State Bar Association (non-voting) and the Administrator for the Courts (non-voting).
- (b) Selection. Members shall be selected based upon a process established by their respective associations or court level which considers demonstrated commitment to improving the courts, racial and gender diversity as well as geographic and caseload differences.
- (c) Terms of Office.
 - (1) Of the members first appointed, one justice of the Supreme Court shall be appointed for a two-year term; one judge from each of the other levels of court for a four-year term; one judge from each of the other levels of court and one Washington State Bar Association member for a three-year term; one judge from the other levels of court and one Washington State Bar Association member for a two-year term; and one judge from each level of trial court for a one-year term. Provided that the terms of the District and Municipal Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2011 shall be for two years and the terms of the Superior Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2013 shall be for two years each. Thereafter, voting members shall serve four-year terms and the Washington State Bar Association members for three-year terms commencing annually on June 1. The Chief Justice, the President Judges and the Administrator for the Courts shall serve during tenure.
 - (2) Members serving on the BJA shall be granted equivalent pro tempore time.

[Amended effective October 29, 1993; February 16, 1995; January 25, 2000; June 30, 2010.]

BJAR RULE 3
OPERATION

(a) Leadership. The Board for Judicial Administration shall be chaired by the Chief Justice of the Washington Supreme Court in conjunction with a Member Chair who shall be elected by the Board. The duties of the Chief Justice Chair and the Member Chair shall be clearly articulated in the by-laws. Meetings of the Board may be convened by either chair and held at least bimonthly. Any Board member may submit issues for the meeting agenda.

(b) Committees. Ad hoc and standing committees may be appointed for the purpose of facilitating the work of the Board. Non-judicial committee members shall participate in non-voting advisory capacity only.

(1) The Board shall appoint at least four standing committees: Policy and Planning, Budget and Funding, Education, and Legislative. Other committees may be convened as determined by the Board.

(2) The Chief Justice and the Member Chair shall nominate for the Board's approval the chairs and members of the committees. Committee membership may include citizens, experts from the private sector, members of the legal community, legislators, clerks and court administrators.

(c) Voting. All decisions of the Board shall be made by majority vote of those present and voting provided there is one affirmative vote from each level of court. Eight voting members will constitute a quorum provided at least one judge from each level of court is present. Telephonic or electronic attendance shall be permitted but no member shall be allowed to cast a vote by proxy.

[Adopted effective January 25, 2000; amended effective September 1, 2014.]

BJAR 4
DUTIES

(a) The Board shall establish a long-range plan for the judiciary;

(b) The Board shall continually review the core missions and best practices of the courts;

(c) The Board shall develop a funding strategy for the judiciary consistent with the long-range plan and RCW 43.135.060;

(d) The Board shall assess the adequacy of resources necessary for the operation of an independent judiciary;

(e) The Board shall speak on behalf of the judicial branch of government and develop statewide policy to enhance the operation of the state court system; and

(f) The Board shall have the authority to conduct research or create study groups for the purpose of improving the courts.

[Adopted effective January 25, 2000.]

BJAR 5
STAFF

Staff for the Board for Judicial Administration shall be provided by the Administrator for the Courts.

[Adopted effective January 25, 2000.]



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BOARD FOR JUDICIAL ADMINISTRATION BYLAWS

ARTICLE I

Purpose

The Board for Judicial Administration shall adopt policies and provide leadership for the administration of justice in Washington courts. Included in, but not limited to, that responsibility is: 1) establishing a judicial position on legislation; 2) providing direction to the Administrative Office of the Courts on legislative and other administrative matters affecting the administration of justice; 3) fostering the local administration of justice by improving communication within the judicial branch; and 4) providing leadership for the courts at large, enabling the judiciary to speak with one voice.

ARTICLE II

Membership

Membership in the Board for Judicial Administration shall consist of the Chief Justice and one other member of the Supreme Court, one member from each division of the Court of Appeals, five members from the Superior Court Judges' Association, one of whom shall be the President; five members from the District and Municipal Court Judges' Association, one of whom shall be the President. It shall also include as non-voting members two members of the Washington State Bar Association appointed by the Board of Governors; the Administrator for the Courts; and the Presiding Chief Judge of the Court of Appeals, the President-elect judge of the Superior Court Judges' Association and the President-elect judge of the District and Municipal Court Judges' Association.

ARTICLE III

Officers and Representatives

The Chief Justice of the Supreme Court shall chair the Board for Judicial Administration in conjunction with a Member chair. The Member chair shall be elected by the Board and shall serve a two year term. The Member chair position shall be filled alternately between a voting Board member who is a superior court judge and a voting Board member who is either a district or municipal court judge.

ARTICLE IV

Duties of Officers

The Chief Justice Chair shall preside at all meetings of the Board, performing the duties usually incident to such office, and shall be the official spokesperson for the Board. The Chief Justice chair and the Member chair shall nominate for the Board's approval the chairs of all committees. The Member chair shall perform the duties of the Chief Justice chair in the absence or incapacity of the Chief Justice chair.

ARTICLE V

Vacancies

If a vacancy occurs in any representative position, the bylaws of the governing groups shall determine how the vacancy will be filled.

ARTICLE VI **Committees**

Standing committees as well as ad hoc committees and task forces of the Board for Judicial Administration shall be established by majority vote.

Each committee shall have such authority as the Board deems appropriate.

The Board for Judicial Administration will designate the chair of all standing, ad hoc, and task force committees created by the Board. Membership on all committees and task forces will reflect representation from all court levels. Committees shall report in writing to the Board for Judicial Administration as appropriate to their charge. The Chair of each standing committee shall be asked to attend one BJA meeting per year, at a minimum, to report on the committee's work. The terms of standing committee members shall not exceed two years. The Board for Judicial Administration may reappoint members of standing committees to one additional term. The terms of ad hoc and task force committee members will have terms as determined by their charge.

ARTICLE VII **Executive Committee**

There shall be an Executive Committee composed of Board for Judicial Administration members, and consisting of the co-chairs, a Judge from the Court of Appeals selected by and from the Court of Appeals members of the Board, the President Judge of the Superior Court Judges' Association, the President Judge of the District Municipal Court Judges' Association, and non-voting members to include one Washington State Bar Association representative selected by the Chief Justice, President-elect judge of the Superior Court Judges' Association, President-elect judge of the District and Municipal Court Judges' Association and the Administrator for the Courts.

It is the purpose of this committee to consider and take action on emergency matters arising between Board meetings, subject to ratification of the Board.

The Executive Committee shall serve as the Legislative Committee as established under BJAR 3(b)(1). During legislative sessions, the Executive Committee is authorized to conduct telephone conferences for the purpose of reviewing legislative positions.

ARTICLE VIII **Regular Meetings**

There shall be regularly scheduled meetings of the Board for Judicial Administration at least bi-monthly. Reasonable notice of meetings shall be given each member.

ARTICLE IX **Special Meetings**

Special meetings may be called by any member of the Board. Reasonable notice of special meetings shall be given each member.

ARTICLE X **Quorum**

Eight voting members of the Board shall constitute a quorum provided each court level is represented.

ARTICLE XI **Voting**

Each judicial member of the Board for Judicial Administration shall have one vote. All decisions of the Board shall be made by majority vote of those present and voting provided there is one affirmative vote from each level of court. Telephonic or electronic attendance shall be permitted but no member shall be allowed to cast a vote by proxy.

ARTICLE XII **Amendments and Repeal of Bylaws**

These bylaws may be amended or modified at any regular or special meeting of the Board, at which a quorum is present, by majority vote. No motion or resolution for amendment may be considered at the meeting in which they are proposed.

Approved for Circulation--7/27/87
Amended 1/21/00
Amended 9/13/00
Amended 5/17/02
Amended 5/16/03
Amended 10/21/05
Amended 03/16/07

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BOARD FOR JUDICIAL ADMINISTRATION

PROCESS AND GUIDELINES FOR RESOLUTION REQUESTS

The Board for Judicial Administration (Board) was established to adopt policies and provide strategic leadership for the courts at large, enabling the Washington State judiciary to speak with one voice. To fulfill these objectives, the BJA may consider adopting resolutions on substantive topics relating to the administration of justice.

Resolutions may be aspirational in nature, support a particular position, or serve as a call to action. Resolutions may support funding requests, but do not stand alone as a statement of funding priorities or indicate an intent by the Board to proactively seek funding. Resolutions are not long-term policy statements and their adoption does not establish the Board's work plan or priorities.

The absence of a Resolution on a particular subject does not indicate a lack of interest or concern by the Board in regard to a particular subject or issue.

In determining whether to adopt a proposed resolution, the Board shall give consideration to the following:

- Whether the Resolution advances the Principal Policy Objectives of the Judicial Branch.
- The relation of the Resolution to priorities delineated in existing strategic and long range plans.
- The availability of resources necessary to properly act upon the resolution.
- The need to ensure the importance of resolutions adopted by the Board is not diluted by the adoption of large numbers of resolutions.

In order to ensure timely and thorough consideration of proposed resolutions, the following guidelines regarding procedure, form and content are to be followed:

- Resolutions may be proposed by any Board member. The requestor shall submit the resolution, in writing, with a request form containing a brief statement of purpose and explanation, to the Associate Director of the Board for Judicial Administration.
- Resolutions should not be more than two pages in length. An appropriate balance must be struck between background information and a clear statement of action. Traditional resolution format should be followed. Resolutions should cover only a single subject unless there is a clear and specific reason to include more than one subject. Resolutions must be short-term and stated in precise language.

- Resolutions must include a specific expiration date or will automatically expire in five years. Resolutions will not be automatically reviewed upon expiration of their term, but may be reviewed upon request for reauthorization. Resolutions may be terminated prior to their expiration date as determined by the Board.
- The Associate Director shall refer properly submitted resolutions to appropriate staff, and/or to an appropriate standing committee (or committees) for review and recommendation, or directly to the Board's Executive Committee, as appropriate. Review by the Board's Executive Committee will precede review by the full Board membership. Such review may be done via e-mail communication rather than in-person discussion when practical. Resolutions may be reviewed for style and content. Suggestions and comments will be reported back to the initiating requestor as appropriate.
- The report and recommendation of the Executive Committee shall be presented to the BJA membership at the next reasonably available meeting, at which time the resolution may be considered. Action on the proposed resolution will be taken in accordance with the BJAR and bylaws. The Board may approve or reject proposed resolutions and may make substantive changes to the resolutions.
- Approved resolutions will be numbered, maintained on the Board for Judicial Administration section of the Washington Courts website, and disseminated as determined by the Board for Judicial Administration.

**PRINCIPAL POLICY OBJECTIVES
OF THE WASHINGTON STATE JUDICIAL BRANCH**

1. **Fair and Effective Administration of Justice in All Civil and Criminal Cases.** Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.
2. **Accessibility.** Washington courts, court facilities and court systems will be open and accessible to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.
3. **Access to Necessary Representation.** Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.
4. **Commitment to Effective Court Management.** Washington courts will employ and maintain systems and practices that enhance effective court management.
5. **Appropriate Staffing and Support.** Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.

BOARD FOR JUDICIAL ADMINISTRATION

RESOLUTION REQUEST COVER SHEET

(INSERT PROPOSED RESOLUTION TITLE HERE)

SUBMITTED BY: (INSERT NAME HERE)

(1) **Name(s) of Proponent(s):**

(2) **Spokesperson(s):** (List who will address the BJA and their contact information.)

(3) **Purpose:** (State succinctly what the resolution seeks to accomplish.)

(4) **Desired Result:** (Please state what action(s) would be taken as a result of this resolution and which party/-ies would be taking action.)

(5) **Expedited Consideration:** (Please state whether expedited consideration is requested and, if so, please explain the need to expedite consideration.)

(6) **Supporting Material:** (Please list and attach all supporting documents.)