



Board for Judicial Administration (BJA) Meeting

Friday, June 17, 2016 (9 a.m. – Noon)

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

MEETING MINUTES

BJA Members Present:

Judge Scott Sparks, Member Chair
Judge Scott Ahlf
Judge Bryan Chushcoff
Judge Scott Collier
Ms. Callie Dietz
Judge Michael Downes
Judge George Fearing
Judge Janet Garrow
Mr. William Hyslop
Judge Judy Rae Jasprica
Judge G. Scott Marinella
Judge Bradley Maxa
Judge Sean Patrick O'Donnell
Judge Kevin Ringus
Judge James Rogers
Judge Ann Schindler
Judge Lisa Worswick

Guests Present:

Mr. Jeff Amram (by phone)
Ms. Linda Baker
Judge Harold Clarke III
Justice Mary Fairhurst
Mr. Dennis Rabidou

Public Present:

Dr. Page Carter

AOC Staff Present:

Ms. Misty Butler
Ms. Beth Flynn
Mr. Steve Henley
Mr. Dirk Marler
Mr. Ramsey Radwan

The meeting was called to order by Judge Sparks.

May 20, 2016 BJA Meeting Minutes

It was moved by Judge Garrow and seconded by Judge Ringus to approve the May 20, 2016 BJA meeting minutes. The motion carried.

Administrative Manager's Report

Ms. Butler reported that the current membership lists for the BJA and the BJA standing committees were distributed in the meeting materials. She noted that the term ending dates for the Court of Appeals judges should be in March instead of June. Judge Jasprica stated that Ms. Andra Motyka retired and Ms. Fona Sugg is her replacement on the Court Education Committee. Ms. Butler recommended a final vote on the BJA standing committee assignments.

It was moved by Judge Garrow and seconded by Judge Chushcoff to adopt the BJA standing committee assignments with the revisions noted during the discussion. The motion carried.

A portion of the August 19 meeting will be set aside for a BJA orientation to cover the mission and goals of the BJA, emphasize the BJA's purpose, and to discuss where the BJA is going in the future. An updated Member Guide will be distributed during the meeting.

The standing committees have drafted orientation plans for new members. They will be used this year.

Court Management Council Rule Changes

The Court Management Council (CMC) is requesting technical changes to GR 17 and GR 30 and they would like the BJA's endorsement.

Ms. Dietz stated that the changes to the rules are very minor and the CMC believes faxes will be obsolete in the future. Until then, they need to have a rule in place that reflects current practice. The proposed revisions make it easier and less stringent than the current rules.

It was moved by Judge Maxa and seconded by Judge Ringus to endorse the proposed Court Management Council GR 17 and GR 30 rule changes. The motion carried.

Public Trust and Confidence Committee Annual Presentation

Justice Fairhurst presented the annual report of the BJA Public Trust and Confidence Committee. A written report was provided in the meeting materials.

The Committee completed the following projects between January 2015 and June 2016:

- The Legislative Scholars Program is a yearly program to provide teachers with information regarding the legislative and judicial branches of government and it is always well received.
- The Committee is marketing the established Judges in the Classroom Project to schools and the judiciary. The Web site has been updated and there has been a special promotion the last few years to encourage judges to participate.

The Committee's current projects include:

- Create and disseminate a PSA video to encourage citizens to respond for jury duty, with a special outreach to diverse audiences.
- Review, repackage and market all past products of the Committee.
- Access to Justice public education campaign for the public.
- Catalog LRE materials.
- Elevator speech for cynics.
- Procedural justice projects.

Justice Fairhurst stated that she appreciates the BJA continuing the Committee's work through the BJA Policy and Planning Committee.

Standing Committee Reports

Court Education Committee (CEC): Judge Jasprica reported that the CEC hired a consultant to work with them to assist in determining the best way to educate judicial officers and other court personnel in the state. They also submitted a budget request to fund court education and they hope the BJA approves the request.

Budget and Funding Committee (BFC): Judge Schindler stated that the charter for the BFC requires them to review and make recommendations for budget requests. The current budget requests were discussed at the last BJA meeting and are on the agenda for the BJA's consideration later during this meeting.

Legislative Committee (LC): Judge Rogers reported that the 2016 Legislative Bill Summary was distributed. The BJA needs to appoint a Chair for the Legislative Committee. Ms. Butler said Judge Rogers is the interim chair to fill in for Judge O'Donnell who was moved to the Policy and Planning Committee because he is now the President-elect of the Superior Court Judges' Association. The next Legislative Chair needs to come from the District and Municipal Court Judges' Association or the Court of Appeals and the eligible candidates are Judge Ringus and Judge Maxa.

It was moved by Judge Garrow and seconded by Judge Jasprica to nominate Judge Ringus as the Chair of the Legislative Committee. The motion carried.

Judge Ringus will become the Chair of the Legislative Committee on July 1. Judge Rogers will remain the Chair until that time.

Judge O'Donnell requested an update on the hiring process for the Associate Director – Judicial and Legislative Relations position. Ms. Dietz stated that the job announcement was posted and it will remain open until filled. So far, 23 applications have been received and they have been screened by the Human Resources office and were also reviewed by Ms. Dietz and four additional AOC staff. After the screening, it was determined that eight applicants will be interviewed and there will be two interview panels. The first round will move the candidates that did well onto the second round of interviews. If a candidate is offered the job he/she will have to pass a background check.

Policy and Planning Committee (PPC): Judge Garrow stated that the PPC report is included in the meeting materials. There are new members on the PPC and at this point in time they have not chosen to fill the public member position yet because they have been busy with the Strategic Issue Management (SIM) Initiative.

Revenue Update

Mr. Radwan reported that a state revenue forecast was released in the last few days. The current forecast compared to February's forecast shows a small change in revenue. It is fairly neutral. A snapshot of revenue was included in Figure 1 of the handout.

While there is an increase in the revenue between biennia there is also an increase in costs (see Figure 2). The current official outlook has a \$314 million deficit for the ensuing biennium. If that were all, it would be okay, but that deficit does not include policy increases such as

Hepatitis C costs, employee salary increases or McCleary. If only the anticipated costs for McCleary are included in the estimated costs, then expenditures would exceed revenue by approximately 8%, which is huge. Pent up demand as well as known and unknown costs will far exceed the anticipated revenue in the near general fund accounts. Because of this pressure, the Legislature may implement budget reductions as one tool to balance the budget. As an example, a 1% reduction in AOC's non-protected budget would result in a \$500,000 reduction which would equate to approximately three staff at AOC.

At the state level about 60% the budget is protected. That leaves approximately \$13.5 billion that could be cut. However, a 1% reduction would amount to \$135 million, which is far lower than the projected deficit. The judicial branch has been diligent in the past when submitting funding requests to the Legislature. If the branch sends huge requests now, it will appear that the judicial branch is tone deaf.

Figure 3 shows the growth in the judicial branch budget through 2015-2017 and the 2017-2019 growth that would occur if all of the judicial branch's near general fund requests were approved. The branch as a whole has been increasing its resources. It is not even across the board but there has been overall growth.

The Office of Financial Management (OFM) is advising executive branch agencies to not ask for restoration of cuts or a "fair share" of the increase in revenue. The judicial branch needs to be aware of that and the pressure is on us to have deliberate and difficult conversations about the highest priorities.

The budget requests total about \$25 million. The amount could go down a little but it is still a substantial amount. If the Office of Civil Legal Aid and the Office of Public Defense budget requests are included, the request goes to about \$40 million. If the BJA moves forward with the requests as they are, there would be about a 15% increase for the upcoming biennium. The BJA needs to think carefully about how the budget requests are prioritized.

Prioritization of Decision Packages

Judge Schindler stated that this is a follow-up to the presentation regarding budget requests during the May BJA meeting. The BJA will prioritize the budget requests today.

There was discussion regarding what should be considered a top priority. Also discussed was whether or not to submit a large budget request.

The budget requests were prioritized as follows:

1. Trial Court Interpreter Services
2. Court Personnel Education
3. Pattern Forms
4. Web Services Support
5. Courthouse Facilitator Training
6. Telephonic Interpreter
7. Therapeutic Courts
8. Guardian Monitoring
9. CASA Program Expansion

The Board discussed whether to send all the budget requests forward to the Supreme Court.

It was moved by Judge Chushcoff and seconded by Judge Garrow to send all of the budget priorities to the Supreme Court. The motion carried.

Next steps were discussed and it was decided that talking points need to be developed to use with the Supreme Court and the Legislature. It was suggested that an interpreter be used to deliver the message regarding the Trial Court Interpreter Services funding request. AOC staff will begin working on the talking points. The talking points will be developed into one-page information sheets for the Legislature.

Strategic Issue Management Initiative

Judge Garrow stated that the Policy and Planning Committee's recommendations regarding the Strategic Issue Management Initiative proposals are included on pages 49 through 53 of the meeting materials.

It was moved by Judge Ringus and seconded by Judge Jasprica that the BJA adopt the BJA Policy and Planning Committee Strategic Issue Management recommendations as listed in the BJA meeting materials. The motion carried.

Judge O'Donnell asked that the topic "Renewal of BJA Resolutions" be added to the August BJA meeting agenda. He noted that he would like the BJA Court Security resolution to be reviewed for extension.

Judge Sparks commented that he would ask for future BJA meeting agenda items at the end of each BJA meeting.

There being no further business the meeting was adjourned.

Recap of Motions from the June 17, 2016 Meeting

Motion Summary	Status
Approve the May 20, 2016 BJA meeting minutes.	Passed
Adopt the BJA standing committee assignments with the revisions noted during the discussion.	Passed
Endorse the proposed Court Management Council GR 17 and GR 30 rule changes.	Passed
Nominate Judge Ringus as the Chair of the Legislative Committee.	Passed
Send all of the budget priorities to the Supreme Court.	Passed
Adopt the BJA Policy and Planning Committee Strategic Issue Management recommendations as listed in the BJA meeting materials.	Passed

Action Items from the June 17, 2016 Meeting

Action Item	Status
<u>May 20, 2016 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	Done Done
<u>BJA Standing Committees</u> <ul style="list-style-type: none">• Update all standing committee lists and listservs with current members	
<u>Budget Priorities</u> <ul style="list-style-type: none">• Send all of the budget priorities to the Supreme Court• Create talking points for budget priorities to be used with the Supreme Court and legislators	
<u>Strategic Issue Management Initiative</u> <ul style="list-style-type: none">• The PPC recommendations were adopted and the PPC will move forward on the recommendations	
<u>August Meeting Agenda</u> <ul style="list-style-type: none">• Ask for future agenda items at the end of each BJA meeting• Add Renewal of BJA Resolutions to the August BJA meeting agenda; consider extending the BJA Court Security resolution	