



**Board for Judicial Administration (BJA) Meeting**  
**Friday, November 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 Doug Federspiel  
Judge Blaine Gibson  
Judge Gregory Gonzales  
Pam Hartman-Beyer  
Judge Dan Johnson  
Judge David Keenan  
Judge David Kurtz  
Judge Robert Lawrence-Berrey (by phone)  
Judge Linda Lee (by phone)  
Judge Mary Logan (by phone)  
Judge David Mann  
Judge Samuel Meyer (by phone)  
Bill Pickett  
Judge Kevin Ringus  
Judge James Rogers  
Judge Laurel Siddoway (by phone)  
Judge Kitty-Ann van Doorninck  
Justice Charles Wiggins  
Margaret Yetter

### **Guests Present:**

Jim Bamberger  
Judge Douglas Fair  
Judge Sean O'Donnell

### **Public Present:**

Page Carter

### **Administrative Office of the Courts (AOC) Staff Present:**

Crissy Anderson (by phone)  
Jeanne Englert  
Stephanie Happold  
Sonya Kraski (by phone)  
Penny Larsen  
Dirk Marler  
Ramsey Radwan  
Caroline Tawes

### Call to Order

Chief Justice Fairhurst called the meeting to order at 9:01 a.m. The members were welcomed and introduced themselves. Englert introduced new AOC staff member Penny Larsen, Senior Court Program Analyst for the BJA.

### BJA Leadership Goals

Englert reviewed a BJA workgroup discussion about current committee composition. The BJA changed the standing committees' structures several years ago and wanted to evaluate how the committees' composition is working and if the BJA needs to do anything differently.

The majority of the BJA activities occur in the four standing committees. Generally, members said that the committees are structured well. The group agreed that BJA members should serve on at least one standing committee.

There may be situations where a designee could be assigned to ensure adequate representation of all court levels on standing committees when there is a required committee position, such as an association President-elect, especially if that person already has existing time commitments. This would not work for the Budget and Funding Committee (BFC) and the Legislative Committee (LC). A designee may make sense for the Court Education Committee (CEC) or the Policy and Planning Committee (PPC) if there is a required committee position. The workgroup should reconvene to: (1) discuss designee options and solicit feedback from the committees where this may be an issue and/or could work; (2) review member terms on the BJA and on committees (if a member is on BJA then that members should be on a committee for three years); (3) discuss recruitment and diversity needs.

#### Access to Justice (ATJ) Board Update

Judge Keenan reviewed the background and current work of the ATJ Board. The two objectives of the ATJ Board are to promote, develop, and implement policy around civil legal aid, and to act as a convener of alliance providers of civil legal aid. The goals of the ATJ Board are driven by the 2015 Civil Legal Needs Study Update. Bamberger will send a link to the Washington Race Equity & Justice Initiative (REJI) to Englert for posting. Bamberger suggested inviting REJI staff to make a presentation to BJA.

#### Interpreter Task Force Presentation

Judge O'Donnell said the Interpreter Task Force is embracing the ATJ Board principles, and that is a perfect example of how the ATJ Board and the BJA can partner going into the upcoming legislative session. Funds for the state Interpreter Reimbursement Program have not been adjusted in years. The survey sent this year by the Interpreter Task Force obtained data that supports the request of \$2.1 million to allow more courts to access reimbursement funds. Judge O'Donnell reviewed the one-page information sheet and asked the BJA members to use the information sheet to support the funding request. He thanked Englert for her help in developing the materials.

The handout will be finalized by December 1. BJA members should contact Englert if they have any feedback or changes to the information in the next week.

#### Standing Committee Reports

**Budget and Funding Committee (BFC):** Discussion at the last BFC meeting included making infrastructure a priority. Radwan said the 2020 supplemental budget process will begin in a few months.

**Court Education Committee (CEC):** The Judicial Education Leadership Institute (JELI) is scheduled for November 28–29, and 22 participants are registered. Additional information was included in the meeting packet.

**Legislative Committee (LC):** The LC received three legislative proposals for the upcoming session: 1) to expand the service methods the Office of Public Guardianship can offer; 2) to improve the definition of domestic violence; and 3) a request from last year regarding consolidation of traffic fines and the relicensing program. There are two counties that have requested an additional judge based on those counties' Judicial Needs Estimate (JNE). Letters from those counties were included in the meeting materials. More information will be needed from the counties before the BJA can draft legislation.

The BJA unified message was discussed, and the final version is “Justice for All Matters.”

Chief Justice Fairhurst announced that there are interviews for the Associate Director, Legislative and Judicial Relations position at AOC on Monday. District, superior, and appellate court levels will be represented on the interview panel, as well as AOC. If no one is hired, a contractor will be hired for the upcoming legislative session.

**It was moved by Judge Jasprica and seconded by Judge Ringus to approve the unified message of “Justice for All Matters,” and to amend the legislative agenda to include the judicial position requests provided there is local funding support and interest in having the Legislative Committee advocate for them. Both motions carried.**

Judge Ringus thanked Englert, AOC staff member Sondra Hahn, and the AOC Public Information Office for their work on the legislative information sheets.

Chief Justice Fairhurst is not sure if there will be a State of the Judiciary address this year, but, if so, it will be in January. Her staff is currently reviewing dates for a BJA Legislative reception, also in early January. There might be a BJA meeting scheduled on the same day as the reception.

**Policy and Planning Committee (PPC):** No additional report.

#### Strategic Initiatives

The Policy and Planning Committee recommended the BJA approve four strategic initiative recommendations:

1. Extend the current charters for the Court System Education Funding Task Force and the Interpreter Services Funding Task Force for one year, with the option of

extending the charters for an additional year after that, if necessary. The current charters end in 2019;

2. As the next strategic initiative, create a Court Security Task Force to begin in January or February of 2019 and end June 30, 2021;

And if funds and resources become available (in order of priority):

3. Create a Therapeutic Court Planning and Development Task Force;
4. Create a statewide coordination of therapeutic services in the justice system.

There is currently a budget request to hire an AOC staff member to coordinate the therapeutic courts effort.

Two other proposals were not prioritized by the PPC. A proposal to develop a plan to bring the Judicial Information System Committee (JISC) and its functions under the BJA was not prioritized because the two groups have different areas of expertise and membership. The Unrepresented Litigants proposal was not prioritized because the PPC felt the ATJ had existing infrastructure to better address these issues. Although the BJA does not have the resources to support this proposal, the BJA can collaborate with the ATJ to support these goals.

**It was moved by Judge Ringus and seconded by Judge Rogers to maintain the current task forces with extended charters, to create a Court Security Task Force, and, if funds are available, create a Therapeutic Court Planning and Development Task Force and a statewide coordination of therapeutic services in the justice system. The motion carried.**

**It was moved by Judge Jasprica and seconded by Justice Wiggins to approve the draft Court Security Task Force charter included in the meeting materials. The motion carried.**

#### Budgeting During the Legislative Session

Radwan reviewed the 2019 Budget/Session schedule and deadlines included in the meeting materials. The revenue forecast on January 23, 2019, will include the projected fund balance, including the Governor's budget items. The March 20 revenue forecast will include the budgets from the Legislature. State revenues are up but so are costs. Radwan discussed statistics on Judicial Impact fiscal notes, including how many fiscal notes AOC produced in the 2018 legislative session and a history of fiscal note volume by state agency. The fiscal notes that AOC produces are posted online, usually within a few days. Radwan will send a link to the fiscal notes page to the BJA members.

#### Education Task Force

Judge Fair said a survey of judges, clerks, court administrators, and other stakeholders on what is needed for court system education showed an issue with training access for small and rural courts. These courts often cannot attend conferences where education is generally provided, and they need a better delivery system. The survey also revealed a delay in new judicial officers and court personnel receiving critical training when they start their jobs. Outreach materials were distributed at the meeting, including a one-page information sheet, talking points, and a question and answer sheet. Judge Fair asked the BJA members to speak with legislators and share this information.

Judge Jasprica thanked the Court System Education Funding Task Force for focusing on funding education while the Court Education Committee focuses on education. She thanked both the Task Force and BJA members.

#### Judicial Leadership Summit Follow Up

A memo from Chief Justice Fairhurst summarizing the questions and themes of the June 2018 Judicial Leadership Summit was included in the meeting materials. Chief Justice Fairhurst would like to identify the next steps and future focus, and questions for the next steps were included in the meeting materials. She asked for thoughts from the BJA members. Englert said that other BJA presentations will be scheduled in the next 18–24 months to allow time for in-depth discussions on questions raised during the Judicial Leadership Summit. Chief Justice Fairhurst liked the format of small groups assigned to discuss one question and then report out. She suggested at the next BJA meeting forming two or three small groups as a pilot.

#### Public Trust and Confidence Committee

Jean Kang has been nominated for appointment to the Public Trust and Confidence Committee.

**It was moved by Chief Justice Fairhurst and seconded by Judge Ringus to approve the nomination of Jean Kang to the Public Trust and Confidence Committee. The motion carried.**

#### October 19, 2018 Meeting Minutes

**It was moved by Judge Johnson and seconded by Chief Justice Fairhurst to approve the October 19, 2018 BJA meeting minutes. The motion carried, with Judge Rogers abstaining.**

#### BJA Business Account

**It was moved by Judge Jasprica and seconded by Judge Ringus to remove Brady Horenstein as an account signer for the BJA business account. The motion carried.**

Information Sharing

Happold introduced herself as the new Principal Analyst in Legal Services at AOC.

Yetter said 95 people attended the District and Municipal Court Management staff conference at the end of October.

Harman-Beyer announced that Thurston County is working with AOC on restoring \$250,000 in impact fees to Thurston County.

Justice Wiggins announced November 15 was the final day for oral arguments at the Supreme Court.

Chief Justice Fairhurst said Dawn Marie Rubio will join AOC on Monday as the State Court Administrator designate. The new Reporter of Decisions is Sam Thompson, who will begin on December 1. Chief Justice Fairhurst is going to serve as the chair of the Supreme Court Work Group on Washington State Bar Association (WSBA) Structure. She will provide more information.

Other

There being no further business, the meeting was adjourned at 12:05 p.m.

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

<b>Motion Summary</b>	<b>Status</b>
Approve the unified message of "Justice for All Matters," and to amend the legislative agenda to include the Judicial Needs Estimates and have an ongoing agreement that the Legislative Committee may advocate for them.	Passed
Approve maintaining the current task forces with extended charters, creating a Court Security Task Force, and, if funds are available, creating a Therapeutic Court Planning and Development Task Force and a statewide coordination of therapeutic services in the justice system.	Passed
Approve the draft Court Security Task Force charter included in the meeting materials.	Passed
Approve the nomination of Jean Kang to the Public Trust and Confidence Committee.	Passed

<b>Motion Summary</b>	<b>Status</b>
Approve the removal of Brady Horenstein as an account signer for the BJA business account.	Passed
Approve the October 19, 2018 BJA meeting minutes. The motion carried.	Passed

**Action Items from the November 16, 2018 Meeting**

<b>Action Item</b>	<b>Status</b>
Bamberger will send a link to the Washington Race Equity & Justice Initiative (REJI) to Englert for posting. Bamberger suggested inviting REJI staff to make a presentation to BJA.	
The Interpreter and Education Task Force one-page information sheets will be finalized by December 1. BJA members should contact Englert if they have any feedback or changes to the information.	
Radwan will send a link to the fiscal notes page to the BJA members.	Done
Chief Justice Fairhurst would like to identify the next steps and future focus from the June 2018 Judicial Leadership Summit. Chief Justice Fairhurst liked the format of small groups assigned to discuss one question and then report out and suggested at the next BJA meeting forming two or three small groups as a pilot.	
<u>October 19, 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