

# **BOARD FOR JUDICIAL ADMINISTRATION**



**WASHINGTON  
COURTS**

## **MEETING PACKET**

**FRIDAY, OCTOBER 19, 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  
Washington State Supreme Court

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

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**Judge Doug Federspiel**  
Superior Court Judges' Association  
Yakima County Superior Court

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

**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 David Kurtz**  
Superior Court Judges' Association  
Snohomish County Superior Court

**Judge Robert Lawrence-Berrey**  
Court of Appeals, Division III

**Judge Linda Lee**  
Court of Appeals, Division II

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

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

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

**Judge James Rogers**  
Superior Court Judges' Association  
King County Superior Court

**Judge David Mann**  
Court of Appeals, Division I

**Justice Charles Wiggins**  
Washington State Supreme Court

## NON-VOTING MEMBERS:

**Callie Dietz**  
State Court Administrator

**Paula Littlewood**, Executive Director  
Washington State Bar Association

**Judge Samuel Meyer**, President-Elect  
District and Municipal Court Judges' Association  
Thurston County District Court


**William Pickett**, President  
Washington State Bar Association

**Judge Laurel Siddoway**, Presiding Chief Judge  
Court of Appeals, Division III

**Judge Kitty Ann van Doorninck**, President-Elect  
Superior Court Judges' Association  
Pierce County Superior Court

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.

 <p>WASHINGTON COURTS</p>	<p><b>Board for Judicial Administration (BJA)</b>  <b>Friday, October 19, 2018 (9 a.m. – 12 p.m.)</b>  AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac</p>	
<b>AGENDA</b>		
<b>1. Call to Order</b> <b>Welcome and Introductions</b>	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	9:00
<b>2. Court Management Council</b> 1. Overview and update 2. Brief Presentation of Legal Advice vs. Legal Information tutorial 3. Presentation of Court Manager of the Year Award	Callie Dietz Maria Joyner Frank Maiocco	9:05 Tab 1
<b>3. Association of Washington Superior Court Administrators (AWSCA), District and Municipal Court Management Association (DMCMA), Washington Association of Juvenile Court Administrators (WAJCA), Washington State Association of County Clerks (WSACC), Court of Appeals</b> Information: Overview and update	Frank Maiocco Margaret Yetter Lisa Tremblay Derek Byrne	9:35
<b>4. Branch Budget Overview</b> Information: State budgeting process, sources of funds, how funds are utilized	Ramsey Radwan	10:00 Tab 2
<b>5. Break</b>		10:25
<b>6. 2018 Legislative Agenda</b> Action: Motion to approve the 2018 legislative agenda What is our unified message?	Judge Kevin Ringus	10:35 Tab 3
<b>7. BJA Strategic Initiatives</b> Information: <ol style="list-style-type: none"> <li>1. Interpreter Services Funding</li> <li>2. Court System Education Funding <ul style="list-style-type: none"> <li>• Letter to BJA</li> </ul> </li> </ol>	Jeanne Englert	10:55 Tab 4
<b>8. Standing Committee Reports</b> Budget and Funding Committee Court Education Committee Legislative Committee Policy and Planning Committee	Judge Mary Logan Judge Judy Rae Jasprica Judge Kevin Ringus Judge Rebecca Robertson	11:00 Tab 5

<b>9. Expiring Resolution Follow Up</b>	Judge Rebecca Robertson	11:10 Tab 6
<b>10. BJA Leadership Goals</b> Discussion: 2018-2019 BJA Leadership Goal Development <ul style="list-style-type: none"> <li>• Committee Composition</li> <li>• Bylaws and Rules Ad Hoc Committee (One member from each court level)</li> </ul>	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	11:20
<b>11. Public Trust and Confidence Committee</b> Action: Appointment of New Members	Chief Justice Mary Fairhurst	11:40 Tab 7
<b>12. September 21, 2018 Meeting Minutes</b> Action: Motion to approve the minutes of the September 21, 2018 meeting	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	11:40 Tab 8
<b>13. Information Sharing</b> Information: <ol style="list-style-type: none"> <li>1. Roundtable</li> <li>2. Meeting review</li> </ol>	Judge Judy Rae Jasprica	11:45 a.m.
<b>14. Adjourn</b>		12:00 p.m.
<p>Persons with a disability, who require accommodation, should notify Jeanne Englert at <a href="mailto:Jeanne.englert@courts.wa.gov">Jeanne.englert@courts.wa.gov</a> or 360-705-5207 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>		

**Upcoming meetings:**

- November 16, 2018 - AOC SeaTac Office**
- February 15, 2019 - AOC SeaTac Office**
- March 15, 2019 - AOC SeaTac Office**
- May 17, 2019 - AOC SeaTac Office**
- June 21, 2019 - AOC SeaTac Office**
- September 20, 2019 - AOC SeaTac Office**
- October 18, 2019 - AOC SeaTac Office**
- November 15, 2019 – AOC SeaTac Office**

The leadership goals of the Board for Judicial Administration are 1) Speaking with a Unified Voice; 2) Court Communication; 3) Committee Coordination; and 4) Committee Composition.



**Court Management Council (CMC) Members**  
**July 1, 2018– June 30, 2019**

**Co-chairs**

**Callie Dietz**

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**Washington Association of Juvenile Court Administrators (WAJCA)**

**Darryl Banks (6/30/19)**

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**Lisa Tremblay (6/30/20)**

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### Court of Appeals

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### Administrative Office of the Courts (AOC) Staff

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**TAB 2**



# General Overview of Statewide Budget Process

## Definitions

### **State Fiscal Year**

State budget year that begins on July 1 and ends on June 30.

### **State Biennium**

A two-year fiscal period. The Washington State biennium runs from July 1 of an odd-numbered year to June 30 of the next odd-numbered year.

### **Budget Decision Package**

Written information describing a change in an existing budget amount, the impacts the change will have and the impacts that will occur if funding so not received.

### **Carryforward Budget Level**

Biennialized cost to continue the workload or services already authorized through the legislative budget process, excluding time limited information technology projects.

### **Maintenance Budget Level**

Additional mandatory caseload or other legally unavoidable costs not contemplated in the current budget.

### **Policy Budget Level**

New or increases to existing programs or services.

# General Overview of Statewide Budget Process-Continued

### **Near General Fund**

All accounts included in the general fund plus the Education Legacy Trust Account.

### **Judicial Information System Account**

An account created by the legislature in RCW 2.68. The primary source of funding is an assessment placed on traffic infractions.

Revenue from interest earned on penalties is also deposited into the Judicial Information System Account.

### **Judicial Stabilization Trust Account**

A temporary account created by the legislature in 2009 in RCW 43.79.505.

Receipts from the surcharges authorized by RCWs 3.62.060, 12.40.020, 36.18.018 and 36.18.020 are deposited into the account.

### **Appropriation/Appropriation Authority**

A legal authorization to make expenditures and incur obligations for specific purposes from a specific account over a specific time period. Appropriations typically limit expenditures to a specific amount within a fiscal year or biennial timeframe. Only the Legislature can make appropriations in Washington State.

# State Judicial Branch Budget Process

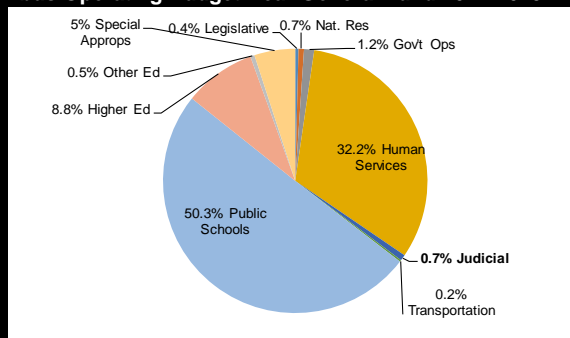
Approximate Dates-Biennial Budget Request Process (all dates are for even numbered years):

- January: Budget process letter from the Chief Justice, budget instructions and budget schedule are issued.
- April-May: All final budget decision packages are due.
- May-June: Proponents from all judicial branch organizations present budget request(s) to the Court Funding Committee.
- May-June: Budget and Funding Committee makes priority recommendations to the BJA regarding state general fund budget requests that flow through the AOC.
- May-June: Judicial Information System Committee (JISC) reviews and approves information technology budget requests.
- June-July: BJA makes priority recommendations regarding state general fund budget requests that flow through the AOC.
- July-September: Supreme Court Budget Committee (SCBC) reviews recommendations and stakeholder input. SCBC briefs the Court Funding Committee regarding recommendations.
- September-October: Supreme Court makes final priority and dollar amount decision for those state general fund requests that flow through the AOC. Budget is transmitted to the legislature.

# 2017-2019 Statewide Near General Fund Appropriations

**Washington State Omnibus Operating Budget Near General Fund 2017-2019**

Legislative	\$173,344
Judicial	\$290,429
Gov't Operations	\$543,005
Human Services	\$14,080,515
Natural Resources	\$315,443
Transportation	\$93,970
Public Schools	\$21,968,576
Higher Education	\$3,832,786
Other Education	\$225,823
Special Apropos.	\$2,183,273
<b>Statewide Total</b>	<b>\$43,707,164</b>



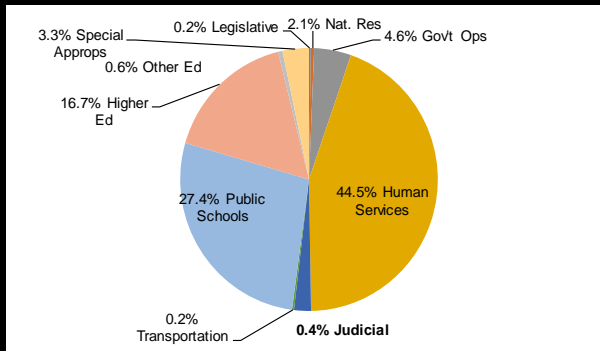
In millions

# 2017-2019 Statewide Total Operating Appropriations

**Washington State Omnibus Operating Budget All Funds 2017-2019**

Legislative	\$196,666
Judicial	\$364,011
Gov't Operations	\$4,054,426
Human Services	\$38,829,804
Natural Resources	\$1,848,973
Transportation	\$210,379
Public Schools	\$23,905,236
Higher Education	\$14,544,733
Other Education	\$480,679
Special Apropos.	\$2,893,816
<b>Statewide Total</b>	<b>\$87,328,723</b>

In millions



## Washington State Judicial Branch Branch Budget Universe

**State Law Library**  
\$3.4 million .9%



**Commission on Judicial Conduct**  
\$2.6 million .7%



**Supreme Court**  
\$16.5 million 4.4%



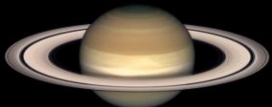
**Office of Civil Legal Aid**  
\$35.3 million 9.4%



**Administrative Office of the Courts**  
\$189.0 million 50.5%

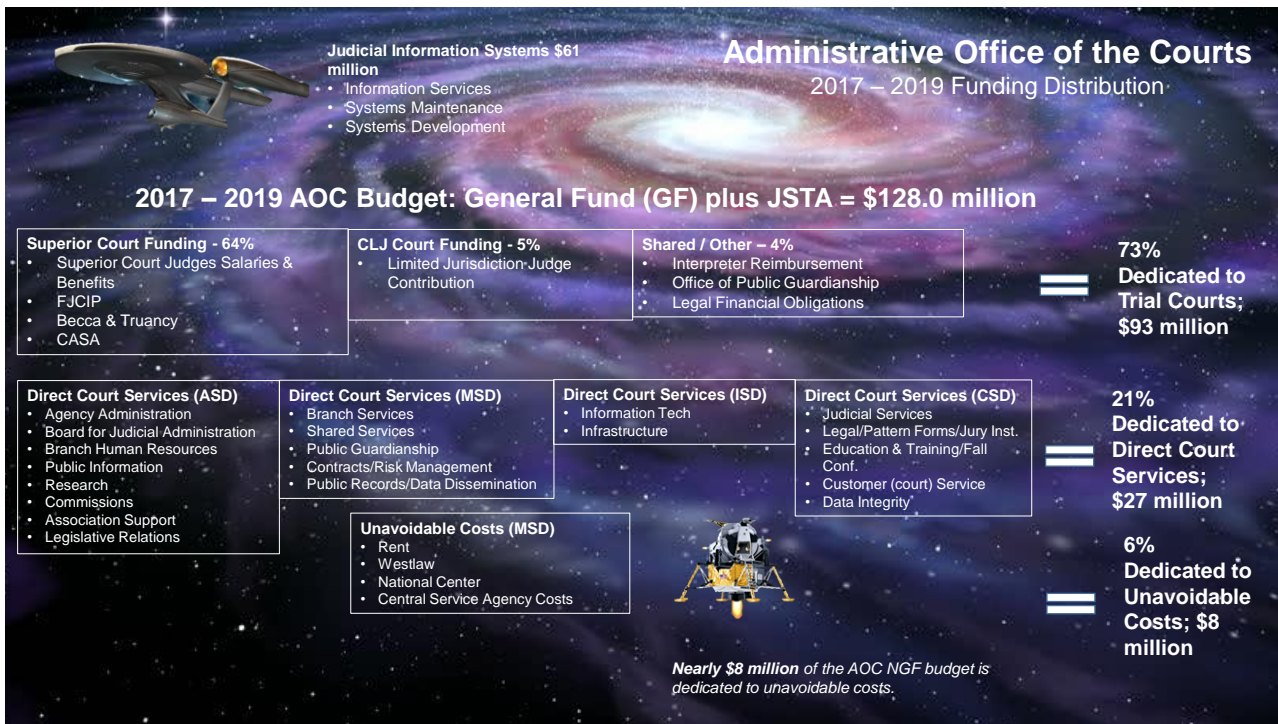
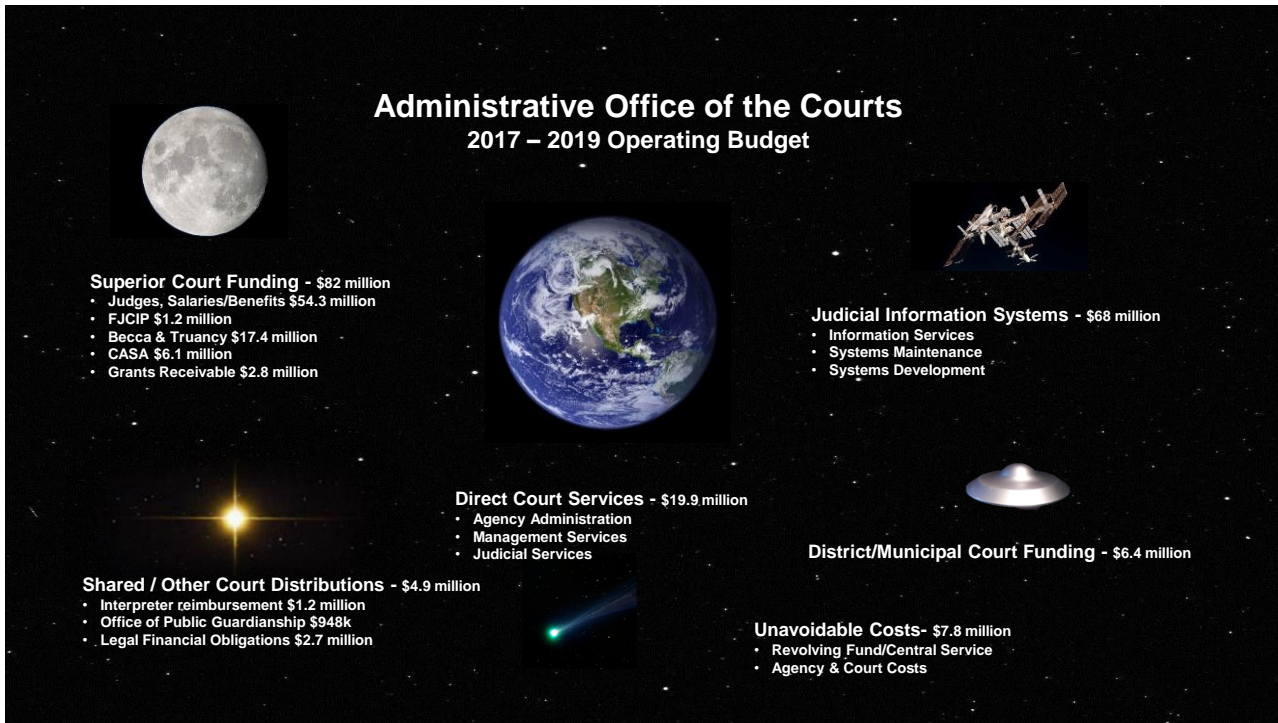


**Court of Appeals**  
\$36.9 million 9.9%



**Office of Public Defense**  
\$90.6 million 24.2%







**Administrative Office of the Courts**  
**Unavoidable Costs Operating Costs**  
**2017 – 2019 Operating Budget**

• Rent, Leases & Utilities . . . . .	\$3,000,000
• Contracts & Dues (Nat'l Center, Westlaw) . . . . .	\$850,000
• Supplies, Postage, etc . . . . .	\$330,000
• Printing . . . . .	\$280,000
• Telephone & Mass Communications . . . . .	\$159,000

**Unavoidable  
 Operating Costs**  
**\$4,619,000**

**Administrative Office of the Courts**  
**Unavoidable State Costs**  
**2017 – 2019 Operating Budget**

• DES Campus Rent and Utilities . . . . .	\$90,000
• DES Capital Project Surcharge . . . . .	\$25,000
• DES Public and Historic Facilities . . . . .	\$118,000
• DES Risk Management Admin . . . . .	\$3,000
• DES Campus Contracts . . . . .	\$32,000
• DES Real Estate Services . . . . .	\$44,000
• DES Self Insurance Premium . . . . .	\$60,000
• OFM Central Services, ERP Financing . . . . .	\$109,000
• CTS Security Gateway, Office of Cyber Security . . . . .	\$159,000
• CTS Enterprise System Rates . . . . .	\$420,000
• CTS Office of the Chief Information Officer . . . . .	\$217,000
• CTS State Data Center Debt Service . . . . .	\$942,000
• CTS State Data Network . . . . .	\$618,000
• Attorney General's Office . . . . .	\$251,000
• State Auditor's Office . . . . .	\$30,000
• Secretary of State, Archives . . . . .	\$18,000

**Unavoidable  
 State Costs  
 Agency Total**  
**\$3,137,000**

**Administrative Office of the Courts**  
2017 – 2019 Operating Budget

73% of the AOC GF budget distributed to trial courts.  
21% of the AOC GF budget is used to support all state courts.  
6% of the AOC GF budget is for uncontrollable costs.  
100% of the AOC JIS-account budget is used to support all state courts.

**TAB 3**



# Board for Judicial Administration 2017-19 Legislative Communications Plan

The Board for Judicial Administration (BJA) was created to provide effective leadership to the state courts and to develop policy to enhance the administration of the court system in Washington State. By court rule, the BJA shall have a standing Legislative Committee.

The BJA Charter charges the Legislative Committee to “develop proactive legislation on behalf of the Board for Judicial Administration and to advise and recommend positions on legislation of interest to the BJA and/or the BJA Executive Committee when bills affect all levels of court or the judicial branch as a whole.” The Charter also requires the Legislative Committee (Committee) to develop a communication plan regarding how the Committee will interact with stakeholders.

## Communication and Coordination

Several methods of communication, both within the BJA Legislative Committee and between the broader judicial branch community, already exist and will remain in effect. They are as follows:

- The BJA Legislative Committee will meet by phone, Mondays at 12:15 during the legislative session, to advise and recommend positions on legislation of interest to the BJA.
- AOC’s internal legislative team will meet on Thursday to discuss bills scheduled for hearing the next week as well as items of interest from the following or upcoming weeks.
- SCJA’s legislative committee will continue to meet weekly to develop positions on legislation, at their discretion.
- DMCJA’s legislative committee will continue to meet weekly to develop positions on legislation, at their discretion.
- AOC’s staff to the associations will maintain communication with the BJA Legislative Committee staff in preparation for the BJA Legislative Committee phone calls on Monday. Association staff will notify the Legislative Committee staff by Monday morning of items that the associations want to add to the BJA Legislative Committee call agenda and provide a synopsis of their positions/rationale relative to each.
- The weekly “judicial lobbyist” meeting will occur on Mondays at 11am on the Capitol Campus. Association presidents and legislative chairs should convey the importance of attending these discussions to their respective legislative liaisons.
- Legislation “white papers” and “talking points” created by any judicial branch team member will be shared.
- BJA Legislative Committee staff, the Associate Director of the Office of Legislative and Judicial Relations, is the “hub” for transmission of legislative information. The Associate Director and judicial branch members should speak frequently about noteworthy information. They will then share this information with the primary judicial branch stakeholders, including lobbyists, and the members of the BJA Legislative Committee.



- Association presidents and legislative committee chairs will convey to their judges and lobbyists that information regarding issues raised about branch matters, discussions with legislators, etc. should be conveyed to them and to the Associate Director in a timely manner.
- The Associate Director will send regular updates, as often as necessary, that will include the information provided by other members of the judicial branch, positions taken by the BJA and associations, and other information deemed to be of interest.
- The Associate Director will send weekly updates on behalf of the AOC.
- A meeting of judicial branch stakeholders will be scheduled, as needed, to discuss request legislation, other areas of great interest, and the budget.
- If conflicting positions within the judicial branch are identified, efforts at resolution should occur. If conflicting positions cannot be resolved, every effort should be made to communicate those disagreements respectfully and in a way that does not harm the broader sense of cohesive engagement on the part of the judicial branch.
- Nothing herein should be construed to diminish or prohibit individual judicial branch members from communicating with each other as they deem necessary.

### **Emergency Decision-Making Process**

The Charter designates that the BJA Executive Committee “shall take any emergency action necessary as a result of legislative proposals” and that “all members of the Legislative Committee shall have a vote on the recommendation to the Executive Committee.”

Occasionally, an issue affects not only multiple court levels, but also the broader judicial branch and requires a response that must be provided more quickly than the standard communication and decision-making process allows. Prior to formulating a decision, the Chief Justice, or other judicial branch team member, will, on an ad hoc basis, seek advice from:

- the BJA Legislative and Executive Committees, including the association presidents and legislative committee chairs;
- the State Court Administrator
- the State Law Librarian
- the Director of the Office of Civil Legal Aid
- the Director of the Office of Public Defense regarding policy questions proposed by the Legislature that relate to branch-wide issues.

Understanding that such emergency decision making requires a rapid response, AOC staff will make every effort to schedule discussion at times when all members can participate, and judicial branch team members will make every effort to participate in such discussion. An alternate may be designated if necessary but discussion may not be delayed in order to accommodate all parties. After a decision regarding a particular issue(s) has been made, judicial branch team members will support and advocate for the decision.

### **Additional Communication Required by the Charter**

Additional communications are required by the BJA Legislative Charter, as follows:

- The Committee shall report monthly, or as requested, to the full BJA.
- During the legislative session, staff to the Committee will provide an update to the full BJA after the chair of the Committee has made opening remarks.
- The Committee shall report in writing to the BJA as requested.

### **Recognition of Public Records**

Certain sensitivities should be recognized about the sharing of information. Judicial branch team members should exercise caution in writing or forwarding emails without permission, paying attention to potential public disclosure issues, and noting that more information may be provided in person as needed. Regardless of any limitation of disclosure due to a “deliberative process” type of exception, members of the Committee should not expect that communications would remain “confidential” long term.



October 9, 2018

**TO:** BJA Members

**FROM:** Judge Kevin Ringus, BJA Legislative Committee Chair

**RE:** BJA Legislative Committee Update – Approval Needed for Legislative Agenda

The BJA Legislative Committee is preparing for the 2019 legislative session that starts on January 14. As part of this work, the Committee earlier this year issued a call for legislative proposals for the BJA legislative agenda. We received three proposals:

1. Expanding the service methods that can be offered by the Office of Public Guardianship beyond guardianships. This bill has been a part of the BJA legislative agenda for the last few years but has not made it through both houses of the Legislature.
2. Changing the definition of domestic violence to distinguish between intimate partner and non-intimate partner domestic violence to facilitate better data collection and improve risk assessment. This recommendation came from a work group the Legislature directed the Gender & Justice Commission to convene to assess domestic violence/risk assessment issues.
3. Establishing a traffic fine consolidation and relicensing program. This was Attorney General request legislation last session but did not pass. A work group established two years ago, which included AOC and court representation, developed the proposal. Several entities, including the Attorney General's Office, want to pursue this legislation again and are seeking more direct involvement from the BJA.

The Committee met on September 7 and October 5 to consider these proposals and finalize the recommended legislative agenda, which includes the additional priorities below. Please also see the 2019 Legislative Priorities one-pager which highlights some of the BJA priorities.

**The BJA Legislative Committee requests BJA approval for the 2019 Legislative agenda to support:**

1. Expanding the service methods that can be offered by the Office of Public Guardianship beyond guardianships.
2. Changing the definition of domestic violence to distinguish between intimate partner and non-intimate partner domestic violence to facilitate better data collection and improve risk assessment.
3. Establishing a traffic fine consolidation and relicensing program.
4. Ongoing technology upgrades.
5. The Interpreter Services Funding Task Force and the Court System Education Funding Task Force funding requests.
6. The ongoing need for civic education.

Several legislative committees have scheduled work sessions and other meetings this fall. Here are a few recent or upcoming ones:

1. The Legislative Task Force on Public Records held its first meeting on Sept. 5. The Task Force heard a presentation on the constitutional basis for the legislative privilege and received an overview of the GR 31.1 development process from Judge Appelwick.
2. The Senate Law & Justice Committee met in Bellingham on Sept. 17 for a work session on potential revisions to the non-parental custody statutes and the application of the Child Relocation Act to shared parenting plans.
3. The House Judiciary Committee met in Olympia on Sept. 27 for a work session on state and federal antitrust laws, the Suicide-Safer Homes Task Force, and an overview of child support issues.
4. The Senate Human Services & Corrections Committee met in Olympia on Oct. 2 to discuss status offenders and state implementation of the federal Family First Prevention Services Act.
5. The Senate Law & Justice Committee will meet in Yakima on Oct. 24 for a work session on impaired driving, recent work by the Sentencing Guidelines Commission on the evaluation of sentencing reform laws and therapeutic courts.

The Legislature has also scheduled its annual “committee assembly” days for after the election. This is an opportunity for legislators to come to Olympia and hold work sessions on a range of issues they’ll likely face in January. Nearly every legislative committee meets during this time.

- Senate Days: November 14 & 15
- House Days: December 3 & 4
- Joint Committees: December 5

If you have any questions about the BJA legislative agenda or any other legislative issues, please don’t hesitate to contact me.



### COURT TECHNOLOGY PROJECTS

The judicial branch, under the direction of the Judicial Information System Committee, is implementing major technology modernization projects for all court levels. Continued funding and support for these projects are crucial to efficient court operation and service to the public.

### LANGUAGE ACCESS

Equal access to courts is fundamental to our system of government. Language barriers can create impediments for individuals who are limited-English proficient or impaired. Adequate funding is necessary to provide interpreters for all who need them.



### EDUCATION FOR JUDGES AND COURT STAFF

Fostering excellence in our courts through effective education is critical to the quality of justice in Washington. Funding is needed so that judicial officers and court personnel have access to high quality educational opportunities on a wide range of topics.

### FAMILY & JUVENILE COURT IMPROVEMENT

Early father identification and staff oversight of dependency cases improves outcomes for children and families. Funding is needed to evaluate existing FJCIP courts; expand the FJCIP court model statewide; and implement reliable, fast, and low-cost DNA tests of alleged fathers in dependency and termination of parental rights cases.



### GUARDIANSHIP SERVICES

Guardianship services and monitoring is critical to protecting seniors and individuals with a disability. Increased guardianship monitoring through established metrics, data collection, and analysis will ensure courts have the tools needed to effectively protect our most vulnerable population.

### COURTHOUSE SECURITY

Employees, jurors, litigants, and the public have a right to safe, secure courthouses across our State. Adequate funding and coordination among all branches of government ensures everyone visiting a courthouse is protected.



### CIVIC EDUCATION

An engaged citizenry requires educational programs that emphasize the importance of the rule of law in our democracy. Funding and support for civic education in our schools and communities are important to ensure public trust and confidence in government.



TBD Contact information here

10/12/2018





October 5, 2018

**TO:** Board for Judicial Administration Members  
**FROM:** Justice Steven González, Judge Sean O'Donnell, and Judge Andrea Beall, Co-Chairs  
**RE:** INTERPRETER SERVICES FUNDING TASK FORCE UPDATE

BJA Strategic Initiative

The Interpreter Funding Task Force met in September to finalize their talking points, discuss other outreach materials and update their outreach plan. Materials will be distributed starting in December. The Task Force continues to develop an informational sheet, Q&A for stakeholders, and other template letters of support.

The Task Force continues to meet with stakeholders and associations to discuss the work of the Task Force, funding request and partnering opportunities.



October 5, 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 Task Force met in October and continues to develop their communication and outreach plan. Talking points were finalized, other materials were discussed and the outreach plan was revised. Materials will be distributed starting in December. The Task Force continues to develop an informational sheet, Q&A for stakeholders, and other template letters of support.

The Task Force continues to explore other funding options. The Task Force submitted a letter outlining private funding options to the CEC for consideration. If the CEC approves the concept, it will go to the BJA for review and discussion.





July 2, 2018

Honorable Mary Fairhurst, Chair  
Honorable Judy Rae Jasprica, Member Chair & CEC Chair  
Board for Judicial Administration  
PO Box 41170  
Olympia, WA 98504-1170

Dear Chief Justice Fairhurst and Judge Jasprica:

RE: Mandatory Training Requirements for Court Administrators

The Board for Judicial Administration Court System Education Funding Task Force was created in 2017 to identify and obtain sustainable and sufficient funding options for court system education of judges, administrators and court personnel. As part of this effort, the Task Force implemented a court education funding survey in January 2018 to gather feedback about training and funding needs.

In regards to court administrators, the survey found that:

- 1) Training opportunities are limited for court administrators.
- 2) Court administrators were least likely to receive training early in their tenure—63% of new administrators received no training until after six months of starting their positions.
- 3) Court administrators should have mandatory training requirements and more training opportunities.

The Court System Education Funding Task Force is seeking funding to develop court administrator training but does not feel that establishing policy around mandatory training is a function of the Task Force. Therefore, we recommend that the Board for Judicial Administration (BJA) and the BJA Court Education Committee explore policy considerations for mandatory training for court administrators. General Rule 26 establishes the minimum requirements for continuing judicial education of judicial officers. There is currently no rule that establishes minimum requirements for court administrators.

Letter to Honorable Mary Fairhurst and Honorable Judy Rae Jasprica

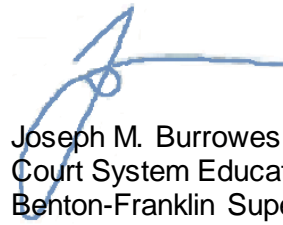
June 25, 2018

Page 2 of 2

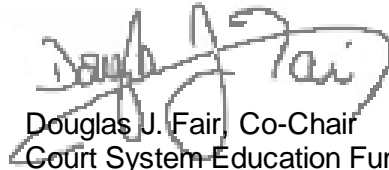
Effective and efficient management of courts requires knowledge and skills in administrative roles and responsibilities, budgeting, human resource management, and related topics. Court administrator training will help address overall court management needs and ongoing education in order to respond to changing social environments and more effectively serve the public and community.

The Task Force hopes the BJA will explore and consider these issues. Please feel free to contact us with any questions.

Respectfully,



Joseph M. Burrowes, Co-Chair  
Court System Education Funding Task Force  
Benton-Franklin Superior Court



Douglas J. Fair, Co-Chair  
Court System Education Funding Task Force  
Snohomish County District Court

cc: Jeanne Englert  
Judith Anderson





October 2, 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 September 19, 2018 via conference call and focused on the content for the Judicial Education Leadership Institute.

The CEC met October 3, 2018 face-to-face and focused again on the Judicial Education Leadership Institute and reviewed the anticipated costs. The committee is in the process of reviewing all their current policies and procedures. The committee reviewed the proposed changes to the overall CEC policies and made provided additional comments. The CEC is working towards identifying common education and training areas amongst judges, amongst administrators and across the court system and reviewed the areas identified through their various curriculums or education plans. This is one of the goals outlined in the Roadmap. The CEC also discussed options for additional funding sources for the 2019 Judicial College. With limited funding the CEC is unable to cover the anticipated costs associated with the size of the college in 2019. The CEC has tabled the discussion on mandatory education for administrators until their January face-to-face meeting Judge Jasprica provided an update on recent discussions with DMCMA representatives.

### Short-term Goals

- Review the BJA Charter and the other CEC policies.
- Judicial Education Leadership Institute November 28-29, 2018.

### Long-term Goals

- Continue to implement strategies and priorities identified in the CEC Roadmap.



October 3, 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 in September. The PPC received six strategic initiative proposals which were reviewed during the September PPC meeting. The committee identified several follow up questions and collected additional information from several individuals/groups.

The PPC wants to ensure that the task forces have ongoing resources if needed to accomplish their original charters. This takes into consideration that the task forces will not know if their funding requests are successful until after session. The PPC requested the following information to better understand possible ongoing needs of the task forces while they consider future strategic initiatives.

- 1) How is this task force doing in meeting its goals?
- 2) What activities still need to be addressed/implemented in the charter?
- 3) Do you anticipate the task force's work continuing past the charter's expiration?
  - a. If yes, what activities need to be accomplished after June 30?
  - b. How much time would you like to extend the charter and what resources do you anticipate needing (please include staffing and task force meeting resources).
  - c. Can the remaining needs and items be implemented by the Interpreter Commission or BJA CEC?
- 4) Is there anything else we should consider?

The PPC plans to present their recommendations at the November BJA meeting.



RESOLUTION of the BOARD FOR JUDICIAL ADMINISTRATION  
of the State of Washington

WHEREAS, equal justice is fundamental to the American system of government under law; and

WHEREAS, racial and ethnic bias have no place in the justice system; and

WHEREAS, facially neutral policies and practices that have a disparate impact on people of color contribute significantly to disproportionalities in the criminal and civil justice system, and

WHEREAS, racial and ethnic bias distort decision-making at various stages in the criminal and civil justice system, thus contributing to disproportionality and disparate treatment in the criminal and civil justice system, and

WHEREAS, racial and ethnic bias matter in ways that are not fair, that do not advance legitimate public safety objectives, that produce disproportionality, disparate treatment and disparate impact in the criminal and civil justice system, and that undermine public trust and confidence in our legal system; and

WHEREAS, the judiciary, consistent with its obligation to administer justice fairly, efficiently and effectively, has a vital role to play in ensuring that existing and proposed rules, policies and practices are fair and do not result in racial or ethnic disproportionality and disparate impact in the criminal and civil justice system; and

WHEREAS, the Board for Judicial Administration as the policy-making body of Washington's judicial branch of government plays a leadership role to ensure fairness in the justice system,

NOW THEREFORE, BE IT RESOLVED that the Board for Judicial Administration endorses and strongly advocates a well-coordinated effort by the judicial branch, the Washington State Bar Association, minority bar associations, law schools and interested stakeholders to accomplish the following:

- (1) Educate the public and those in the justice system on racial and ethnic disproportionality, disparate treatment and disparate impact occurring in the justice system;
- (2) Evaluate existing and proposed rules, policies and practices to determine whether they contribute to racial and ethnic disproportionality or disparate impact in the justice system, and if so, how such impacts can be avoided or corrected;
- (3) Identify corrective measures and pursue system-wide improvements in racial and ethnic fairness;
- (4) Measure and evaluate progress in addressing these issues that are critical to a fair and impartial system of justice in Washington; and
- (5) Develop and implement action plans to accomplish the objectives above to eliminate racial and ethnic disproportionality, disparate treatment and disparate impact in the justice system; and

BE IT FURTHER RESOLVED that the Board for Judicial Administration encourages the judicial branch, the Washington State Bar Association, minority bar associations, law schools and interested stakeholders to work with members of the executive and legislative branches, as appropriate, to promote the adoption of laws, policies and evidence-based practices shown to be effective in reducing racial and ethnic disproportionality and disparate impact in the criminal and civil justice system.

Approved by the Board for Judicial Administration at their July 15, 2011 meeting

TAB 7



**Board for Judicial Administration  
Nomination Form for BJA Committee Appointment**

**BJA Committee:** Public Trust & Confidence Committee  
(i.e. Best Practices, Court Security, Justice in Jeopardy, Long-Range Planning, and Public Trust and Confidence)

**Nominee Name:** Judge David A. Larson

**Nominated By:** DMCJA President  
(i.e. SCJA, DMCJA, etc.)

**Term Begin Date:** January 1, 2019

**Term End Date:** December 31, 2020

**Has the nominee served on this subcommittee in the past?**      Yes       No

**If yes, how many terms have been served and dates of terms:** \_\_\_\_\_

**Additional information you would like the BJA to be aware of regarding the nominee:**

Judge David Larson, Federal Way Municipal Court, is currently a member of the Council on Independent Courts and a member of the Board and the Executive Committee of the Council on Public Legal Education. He believes his involvement on those committees will tie in well with the BJA Public Trust & Confidence Committee. Judge Larson has also served on numerous other committees as a DMCJA representative, and he brings a wealth of knowledge to this position. The DMCJA President is pleased Judge Larson is interested in serving and believes he will be a stellar DMCJA Representative on this Committee. Thank you for your consideration.

Please send completed form to:

Jeanne Englert  
Administrative Office of the Courts  
PO Box 41170  
Olympia, WA 98504-1170  
[jeanne.englert@courts.wa.gov](mailto:jeanne.englert@courts.wa.gov)

**Board for Judicial Administration  
Nomination Form for BJA Committee Appointment  
Two-Year Appointment**

**BJA Committee:** Public Trust & Confidence  
(i.e. Best Practices, Court Security, Justice in Jeopardy, Long-Range Planning, and Public Trust and Confidence)

**Nominee Name:** Judge Kathryn Loring

**Nominated By:** SCJA  
(i.e. SCJA, DMCJA, BCE, etc.)

**Term Begin Date:** January 1, 2019

**Term End Date:** December 31, 2020

**Has the nominee served on this subcommittee in the past?**    Yes     No

**If yes, how many terms have been served and dates of terms:** \_\_\_\_\_

**Additional information you would like the BJA to be aware of regarding the nominee:**

This nomination is to fill the vacancy left by Judge Fairgrieve, who is stepping down at the end of his term, ending December 31, 2018.

Please send completed form to:

Jeanne Englert  
Administrative Office of the Courts  
PO Box 41170  
Olympia, WA 98504-1170  
[jeanne.englert@courts.wa.gov](mailto:jeanne.englert@courts.wa.gov)

**Board for Judicial Administration  
Nomination Form for BJA Committee Appointment**

**BJA Committee:** Public Trust and Confidence Committee

**Nominee Name:** Commissioner Rick Leo

**Nominated By:** DMCJA President  
(i.e. SCJA, DMCJA, etc.)

**Term Begin Date:** January 1, 2019

**Term End Date:** December 31, 2020

**Has the nominee served on this subcommittee in the past?**    Yes     No

**If yes, how many terms have been served and dates of terms:**    1 Term (from January 1, 2017 to December 31, 2018)

**Additional information you would like the BJA to be aware of regarding the nominee:**

Commissioner Rick Leo, Snohomish County District Court, is currently serving his first term on the BJA Public Trust and Confidence Committee, which expires December 31, 2018, and he is eager to serve an additional term. He is also a DMCJA Board member, and the DMCJA President believes he will be a stellar DMCJA Representative on this Committee. Thank you for your consideration.

Please send completed form to:

Jeanne Englert  
Administrative Office of the Courts  
PO Box 41170  
Olympia, WA 98504-1170  
[jeanne.englert@courts.wa.gov](mailto:jeanne.englert@courts.wa.gov)

**Board for Judicial Administration  
Nomination Form for BJA Committee Appointment  
Two-Year Appointment**

**BJA Committee:** Public Trust & Confidence

**Nominee Name:** Judy Ly

**Nominated By:** DMCMA  
(i.e. SCJA, DMCJA, BCE, etc.)

**Term Begin Date:** January 1, 2019

**Term End Date:** December 31, 2020

**Has the nominee served on this subcommittee in the past?**      Yes       No

**If yes, how many terms have been served  
and dates of terms:** 1, Jan 2017-Dec 2018

**Additional information you would like the BJA to be aware of regarding the  
nominee:**

Please send completed form to:

Jeanne Englert  
Administrative Office of the Courts  
PO Box 41170  
Olympia, WA 98504-1170  
[jeanne.englert@courts.wa.gov](mailto:jeanne.englert@courts.wa.gov)

**Board for Judicial Administration  
Nomination Form for BJA Committee Appointment  
Two-Year Appointment**

**BJA Committee:** Public Trust & Confidence

**Nominee Name:** Ms. Emily McCartan

**Nominated By:** PTC  
(i.e. SCJA, DMCJA, BCE, etc.)

**Term Begin Date:** January 1, 2019

**Term End Date:** December 31, 2020

**Has the nominee served on this subcommittee in the past?**      Yes       No

**If yes, how many terms have been served and dates of terms:**      One term, January 1, 2017-December 31, 2018

**Additional information you would like the BJA to be aware of regarding the nominee:**

Emily McCartan has been an outstanding member of the PTC representing the public. Originally, she worked for the state senate and was involved in their civic education events. She now works in education for the Nisqually Tribe. Under the terms of PTC membership, members are allowed to serve two consecutive terms.

Please send completed form to:

Jeanne Englert  
Administrative Office of the Courts  
PO Box 41170

Olympia, WA 98504-1170  
[jeanne.englert@courts.wa.gov](mailto:jeanne.englert@courts.wa.gov)

**Board for Judicial Administration  
Nomination Form for BJA Committee Appointment  
Two-Year Appointment**

**BJA Committee:** Public Trust & Confidence

**Nominee Name:** Val Barschaw, Kittitas County Clerk

**Nominated By:** WSACC  
(i.e. SCJA, DMCJA, BCE, etc.)

**Term Begin Date:** 1/1/19

**Term End Date:** 12/31/20

**Has the nominee served on this subcommittee in the past?**    Yes     No

**If yes, how many terms have been served and dates of terms:** N/A

**Additional information you would like the BJA to be aware of regarding the nominee:**

Val has served as the Kittitas County Clerk for four years. When part of any decision making process or discussions, she brings thoughtful discussions to the table. Val would be an excellent addition to the PTC Committee.

Please send completed form to:

Jeanne Englert  
Administrative Office of the Courts  
PO Box 41170  
Olympia, WA 98504-1170  
[jeanne.englert@courts.wa.gov](mailto:jeanne.englert@courts.wa.gov)





**Board for Judicial Administration (BJA) Meeting**  
**Friday, September 21, 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  
Callie Dietz  
Judge Doug Federspiel  
Judge Gregory Gonzales  
Judge Dan Johnson  
Judge David Kurtz  
Judge Robert Lawrence-Berrey  
Judge Linda Lee (by phone)  
Paula Littlewood  
Judge Mary Logan  
Judge Samuel Meyer  
Bill Pickett  
Judge Kevin Ringus  
Judge Rebecca Robertson  
James Rogers  
Judge Laurel Siddoway (by phone)  
Judge Kitty-Ann van Doorninck  
Justice Charles Wiggins

### **Guests Present:**

William Hyslop  
Sonya Kraski  
Margaret Yetter

### **Public Present:**

Page Carter

### **AOC Staff Present:**

Lynne Alfasso  
Crissy Anderson  
Jeanne Englert  
Sharon Harvey  
Brady Horenstein  
Sonya Kraski (by phone)  
Dirk Marler  
Ramsey Radwan  
Caroline Tawes

### Call to Order

Chief Justice Fairhurst called the meeting to order at 9:00 a.m. The members were welcomed and introduced themselves.

### BJA Orientation

Members received a 2018-2019 BJA Member Guide.

Each court level and staff association are represented on the BJA. The BJA serves an important role in bringing the judicial levels together to share concerns and information. This is a forum to have candid and respectful conversations and to encourage a shared vision of court leadership. The BJA is a time to come together as a group as the judiciary will have more influence as a group rather than individuals.

BJA committees and task forces information was reviewed and is included in the BJA Member Guide. Also included in the Member Guide were the current BJA resolutions and the updated process for reviewing resolutions. Chief Justice Fairhurst highlighted



the four leadership goals. The leadership goal “speaking with one voice” will be changed to “speaking with a unified voice.”

Members were asked to discuss as a group what hopes they have for the BJA, a goal they are interested in and how to implement that goal, the biggest opportunity or challenge for BJA, and how to share priorities and plans with their respective associations and colleagues. The BJA members should see themselves as a group thinking strategically about the future, and sharing challenges and concerns in order to arrive at the best resolution. The BJA is the place to have frank discussions and then to present a unified message.

Members shared:

- It is important that the state start contributing to the justice system. The Legislature needs to work with stakeholders to fund mandates. This is especially critical for smaller courts.
- It is important to come up with a good communication plan for the judicial branch that will gain legitimacy for all levels of court and will be viewed as representative for all court levels. Judges should feel they are heard and represented.
- The judiciary should continue to be meaningfully represented in budget talks. There is also a communication piece; it is possible for all court levels to be heard in financial and other interests.
- The BJA is a great opportunity to work together, continue to collaborate, and turn challenges into opportunities. This message needs to be taken to our associations. There is a need for increased communication.
- Disagreements should be resolved here. This should be a representative body with transparency and advocacy for all.
- There is a need for better education for all court levels, including education at conferences. Education efforts need to be coordinated.
- There should be a sustainable education funding goal. There are a large number of judges approaching retirement and a huge number of new, incoming judges who need a good educational system.
- Education is a special challenge for single-judge courts.
- We need buy-in from representatives and organizations. The BJA should have a concrete goal for all court levels and that goal should be communicated to all judges, so they know the value of the BJA to them.
- There is a different level of court security at different courts, and this affects each of us.
- Members should know everyone personally. That makes sharing and communicating easier.
- This is an opportunity to understand the issues of other judges and to understand issues at other court levels and provide support to colleagues.
- BJA members should know that Washington State has a lot of credibility nationally, and is known for being on the cutting edge of issues. We need to

educate the public; lack of information leads to funding issues. The BJA has an opportunity to be a model for trust and credibility by bringing issues, open discussions, creating a unified voice, and sending a message to help all court levels. That commitment can be taken to the associations to work together and support other court levels.

- The BJA brings collective wisdom and an opportunity to look down the road at bigger issues. The BJA provides a place where the Bar can learn of issues where they can help and be an ally on issues.
- There is a hope the BJA becomes a body that speaks with a unified voice, and a model for what that means, including civil disagreement. The BJA can enhance public trust in the judiciary.
- Even if an issue involves only one level of court, the BJA can provide support on that issue.
- Relationships are very important. There is a need for connection and training, and to provide support to judges, especially those who are not as connected as they want to be. Hopefully judges can get to know one another and those relationships help resolve issues.
- The two task forces are moving forward and provide an opportunity to try something different for funding. These are priorities that affect all court levels. The BJA can provide a unified voice on topics.
- The BJA can develop more public awareness of what courts do and help with court preparedness.
- The DMCMA is committed to court staff education. Hopefully the BJA can support education through all court levels.
- Court staff are the most visible part of the court system. Education is imperative at all court levels.
- BJA should expand its vision and think big. Staff speak highly of the BJA. BJA is a place where we discuss; if an issue isn't discussed, it suggests a gap where the BJA hasn't heard of an issue.
- There is a challenge to be both grounded in day-to-day issues and also looking forward 10 to 20 years. Evolving needs must be met; has the BJA developed a collective vision of what the courts should look like in 20 years?
- The BJA needs to speak with a unified voice as a branch. The Legislature needs to know legislation has BJA backing.
- The BJA should work on speaking with a unified voice. The judicial branch will be stronger if seen as a unified branch.

Members were asked to review the member responsibilities on page 5 of the Member Guide.

### Standing Committee Reports

**Budget and Funding Committee (BFC):** There will be a Court Funding Committee call in the next few weeks.

**Court Education Committee (CEC):** Judge Jasprica reported that the CEC judicial and administrative members will meet with each association to discuss how they can do a better job of coordination. They are in the planning stages for the Judicial Education Leadership Institute (JELI) in November that will include two members from each association. The education budget has been the same for the past eight to ten years. In January the Judicial College will have one of the largest registrations ever and the current budget will not cover the costs. An additional \$10,000 has been pledged to the Judicial College.

**Legislative Committee (LC):** The next meeting will be on October 5 in Olympia. The LC has a role with each committee. Judge Ringus suggested thinking big while the economy is good.

**Policy and Planning Committee (PPC):** Judge Robertson reported the PPC approved changes to its charter in June, allowing for representatives from each court management association and longer service for the members, which should allow for better planning. Six proposals were received for identification of future strategic initiative(s) and will be reviewed and prioritized at today's meeting. Work will continue on the branch communication plan.

#### Task Force Update

Written reports for each of the task forces were included in the meeting materials. Englert said the task forces will continue to be very active into the Legislative Session. Surveys and reports from the task forces are available if they are needed. The task forces continue to develop talking points, information sheets, and outreach plans.

**Court Education Funding Task Force:** This Task Force is looking at education for all court personnel. The two budget packages totaling \$1.4 million will address online training system, increasing existing in-person trainings, identifying critical trainings, and providing financial support to help personnel in small and rural courts to attend trainings. Some new judges and court staff receive no training in their first six months on the job. The Task Force will be making presentations to groups and mobilizing stakeholders for the legislative session.

**Interpreter Services Funding Task Force:** The Interpreter Services Funding Task Force is reaching out across the state to a broad group of stakeholders. The Task Force just released a survey to community advocates regarding domestic and sexual violence and protection orders, and are meeting with judges, court administrators, attorneys, and interpreters across the state. There will be an update on both task forces and legislative materials at the November BJA meeting.

#### Legislative Update

The Legislative Committee received three legislative proposals for the upcoming session: 1) from the Office of Public Guardianship to expand the service methods they can offer; 2) from the Gender and Justice Commission to improve the definition of domestic violence; and 3) a request from last year regarding consolidation of traffic fines and the relicensing program. There is a proposal that the judicial branch be a co-requester of the bill. The Committee will also be working on the two task forces funding proposals.

Horenstein will have draft language for the recommended legislative agenda for consideration and approval at the October BJA meeting.

No changes in control of the legislature are expected.

The Legislative Task Force on Public Records held its first meeting. GR 31.1 is seen by some legislators as a model for development of their own public records process. There will be a full discussion at their next meeting. Question may be directed to Horenstein.

#### Expiring Resolution Process

Included in the meeting materials was a PPC recommendation for expiring resolutions for BJA consideration and approval. The process proposed was:

- one year prior to the resolution's five-year expiration date, the sponsor will be notified of the need to renew, revise, or retire the resolution;
- six months before expiration, a new resolution or request to renew the resolution is sent to the BJA;
- three months before expiration, the new resolution or request is sent to the BJA for discussion.

Judge Ringus suggested discussing the renewed or revised resolution after six months because the BJA does not meet every month.

**It was moved by Judge Robertson and seconded by Judge Johnson to approve the Policy and Planning Committee process for expiring resolutions.**

**There was a friendly amendment proposed by Judge Ringus to change the BJA discussion deadline to six months prior to the expiration of the resolution. The motion carried.**

There will be a budget update at the October BJA meeting. There was a presentation on June 8 on the judicial branch budget. Budget meetings since then have focused on those state General Fund budget requests that flow through the AOC. Technology budget requests from the Judicial Information System Committee (JISC) are usually not reviewed by the BJA. This year, several information technology requests will seek funding from the state general fund due to previous biennia fund sweeps and declining revenue. There is a recommendation to move four information technology funding requests into the General Fund request that will go to the Legislature. In August the Supreme Court Budget Committee was briefed regarding this proposal.

At the request of the Supreme Court Budget Committee, Radwan separated the budget into 1) pass through or programmatic requests; 2) infrastructure requests; and 3) information technology requests. After review by the Supreme Court Budget Committee, the requests will be discussed by the Court Funding Committee on October 9. The Supreme Court Budget Committee recommendations will go to the Supreme Court for discussion at the October en banc.

Information on the budget process and timeline may be found on the AOC public web site under the Administrative Office of the Courts link at the bottom of the page, Management Services Division, Budget Development and Submittal, 2019–2021 Budget Development and Submittal Information. More information will be posted in October.

#### 2019 BJA Meeting Schedule

**It was moved by Judge Ringus and seconded by Judge Logan to approve the 2019 BJA meeting schedule. The motion carried.**

#### June 15, 2018 Meeting Minutes

**It was moved by Judge Ringus and seconded by Judge Jasprica to approve the June 15, 2018 BJA meeting minutes. The motion carried.**

#### Washington State Bar Association (WSBA) Report

Littlewood discussed the mix of voluntary and mandatory bar associations throughout the United States. Using the PowerPoint presentation copied in the meeting materials, she discussed the roles and history of bar associations. Washington is the only state with three types of licensed legal professionals. The WSBA has 40,000 members, the largest bar association in the Western Region except for California. The WSBA is an agency of the Washington Supreme Court. The WSBA president shared three focus areas in the work they will do in the next year: trust, relationships and service.

#### Public Trust and Confidence Committee

Judges were in classrooms as part of Constitution Day.

Other

There is BJA financial information under Tab 8 in the meeting materials.

There being no further business, the meeting was adjourned at 12:02 p.m.

**Recap of Motions from the September 21, 2018 Meeting**

<b>Motion Summary</b>	<b>Status</b>
Approve the Policy and Planning Committee process for expiring resolutions.	Passed
Approve the 2019 BJA Meeting Schedule	Passed
Approve the June 15, 2018 BJA meeting minutes.	Passed

**Action Items from the September 21, 2018 Meeting**

<b>Action Item</b>	<b>Status</b>
<u>Update Leadership Goals</u> <ul style="list-style-type: none"><li>change language to "Speak with a unified voice"</li></ul>	Done
<u>June 15, 2018 BJA Meeting Minutes</u> <ul style="list-style-type: none"><li>Post the minutes online.</li><li>Send minutes to the Supreme Court for inclusion in the En Banc meeting materials.</li></ul>	Done Done