

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, MARCH 16, 2018
9:00 A.M.**

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

Board for Judicial Administration Membership

VOTING MEMBERS:

Chief Justice Mary Fairhurst, Chair
Supreme Court

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

Judge Scott Ahlf, President
District and Municipal Court Judges' Association
Olympia Municipal Court

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

Judge George Fearing
Court of Appeals, Division III

Judge Gregory Gonzales
Superior Court Judges' Association
Clark County Superior Court

Judge Dan Johnson
District and Municipal Court Judges' Association
Lincoln County District Court

Judge Mary Logan
District and Municipal Court Judges' Association
Spokane Municipal Court

Judge Bradley Maxa
Court of Appeals, Division II

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

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

Judge James E. Rogers
Superior Court Judges' Association
King County Superior Court

Judge Ann Schindler
Court of Appeals, Division I

Judge Scott Sparks
Superior Court Judges' Association
Kittitas County Superior Court

Justice Charles Wiggins
Supreme Court

NON-VOTING MEMBERS:

Ms. Callie Dietz
State Court Administrator

Mr. Bradford Furlong, President
Washington State Bar Association

Judge Blaine Gibson, President-Elect
Superior Court Judges' Association
Yakima County Superior Court

Ms. Paula Littlewood, Executive Director
Washington State Bar Association

Judge Rebecca Robertson, President-Elect
District and Municipal Court Judges' Association
Federal Way Municipal Court

Judge Michael Spearman, Presiding Chief Judge
Court of Appeals, Division I

The **Mission** of the Board for Judicial Administration is to provide leadership and develop policy to enhance the judiciary's ability to serve as an equal, independent, and responsible branch of government.

The **Vision** of the Board for Judicial Administration is to be the voice of the Washington State courts.



Board for Judicial Administration (BJA)

Friday, March 16, 2018 (9 a.m. – 12 p.m.)

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

AGENDA

1. Call to Order	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	9:00 a.m.
2. Welcome and Introductions	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	9:00 a.m.
3. Legislative Update <i>Legislative session wrap-up</i>	Judge Kevin Ringus Mr. Brady Horenstein	9:05 a.m. Tab 1
4. Budget Update a) <i>Information: 2018 Legislative session wrap-up</i> b) <i>Follow-up on percentage of branch budget that comes from general funds</i>	Mr. Ramsey Radwan	9:20 a.m. Tab 2
5. Standing Committee Reports a) <i>Budget and Funding Committee</i> b) <i>Court Education Committee</i> c) <i>Policy and Planning Committee</i> d) <i>Legislative Committee</i>	Judge Ann Schindler Judge Judy Rae Jasprica Judge Rebecca Robertson Judge Kevin Ringus	9:35 a.m. Tab 3
6. Interpreter Funding Strategic Initiative <i>Information: Update</i> <i>Action: Discussion and approval of funding strategy</i>	Justice Steven González Judge Andrea Beall Judge Michael Downes	9:45 a.m. Tab 4
7. Education Funding Strategic Initiative <i>Information: Update</i> <i>Action: Discussion and approval of funding strategy</i>	Judge Doug Fair	10:00 a.m. Tab 5
8. Washington State Center for Court Research and the Center for Study and Advancement of Justice Efficiency <i>Information</i>	Dr. Carl McCurley	10:15 a.m. Tab 6
Break		10:35 a.m.

9. Speaking with a Unified Voice <i>Facilitated discussion addressing the BJA's #1 organizational goal</i>	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	10:50a.m. Tab 7
10. JISC Overview and Update <i>Information</i>	Chief Justice Mary Fairhurst	11:20 a.m. Tab 8
11. Gender and Justice Commission Letter of Support <i>Action: Approval of letter</i>	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	11:40 a.m. Tab 9
12. February 16, 2018 Meeting Minutes <i>Action: Motion to approve the minutes of the February 16, 2018 meeting</i>	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	11:45 a.m. Tab 10
13. Information Sharing <i>a) Roundtable</i>	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	11:50 a.m.
14. Meeting Review	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	11:55 a.m.
15. Adjourn		12:00 p.m.
<p>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.</p>		

Next meetings:

- May 18, 2018 - AOC SeaTac Office**
- June 15, 2018 - AOC SeaTac Office**
- September 21, 2018 - AOC SeaTac Office**
- October 19, 2018 - AOC SeaTac Office**
- November 16, 2018 - AOC SeaTac Office**

The organization goals of the Board for Judicial Administration are 1) Speaking with One Voice; 2) Branch Communication; 3) Committee Coordination; and 4) Committee Composition.

Tab 1



March 9, 2018

TO: BJA Members
FROM: Judge Kevin Ringus, BJA Legislative Committee Chair
Brady Horenstein, AOC Associate Director, Legislative & Judicial Relations
RE: 2018 Legislative Session *Sine Die* Report

The 2018 Legislative Session came to an end on-time just after 9 p.m on March 8. Legislators passed hundreds of bills during the short 60 day session on a whole host of topics, including 80 bills with some level of court interest or impact. Other high profile bills that had stalled in prior years found their way to the Governor's desk this year, including the Voting Rights Act ([ESSB 6002](#)) and Breakfast After the Bell ([2ESHB 1508](#)). And legislators made waves when they passed a legislative records bill ([ESB 6617](#)) that the Governor ultimately vetoed without going through the typical public process.

Certainly the highlight of the session is the supplemental operating budget, which provides significant additional funding for mental health, K-12 education, and financial aid. The budget also includes roughly \$766 million to address the Supreme Court's most recent *McCleary* order. Legislators capitalized on a very positive revenue forecast in February that projects more than \$1 billion in additional revenue.

We've included a comprehensive list of passed bills with this report. Here are a few of them that we wanted to highlight:

- [E2SHB 1783](#) – Legal financial obligations reform – This bill makes a series of policy changes, including lowering non-restitution interest from 12% to 0% and explicitly requiring restitution “sub-prioritization.”
- [E2SSB 6160](#) – Exclusive adult jurisdiction – This bill extends juvenile court jurisdiction over a number of crimes to age 25 and modifies conditions when a person is subject to exclusive adult jurisdiction.
- [SB 5987](#) – Concerning pretrial release programs – This bill is a legislative response to *Blomstrom v. Tripp* and addresses bail determinations and release conditions. The SCJA and DMCJA both supported this bill.
- [2SHB 1896](#) – Expanding civics education in public schools – A coalition led by the Council on Public Legal Education as part of the Civics Learning Initiative worked for two sessions to pass this bill that will make civics education a requirement in public schools.

Memorandum to Board for Judicial Administration

March 9, 2018

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A number of bills from this session that we were watching failed to pass, including the repeal of the death penalty ([SB 6052](#)), driving while license suspended 3rd decriminalization ([SSB 6189](#)), traffic LFO consolidation ([HB 2421](#)), and juvenile records sealing ([SB 5694](#)). These bills are likely to return next session, however.

Legislators now return to their districts to begin what is expected to be an arduous campaign season. Many legislators have already announced their plans to not seek re-election, including Rep. Ruth Kagi, Rep. Jay Rodne, Rep. Terry Nealey, Rep. Melanie Stambaugh, and Rep. Judy Clibborn.

Thank you to everyone for another successful legislative session. The BJA Legislative Committee will now begin preparing for the long 2019 session, which begins January 14, 2019.

AOC Passed Bills Report

Bill #	Abbrev. Title	Short Description	Status	Sponsor
SHB 1022	Crime victim participation	Enhancing crime victim participation in the criminal justice system process.	Del to Gov	MacEwen
HB 1056 (SB 5041)	Military/consumer protection	Concerning consumer protections for military service members on active duty.	Del to Gov	Kilduff
HB 1058	Court-ordered restitution	Changing provisions relating to court-ordered restitution in certain criminal cases.	Del to Gov	MacEwen
EHB 1128	Civil arbitration	Concerning civil arbitration.	Del to Gov	Shea
3SHB 1169	Student loan assistance	Enacting the student opportunity, assistance, and relief act.	Del to Gov	Orwall
SHB 1209 (SB 5396)	Municipal financial services	Addressing municipal access to local financial services.	Del to Gov	Bergquist
2SHB 1298	Job applicants/arrests, etc.	Prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position.	Del to Gov	Ortiz-Self
2ESHB 1388 (SSB 5259)	Behavioral health authority	Changing the designation of the state behavioral health authority from the department of social and health services to the health care authority and transferring the related powers, functions, and duties to the health care authority and the department of health.	Del to Gov	Cody
ESHB 1434 (SSB 5295)	Shared leave/pregnancy	Adding the use of shared leave for employees who are sick or temporarily disabled because of pregnancy disability or for the purposes of parental leave to bond with the employee's newborn, adoptive, or foster child.	Del to Gov	Robinson
E2SHB 1439	Higher ed student protection	Regulating the institutions of higher education, including for-profit institutions and private vocational schools, to protect students from unfair business practices.	Del to Gov	Pollet
2SHB 1506	Workplaces/gender pay equity	Addressing workplace practices to achieve gender pay equity.	Del to Gov	Senn
2SHB 1513	Youth voter reg. info.	Collecting youth voter registration sign up information.	Del to Gov	Bergquist
SHB 1524	Therapeutic courts	Increasing success in therapeutic courts.	Del to Gov	Kloba
SHB 1539	Sexual abuse of students	Regarding a curriculum for the prevention of sexual abuse of students.	Del to Gov	McCabe
E2SHB 1783	Legal financial obligations	Concerning legal financial obligations.	Del to Gov	Holy
HB 1790	Dependency petitions	Concerning dependency petitions where the department of social and health services is the petitioner.	Del to Gov	Lovick
2SHB 1896 (SB 5668)	Civics education	Expanding civics education in public school.	Del to Gov	Dolan

EHB 2008	State services for children	Addressing the budgeting process for core state services for children.	Del to Gov	Kagi
2ESHB 2057 (ESSB 5797)	Residential real property	Concerning the services and processes available when residential real property is abandoned or in foreclosure.	Del to Gov	Orwall
HB 2087 (SB 5841)	Roadway worker safety	Concerning worker safety on roadways and roadsides.	Del to Gov	Stambaugh
SHB 2101	Sex. assault nurse examiners	Concerning the availability of sexual assault nurse examiners.	Del to Gov	McCabe
HB 2208	Federal tax info/bckgrnd chk	Authorizing criminal background investigations for current and prospective employees and contractors with access to federal tax information.	Del to Gov	Hudgins
HB 2271 (SB 6217)	Sexually violent predators	Concerning the processes for reviewing sexually violent predators committed under chapter 71.09 RCW.	Del to Gov	Muri
SHB 2308 (SSB 6041)	Civil legal aid	Concerning civil legal aid.	Del to Gov	Jinkins
HB 2368	Technical corrections	Making technical corrections and removing obsolete language from the Revised Code of Washington pursuant to RCW 1.08.025.	Del to Gov	Goodman
SHB 2398	Jury selection	Concerning jury selection.	Del to Gov	Kilduff
SHB 2514	Discriminatory covenants	Regarding discriminatory provisions found in written instruments related to real property.	Del to Gov	Kilduff
EHB 2519	Pistol license eligibility	Concerning concealed pistol license eligibility requirements.	Del to Gov	Schmick
HB 2611	Peer support grp counselors	Concerning the privilege for peer support group counselors.	Del to Gov	Barkis
HB 2649	Disability/wildlife recreat.	Enhancing the fish, shellfish, and wildlife-related recreational opportunities for a person with a disability.	Del to Gov	Barkis
HB 2661	Domestic assault/employment	Protecting survivors of domestic assault from employment discrimination.	Del to Gov	Doglio
ESHB 2684	Students/out-of-home care	Defining the process for best interest determinations of students in out-of-home care.	Del to Gov	Caldier
SHB 2696 (SSB 6330)	CDL medical certificates	Concerning medical certificate requirements for applicants and holders of commercial drivers' licenses and commercial learners' permits.	Del to Gov	Valdez
ESHB 2700 (SSB 6387)	Child interview recordings	Concerning the handling of child forensic interview and child interview digital recordings.	Del to Gov	Valdez
SHB 2752	Search warrants/muni. courts	Concerning issuance of search warrants by district and municipal court judges.	Del to Gov	Stanford
EHB 2759 (SB 6583)	Women's commission	Establishing the Washington state women's commission.	Del to Gov	Doglio
EHB 2777	Board of tax appeals admin.	Improving and updating administrative provisions related to the board of tax appeals.	Del to Gov	Jinkins

E2SHB 2779 (SSB 6485)	Children mental health serv.	Improving access to mental health services for children and youth.	Del to Gov	Senn
HB 2785	Foster parent rights & resp.	Providing the list of foster parent rights and responsibilities to prospective and current foster parents.	Del to Gov	Dent
SHB 2822	Service animal misrepresent.	Concerning service animals.	Del to Gov	Steele
HB 2892	Mental health field response	Establishing the mental health field response teams program.	Del to Gov	Lovick
ESHB 2938	Campaign finance	Concerning campaign finance law.	Del to Gov	Hudgins
SSB 5064	Student freedom of express.	Concerning freedom of expression rights of students at public schools and institutions of higher education.	H Spkr Signed	Fain
SB 5213	Legal tech. fees/DV cases	Concerning the award of fees for limited license legal technicians in certain domestic violence cases.	Del to Gov	Wilson
SSB 5553	Suicide/firearm right waiver	Preventing suicide by permitting the voluntary waiver of firearm rights.	H Spkr Signed	Pedersen
SB 5598 (HB 2117)	Relatives/child visitation	Granting relatives, including but not limited to grandparents, the right to seek visitation with a child through the courts.	H Spkr Signed	Pedersen
SB 5987 (HB 2679)	Pretrial release programs	Concerning pretrial release programs.	S Pres Signed	Padden
SSB 5991 (HB 2455)	Campaign finance disclosures	Increasing transparency of contributions by creating the Washington state DISCLOSE act of 2018.	H Spkr Signed	Billig
ESB 5992	Bump-fire stocks	Concerning trigger modification devices. (REVISED FOR ENGROSSED: Concerning bump-fire stocks.)	C 7 L 18	Van De Wege
SSB 5996	Workplace sex harass./NDAs	Encouraging the disclosure and discussion of sexual harassment and sexual assault in the workplace.	Del to Gov	Keiser
ESSB 6002	Voting rights act	Enacting the Washington voting rights act of 2018.	H Spkr Signed	Saldana
ESSB 6032 (ESHB 2299)	Supp. operating budget	Making 2018 supplemental operating appropriations.	H Spkr Signed	Rolfes
ESSB 6037	Uniform parentage act	Concerning the uniform parentage act.	C 6 L 18	Pedersen
ESSB 6068	Sexual harassment NDAs	Concerning the applicability of nondisclosure agreements in civil actions for sexual harassment or assault.	H Spkr Signed	Frockt
SSB 6090	Capital budget 2017-2019	Concerning the capital budget.	C 2 L 18	Frockt
ESSB 6095 (SHB 2395)	Supplemental capital budget	Concerning the supplemental capital budget.	H Spkr Signed	Frockt
SB 6115 (HB 2373)	Tribal youth/reside. custody	Concerning residential custody services for tribal youth.	Del to Gov	McCoy
SSB 6124	Commitment hearings by video	Clarifying that court hearings under the involuntary commitment act may be conducted by video.	Del to Gov	Dhingra

ESSB 6137 (EHB 2439)	Vehicle manuf. & dealers	Clarifying the relationship between manufacturers and new motor vehicle dealers by providing tools to resolve disparities including expanding compensation for recalled vehicles.	Del to Gov	Conway
E2SSB 6160	Exclusive adult jurisdiction	Revising conditions under which a person is subject to exclusive adult jurisdiction and extending juvenile court jurisdiction over serious cases to age twenty-five.	H Spkr Signed	Kuderer
SSB 6175	Common interest ownership	Concerning the Washington uniform common interest ownership act.	H Spkr Signed	Pedersen
SB 6218 (HB 2606)	FAST act compliance	Bringing the state into compliance with the federal FAST act.	H Spkr Signed	King
SSB 6222 (SHB 2330)	Ext. foster care eligibility	Concerning expansion of extended foster care eligibility.	Del to Gov	Carlyle
SB 6231 (HB 2736)	Unfair labor practices SOL	Concerning the statute of limitations for unfair labor practice complaints filed in superior court.	H Spkr Signed	Kuderer
2SSB 6245	Spoken language interpreters	Concerning spoken language interpreter services.	H Spkr Signed	Saldana
2SSB 6274 (HB 2867)	Apprenticeships/foster, etc.	Helping former foster youth and youth experiencing homelessness access and complete college and registered apprenticeships.	H Spkr Signed	Ranker
SB 6287 (HB 2512)	DCYF technical changes	Making technical changes regarding the department of children, youth, and families.	H Spkr Signed	Darneille
SB 6298	DV harassment/firearms	Adding domestic violence harassment to the list of offenses for which a person is prohibited from possessing a firearm.	H Spkr Signed	Dhingra
SSB 6309 (SHB 2449)	Family assessment response	Extending the timeline for completing a family assessment response.	Del to Gov	Darneille
SSB 6313	Empl. contracts/discriminat.	Concerning an employee's right to publicly file a complaint or cause of action for discrimination in employment contracts and agreements.	H Spkr Signed	Keiser
SSB 6318	Intrastate food safety	Clarifying existing law by creating a new intrastate food safety and security chapter from existing intrastate food safety laws and moving certain provisions in the intrastate commerce food, drugs, and cosmetics act to the titles of the agencies that administer the provisions.	H Spkr Signed	Takko
SSB 6334 (SHB 2405)	Child support	Concerning child support, but only including a parent's obligation to provide medical support, use of electronic funds transfers, notice of noncompliance, adoption of the economic table recommended by the child support work group, and references to the federal poverty level in self-support reserve limitations.	H Spkr Signed	Dhingra

SB 6407 (SHB 2795)	Private mngmnt/child welfare	Concerning private case management of child welfare services.	H Spkr Signed	Darneille
SB 6408 (HB 2893)	Body worn cameras	Regulating body worn cameras.	H Spkr Signed	Padden
ESSB 6434 (SHB 2782)	Electric-assisted bicycles	Concerning electric-assisted bicycles.	Del to Gov	Rolfes
2SSB 6453 (HB 2663)	Kinship caregiver legal supp	Concerning legal support for kinship caregivers.	H Spkr Signed	King
SB 6471	Model sex. harass. policies	Developing model policies to create workplaces that are safe from sexual harassment.	H Spkr Signed	Keiser
ESSB 6491	Outpatient behavioral health	Increasing the availability of assisted outpatient behavioral health treatment.	H Spkr Signed	O'Ban
ESSB 6550	Juvenile offense diversion	Concerning diversion of juvenile offenses.	Del to Gov	Darneille
SSB 6560	Youth discharge/homelessness	Ensuring that no youth is discharged from a public system of care into homelessness.	H Spkr Signed	Darneille

Tab 2

**Washington State Judicial Branch
2018 Supplemental Budget Request-Final
March 2018**

Supreme Court-No 2018 Supplemental Budget Request			
Title	FTE	Amount Requested	Final Legislative Proposal
Total Supreme Court Request	0.0	\$0	\$0

Administrative Office of the Courts – General Fund State Requests			
Title	FTE	Amount Requested	Final Legislative Proposal
Staff Support for SCJA	2.0	\$240,000	\$120,000
Funding is provided for one SCJA position.			
Thurston County Impact Fee	FTE 0.0	\$811,000	\$0
Full funding for fiscal year 2018 is provided. No funding for fiscal year 2019 is provided at this time. Requires a new funding methodology.			
Judicial Stabilization Trust Account	FTE 0.0	\$1,840,000	\$1,600,000
Funding is provided to ensure that the Administrative Office of the Courts, Office of Public Defense and Office of Civil Legal can continue to meet constitutional and statutory obligations.			
Local Criminal Court Costs	FTE 0.0	\$0	\$1,900,000
Funding is provided for a grant program to counties and cities to offset costs/reductions in revenue resulting from enactment E2SHB 1783 (Legal Financial Obligations), state general fund. Funding ends June 30, 2021.			
Court Interpreter Services	FTE 0.5	\$0	\$0
Funding to implement SHB 1186 (Interpreter Services).			
Legal Financial Obligations	FTE 0.0	\$0	\$602,000
Funding to implement E2SHB 1783 if enacted (Legal Financial Obligations), state general fund.			
Total-Non-IT Request SGF	2.0	\$2,891,000	\$4,222,000

**Washington State Judicial Branch
2018 Supplemental Budget Request-Final
March 2018**

Administrative Office of the Courts – Information Technology <u>General Fund State Request</u>			
Title	FTE	Amount Requested	Final Legislative Proposal
EDE Carryover	FTE 0.0	\$4,339,000	\$0*
Funding is requested to continue the Expedited Data Exchange. General Fund State . Existing funds remain intact. *See State General Fund Backfill below.			
EDE Fund Shift	FTE 0.0	\$1,123,000	\$0*
Fund shift from the state general fund to the JIS Account for EDE costs during the 2015-2017 biennium. General Fund State . Existing funding remains intact. *See State General Fund Backfill below.			
State General Fund Backfill	FTE 0.0	\$0	\$2,665,000
Funding is provided from the state general fund to the JIS account.			
Total Information Tech. Requests SGF	FTE 0.0	\$5,462,000	\$2,665,000
Administrative Office of the Courts - <u>JIS Requests</u>			
Title	FTE	Amount Requested	Final Legislative Proposal
Equipment Replacement	FTE 0.0	\$2,265,000	\$2,265,000
Funding is provided to replace aged computer equipment at the courts.			
AC-ECMS	FTE 0.0	\$390,000	\$390,000
Funding is provided for the AC-ECMS.			
Total Information Tech. Requests JIS	FTE 0.0	\$2,655,000	\$2,655,000
Total All Information Tech. Requests	FTE 0.0	\$8,117,000	\$5,320,000
Total All Requests-AOC	FTE 2.0	\$11,008,000	\$9,542,000

**Washington State Judicial Branch
2018 Supplemental Budget Request-Final
March 2018**

Court of Appeals-No 2018 Supplemental Budget Request			
Title	FTE	Amount Requested	Final Legislative Proposal
Total Court of Appeals Request	0.0	\$0	\$0

State Law Library-No 2018 Supplemental Budget Request			
Title	FTE	Amount Requested	Final Legislative Proposal
Total State Law Library Request	0.0	\$0	\$0

Office of Public Defense			
Title	FTE	Amount Requested	Final Legislative Proposal
Transitional Appellate Attorney Costs	FTE 0.0	\$1,393,000	\$1,393,000
Funding is provided to cover a sustained increase in the indigent appellate workload.			
Contractor Retention	FTE 0.0	\$3,628,000	\$960,000
Funding is provided to address significant inequities in compensation for mandatory state-funded public defense services.			
Attorney General's Office	FTE 0.0	\$1,024,000	\$411,000
Funding is provided to cover agency costs for legal services to defend an ongoing class-action lawsuit filed against OPD and the State of Washington.			
Total Office of Public Defense Request	FTE 0.0	\$6,045,000	\$2,764,000

**Washington State Judicial Branch
2018 Supplemental Budget Request-Final
March 2018**

Office of Civil Legal Aid			
Title	FTE	Amount Requested	Final Legislative Proposal
Civil Reinvestment Plan	FTE 0.0	\$1,553,000	\$338,000
Funding is provided for an additional five (5) contract attorneys effective January 1, 2019.			
Family Law Automated Document Assembly	FTE 0.0	\$300,000	\$300,000
Funding is provided to automate, deploy and host plain language family law form document assembly system.			
Jam1 Int'l Families Justice Coalition	FTE 0.0	\$0	\$125,000
One-time funding is provided for the office to contract with the International Families Justice Coalition to expand private capacity to provide legal advice and representation for indigent foreign nationals in contested domestic relations and family law cases.			
Total Office of Civil Legal Aid Request	FTE 0.0	\$1,853,000	\$763,000

Total State Judicial Branch Request			
Title	FTE	Amount Requested	Final Legislative Proposal
State General Fund	FTE 2.0	\$16,251,000	\$10,414,000
Judicial Information System Account	FTE 0.0	\$2,655,000	\$2,655,000
Total	FTE 2.0	\$18,906,000	\$13,069,000

Tab 3



March 9, 2018

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 March 2, 2018 and reviewed the BJA Court System Education Funding Task Force priority listing. We will work with the task force on two biennial packages. The first biennial package will focus on the development of online education and training for all court personnel. The second biennial package will focus on additional programs needed that were identified via the task force survey and work of the CEC. The package will also include additional funding to bring, at the very least, reimbursement up to the state's low-cost per diem.

II. Short-term Goals

The CEC continues to review all the remaining policies and procedures that were created by the Board for Court Education and adopted by the CEC.

The CEC is developing a mini-workshop retreat to work with education committee chairs and co-chairs to review current curriculum, identify common areas of education, discuss the development and funding of common programs and discuss core competencies for an educated judiciary.

The CEC would like to hold yearly mini-workshops or Judicial Education Leadership Institutes (JELI) in order to provide education training to all the education committees on adult education principles, instructional design development, core competencies for the judiciary and the specific roles within the court (judicial officer, administrator, and line-staff).

III. Long-term Goals

- Continue to plan and develop court system education.
- Develop a stable and adequate funding source for court education and work with the BJA Court System Education Funding Task Force.



February 23, 2018

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

The Policy and Planning Committee (PPC) met February 16, 2018. The PPC continues to review previously submitted strategic initiatives proposals and other collected information to identify possible planning priorities and needs. The committee continues to explore non-funding initiatives for consideration.

The PPC was tasked to develop ideas for increased and more effective branch communication. The PPC began this discussion and will continue to develop recommendations to be submitted to the BJA for review. As part of this process, PPC will share branch entity outreach responses and ask groups for communication ideas.

The PPC reviewed its current composition structure and identified areas for improvement. Once these are finalized, they will be submitted to the BJA for consideration.

Tab 4



February 28, 2018

TO: Board for Judicial Administration Members

FROM: Justice Steven González, Judge Michael Downes, and Judge Andrea Beall, Co-Chairs

RE: INTERPRETER SERVICES FUNDING TASK FORCE UPDATE

BJA Strategic Initiative

The Interpreter Funding Task Force held an in person meeting on February 26. Members reviewed survey results and a draft report and finalized funding strategies. The Task Force prioritized funding for expansion of the reimbursement program. This strategy includes increased program funding for recruitment, testing and training of certified interpreters. The Task Force is presenting the funding strategies at the March BJA meeting and finalizing the report in March. The decision package will be submitted in early April.

The Task Force started identifying messaging and communication activities. These will be further developed at the April meeting. Part of the plan involves outreach to the various judicial entities and associations and other key stakeholder groups.



March 8, 2018

TO: Board for Judicial Administration Members
FROM: Justice Steven González, Judge Michael Downes, and Judge Andrea Beall, Co-Chairs
RE: Interpreter Services Funding Request for BJA review and approval

Purpose

The Interpreter Services Funding Task Force submits the interpreter funding request for BJA review and approval at the March 16, 2018 meeting.

Funding Request Overview

The Interpreter Services Funding Task Force reviewed data from the Interpreter Commission, AOC Reimbursement Program, research and document reviews and a survey distributed to Washington Courts to gather information about local courts' interpreter services and funding needs. The Task Force found that over the past two years, Washington State courts have experienced increased court interpreter costs and difficulties finding qualified interpreters.

To meet increasing needs, it is critical that courts have access to state funding in order to provide quality and timely interpreter services.

The Task Force recommends the following funding request for consideration:

- 1) Expand the AOC Interpreter Reimbursement Program to include new courts and to provide additional funds to existing courts. The Reimbursement Program currently provides limited funds to only 41 courts. No new courts have been able to apply for these funds since the program's inception in 2008. Increased funds will allow more courts access to quality interpretation. There will be a priority in the first year to recruit small and rural courts into the program. Increased funding for the program will also support additional recruitment, testing and training for all languages with a focus on rarer language and certified interpreters.

Interpreter Service Funding Task Force – Funding Request

Funding Request	FTE	Cost FY2020		Cost FY2021		Cost FY2022		Cost FY 2023	
		Pass Through	Other	Pass Through	Other	Pass Through	Other	Pass Through	Other
1) Funding to Expand Interpreter Reimbursement Program Funding to reimburse courts up to 50% of interpreter costs (pass through money), and staffing to support program expansion and increased interpreters testing and training.	1.6 Yr 1 1 Yr 2 1 Yr 3-4	0	212,000	1,301,000	170,000	2,435,000	170,000	3,568,000	170,000
Totals		Cost FY 2020 \$212,000		Cost FY 2021 \$1,471,000		Cost FY 2022 \$2,605,000		Cost FY 2023 \$3,738,000	
		Biennium 19-21 \$1,683,000				Biennium 22-23 \$6,343,000			

[cover – final formatting will be completed by April]

Funding Court Interpreters

A report on court interpreter services and funding needs in Washington State

DRAFT

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Funding Court Interpreters

A report on court interpreter services and funding needs in Washington State

March 2018

Board for Judicial Administration Interpreter Services Funding Task Force

**Jeanne Englert
Senior Court Program Analyst
Washington State Administrative Office of the Courts**

Special thanks to the Washington Center for Court Research (WSCCR) for their consultation.

Executive Summary

The public has a right to effectively access and meaningfully participate in the judicial process. Individuals must be able to present information and understand proceedings and rulings. Those with limited English proficiency (LEP) and those who are Deaf or hard of hearing need appropriately qualified interpreters to do this.

The Board for Judicial Administration Interpreter Services Funding Task Force (Task Force) was established and conducted a survey in December 2017 to gather information about local courts' interpreter services and funding needs.

The survey key findings:

- 1) Over one-half of Washington State courts frequently use appropriately qualified interpreters, either daily or at least weekly. While trial courts recognize the importance of providing this access, courts experience many challenges when providing court interpreter services.
- 2) Interpreter costs have increased over the last two years and around one-half of the courts exceeded their allocated interpreter budgets.
- 3) Jury trials, multi-day trials and rare language interpretation costs are unexpectedly expensive.
- 4) Compared to urban courts, small and rural courts report more difficulties accessing qualified interpreters.
- 5) Courts overall have difficulties finding rarer language interpreters and qualified interpreters.
- 6) Courts experience delays in proceedings when they cannot find interpreters, when they are not aware in advance that an interpreter is needed for next-day hearings and jury trials, and when interpreters are not local and must travel from a distant location.

To meet increasing needs, it is critical that courts have access to state funding to provide quality and timely interpreter services, especially in rural and smaller courts. The Task Force recommends that funding be increased to expand courts' access to state reimbursement funds for interpreter services and certified interpreters to ensure individuals can meaningfully participate in the judicial process.

Introduction

People need to be able to communicate. Equal and fair access to justice requires full engagement of all parties. Individuals must be able to present information and understand proceedings and rulings. For individuals whose English proficiency is limited (LEP), or those who are Deaf or hard of hearing, this can only be accomplished through the use of appropriately qualified interpreters.

Over the past two years, Washington State courts have experienced:

- Increased court interpreter costs, and
- Difficulties finding qualified interpreters.

State and federal laws require Washington courts to provide meaningful access to court proceedings and court services for persons who have functional hearing loss or have limited English proficiency.¹ Washington law also prescribes the requirements for providing services² and who pays for them³, and compels the courts to use interpreters certified by the Administrative Office of the Courts (AOC).⁴ Additionally, the Department of Justice (DOJ) requires recipients of federal funds to provide interpreter services for all court cases as well as meaningful access to all court programs and activities, including court functions outside the courtroom.

There have been many impacts on interpreter services over the years. Washington State has experienced an increase in its limited English proficient population, resulting in more languages requiring interpretation, and increased interpreter court costs. The AOC Interpreter Reimbursement Program was created to help with these costs.

The AOC's Interpreter Reimbursement Program contracts with 33 courts covering 41 jurisdictions across Washington to partially reimburse costs of hiring interpreters. The AOC reimburses courts for up to 50 percent of interpreters' hourly rate and travel costs. Since 2011, the AOC has annually expended approximately \$610,500 to reimburse courts in the program. Almost every court spends well beyond what the AOC has available to reimburse for interpreter expenses and the funds provided by AOC are routinely exhausted by year's end.

With interpreter needs and costs increasing, the Board for Judicial Administration adopted the goal of obtaining adequate and sustainable funding for interpreter services as one of their strategic priorities for 2017-2019. The Interpreter Services Funding Task Force was created to identify the current demand for interpreter services statewide, the costs associated with providing these services, and statewide funding options to meet these needs. The Task Force will submit a legislative funding proposal for the 2019-21 Biennium.

¹ RCW 2.43.010, Title VI of the Civil Rights Act of 1964, Executive Order 13166

² RCW Chapters 2.42 and 2.43

³ RCW 2.42.120, RCW 2.43.040

⁴ RCW 2.43.030

Survey Methodology

The Board for Judicial Administration Interpreter Services Funding Task Force (Task Force) conducted a survey in December 2017 to gather information about local courts' interpreter services and funding needs. The Task Force wanted to determine the frequency at which interpreter services were accessed around the state, what types of cases they were most used for, the approximate costs, and challenges and successes in administering interpreter services. Past interpreter survey information and other information collected from the Interpreter Commission and the AOC Interpreter Reimbursement Program (Reimbursement Program) are incorporated in the overall data review and recommendations.

AOC staff first met with five court administrators and interpreter coordinators representing different geographic areas and varying participation in the Reimbursement Program to better understand local interpreter services issues. Survey questions were then developed by AOC staff, including the Washington Center for Court Research, and reviewed and revised by Task Force members. The survey was distributed to all presiding judge and court administrator listservs and remained open four weeks. Weekly reminders were sent by listservs or to specific courts.

For the purposes of this survey, interpreter services refer to services provided by an interpreter via in-person, telephonic means and remote interpretation for individuals with limited English proficiency and who are Deaf and hard of hearing. In-court proceedings refers to any pretrial hearings, trials, attorney meetings, case hearings, etc. Other court services refers to all other services such as courthouse facilitation, front desk services, court-mandated programs, etc.

There were 132 court responses out of a possible 165, giving an 80% response rate.

Court Level	Percentage of total Responses
Municipal	44%
District	28%
Superior	26%
Court Of Appeals	2%
Supreme Court	1%

The Supreme Court and Court of Appeals rarely use interpreters during their court proceedings. Not all courts completed the survey to the end. Many of the courts that did not complete the survey to the end identified only needing interpreters fewer than 12 times a year. Supplemental data sources provided additional costs for interpreter services for 2015 and 2016 for courts that did not complete the survey.

Key Findings

Interpreters Used Frequently

Over 50% of courts were most likely to use interpreters daily or at least weekly. Figure 1⁵.

Around 66% of district and superior courts were most likely to use interpreters daily or at least weekly. Figure 2⁶.

Figure 1 All Court Interpreter Usage

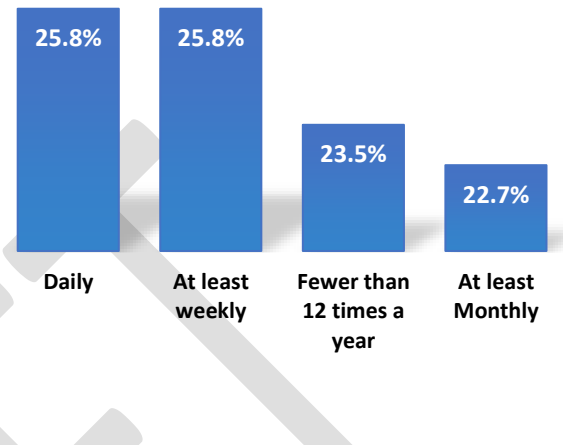
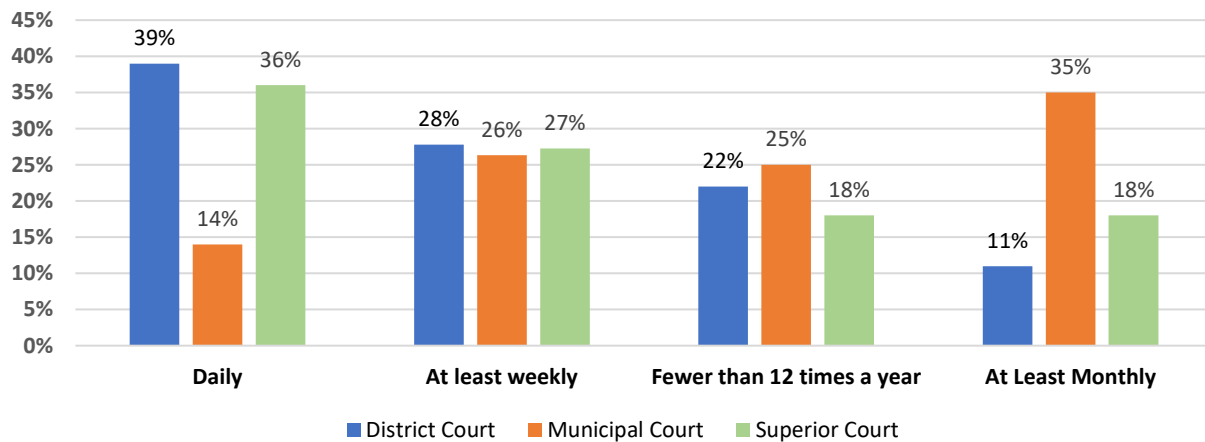


Figure 2 Interpreter Usage by Level of Court



County and City Funds Pay for Majority of Interpreter Services

State funding for court interpreter services was limited through the Reimbursement Program, covered only a portion of interpreter costs⁷ and was available to only 25% of the courts. Therefore, counties and cities primarily paid for interpreter services. According to survey results, 93% of courts paid for interpreters with county or city funds. Of the courts responding, 33% also received funding through the Reimbursement Program. Only 3% of courts reported that litigants paid for interpreter costs.

⁵ Don't know responses (2%) were removed from Figure 1.

⁶ Supreme Court and Court of Appeals were excluded due to limited use of interpreters.

⁷ Interpreter costs usually include hourly/daily rates and travel

Approximately 91 courts reported interpreter costs for both 2015 and 2016⁸. The data shows costs increased between 2015 and 2016 and that approximately 50% of courts exceeded allocated budgets each year.

- In 2015, these courts spent \$4,345,207 for interpreter services.⁹
- In 2016, these courts spent \$5,582,234 for interpreter services.
- About 70 of the 91 courts reported that they exceeded their allocated budgets by approximately 50%.

Unexpected/Extraordinary Costs Experienced

“The court has a trial currently scheduled to start in December 2017 in which the interpreter costs are estimated to be \$14,000 for the trial alone.” -- Survey respondent

Court environments are dynamic. Even with the best planning, courts cannot account for every situation impacting their services and budgets. Courts were asked to describe unexpected or extraordinary costs associated with their courts’ interpreter needs over the past two years. Of the 76 courts responding:

- 38% identified unexpected costs resulting from jury trials/multi-day trials/hearings (multiple interpreters and travel costs).
- 32% identified unexpected costs resulting from utilizing rarer language interpreters (includes higher interpreter rates and travel costs and multiple language interpreters for one person).
- Other identified costs resulted from overall increasing interpreter rates and travel costs, needing higher than budgeted interpreter services, and interpreter cancellation costs.

One survey respondent shared unexpected costs: “A civil case with two deaf parties, one of which did not understand sign. We had two sign interpreters and a real time transcriptionist. That one three day case used approximately 25% of our annual budget. A Samoan interpreter was used for two hearings at \$1000/day. A French interpreter was used for two hearings and cost \$900/day.”

Courts Maximize Resources

Many courts have explored different approaches to increase efficiencies and decrease costs when providing interpreter services. Courts reported that they maximized resources with the following:

⁸ 34 courts did not provide financial information. Three of these courts included Supreme Court and two Court of Appeals courts that do not use many interpreters. 14 courts use interpreter services fewer than 12 times a year. Seven use interpreter services at least monthly. Six use interpreter services at least weekly. Two use interpreter services at least daily. Four don’t know. An additional 6 courts only provided costs for 2016 and were excluded in these numbers.

⁹ A portion of coordinator staff salaries were only included in costs if the coordinator provided interpretation services.

- 69% scheduled cases with interpreters on the same day
- 40% used collaborative efforts with justice partners (includes shared calendars, shared interpreters)
- 22% used remote technology (such as video remote interpreting)
- 21% used online interpreter scheduling
- 18% used other practices such as multiple methods for contacting interpreters – emailed, called, texted, and used alternate calendaring approaches

Furthermore, 30 courts identified practices that could be implemented in the future. Of those that responded: 12 courts identified shared, coordinated and online scheduling (the vendor 1Lingua was identified most commonly for online scheduling); two courts identified video remote interpreting; and the remaining courts identified mentoring, multilanguage forms, front desk interpreters, and interpreter only calendars as promising practices.

Interpreter Services Desired but Lack of Funding

Twenty-five percent (25%) of courts expressed that if they had the funding, they would provide more translated forms in different languages or seek additional staffing, either as bilingual staff and/or interpreter coordinators.

Providing Timely Interpreter Services

It is often said justice delayed is justice denied. Fifty-nine percent (59%) of courts were often unable to acquire timely interpretation services:

- For rarer languages
- For jury trials and next day hearings
- When there was a lack of advance knowledge of interpreter need
- When interpreters were not available
- When greater distance and travel were required

Some courts reported this occurred monthly, while others reported only several times a year. Consequently, most of these cases were rescheduled; a few were dismissed if they missed speedy trial requirements or for other purposes not shared in the survey.

“Our resources are limited in Eastern Washington. We occasionally have to reschedule hearings in order to secure an interpreter. One infraction case was dismissed as we were unable to secure a sign-language interpreter within speedy trial limits.”
 – Survey respondent

Interpreter Services

“We primarily use freelance interpreters as they are more cost effective. However, we have an increasing number of rare languages in our region that require us to use an agency. This increases our expenditure. We also have difficulty finding certified and registered interpreters in certain languages.” – Survey respondent

Interpreter Priorities and Challenges

Courts identified local court priorities and challenges when providing interpreter services. These responses were categorized and ranked according to times mentioned.

Court priorities for interpreter services are to:

- Increase certified interpreters and access to interpreters
- Hire more multilingual staff and coordinators for interpreter services
- Translate more forms into different languages
- Explore video remote interpreting

Courts also mentioned priorities around increased funding, access to rarer language interpreters and for rural areas, and online scheduling.

Court challenges when providing interpreter services are:

- Costs
- Finding rarer languages, local and certified interpreters
- Accessibility of interpreters at time of need and for rural areas
- JIS issues, screening, and training

Certified Versus Non-Certified Interpreters¹⁰

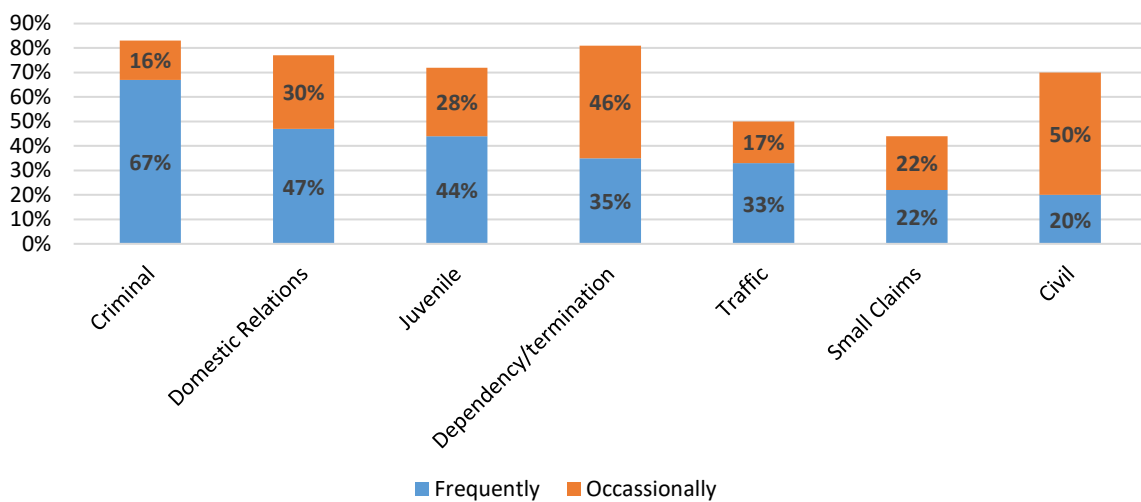
Washington State’s court interpreter certification process ensures minimum standards for interpreter competency in linguistic and interpreting skills and legal knowledge which leads to greater confidence and consistency of interpreter services across the state. Courts were asked if they used non-certified interpreters when court certified interpreters were available. The majority of courts, 76%, said they do not use non-certified interpreters when certified interpreters are available. Twenty-one percent (21%) of courts reported they may use non-certified interpreters: if they have multi-lingual staff; if the person is qualified by the judge; for certain types of hearings; when Language Line interpreters are used (they are not court certified); when there is a difference in monetary fees; and when certified interpreters are not available or local.

¹⁰ Unless respondent identified, this question did not discern what types of situations non-certified interpreters are used in.

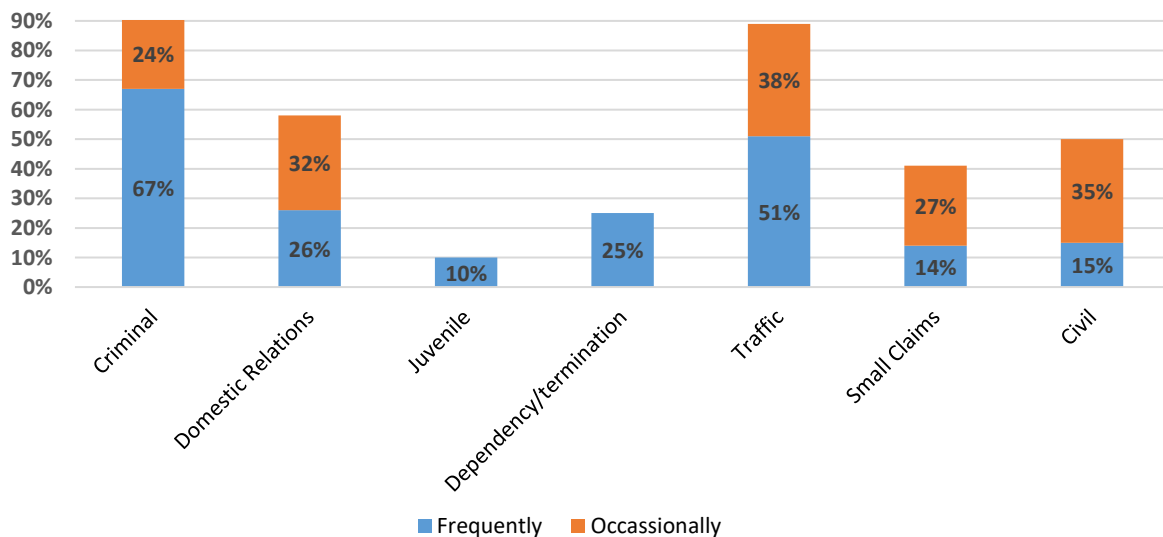
Interpreters Used More in Criminal Cases

When interpreter services were used, they were most likely to be provided for criminal cases. In superior courts, interpreter services were more frequently used in criminal, domestic relations, juvenile and dependency/termination cases. In district/municipal courts, they were more frequently used in criminal, traffic, domestic relations and civil cases. Not all courts hear all case types. Appellate courts and missing or N/A data was removed from the following charts.

Types of Superior Court Case Utilizing Interpreters

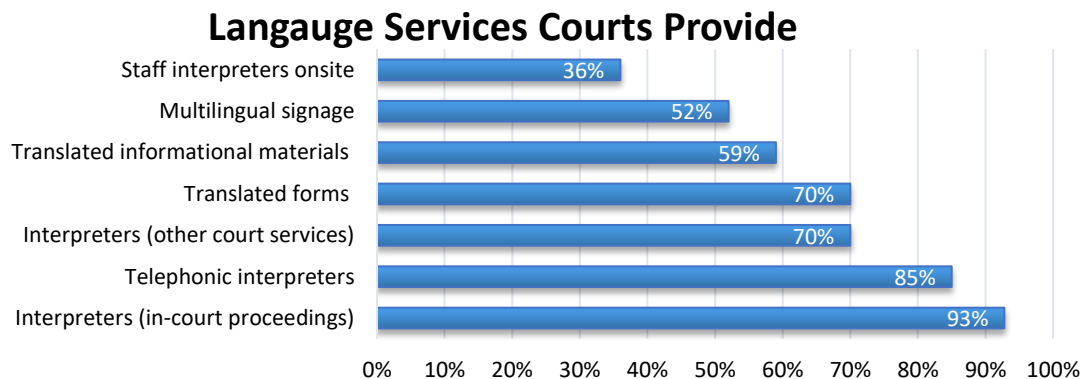


Types of District/Municipal Courts Utilizing Interpreters



Language Services Provided

The majority of courts, 93%, provided interpreter services for in-court proceedings and 85% of courts provided telephonic interpreters. Over 50% of courts also provided multilingual signage, translated forms and information, and interpreters for other court services.



Additionally, at least 50% of courts provided interpreter services at their front desk; 26% provided interpreter services for courthouse facilitators and court mandated programs such as parenting classes, rehab programs, etc.; and 36% provided interpreters for pro se access to courthouse information and facilities.

Languages Overview

The need for different language interpreters varies across the state. While Spanish is the most interpreted language in Washington, 36% of courts provided interpreter services for over ten different languages with one court reporting 162 languages. More languages required more resources to locate and pay for services. These survey findings suggest a need for increased recruitment and certification for different language interpreters.

“Multiple day trials require the services of two interpreters and this is not always available. Spanish, Mam and Kanjobal interpreters are sometimes needed as not all the parties can understand, so it has to be translated from one to the other language.”
– Survey respondent

Interpreters Often Translate Forms

Court proceedings require documents that are vital to legal system processes. These documents cover court services, initiating legal proceedings, protecting legal rights, and communicating the outcomes and consequences of proceedings for litigants. Of those

responding, 72% of courts felt that more translated forms would improve local court language services. Seventy-eight percent (78%) of courts used interpreters to orally translate forms for court users and 46% of courts used interpreters to translate forms in writing for court users. State translated forms were used by 53% of the courts. For courts that used locally translated forms, the majority used forms translated into Spanish. A few courts used translated forms in Russian, Korean, Vietnamese, Chinese and Amharic.

Translated forms are not without challenges. Several respondents commented that the majority of Spanish-speaking court users with limited English proficiency have very basic reading skills and that, even with translated forms, the interpreter was needed to read the forms. Additionally, some organizations refused to accept translated forms or required bilingual forms (English and another language on one document). These considerations would need to be factored into any efforts addressing translation of forms.

Recommendations

The public has a right to effectively access and meaningfully participate in the judicial process. Those with limited English proficiency (LEP) or who are Deaf or hard of hearing need appropriately qualified interpreters to do this. Over half of Washington State courts frequently use appropriately qualified interpreters, either daily or at least weekly. While trials courts recognize the importance of providing this access, courts experience many challenges when providing court interpreter services.

The survey findings identified several issues facing the courts when providing interpreters.

- Interpreter costs have increased over the last two years and around one-half of the courts exceeded their allocated interpreter budgets.
- Jury trials, multi-day trials and rare language interpretation costs are unexpectedly expensive.
- Compared to urban courts, small and rural courts report more difficulties accessing qualified interpreters.
- Courts overall have difficulties finding rarer language interpreters and qualified interpreters.
- Courts experience delays in proceedings when they cannot find interpreters, when they are not aware in advance that an interpreter is needed for next-day hearings and jury trials, and when interpreters are not local and must travel from a distant location.

To meet increasing needs, it is critical that courts have access to state funding to provide quality and timely interpreter services, especially in rural and smaller courts.

The Task Force recommends the following strategies:

- 1) Expand the AOC Interpreter Reimbursement Program to include new courts and to provide additional funds to existing courts. The Reimbursement Program currently provides limited funds to only 41 courts. No new courts have been able to apply for these funds since the program's inception in 2008. Increased funds will allow more courts access to quality interpretation. There will be a priority in the first year to recruit small and rural courts into the program.
- 2) Request increased funding to support additional recruitment, testing and training for all languages with a focus on rarer language and certified interpreters.
- 3) Evaluate and test cost savings strategies such as collaborative efforts with justice partners, online calendaring, and video remote interpretation. Cost saving strategies will be shared with all Washington State courts.
- 4) Explore a statewide system to provide telephonic interpretation. There currently is no statewide system for telephonic interpretation and the national language lines do not have certified court interpreters.

Over the past decade, the Reimbursement Program provided funding to courts in order to improve the quality of interpreter services in Washington State. It is essential that funding be increased to expand courts' access to state reimbursement funds for interpreter services and certified interpreters to ensure individuals can meaningfully engage in the judicial process.

Tab 5



February 27, 2018

TO: Board for Judicial Administration Members

FROM: Judge Douglas Fair and Judge Joseph Burrowes, Co-Chairs

RE: REPORT OF COURT SYSTEM EDUCATION FUNDING TASK FORCE

BJA Strategic Initiative

The Education Funding Task Force held a web meeting February 23 and reviewed survey results and a draft report and finalized funding strategies. The Task Force prioritized funding for: online training, expansion of training opportunities, increased costs for existing trainings and bench books. The task force also met with the Court Education Committee to share survey findings and funding strategies. The Task Force is presenting the funding strategies at the March BJA meeting and finalizing the report in March. The decision package will be submitted in early April.



March 8, 2018

TO: Board for Judicial Administration Members
FROM: Judge Douglas Fair and Judge Joseph Burrowes, Co-Chairs
RE: Court Education Funding Strategy for BJA review and approval

Purpose

The Court System Education Funding Task Force submits the education funding requests for BJA review and approval at the March 16, 2018 meeting.

Funding Requests Overview

Over the past 6 months, the Education Task Force collected data from the BJA Court Education Committee, research and documents review and a recent survey to identify training gaps and funding needs for judicial officers and court personnel. The main issues the Task Force found:

- New personnel need more timely and essential training.
- Training opportunities are comparatively limited for court administrators and other court and clerk office personnel.
- Funding support would be helpful for all positions to offset travel and registration costs.
- While all respondents in all positions surveyed prefer in-person training, responses suggest that online training opportunities would be helpful for other court and clerks' office personnel and for personnel who cannot easily leave their courthouse.

It is critical that funding and local court practices be addressed in order to provide more timely and essential training for judicial officers and other court personnel.

The Task Force recommends the following funding requests for consideration:

- 1) Online training be developed to provide training opportunities for all court personnel with an emphasis on developing training for court administrators, other court and clerks' office personnel. Funding will support staffing to develop content, the securing or development of a learning management system, and implementation of trainings.
- 2) Increased funding to develop additional trainings that are currently not being provided, to support increased costs of existing trainings, and to provide much needed scholarships.

Court System Education Funding Task Force – Funding Requests

Rationale for funding focuses on access and timeliness:

Providing access through increased training opportunities and funding support.

Address the needs of new judicial officers and court personnel by providing necessary training closer to starting their positions.

Funding Requests	FTE	Cost Year 2020	Cost Year 2021	Task Force Ranked Priority
1) Funding for Online training Funding for curriculum development, staffing (court education personnel and web support), and purchase and implementation of an online learning management system.	1.5	172,000	287,000	1
2) Funding for expansion of training programs Funding supports development and implementation of additional training programs, staffing (court education personnel), and participant scholarships.	1	135,000	318,000	2
3) Funding for increased costs for existing trainings Funding for increasing costs for programs – includes full per diem reimbursements and programming costs increases	0	225,000	225,000	3
Biennium Total (will be submitted in 2 different budget packages) – 1,362,000		532,000	830,000	

[Cover Page]

Final formatting will be completed by April

Court System Training Needs

Washington State Court Education Funding Needs Report

DRAFT

Court Systems Training Needs

Washington State Court Education Funding Needs Report

March 2018

Board for Judicial Administration Court Systems Education Funding Task Force

**Jeanne Englert
Senior Court Program Analyst
Washington State Administrative Office of the Courts**

Special thanks to the Washington Center for Court Research (WSCCR) for their consultation.

Executive Summary

Over the past ten years, court education funding has remained the same while information and staffing have not. Judicial and court personnel turnover, changes to laws, and increasing numbers of pro se litigants have impacted communities and courts. Better access to and additional kinds of training are needed for all court system personnel to address these issues.

The Board for Judicial Administration's Court System Education Funding Task Force was established and conducted a survey in January 2018 to identify gaps in court system training.

Key findings:

- 1) Judicial and court personnel often do not have access to timely and essential training when they start their positions. Respondents overwhelmingly indicated that earlier access to training was needed for positions than when it was provided. Across all groups surveyed, judicial officers and court administrators were the least likely to receive training early in their tenure.
- 2) Training opportunities are comparatively limited for court administrators and other court and clerks' office personnel.
- 3) Financial support would be helpful for all positions to offset travel and registration costs.
- 4) Court administrators should have mandatory training requirements and more training opportunities.
- 5) Without support, courtroom coverage, and time to attend, court personnel often cannot participate in training.
- 6) While all respondents in all positions surveyed prefer in-person training, responses suggest that online training opportunities would be helpful for other court and clerks' office personnel and for personnel who cannot easily leave their courthouse.

While some programming needs were identified for further exploration and consideration, survey findings suggest that, overall, additional funding is needed to provide essential trainings and to remove barriers to participation.

Introduction

Everyone entering a courthouse has the right to expect competent personnel, accurate information, and equal access to justice. Their lives may depend on the outcome. Over the past ten years, court education funding has remained the same while information and staffing have not. Judicial and court personnel turnover, changes to laws, and increasing numbers of pro se litigants have impacted communities and courts. Better access to and additional kinds of training are needed for all court system personnel to address these issues.

The survey findings suggest that:

- Judicial and court personnel often do not have access to timely and essential training when they start their positions.
- Additional funding is needed to provide essential trainings in a timely manner and to remove barriers to accessing them.

The judicial system faces ever increasing societal demands for effective and informed responses to issues such as mental health, domestic violence, drug addiction, and complex trials. Judicial officers need comprehensive knowledge and skill building on a variety of topics and must meet mandatory training requirements. Court Administrators need specialized knowledge and must adhere to a code of professional conduct and standards of performance. Line-staff, the face of the judiciary to the community, need ongoing and specialized education in order to facilitate access to justice and provide effective customer service.

“The public deserves and should expect their judiciary to function at the highest possible level. Continuing education is vital to public trust and confidence in the judiciary.”

– Survey respondent

The Board for Judicial Administration’s Court Education Committee (CEC)¹ collected information through surveys and outreach to associations’ court education committees about judicial branch training needs. The CEC found unprecedented turnover in judicial officers and court personnel; lack of essential training such as training for presiding judges and court administrators; limited to non-existent training for county clerks, administrators and other personnel; and funding and travel barriers to attending training.

Given the CEC’s findings in March 2017, the Board for Judicial Administration (BJA) adopted the goal of obtaining adequate and sustainable funding for court system education as one of their strategic priorities for 2017-2019 and established the Court System Education Funding Task Force (Task Force). The Task Force reviewed past and current funding, costs for providing training, and how resources impacted the public and the courts. The Task Force will submit a budget request to the legislature for the 2019-21 biennium.

¹ The AOC, with guidance from the judges, clerks, and administrators on the BJA Court Education Committee, is responsible for providing training to court personnel at all court levels. General Rule 26; See, RCW 2.56.030, .060; RCW 13.32A, 13.34, and 13.40; RCW 9A.36.080; RCW 43.113, .115 and .117

Survey Methodology

The Board for Judicial Administration's Court System Education Funding Task Force conducted a survey in January 2018 to identify gaps in court system training. This information was used to develop strategies to obtain adequate funding for court education/training starting in the 2019-2021 Biennium. Past education surveys and other information collected by the CEC were incorporated into the data review and helped shape this report's recommendations.

Survey questions were developed by AOC staff including the Washington State Center for Court Research, and reviewed and revised by Task Force members. Survey questions were developed in order to gather additional data about training needs, timeliness, and the potential impact of a well-trained court system on the public and courts.

The survey was distributed to Washington State judicial officers, court administrators and county clerk listservs and was open for responses for 4 weeks. Several reminders were sent and judicial associations and the BJA Court Education Committee also shared the survey link and encouraged members to complete the survey.

For the purposes of the survey, unless otherwise stated, court system training refers to any type of education/training opportunity available for specific court system personnel – judicial officers, county clerks, administrators, and other court personnel (line staff, deputy administrators, courthouse facilitators, etc.).

Judicial officers were instructed to complete the survey by responding for themselves only. Court administrators were instructed to complete the survey by responding for themselves and for all other court personnel that are not judicial officers. County clerks were instructed to respond for themselves and for other clerks' office personnel. There were several position-specific questions and additional questions that applied to all respondents.

There were 396 respondents out of an estimated 1050 possible respondents, which gave the survey a 38% response rate.

Respondent's Position	Percentage of Total Responses
Judicial Officers	53%
Court Administrators	40%
County Clerks	7%

Given the high numbers of possible respondents, this was considered an adequate response rate for the information the Task Force was seeking. All court levels were represented in the survey. Not all respondents completed every survey question.

Key Findings

Timely Training Needed

Respondents overwhelmingly indicated that earlier access to training was needed for positions than when it was provided. Across all groups surveyed, judicial officers and court administrators were the least likely to receive training early in their tenure. To determine whether training was available when new personnel assume their positions, each respondent was asked, *when should new personnel in their position receive information and skill building critical for their position and when do they receive this training?*

“Citizens often can only afford minimum processing to address their problems. Judges need to get it right the first time.”

- Survey respondent

Judicial Officers

- 77% of judicial officers responded that new officers should receive training prior to or within the first month of taking the bench.
- 20% actually did receive training during this time frame.
- Almost 50% of judicial officers received training within 6-12 months of taking the bench.

Court Administrators

- 71% of court administrators responded that new administrators should receive training prior to or within the first month of assuming their position.
- Only 16% actually did receive training during this time frame.
- 63% reported that new administrators received training after six months of assuming their position.

Other Court Personnel

- 82% of court administrators responded that new court personnel should receive training within the first month or within 2-5 months of assuming their position.
- 52% actually did receive training during this time frame.
- 37% received training within 6-12 months of assuming their positions.

County Clerks

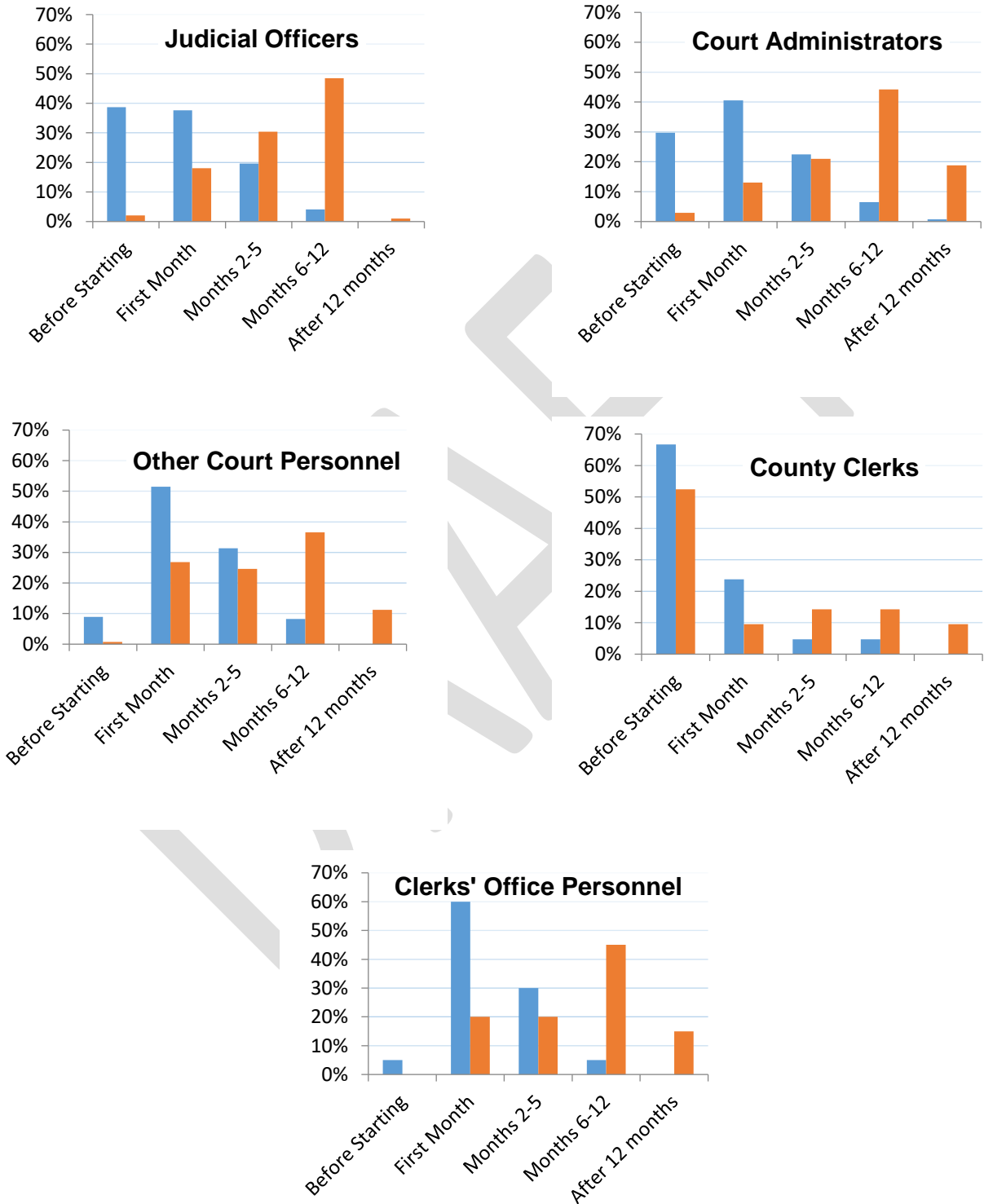
- County clerks reported the closest numbers of timely training; 67% responded that new county clerks should receive training prior to assuming their position.
- 52% reported that they did receive training prior to assuming their position.

Other Clerk Office Personnel

- 90% of county clerks responded that new clerks' office personnel should receive training within the first month or within 2-5 months of assuming their position.
- 40% actually did receive training during this time.
- 45% received training within 6-12 months of assuming their positions.

When New Personnel Should and Do Receive Critical Training

- When new personnel should receive critical position-relevant training
- When new personnel do receive critical position-relevant training



Types of Trainings

In-Person Trainings Most Valuable to Positions' Success

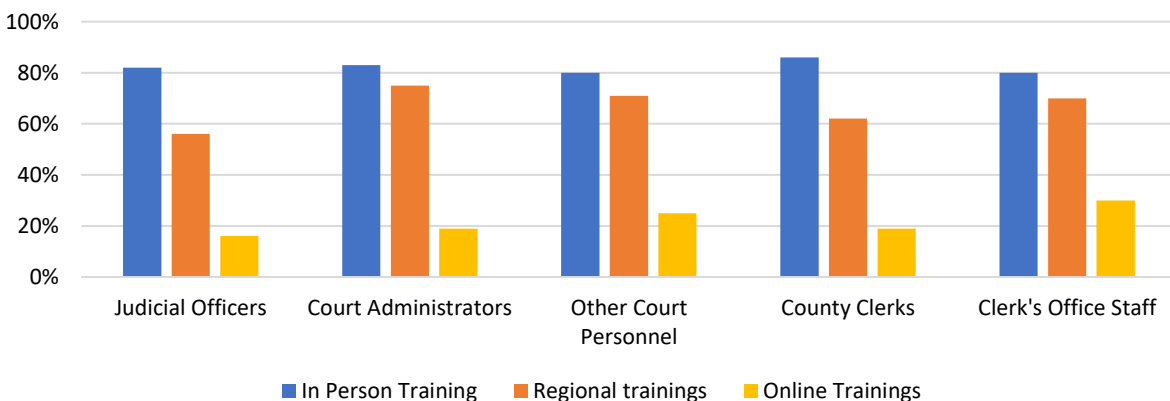
In general, all categories of respondents favored in-person training over in-person regional meetings, and the regional meetings were preferred over online training. Across respondent categories, about 83% found **in-person trainings** and 56% to 75% found **in-person regional meetings** very valuable to success in their positions. Figure 1.

Around 27% of respondents felt that online training opportunities are valuable for other court and clerks' office personnel positions' success, a level greater than for any other position category.² Initial development of online training content may be more useful for other court and clerks' office personnel. Respondents identified that online training would be valuable for smaller courts when they cannot leave the courthouse, for training opportunities when no local funds or coverage are available, for office and line-staff, for law-specific updates, and for peer-to-peer sharing opportunities.

"Better trained personnel interact with the users of the court system with greater skill, both in terms of communication and information distribution. This helps litigants and the public access the courts."
– Survey respondent

"Justice should be equally dispersed. If the more rural court systems are not able to access adequate training, then the justice may be determined by location and this is not appropriate." -- Survey respondent

Figure 1 - Training Opportunities Identified as Very Valuable to Respective Positions' Success



² Only 16%-19% of judicial officers, court administrators and county clerks found online training very valuable to their positions' success.

Bench guides were identified as very valuable by 56% of judicial officials and 28% of court administrators to their positions' success. Only 10% of county clerks and clerks' office personnel were likely to find bench guides very valuable.

"The law is constantly changing; we need to keep up."
-- Survey respondent

Type of Trainings Attended

Overall, training is limited for other court personnel and clerks' office personnel. Less than 29% of other court and clerks' office personnel were likely to have attended the AOC's new court employee training. Several respondents said the program needed to be offered more frequently and that it often had a waiting list. Larger courts reported needing more spaces for staff.

Respondents who took part in training were more likely to have participated in in-person trainings than any other type of training. About 25% of the training attended by judicial officers,³ court administrators, and county clerks were instances of peer mentoring. The majority of all trainings were sponsored through associations or state programs.

Barriers Experienced

As shown in Table 1 below, when asked what prevented respondents from attending trainings over the past three years, 63% of respondents said they could not travel to in-person training because they did not have coverage at the courthouse, 55% responded that they lacked time at work to use online training and education courses, and 30% said they were not supported to attend training. These responses suggest that further exploration into programming and local practices could be helpful.

"Bottom line – the more you know, the better able you are to do your job and do it RIGHT."
– Survey respondent

Around 50% of respondents reported there was insufficient funding for registration fees and travel costs to attend in-person training. Respondent comments indicated that they can only attend free programs, local funding was limited or non-existent, without AOC they wouldn't be able to attend trainings, and that scholarships and additional funding support was needed for all court levels.

³ General Rule 26 establishes the minimum requirements for continuing judicial education of judicial officers. There are no minimum requirements for other court personnel.

The majority of funding for judicial officers' training came from county, state and/or self-pay; with state funds supporting one-half of their trainings. Funding for trainings for all other positions was more likely to be provided by cities and counties than by the state.

Table 1- Percentage of Courts Reporting Specific Barriers to Attending Training

Not being able to travel to in-person meetings because of lack of coverage at the courthouse	63%
Lack of time at work to use online training and education courses	55%
Insufficient funding for travel costs to attend in person training (mileage/airfare/lodging/food costs)	54%
Insufficient funding for training registration fees	48%
Not having training content needed	42%
Lack of support to attend training	30%
Not knowing where online training opportunities exist	26%
Not having sufficient equipment to access online training	6%

Scholarships Help Personnel Attend Trainings

Scholarships provide judicial officers and court and clerk office personnel the ability to attend specific programs in a more timely manner. Seventy-four (74%) of respondents indicated that scholarships would help court system personnel access training that they cannot currently attend.

Of these 74% of respondents:

- 92% said scholarships would help participation in training specific to their job positions.
- 88% said scholarships would help participation in in-state trainings (not including CEC-sponsored spring and annual conference programs that already receive reimbursements).
- 83% said scholarships would help court personnel be trained within the first six months of starting their position.
- 77% said scholarships would help participation in out-of-state trainings.

“The court needs to be administered efficiently and effectively by personnel who have the specific on-the-job skills needed to navigate between the legal system and their customers.” -- Survey respondent

Training Needed

Position-Related Trainings

Seventy-six percent (76%) of respondents felt that court administrators should have training requirements. Respondents also identified a new court administrator program, timelier training opportunities for new administrators, and ongoing court administration training content are needed.

Around 150 respondents identified the top court positions that need training but are not currently receiving it as bailiffs and office/online staff. All staff need training on ethics, current legislative and procedural changes, issues of bias, access to justice, and harassment.

“Well-trained staff can provide knowledge and accurate customer service such as how to request a hearing, how/where to file paperwork properly, setting up time payments and collection delays, etc. “ –Survey respondent

Other Types of Training Needed but Not Currently Provided

Around 150 respondents identified various types of training that are needed but not currently provided. The topics identified ranged from content-specific programs to more skill-building opportunities. The top three most needed trainings would address court administration, professional conduct, and court security.

“Would love to see more regional and recorded trainings to allow for easier access to programming without having to disrupt our court schedules.” -- Survey respondent

Recommendations

Well-trained court systems increase public trust and confidence by ensuring consistent and accurate information; processes that are just, fair, and timely; and full and fair hearings. While the survey results suggests that overall, judicial officers and county clerks are receiving the training they need, training opportunities for court administrators and other court and clerk office personnel are limited. All new personnel need more timely and essential training.

The survey findings identified:

- Training opportunities are comparatively limited for court administrators and other court and clerks' office personnel.
- More timely training is needed for personnel when they start their positions.
- Financial support would be helpful for all positions to offset travel and registration costs.
- Court administrators should have mandatory training requirements and more training opportunities.
- Without support, courtroom coverage, and time to attend, court personnel often cannot participate in training.
- While all respondents in all positions surveyed prefer in-person training, responses suggest that online training opportunities would be helpful for other court and clerks' office personnel and for personnel who cannot easily leave their courthouse.

“A system that is well-trained inspires public confidence by providing reasoned decisions that are supported by research and best practices and have a positive impact on our communities.”
–Survey respondent

It is critical that funding and local court practices be addressed in order to provide more timely and essential training for judicial officers and other court personnel.

The Task Force recommends the following:

- 1) The development of online training to provide training opportunities for all court personnel with an emphasis on developing training for court administrators, and other court and clerks' office personnel. Funding will support staffing to develop content, the securing or development of a learning management system, and implementation of trainings. Online trainings will better support personnel whose training opportunities are limited and who do not have adequate funds or time to attend in-person training. Online training will also provide more timely access to critical information necessary for new personnel.
- 2) Increased funding to develop additional trainings that are currently not being provided, to support increased costs of existing trainings, and to provide much needed scholarships.
- 3) A review of the scholarship structure with prioritization for rural and smaller courts and for personnel who otherwise would not have access to essential training when they start their positions.

- 4) Increased funding to conduct a needs assessment to identify content and format for future bench guides and to develop these.
- 5) Research into barriers identified by rural/smaller courts to attending trainings, such as lack of coverage, time and support to attend trainings.
- 6) A policy establishing mandatory training for court administrators. The Task Force would write a letter to the CEC and BJA for policy consideration.

Courts must provide accurate and consistent information to the public. With the increasing numbers of pro se litigants, changes in law and dynamic social environments, it is critical that courts can effectively respond to changes. Additional funding for training court personnel and judicial officers will increase access to learning and skill-building opportunities and provide more essential information for new personnel when start their positions.

Tab 6

The Washington State Center for Court Research (WSCCR)

“Who are you? What do you do?”



WASHINGTON COURTS [Get Email Updates](#) | [FAQs & eService Center](#)

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Washington State Center for Court Research

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Contact Us
WSCCR
Administrative Office of the Courts
Post Office Box 41170
Olympia, WA 98504-1170
Phone: (360) 753-3365
Fax: (360) 956-5700
wscrr@courts.wa.gov
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Welcome | **Juvenile Courts** | Adult Courts | Dependency Case Timeliness | Multi-System Youth | WARNS | Other Research Activities

Welcome

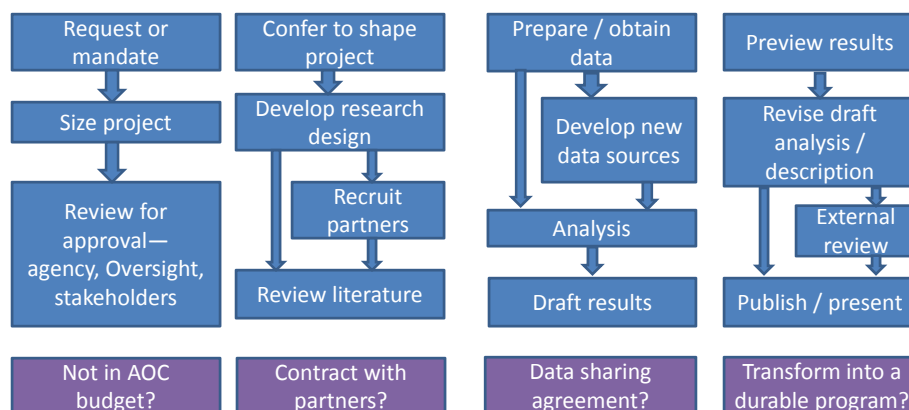
The **Washington State Center for Court Research (WSCCR)** is the research arm of the Administrative Office of the Courts. It was established in 2004 by order of the Washington State Supreme Court. The order was revised in 2015 making changes to the advisory board and establishing a strategic oversight committee.

- Our empirical research is intended to improve understanding of the courts, help guide judicial policy, and improve the functioning of our judicial system.
- We serve judges, clerks, victims, offenders, legal advocates, and all other participants in the judicial process.

WSCCR's Major Functions

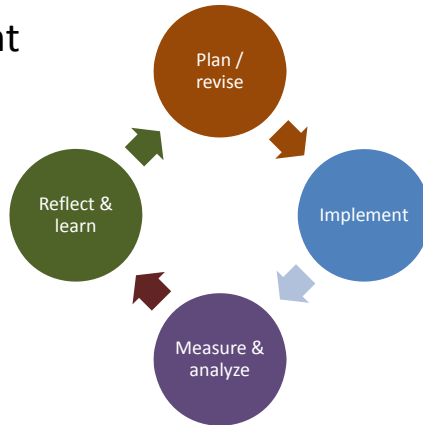
1. Policy research
2. Program evaluation with matched control groups
3. Performance reporting
4. Decision support tools
5. Data for researchers
6. Support for incremental performance improvement

Research Process



Distinctly WSCCR

- State + local
- Research + program improvement
- Long-term engagement
- Iterative approach



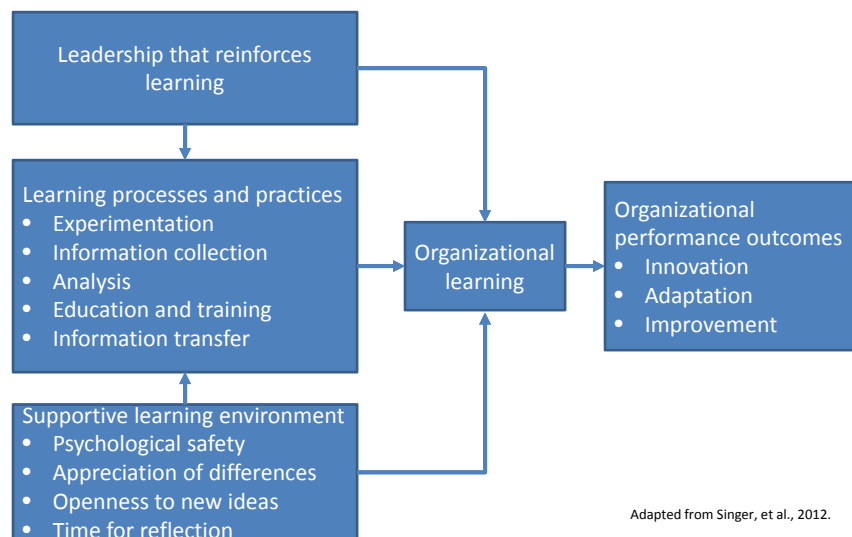
Public Interest

- *“The public deserves and should expect their judiciary to function at the highest possible level...”*
- *“Continuing education is vital to public trust and confidence in the judiciary.”*

Government Investment in Results

- Careful design—by committee then statute or court order, often informed by research (usually occurs)
- Education and training (often required)
- Quality assurance (sometimes required)
- External accountability (sometimes required)
- Internal learning for incremental improvement (rarely required, often emerges)

Learning Occurs when...



Organizational Learning Effects

- Private Sector
 - Increased productivity through employee satisfaction and employee performance
 - Increased return on investment, return on equity, earnings per share, sales
- Public Sector
 - Lower returns to hospital within 6 months in VA hospitals
 - Lower recidivism in adult probation
 - Lower recidivism and costs for adult drug courts

Approaches to Public Sector Performance Improvement

- External accountability regimes
 - Implemented top-down
 - Passive response from staff
 - “Gaming”
- Internal learning regimes
 - Staff = autonomous professionals
 - Invest in staff development
 - Internal generation of performance objectives

Adapted from Jakobsen et al., 2017.

Hybrid External Accountability + Internal Learning

- Mandated yearly dependency reporting
- Adapted to support organizational learning
 - Interactive iDTR
 - Used by FJCIP facilitators and Court Improvement Training Academy
 - Courts shape measures in iDTR
- Connected to faster permanency

**RESEARCH DEMAND EXCEEDS
SUPPLY**

SAJE
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OF JUSTICE EFFECTIVENESS

 <p>UNIVERSITY of WASHINGTON</p> <ul style="list-style-type: none">• Developmentally appropriate treatment• Translation of research for practitioners• Evaluation design	 <p>WASHINGTON STATE CENTER FOR COURT RESEARCH</p> <ul style="list-style-type: none">• Puts official data to use for the courts• Long-term working relationships• Supports incremental program improvements	 <p>WASHINGTON STATE UNIVERSITY</p> <ul style="list-style-type: none">• Risk and needs assessment<ul style="list-style-type: none">• Adult pretrial• Juvenile probation• Therapeutic courts• Quantitative methods
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SAJE

- Professional community
- Broader range of expertise
- Increased capacity for court research
- Better research coordination
- Translates and helps users apply research



SAJE
C E N T E R
THE STUDY & ADVANCEMENT
OF JUSTICE EFFECTIVENESS

carl.mccurley@courts.wa.gov
360-705-5312



WASHINGTON STATE CENTER
FOR COURT RESEARCH

Tab 7



March 8, 2018

TO: Board for Judicial Administration
FROM: Misty Butler Robison, BJA Administrative Manager
RE: SPEAKING WITH A UNIFIED VOICE

Purpose

The BJA has adopted striving to speak with a unified voice as one of their organizational goals. The purpose of this memo is to address the BJA's goal of speaking with one voice and to make recommendations for implementation.

Speaking with a Unified Voice

"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." – BJA Preamble

It is the BJA's purpose to present a unified position to the judicial branch, the legislative branch, and the executive branch. This does not imply only one voice; rather a unified message is necessary. Competing voices purporting to speak for the judiciary undermine the institutional independence of the courts and leave other parts of government free to choose the messages they prefer in relation to court policy and administration.

Recommendation

As a first step to accomplishing this organizational goal, a discussion is planned for the March 16, 2018 BJA meeting. Following are a list of questions that may be asked to facilitate the discussion. Thoughts prepared in advance are appreciated.

- What does speaking with a unified voice mean?
- When we talk about speaking with a unified voice, who is doing the speaking?
- What are the circumstances on which we should speak with a unified voice?
- Why is there value in speaking with a unified voice?
- How should we speak with a unified voice?
- What are the next steps in accomplishing this goal?

Tab 8

**JISC Update
for the
Board for Judicial
Administration (BJA)**

March 16, 2018

Chief Justice Mary Fairhurst, JISC Chair

***Information Technology is what
unifies Washington's courts.***

JIS Governance

- The Supreme Court delegates governance of the JIS to the Judicial Information System Committee (JISC).
- JISC was established in 1976.
- The JISC operates under RCW 2.68.010 and JISC Rules.
- The JISC sets policy for the JIS and approves projects and priorities.

Who is the JISC?

17 members representing 10 different entities:

Appellate Courts	District and Municipal Court Management Association
Superior Court Judges' Association	Washington Association of Juvenile Court Administrators
District and Municipal Court Judges' Association	Misdemeanant Corrections Association
Washington State Association of County Clerks	Washington State Bar Association
Association of Washington Superior Court Administrators	Washington Association of Prosecuting Attorneys

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- [-] JIS Governance
- [-] Judicial Info System (JIS)
- [-] Judges' Resources
- [-] Legal Resources
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Inside Washington Courts

Announcements

Court Closures
Click above for a list of courts with upcoming closures...

Data Warehouse - BOXI - 2/17/2011
The data warehouse load for Wednesday, February 16, 2011 has completed successfully. [Read more...](#)

STOP Grant For Court-Related Projects
The Gender and Justice Commission is requesting proposals for programs/projects that courts can implement to improve our courts' response to adult and/or teen victims of sexual assault, domestic violence, dating violence, and stalking in 2010-2011.

Washington Supreme Court Chief Justice Barbara Madsen appears on TVW's "Inside Olympia"
In a one-hour interview on TVW, Washington Supreme Court Chief Justice Barbara Madsen details the state of Washington's judiciary, the funding crisis facing Washington's trial courts, diversity in the

IT Governance Website

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Information Technology Governance

Home | Initiate a Request | Status of My Request | See Other Requests | Detailed Reports | FAQs

What is Information Technology Governance (ITG)? IT Governance is the framework by which IT investment decisions are made, communicated and overseen. What does that really mean: a true partnership between Information Technology and the Court Community Business Partners. IT Governance is successful when business processes and technology processes work together by utilizing a set of procedures developed to govern strategic outcomes. This is IT Governance.

The Administrative Office of the Courts (AOC) is working with the Judicial Information Systems Committee (JISC) to deploy a governance method that promotes:

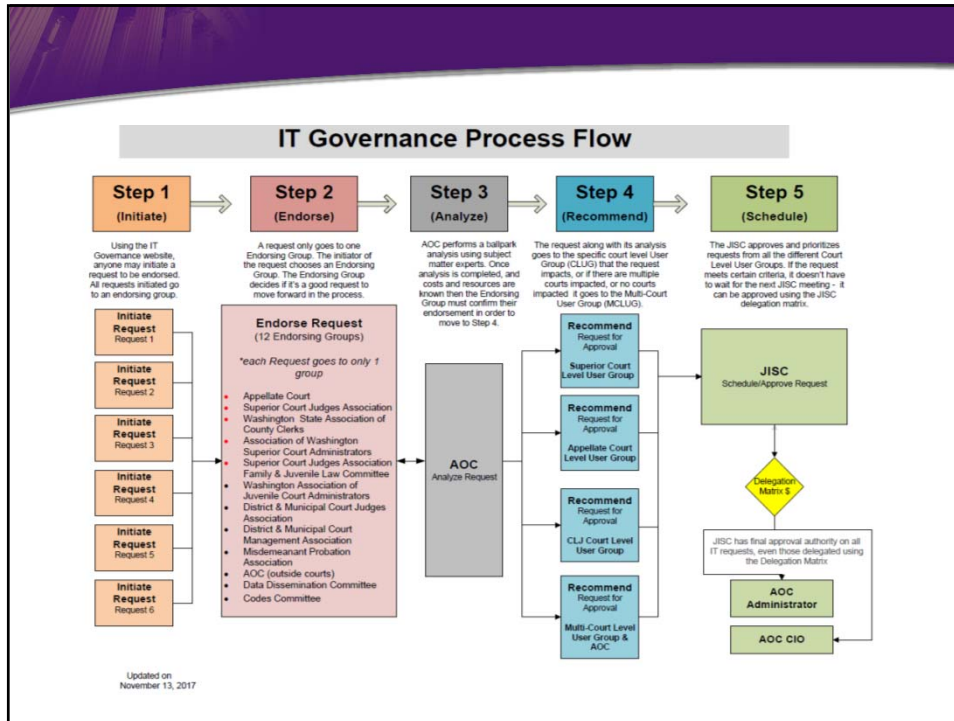
- Transparency—Requiring ongoing communication on proposed projects
- Open and Inclusive—Court Communities have a voice in choosing what is most important for their communities and for the State of Washington
- Business problems for the courts are reviewed holistically; how to benefit the many rather than the few
- One streamlined process for request with consistent rules

How does it work?

The governance process has 5 steps. They are initiate, endorse, analyze, recommend and schedule. Throughout each step of the governance process the court community will have a voice.

Show me the process.

Initiating a Request
How is a request Endorsed?
Who Analyzes the information?
Who recommends my request for Implementation?
When is it scheduled?



Four Major Information Technology Project Updates

1. Superior Court Case Management System (SC-CMS)
2. Appellate Court Enterprise Content Management System (AC-ECMS)
3. Limited Jurisdiction Case Management System (CLJ-CMS)
4. Information Networking Hub (INH) - Expedited Data Exchange (EDE)

SC-CMS Project Overview

- COTS Vendor: Tyler Technologies
- Product: *Odyssey*
- Project Began: September 9, 2013
- 5 Year / \$22.4 million project, plus \$5.2 million for maintenance through 2023
- Anticipated Completion: December 2018

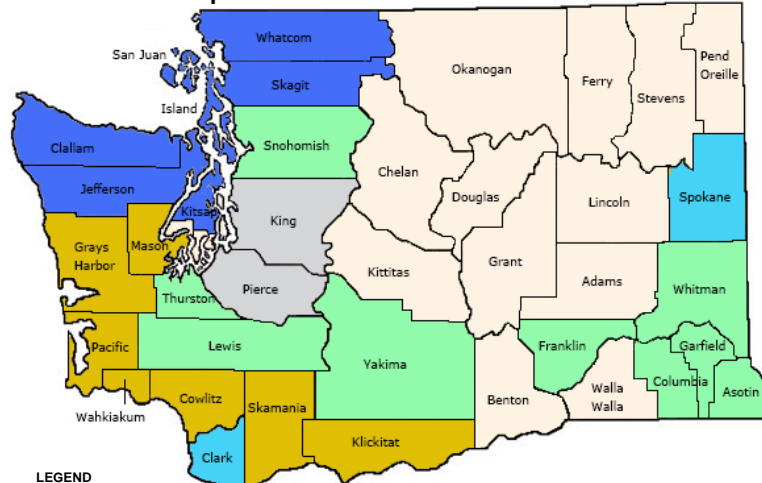
Odyssey Deployment Percent Complete



Judicial Information Systems Being Replaced

Acronym	Application Name	Serving
✓ SCOMIS	Superior Court Management Information System	Superior Courts & Juvenile
✓ JRS	Judicial Receipting System	Superior Courts
✓ CAPS	Court Automated Proceeding System	Superior Court – Yakima County Only
<i>Odyssey</i>	<i>NEW – SCOMIS, JRS, and CAPS Replacement</i>	<i>Superior Courts & Juvenile</i>

SC-CMS Statewide Implementation



LEGEND

- Odyssey Courts
- Event 6: November 2017
- Event 8: October/November 2018
- Event 5: May 2017
- Event 7: June 2018

Appellate Court Enterprise Content Management System (AC-ECMS)

Phase 1: Implementation & Stabilization of New System

- ✓ Supreme Court and all three COA Divisions were successfully converted over to the new system by June 2017.
- ✓ Now, the appellate courts have one common AC-ECMS for storing case documents.
- ✓ Ten automated business workflows were built.
- ✓ The e-Filing system via the AOC web portal was modified to send documents to AC-ECMS which was configured to OCR them and place them in the appropriate workflows.
- ✓ Panel Motion workflow was implemented in the COA's for post decision motions.

Courts of Limited Jurisdiction Case Management System (CLJ-CMS)

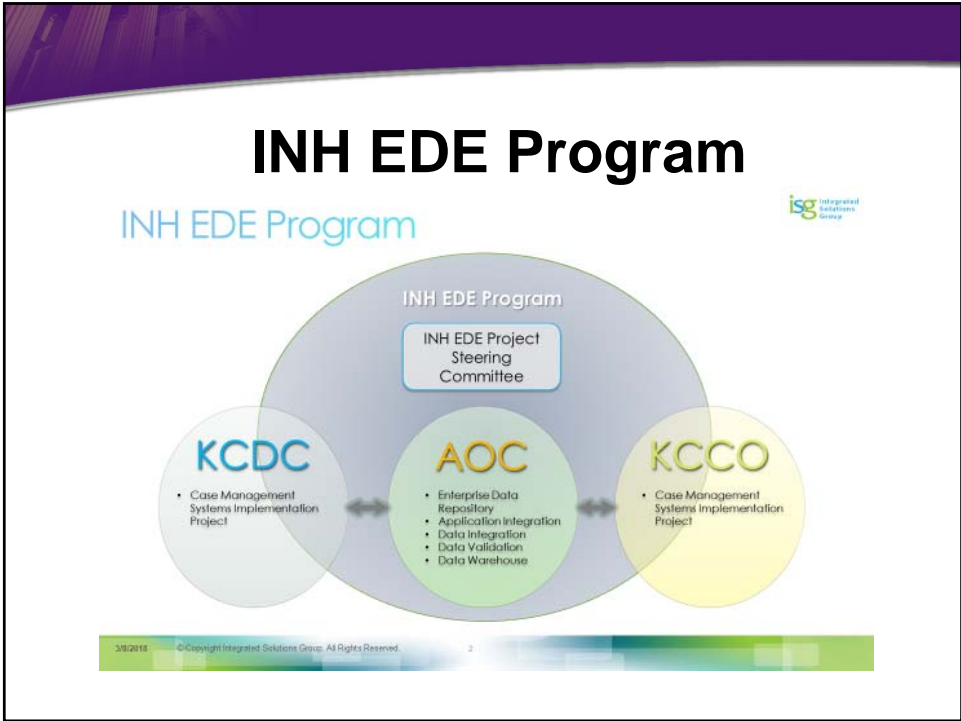
- 2014 – Project began with requirements gathering for a Commercial-off-the Shelf case management system to replace the JIS application used by courts of limited jurisdiction.
- 2016 – Request for Proposals released.
- 2017 – 2 vendor responses evaluated by CLJ court and probation stakeholders. Evaluations included product demonstrations and site visits with existing vendor clients.
- June, 2017 – The JISC approves Project Steering Committee recommendation of Apparent Successful Vendor, Journal Technologies, Inc., and contract negotiations begin.

Courts of Limited Jurisdiction Case Management System (CLJ-CMS)

- November 2017 – After failing to reach a contract agreement with Journal Technologies Inc., the JISC approved the Project Steering Committee’s recommendation to end the contract negotiation process.
- January 2018 – Project Steering Committee, RFP Evaluation Team and AOC met with the second ranked vendor (Tyler Technologies) to pursue further discussions.
- March 2018 – The JISC approved the Project Steering Committee’s recommendation to close the current RFP.
- The Project Steering Committee and AOC Project Team are thoroughly researching all available options to make a careful selection of the best direction for CLJs before moving forward.

Information Networking Hub Expedited Data Exchange (EDE)

- AOC is working on with King County District Court and the King County Clerk’s Office to support implementations of their own case management systems via data exchange.
- This project will build the new Enterprise Data Repository (EDR) by which statewide court data will be exchanged to ensure that all Washington Courts have a statewide view of the data whether or not they are using the case management system provided by the state; so that the continued public safety of Washington residents can be assured.



Tab 9



March 5, 2018

State Justice Institute
11951 Freedom Drive, Suite 1020
Reston, VA 20190

To Whom It May Concern:

RE: Support for Gender and Justice Commission's Grant Application

The Board for Judicial Administration (BJA), as the policymaking body for Washington State courts, supports the Gender and Justice Commission's application to the State Justice Institute (SJI) for its project identifying and examining gender bias issues in the courts, assessing their impact, and providing the courts with evidence-based solutions.

The BJA is charged with providing effective leadership to the Washington State courts and developing policy to enhance the administration of justice. Judges serving on the Board pursue the best interests of the judiciary at large in representing the more than 400 elected and appointed judges presiding at four levels: the Supreme Court, the Court of Appeals, superior courts, and district and municipal courts.

It has been almost 30 years since Washington State has studied gender bias in its court system. We know that much has changed since. With this thirty-year review, the Gender and Justice Commission will spearhead efforts to help the courts examine areas of gender bias that may still exist since the last report, how to effectively address them, and also identify areas that have not been studied yet. We support the Commission in its vision for the new report with its primary focus on women of color and women in poverty, voices that have historically been unheard in the courts.

We also hope that Washington State's efforts can help lead the way for other states to revisit their gender bias studies, creating more inclusive and responsive courts throughout the country. The BJA stands ready to assist and support the Commission with its new study, and supports its grant application to SJI.

Sincerely,

Handwritten signature of Mary E. Fairhurst in black ink.

Mary E. Fairhurst, Chair
Board for Judicial Administration

Handwritten signature of Judy Rae Jasprica in black ink.

Judy Rae Jasprica, Member Chair
Board for Judicial Administration

Tab 10



Board for Judicial Administration (BJA) Meeting

Friday, February 16, 2018 (9 a.m. – 12 p.m.)

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

MEETING MINUTES

BJA Members Present:

Chief Justice Mary Fairhurst, Chair
Judge Judy Rae Jasprica, Member Chair
Judge Scott Ahlf (by phone)
Judge Bryan Chushcoff
Ms. Callie Dietz
Judge George Fearing
Judge Blaine Gibson
Judge Gregory Gonzales (by phone)
Judge Dan Johnson
Judge Mary Logan (by phone)
Judge Kevin Ringus
Judge Rebecca Robertson
Judge Ann Schindler
Judge Michael Spearman (by phone)
Justice Charles Wiggins

Guests Present:

Mr. Jeff Amram (by phone)
Justice Sheryl Gordon McCloud
Ms. Cynthia Marr
Mr. Bryan Russell

AOC Staff Present:

Ms. Lynne Alfasso (by phone)
Ms. Kelley Amburgey-Richardson
Ms. Misty Butler Robison
Ms. Jeanne Englert
Ms. Beth Flynn
Ms. Sharon Harvey
Mr. Brady Horenstein
Mr. Dirk Marler
Mr. Ramsey Radwan
Ms. Intisar Surur

Public Present:

Dr. Page Carter

Gender and Justice Commission

Justice Gordon McCloud provided information regarding the study on Gender and Justice in Washington State Courts. In 1989 the *Gender and Justice in the Courts, Washington State* was produced. The study focused on domestic violence, domestic assault, divorce, civil judgments, and in the professional setting. The study found there were gender differences in all of those matters in all areas of the justice system. The recommendations have not been examined in a long time. They are proposing a 30 year look back to see how the state has progressed on the recommendations. They want to incorporate race and poverty into every area they look into because they need to be aware of the non-majority to be inclusive.

The Gender and Justice Commission is working with the National Center for State Courts (NCSC) on obtaining a grant to fund the updated study. NCSC staff thought this project was path breaking and would be the first of its kind in the country and would be helpful for other states. The Commission is asking for the BJA's support by stating this will impact the courts in a productive way and preparing a declaration of support to offer to the State Justice Institute (SJI) when the grant is submitted. The deadline for the grant submission is May 1. It would also be nice if the Commission could receive some staffing support if the grant is received. The Commission is not sure what that looks like at this point in time.

It was decided that the Commission will draft a letter for the BJA's support, and include information about the mission of the BJA, and it will be brought to the March BJA meeting for approval.

Some of the other work of the Commission includes: 1) The Incarcerated Women and Girls Committee focused on incarcerated parents wanting access to courts on civil matters. The Department of Corrections (DOC) is at the table on that. 2) Providing judicial education. 3) Asking all levels of courts to provide copies of their existing harassment policies. The Commission will compare and contrast the policies and take a look at where to go from there.

It was suggested that the BJA consider adopting a model sexual harassment policy. It is critical there be a model policy and that the BJA adopt the policy and have mandatory sexual harassment training. There was a suggestion to check with the NCSC because they recently stated they are working on a model policy.

It was decided that the Commission will work on a model harassment policy and bring it back to the BJA for consideration and adoption.

Branch Principal Policy Goals, BJA Mission and BJA Vision

There were no questions or comments regarding the suggested revisions of the Principal Policy Goals, the BJA Mission and the BJA Vision.

It was moved by Judge Ringus and seconded by Chief Justice Fairhurst to approve the revised Principal Policy Goals, the Mission and the Vision of the BJA. The motion carried.

Education Resolution

Judge Jasprica stated that the BJA has identified court education as one of their strategic initiatives and it would be helpful if there is a resolution from the BJA regarding this issue.

It was moved by Judge Chushcoff and seconded by Judge Ringus to approve the Resolution in Support of Adequate and Sustainable Funding for Court Education. The motion carried.

BJA Administrative Manager Update

Ms. Butler Robison explained that the first item is regarding a request for analysis of BJA rules and bylaws. Over the years she has noticed some inconsistencies. Her recommendation is to use an ad hoc task force workgroup or the BJA Policy and Planning Committee (PPC) to review the rules and bylaws to make sure they match the current practices of the BJA. Chief Justice Fairhurst stated it makes sense to use the Policy and Planning Committee for the review.

It was moved by Judge Chushcoff and seconded by Judge Johnson to have the Policy and Planning Committee formally evaluate the BJA rules and bylaws and offer recommendations to the BJA for adoption. The motion carried.

The second item is regarding how the BJA receives information from the various justice partners. Currently reports are given during the meetings for 10-15 minutes. The BJA could spend that time having more in-depth policy discussions. Ms. Butler Robison listed some ideas that could work but would like the BJA's direction.

Some suggestions were to 1) continue with the presentations during the meetings because it is necessary due to the frequency of membership turnover and it will help keep people up to date on the history of things. 2) Divide the presentations up to provide information during key times such as during the budget process or during the legislative process which would be helpful if the BJA needs to make decisions regarding that entity's budget or legislative requests. 3) Groups represented at the BJA table could give information during the information sharing time of the meeting and commissions and other groups could come at other times during the year. 4) The BJA could choose to not have presentations during very busy times. 5) The BJA could hear from some entities every two years instead of yearly. 6) Presenters will provide annual reports or other written materials, when available.

Ms. Butler Robison stated she will move forward with the suggestions.

Biennial Budget Development Process

Judge Schindler stated the biennial budget development process proposal is on the agenda for action. The reason to embark on this change is to have the BJA Budget and Funding Committee (BFC) and the Court Funding Committee hear the same information provided to the Supreme Court before making recommendations regarding the budget priorities.

It was moved by Judge Schindler and seconded by Judge Jasprica to approve the proposed 2019-2021 Biennial Budget Development Process-Requests That Flow Through AOC. The motion carried.

Budget Update

Mr. Radwan reported that the state general fund revenue forecast for the 2017-19 budget cycle went up another \$647 million and for the 2019-21 budget cycle it went up \$671 million. Mr. Radwan anticipates that the House will drop their supplemental budget on Monday. He has not received any preliminary information about the judicial branch budget requests which were fairly small for supplemental requests. He will know more on Sunday or Monday with regard to the budget. Mr. Horenstein stated that Ways and Means will have hearings on Tuesday afternoon regarding the budget.

Branch Budget Overview

Mr. Radwan stated that in the meeting materials is additional information regarding the percentage of state funding for judicial branch budgets in other states which Ms. Butler Robison received from the NCSC. There was a question about the percentage listed on the NCSC document for Washington State. Mr. Radwan will verify the amount and share the information with the BJA.

Also included in the materials is the budget requests that flowed through the BJA in the past few years and how the proposals did throughout the budget process. The information shows that the judicial branch does scrub their budget before sending requests to the Legislature and Mr. Radwan is not sure what can be done differently. It also shows how the Legislature has viewed the judicial branch budget in the past. There will continue to be an uphill battle in regards to judicial branch funding requests as little requested has been approved.

The 2019-21 budget process will take place between now and October. Mr. Radwan is assuming it will be a large request and he does not want to submit information to the Legislature too late in the process.

Mr. Radwan will finalize and distribute the decision package information included in the meeting materials to judicial branch stakeholders soon.

Legislative Update

Judge Ringus stated that there are a 2018 Legislative Session Update and a BJA Bill Tracking Report included in the meeting materials behind Tab 7. Mr. Horenstein reported that it has been a busy short session. The final cut-off was Wednesday and all bills had to be out of their house of origin. The Administrative Office of the Courts (AOC) was tracking 700+ bills and it is now down to about 300 bills. The legal financial obligations (LFO) reform bill, E2SHB 1783, is very likely to pass this session. It passed the House and is out of the Senate Law and Justice Committee with minor changes. AOC will make it work with a workaround in the short-term until the new courts of limited jurisdiction case management system is implemented.

Also, the driving with license suspended bill is now on the necessary to implement the budget list. It is likely something will pass.

The abolishing the death penalty bill was one the BJA chose not to take a position on. There have been a lot of discussions on the bill.

BJA Strategic Initiatives

Ms. Englert stated that things are continuing to move forward with the two task forces. She thanked everyone for completing the surveys. Approximately 80% of the courts responded to the interpreter survey and there was a 38% response rate for the education survey, but with a very large potential for responses, this was a good rate.

Both task forces will meet in February and they will present their budget request recommendations to the BJA in March.

Standing Committee Reports

Budget and Funding Committee (BFC): Judge Schindler reported that the BFC is about ready to have all the meetings that were approved on the chart earlier in the meeting.

Court Education Committee (CEC): Judge Jasprica stated the CEC will meet on March 3 to begin strategic planning on how to move forward with all the information they have received from the Education Funding Task Force.

Policy and Planning Committee (PPC): Judge Robertson said the PPC will be meeting today and they gathered a lot of information about committees/commissions/boards/associations and how they were created and how they are governed. They will be discussing collaboration ideas with judicial associations. The PPC is working on adopting a new schedule for identifying and recommending strategic initiatives. Ms. Englert stated that the PPC determined that they need more time to develop the initiatives and are looking at initiative options other than funding.

Legislative Committee (LC): Judge Ringus reported that it is expected that the legislative session will wrap up on time. In the spring, associations will receive letters to gather thoughts on legislative proposals for the 2019 BJA Legislative Agenda.

Washington State Center for Court Research and the Center for Study and Advancement of Justice Efficiency

Dr. McCurley is ill so this report will be rescheduled.

Judicial Leadership Meeting

Chief Justice Fairhurst has proposed having all judicial groups meet including the Supreme Court justices; the Court of Appeals Presiding Chief Judge and chief judges; the Executive Committees of the Superior Court Judges' Association and the District and Municipal Court Judges' Association; the BJA co-chairs and committee chairs; and Ms. Dietz, Mr. Radwan, Mr. Marler, Mr. Horenstein and Ms. Vonnie Diseth from AOC.

The group would meet for a day and discuss what the court levels/boards/committees are working on in the morning and the afternoon would consist of figuring out where the group is right now and looking forward to what is coming. The group would also discuss where they see themselves as a branch in five to ten years. The information would drive what associations are doing and what the PPC is doing which should be visionary, goal setting, or big ideas. Having that conversation with the group annually or biannually would help everyone know each other.

Chief Justice Fairhurst is reviewing dates for this year but she did not want to go forward until she spoke to the BJA. There were no objections to this meeting and Chief Justice Fairhurst will go forward with setting the meeting date and the group can decide the timing of the meeting in future years. The meeting will most likely be held in May, June or July this year.

Death Penalty Resolution

Judge Fearing asked for this resolution to be placed on the agenda. The BJA is tasked with advancing justice in the state of Washington and abolishing the death penalty strikes at the heart of criminal justice in Washington State.

The Legislature is currently considering abolishing the death penalty and this proposed resolution supports that legislation. Waiting until the March meeting to consider the resolution will be too late because the Legislature adjourns on March 8.

Chief Justice Fairhurst suggested that the BJA begin with a discussion about the procedure of considering the resolution during this meeting and then whether the BJA is willing to take action during this meeting.

Justice Wiggins commented that there are death penalty cases appearing before the Supreme Court. Personally, he does not think he is willing to have his name on a resolution to the Legislature while they have cases pending. He feels he must abstain on the vote regarding the resolution.

Judge Fearing stated that the Court of Appeals does not handle death penalty cases. For that reason he feels he is at liberty to bring this matter to the Board. If he were Chief Justice Fairhurst or Justice Wiggins he would probably recuse himself from this discussion.

Chief Justice Fairhurst responded that not only is the Supreme Court affected by this, the superior courts are also. The Washington State Bar Association took a view on the death penalty a few years ago and they got quite a bit of consternation from the Supreme Court for taking a political position.

Judge Chushcoff said that the BJA provides facts and rarely takes a position on a policy issue because the courts have an obligation of executing the policy and need to appear unbiased. This is an issue best left to the Legislature. If the Supreme Court and superior courts are recused from this decision, how does it represent the BJA?

Mr. Russell, speaking on behalf of the Attorney General's Office, stated that the bill to abolish the death penalty passed the Senate and is on the way to the House. For this body to take action, it needs to be done today because the session ends on March 8. There are Principal Policy Goals for the judicial branch and this policy speaks to those.

Judge Ahlf stated it is the policy of the DMCJA Board to refrain from taking positions on these types of policy issues. For this issue to be considered by the BJA, it would leave it to DMCJA and COA to make the decision. The BJA has a process for resolutions and that process needs to be followed. It is, therefore, inappropriate to address this issue at this time.

Judge Fearing stated that he is unaware of any death penalty cases pending in the superior courts. Judge Chushcoff responded that there was recently a shooting of a Pierce County Sheriff and aggravated first degree murder charges have been filed so there could be a death penalty case in his court in the near future.

Chief Justice Fairhurst suggested that the COA could make their own resolution.

It was moved by Judge Chushcoff and seconded by Judge Jasprica that this request for a death penalty resolution is out of order. The motion carried with Judge Fearing voting no and Justice Wiggins and Chief Justice Fairhurst abstaining.

Public Trust and Confidence Committee

It was moved by Chief Justice Fairhurst and seconded by Judge Schindler to reappoint Ms. Mary Crawford to the Public Trust and Confidence Committee. The motion carried.

November 17, 2017 Meeting Minutes

It was moved by Judge Schindler and seconded by Judge Ringus to approve the November 17, 2017 BJA meeting minutes. The motion carried.

Recap of Motions from the February 16, 2018 Meeting

Motion Summary	Status
Approve the revised Principal Policy Goals, the Mission and the Vision of the BJA.	Passed
Approve the Resolution in Support of Adequate and Sustainable Funding for Court Education.	Passed
Have the Policy and Planning Committee formally evaluate the BJA rules and bylaws and offer recommendations to the BJA for adoption.	Passed
Approve the proposed 2019-2021 Biennial Budget Development Process-Requests That Flow Through AOC.	Passed
The request for a death penalty resolution is out of order.	Passed with Judge Fearing voting no and Justice Wiggins and Chief Justice Fairhurst abstaining.
Reappoint Ms. Mary Crawford to the BJA Public Trust and Confidence Committee.	Passed
Approve the November 17, 2017 BJA meeting minutes.	Passed

Action Items from the February 16, 2018 Meeting

Action Item	Status
<u>Gender and Justice Commission</u> <ul style="list-style-type: none"> Commission will draft letter of BJA's support, with information about the BJA's mission included, for the BJA's consideration and approval. Add to March BJA agenda. The Commission will work on a model harassment policy and bring it back to the BJA for consideration and adoption. 	Done
<u>Branch Principal Policy Goals, BJA Mission and BJA Vision</u> <ul style="list-style-type: none"> Post the updated Principal Policy Goals, Mission and Vision. 	
<u>Education Resolution</u> <ul style="list-style-type: none"> Date and number resolution and post online. 	

Board for Judicial Administration Meeting Minutes

February 16, 2018

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Action Item	Status
<u>BJA Administrative Manager Update</u> <ul style="list-style-type: none"> • Have the PPC formally evaluate the BJA rules and bylaws and offer recommendations to the BJA for adoption. • Move forward with the suggestions regarding branch entity updates. 	
<u>Branch Budget Overview</u> <ul style="list-style-type: none"> • There was a question about the percentage listed on the NCSC document for Washington State. Mr. Radwan will verify the amount and share the information with the BJA. • Mr. Radwan will distribute 2019-21 budget request process information to judicial branch stakeholders. 	
<u>BJA Strategic Initiatives</u> <ul style="list-style-type: none"> • Add to March BJA meeting agenda. 	Done
<u>Washington State Center for Court Research and the Center for Study and Advancement of Justice Efficiency</u> <ul style="list-style-type: none"> • Add to future BJA meeting agenda. 	Done
<u>Judicial Leadership Meeting</u> <ul style="list-style-type: none"> • Chief Justice Fairhurst will schedule this meeting in May, June or July. 	
<u>Committee Appointments</u> <ul style="list-style-type: none"> • Draft and mail Public Trust and Confidence Committee reappointment letter to Ms. Mary Crawford. 	
<u>November 17, 2017 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

Tab 11

Board for Judicial Administration Rules

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 that begin on July 1, 2017 shall be for less than a full term, two years, and shall thereafter be for a term of four 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 July 1. The Chief Justice, the President of 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; July 4, 2017.]

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.

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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.)