

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, November 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
Washington State Supreme Court

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

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.



Board for Judicial Administration (BJA)

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

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

AGENDA

1. Call to Order Welcome and Introductions	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	9:00 a.m.
2. BJA Leadership Goals <i>Discussion: Committee Composition</i>	Jeanne Englert Ad Hoc Committee Members	9:05 Tab 1
3. Access to Justice Board <i>Information: Overview and Update</i>	Judge David Keenan	9:30 Tab 2
4. Interpreter Task Force Presentation Information: Legislative Communication strategy	Judge Sean O'Donnell	9:50
5. Standing Committee Reports <i>Budget and Funding Committee</i> <i>Court Education Committee</i> <i>Legislative Committee</i> <i>Discussion: Unified message for legislative agenda</i> <i>Action: Motion to amend legislative agenda to include judicial needs request(s)</i> <i>Policy and Planning Committee</i>	Judge Mary Logan Judge Judy Rae Jasprica Judge Kevin Ringus Judge Rebecca Robertson	10:05 Tab 3
Break		10:20
6. Strategic Initiative 2019 Action: review and approve recommendations	Judge Rebecca Robertson Jeanne Englert	10:30 Tab 4
7. Budgeting during the legislative session: An overview of activities and timeline, committee coordination, and judicial impact notes.	Ramsey Radwan	11:00 Tab 5
8. Education Task Force Presentation Information: Legislative Communication strategy	Judge Douglas Fair	11:20
9. Judicial Leadership Summit Follow Up	Chief Justice Mary Fairhurst	11:35 Tab 6

10. Public Trust and Confidence Committee <i>Action: Appointment of New Members</i>	Judge Judy Rae Jasprica	11:45 Tab 7
11. October 19, 2018 Meeting Minutes <i>Action: Motion to approve the minutes of the October 19, 2018 meeting</i>	Judge Judy Rae Jasprica Tab:	Tab 8
12. BJA Business Account <i>Action: Remove Brady Horenstein as an account signer for the BJA business account.</i>	Judge Judy Rae Jasprica	
13. Information Sharing <i>Roundtable Meeting review</i>	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	11:50
14. Adjourn	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	

Persons with a disability, who require accommodation, should notify Jeanne Englert, at 360-705-5207 or Jeanne.englert@courts.wa.gov request or discuss accommodations. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.

Next meetings:

- 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.

TAB 1

BJA Leadership Goal: Committee Composition

Notes for BJA Meeting November 16, 2018

Purpose

The BJA changed the format of the standing committees' structures several years ago and wants to evaluate how things are going in regards to committee composition. There was a brief conversation about BJA board membership and diversity in 2017.

The goal of this conversation is to determine how standing committee membership is working and if we need to do anything different. A working group met and developed a list of questions for the facilitated conversation.

Questions

- 1) How is current membership on committees working? Strengths and challenges?
- 2) Does the required member list and terms make sense? Strengths and challenges?
- 3) How should people be assigned to groups?
 - Is it necessary for certain positions to automatically be assigned to a committee?
 - Can individuals choose their own committee or do they participate in the same committee as their predecessor?
 - If there is an opening in a committee, should members be able to change committees? If so, when?
- 4) Can any committee positions delegate a designee to the standing committee? Should they be able to and if yes, in what cases?
- 5) Are there challenges around committee meeting attendance? How are these addressed? Should they be addressed at the committee and/or Board level?
- 6) How do we increase membership diversity?

Considerations

- BJA Board members must serve on one standing committee (Policy and Planning, Legislative, CEC, Budget and Funding) per member responsibilities outlined in the member Guide. This is a practice that should be maintained.
- Each standing committee has specific requirements for membership (in Member Guide, charters and below).
- Often (although not intended), individuals tend to volunteer for the committee that their colleague was on.
- An example of recent changes – PPC updated their charter to increase membership to all court management associations and broadened membership opportunities to all members of associations, not just membership based on a member's position in their association. (i.e.: president, president-elect, etc.).
- Other challenges: busy-busy and conflicting commitments make it challenging to participate on standing committees, chairs are appointed by BJA and may only be in the position a year, short committee terms impact continuity and activities, and an assignment to a standing committee may lead to additional subcommittee work (CEC).

Current Governance Information on Committee Composition

From Bylaws and Rules

BJAR 3

- (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, and members of the legal community, legislators, clerks and court administrators.

Bylaws - 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.

Charters and Membership:

Budget and Funding Committee:

Membership and Terms

Members of the BFC must be voting members of the BJA. Members will be selected by the representative associations.

- DMCJA Representative
- SCJA Representative
- COA Representative

Court Education Committee:

Membership

Voting Members:

- Three BJA members with representation from each court level
- Education committee chair or a designee from the following:
 - Superior Court Judges' Association (SCJA)
 - District and Municipal Court Judges' Association (DMCJA)
 - Appellate courts
- Annual Conference Education Committee Chair or designee
- Education committee chair or a designee from each of the following:
 - Washington State Association of County Clerks (WSACC)
 - District and Municipal Court Management Association (DMCMA)

- Association of Washington Superior Court Administrators (AWSCA)
- Washington Association of Juvenile Court Administrators (WAJCA)
- Washington State Law School Dean

Appointments:

- BJA Members: Appointed by the BJA co-chairs
- Judicial Members: Trial court members appointed by their respective associations and appellate member appointed by the Chief Justice
- Annual Conference Chair: Annual Conference member appointed by Chief Justice
- Court Administrators and County Clerk Members: Administrative and County Clerk members appointed by their respective associations
- Washington State Law School Dean: CEC recruit and appoint

Chair of CEC: CEC members will elect a chair from among the three BJA representatives. The chair shall serve for a term of two years.

Co-chair of the CEC: CEC members will elect a co-chair from among the non-BJA representatives. The co-chair shall serve for a term of two years.

Term Limits

Staggered terms recommended (suggestion: staggered three year terms for all members)

Representing	Term/Duration
BJA Member, Appellate Courts	*First population of members will be staggered (3 year term)
BJA Member, SCJA	*
BJA Member, DMCJA	*
Appellate Court Education Chair or Designee (1)	Term determined by Chief Justice
Superior Court Judges' Association Education Committee Chair or Designee (1)	Term determined by their association
District and Municipal Court Judges' Association Education Committee Chair or Designee (1)	Term determined by their association
Annual Conference Chair or Designee (1)	Term determined by Chief Justice
Association of Washington Superior Court Administrators Education Committee Chair or Designee (1)	Term determined by their association
District and Municipal Court Management Association Education Committee Chair or Designee (1)	Term determined by their association
Washington Association of Juvenile Court Administrators Education Committee Chair or Designee (1)	Term determined by their association
Washington State Association of County Clerks Education Committee Chair or Designee (1)	Term determined by their association
Washington State Law School Dean (1)	3 year term

Legislative Committee:

Membership

The BJA Legislative Committee shall be composed of

- The voting members of the BJA Executive Committee;
- DMCJA and SCJA Legislative Committee Chairs; and
- Three BJA members, one from each court level, as nominated and chosen by the BJA.
- Each member will have one vote per seat on the committee. In the event of co-chairs at an association level, that position will have only one vote.
- The chair of the Legislative Committee shall serve for a two-year term, shall be chosen from the three BJA members that are nominated by the BJA, and shall rotate between the three court levels.

Term Limits

The term of standing committee members shall be two years. Each committee member may be reappointed by the Board for Judicial Administration to one additional two-year term.

Term limits should be consistent with a member's term on BJA or commensurate with the term in the office that compels participation on the Legislative Committee.

Policy and Planning Committee:

Membership:

The Chief Justice and Member Chair shall nominate for the Board's approval the chair and members of the committee. The chair will serve a two-year term and rotate between the SCJA and the DMCJA.

Committee members will be represented from the following and selected based on 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.

The Board for Judicial Administration, by majority vote of the representative members may appoint the following members:

- Chief Justice
- COA presiding Chief Judge
- SCJA President-Elect
- DMCJA president-Elect
 - Two superior court judges,
 - Two district court or municipal court judges,
 - One member from Association of Washington Superior Court Administrators
 - One member from District and Municipal Court Management Association
 - One member from Washington Association of Juvenile Court Administrators
 - The Executive Director of The Washington State Bar or designee, and
 - One at-large member (optional).

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

Terms

The terms of committee members shall not exceed two years. The Board may reappoint members of the committee to one additional term. The terms of BJA members shall coincide with their term and seat on the BJA. Terms will begin on July 1 and end on June 30.

TAB 2



Washington State Access to Justice Board



Today's Roadmap

- Overview of the Access to Justice Board
- Our work, goals and priorities
- How we can collaborate

Access to Justice Board

Created by the WA Supreme Court in 1994

- First in the country, now 39 and counting
- Promote, develop and implement policy**
- Work on policies that enhance availability of resources and address barriers to justice.
- Convener of the Alliance for Equal Justice**
- Charged with establishing, coordinating, and overseeing a statewide, intergrated, non-duplicative civil legal services delivery system responsive to the needs of people facing poverty.

Our Mission

Recognizing that access to the civil justice system is a fundamental right, the ATJ Board works to achieve equal access for those facing economic and other significant barriers.



Our Work, Priorities and Goals

- State Plan
- Race Equity
- Technology Principles/Rules
- Breaking Down Silos
- Communicating Strategic Intent

The “WHY” Behind our Work

- 70% of Washington’s low-income households experience at least one civil legal problem each year.
- The top three : 1) health care; 2) consumer/finance; and 3) employment
- People of color disproportionately experience a greater number of legal problems
- Significant legal literacy problem
- Washington’s low-income households experience 9.3 legal problems per year



2015 WASHINGTON STATE CIVIL LEGAL NEEDS STUDY UPDATE

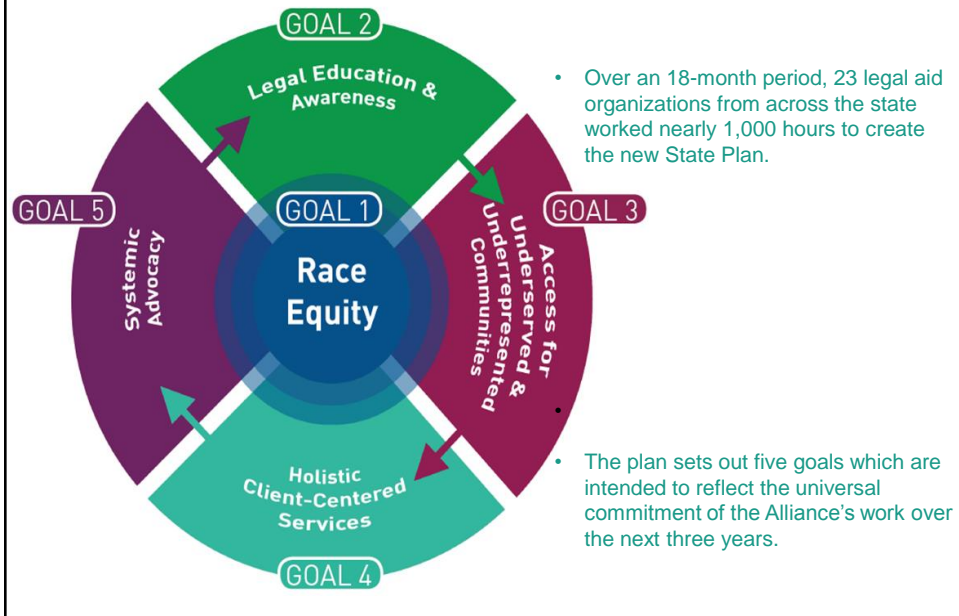
Civil Legal Needs Study Update Committee
Washington State Supreme Court • October 2015



Goal One: Race Equity

- 2015 Civil Legal Needs Study Update tells us that people of color experience a substantially greater number of legal problems.
- Transform structures, policies, and practices that perpetuate disparate outcomes for communities of color.
- Raise organizational competency and capacity to advance race equity in our legal system and society.

2018-2020 State Plan for the Coordinated Delivery of Civil Legal Aid to Low Income People



New ATJ Tech Principles

- Plain Language
- Fair
- Culturally Responsive
- Accessible for All

Online at: <https://goo.gl/oJwwAk>



Communicating Strategic Intent

- Alliance Communications Toolkit (ACT) Webinar Series
 - <http://allianceforequaljustice.org/for-the-alliance/alliance-resources-and-tools/communications-toolkit/>



- Alliance Website
 - <http://allianceforequaljustice.org/>
- ATJ Board bi-monthly newsletter

Breaking Down Silos

- ATJ Board Regional Meetings
- 2019 ATJ Conference in Spokane (Amplifying the Power of Communities)
- Starting to explore civil/criminal collaboration

**Collaborating with
the Board of Judicial
Administration**

● Race Equity

**WASHINGTON RACE EQUITY
& JUSTICE INITIATIVE**

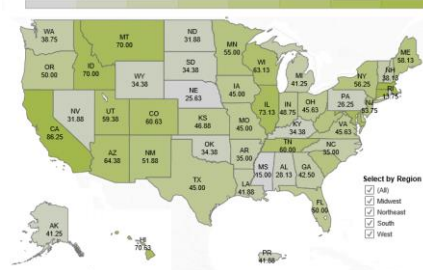
ABOUT THE INITIATIVE GET INVOLVED RESEARCH AND TOOLS OUR PARTNERS CONTACT US RESEARCH AND TOOLS

REJI COMMITMENTS

The Washington Race Equity & Justice Initiative (REJI) is a network of people, communities and organizations working together for racial fairness and justice in the law, legal profession, and justice systems.

● Self-Represented Litigants

Performance Map: Access for People Without Lawyers
Scores are on a 100-point scale



● Amplifying the Power of
Community

● Spokane

● June 14-16, 2019

**Come to the ATJ
Conference**

TAB 3



October 30, 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

Judicial Education Leadership Institute to be held November 28-29, 2018. Taught by the Administrative Office of the Courts Education team, the Court Education Committee members and several additional education committee members will review basic adult education principles, instructional design, needs assessment, goals and objectives, developing and organizing content, and interaction strategies.

Short-term Goals

- Review the BJA Charter and the other CEC policies.
- Judicial Education Leadership Institute November 28-29, 2018.
- Disseminate an update on what the CEC has accomplished via the roadmap to those in attendance at the 2017 Court Education Committee retreat.

Long-term Goals

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

Superior Court of the State of Washington
For Stevens, Pend Oreille and Ferry Counties

Stevens County Courthouse - Colville
Pend Oreille County Hall of Justice - Newport
Ferry County Courthouse - Republic

Patrick A. Monasmith, Judge
Department 1

Jessica T. Reeves, Judge
Department 2

Evelyn A. Bell
Court Administrator

Mailing Address:
215 S. Oak, Suite 209
Colville, WA
99114-2861

Telephone:
(509) 684-7520
Fax: 509-685-0679

October 31, 2018

Board for Judicial Administration
ATTN: Jeanne Englert, Administrative Manager
Administrative Office of the Courts
1206 Quince St. SE
PO Box 41170
Olympia, WA 98504

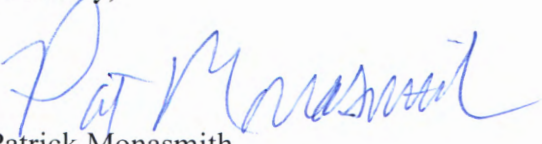
Dear Ms. Englert,

Pursuant to the 2018 Superior Court Judicial Staffing Needs Estimates, our tri-county jurisdiction has a judicial need of 3.14. Please accept this letter as our formal request for an additional judicial position in Ferry, Pend Oreille, and Stevens Counties.

We have spoken to the Board of County Commissioners (BOCC) in Stevens County, but have not had an opportunity to do so in the other two counties. We understand the Stevens County BOCC will be sending their own letter supporting the creation of another judicial position. At this point, they are unsure what the costs will be and are unable to firmly commit to funding. Further, funding the new position will require the Commissioners in all three counties to agree. There was insufficient time to coordinate a tri-county meeting before the November 1st deadline.

We will gladly provide any additional information that you may need. Thank you for your assistance in processing our request.

Sincerely,



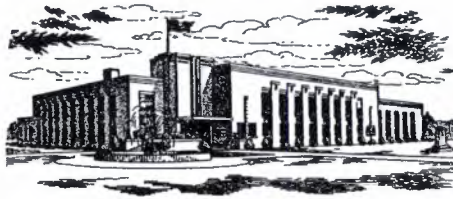
Patrick Monasmith
Presiding Judge

PM:eab

Wes McCart
District No. 1

Don Dashiell
District No. 2

Steve Parker
District No. 3



Polly Coleman
Clerk of the Board

Lacey Olguin
Assistant Clerk

Lois Haag
Assistant Clerk

Stevens County Commissioners

Mailing Address: 215 South Oak Street; Colville, WA 99114-2861
Location Address: 230 East Birch Avenue, Colville
Phone: 509-684-3751 Fax 509-684-8310 TTY: 800-833-6388
E-mail: commissioners@stevenscountywa.gov

October 30, 2018

Administrative Office of the Courts
ATTN: Dirk A. Marler
Chief Legal Counsel/Court Services Division Director
PO Box 41170
Olympia, WA 98504-1170

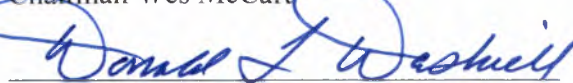
Dear Mr. Marler,


The Stevens County Board of Commissioners supports Superior Court's request to create an additional judicial position for the Stevens-Ferry-Pend Oreille Superior Court district. We recognize the effects that the increased case load and the dispersed nature of our district has on the ability of our judges to dispense justice in a timely manner. If approved, the BOCC will endeavor to develop a strategy to provide the funding to make this position viable and helpful in the operation of the Tri-County Superior Court.

Thank you in your efforts to work with our legislators and code reviser to draft legislation to start this process. If we can do anything more to help, please reach out.

Sincerely,


Chairman Wes McCart


Commissioner Don Dashiell


Commissioner Steve Parker

BOCC:lo

cc: Evelyn Bell, Superior Court and Juvenile Court Administrator
Ferry County Commissioners
Pend Oreille County Commissioners

The Supreme Court
State of Washington

MARY E. FAIRHURST
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2053
E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

November 2, 2018

Honorable Scott A. Collier
Presiding Judge
Clark County Superior Court
PO Box 5000
Vancouver, WA 98666-5000

Re: Judicial needs

Dear Judge Collier:

I have received your letter dated October 26, 2018 asking for sponsorship from BJA and AOC for legislation seeking the addition of another superior court judge in Clark County. Callie Dietz and I are in the process of assigning the request to a staff member. If additional information or discussion is necessary, we will be in touch. Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "Mary Fairhurst".

MARY E. FAIRHURST
Chief Justice

cc: Callie Dietz, AOC
Dirk Marler, AOC

SUPERIOR COURT OF
THE STATE OF WASHINGTON FOR CLARK COUNTY

DEPARTMENT NO. 10
P.O. BOX 5000
VANCOUVER, WA 98666-5000



SCOTT A. COLLIER
JUDGE

TELEPHONE (360) 397-2170
FAX (360) 397-6078

October 26, 2018

Justice Mary E. Fairhurst
Board for Judicial Administration Chair
415 12th Ave. SW
P.O. Box 40929
Olympia, WA 98504

RECEIVED
OCT 31 2018
WASHINGTON STATE
SUPREME COURT

Re: Judicial Needs

Dear Justice Fairhurst:

The purpose of this letter is to seek sponsorship by the Board for Judicial Administration and AOC of legislation for an additional Superior Court Judge for Clark County. As you may be aware, our Court's most recent judicial needs projection is 15.34 judicial officers or approximately 2 judicial officers short. We currently have 3.4 full-time Court Commissioners and 10 full-time judges. Despite over a 10% population increase over the past 10 years, our Court has not added an additional judicial officer since 2008. Our criminal caseload continues to trend upward and we continue to see increases in cases involving our elderly population and domestic violence.

I am happy to provide you with additional information and to discuss this request with you and the BJA as you see fit.

Sincerely,

Scott A. Collier
Presiding Superior Court Judge

CC: Callie T. Dietz, State Court Administrator



November 16, 2018

TO: Board for Judicial Administration Members
FROM: Judge Rebecca Robertson, Chair, Policy and Planning Committee (PPC)
RE: 2019-21 Strategic Initiative Recommendations for Review and Approval

The Policy and Planning Committee requests that the BJA review and approve the following recommendations for the 2019–21 Strategic Initiative.

The PPC recommends that the BJA approve the following:

- 1) Maintain the current task forces, Court System Education Funding Task Force and Interpreter Services Funding Task Force, for one year with the possibility of an additional year if needed.
- 2) Create a Court Security Task Force to start in January/February 2019 and ending June 30, 2021. Draft Charter is attached.

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

- 3) Create a Therapeutic Court Planning and Development Task Force.
- 4) Consider creating a statewide coordination effort of therapeutic services in the justice system.

The PPC did not prioritize the other two proposals regarding the Judicial Information System Committee (JISC) and Unrepresented Litigants and does not recommend considering them at this time.

Process and Rationale for Recommendations:

The PPC distributed a request for proposals in June with an August 31, 2018, deadline. The PPC sought proposals from judicial entities and groups that identified an issue of priority or concern affecting at least one area of the judicial system and that the BJA could have an impact on. A priority issue fits well with the role of the BJA if it:

- aligns with the mission of the BJA;
- aligns with the Principal Policy Goals of the Judicial Branch;
- is responsive to the needs of judicial branch stakeholders.

The PPC used the following considerations to evaluate the proposals:

- 1) *Whether the proposal addresses an important issue affecting the administration of justice;*
- 2) *Whether the proposal addresses an issue of statewide relevance;*
- 3) *Whether the proposal is consistent with the Principal Policy Goals of the Judicial Branch;*
- 4) *Whether the proposal promotes collaboration among multiple stakeholders;*
- 5) *Whether the proposal is feasible with existing or attainable resources.*

Proposals could address policy, administrative best practices, or funding.

The PPC received six proposals: Education Task Force Extension; Court Security; Therapeutic Court Planning and Development; Statewide Coordination Effort of Therapeutic Services in the Justice System; Judicial Information Systems Committee (JISC); and Unrepresented Litigants. The PPC decided to follow-up with current BJA task forces in order to determine next steps.

The PPC discussed each of the proposals at their September meeting, followed up with both task forces and the two therapeutic courts proposals' sponsors, and reviewed all of the information at their October meeting in order to finalize their recommendations.

Below is a brief summary of each proposal and the PPC's rationale for their recommendations. Full proposals can be found at the end of the memo.

Court System Education Funding Task Force and Interpreter Services Funding Task Force:

The Task Forces have not completed their charter goals to secure adequate and stable funding and will not know if they are successful in their efforts until the end of the 2019 legislative session. Additionally, the Education Task Force continues to explore other funding options per their charter objectives. The Interpreter Task Force may need to consider program implementation with increased funding or explore other funding options pending the legislative outcome.

The PPC agreed that it is important to maintain momentum and keep the task forces prioritized. The PPC recommends that charters be extended for a year (until June 2020). At that time the task forces will check in with the PPC and can ask to extend their charter one additional year. They will need to submit a budget request for meeting costs in May 2019 to the BJA Administrative Manager.

Court Security Proposal:

The goal of this proposal is to ensure every trial court in Washington can comply with the GR 36 Minimum Court Security Standards by 2025 through policies, collaboration, assessment, and funding. This is a policy and administrative practice initiative that will also explore and pursue funding options.

PPC recommends this as the next BJA strategic initiative. The SCJA and DMCJA are co-sponsoring this proposal. Both associations did a survey and found that 50% of courts do not have court security. Court security is critical to ensure a safe environment for employees and for customers. Currently there is no other task force that addresses court security statewide, although there previously was a BJA court security committee. See the attached draft charter.

Therapeutic Court Planning and Development and Statewide Coordination Proposals:

The Planning and Development proposal recommends creating a task force to consider further development of Washington's therapeutic courts through the identification and implementation of best practices. This request has a policy and administrative best practice focus.

The Statewide Coordination proposal recommends the development of a cohesive, coordinated statewide plan across disciplines and the three branches of government to address criminal conduct caused by addiction and untreated mental illness. This effort may require changes to state law, changes to court rules, and the development of non-traditional alliances.

The PPC discussed both proposals, obtained feedback from both sponsors, and decided to keep the proposals separate. PPC agreed that if resources became available then the planning and development proposal would be the first priority to assess court needs, develop best practices, and then determine what statewide coordination was needed. In the meantime, the PPC will explore the possibility of compiling information on what jurisdictions are doing and then sharing the information statewide.

The following two proposals were not prioritized:

Judicial Information Systems Committee (JISC) Proposal:

The sponsor proposed working on developing a plan that would bring the JISC and its functions within BJA.

The PPC feels that the JISC and BJA are two very different groups. The BJA is mostly made up of judges, while the JISC has more technical expertise and diverse membership to address information systems. The PPC did not rank this item and recommends not moving forward with this proposal.

Unrepresented Litigants Proposal:

The proposal's goal is to convene stakeholders to document and analyze the degree to which persons are unrepresented in litigation; develop practices and guidelines to assist courts in ensuring unrepresented litigants have equal access to effectively participate in judicial proceedings; and to work with existing committees to develop an implementation plan for a web-based portal of information.

While these are important goals, the PPC feels that ATJ (one of the proposal sponsors) has an existing infrastructure to address these issues better than the BJA and that the BJA does not have the bandwidth to facilitate this project at this time. The PPC suggests a resolution to BJA to support them in their efforts. The PPC did not rank this item and recommends not moving forward with this proposal.



Board for Judicial Administration Strategic Initiative Charter

COURT SECURITY TASK FORCE

I. Title:

BJA Court Security Task Force

II. Authority:

General Rule (GR) Minimum Court Security Standards

Board for Judicial Administration (BJAR) Rule 1

III. Goal:

The goal of this strategic initiative is to ensure that every trial court in Washington can comply with the GR 36 Minimum Court Security Standards by 2025.

This is a policy and administrative practice initiative that will also explore and pursue funding options.

IV. Charge, Deliverables and End Date:

The BJA Court Security Task Force is formed to assess current court security needs and develop and implement a strategy to ensure that every court in Washington can comply with GR 36.

The Task Force shall:

- a. Review and analyze all statewide court security surveys, research, and past court security initiatives and activities.
- b. Assess court security needs and identify tools to assess court security needs.
- c. Identify court efforts to meet GR 36 Minimum Security Standards.
- d. Develop best practices including a model protocol for court security and distribute to the courts.
- e. Explore mentoring, partnering, and/or educational opportunities for courts needing increased security in order to maximize resources.

- f. Assess funding needs and explore funding options. Explore granting opportunities to assist in securing equipment and funds for capital improvements that will be needed for security improvement.
- g. Develop and implement funding strategies as identified in the funding assessment.
- h. Provide a report to the BJA on task force efforts and identify future task force or ongoing committee work.

This charter shall expire on June 30, 2021.

V. Membership:

Following is a recommended membership list. Final membership will be determined by the Co-chairs of the Task Force.

Co-chairs:

- Superior Court Judges' Association representative
- District and Municipal Court Judges' Association representative

Membership:

- One representative from Superior Court Judges Association
- Two representatives from the District and Municipal Court Judges' Association (one Municipal court judge and one District court judge)
- One Appellate Court representative
- One representative from the Association of Washington Superior Court Administrators
- One representative from District and Municipal Court Management Association
- One representative from the Washington Association of Juvenile Court Administrators
- One representative from the Washington State Association of County Clerks
- One representative from the Washington State Bar Association
- One representative from the Washington Association of Sheriffs and Police Chiefs
- Two experts in courthouse security (police, court marshals, etc.)
- One representative from the Washington State Association of Counties
- One representative from the Association of Washington Cities
- One member of the Washington State House of Representatives (TBD)
- One member of the Washington State Senate (TBD)
- The Associate Director, Office of Legislative Relations, Administrative Office of the Courts
- The Director of the Management Services Division, Administrative Office of the Courts, or designee

VI. Entities to Consult or Coordinate with:

- Superior Court Judges' Association
- District and Municipal Court Judges' Association
- Administrative Office of the Courts
- Washington State Center for Court Research
- Washington State Association of Counties
- Association of Washington Cities
- BJA Legislative Committee
- BJA Policy and Planning Committee

VII. Staff Support:

The Task Force shall be provided supported by:

- Staff, BJA Policy and Planning Committee
- Staff, BJA Legislative Committee
- Staff, Washington State Center for Court Research
- BJA Administrative Manager
- BJA administrative support

VIII. Budget:

Support for travel and meeting expenses shall be provided from funds allocated to the BJA by the Administrative Office of the Courts.

Adopted:

Maintain Court System Education Funding Task Force

Sponsoring Individual/Entity:

Court System Education Funding Task Force

Contact: Jeanne Englert

Jeanne.englert@courts.wa.gov

360-705-5207

Issue (priority area or concern). *Provide a brief summary of the issue to be addressed. Include how you know this is an issue, what has been done about it, any identified goals/activities that need to be addressed, and who/what is impacted by this issue.*

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 self-represented litigants have impacted communities and courts. The judicial system also faces ever increasing societal demands for effective and informed responses to issues such as mental health, domestic violence, drug addiction, and complex trials.

Court training impacts all court levels and personnel in the court system and continues to be an ongoing need. 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 BJA's Court System Education Funding Task Force was established in 2017 to identify gaps in court system training and explore funding options. The Court System training Needs Survey found that judicial and court personnel often do not have access to timely and essential training when they start their positions.

Almost 50% of judicial officers and 63% of new administrators received no training until after six months of starting their positions. As the workforce ages, judicial officer, county clerk and administrator turnover is increasing, creating greater training needs. Since January 2017, district and municipal judges experienced a 15% turnover with an additional 15% expected to leave or retire by the end of 2018. Superior court judges experienced a 21% turn over from January 2017 to June 2018. Court of Appeals will have experienced a 23% turnover rate in 2018 alone.

Additional funding is needed to provide essential trainings in a timely manner and to remove barriers to accessing them. While the Task Force submitted a legislative proposal for funding in the next biennium, it continues to explore other funding avenues.

The task Force submitted a letter to the BJA CEC to seek approval to explore private funding options. If they approve of exploring this option, the Task Force will submit a letter to the BJA and then the Supreme Court before pursuing this avenue.

Goal. *Provide a statement of desired outcome(s). What do you want to see happen as a result of BJA actions? Include whether the goal is a policy, administrative best practice, or funding consideration.*

The Task Force requests an extension to their charter for another two years in order to continue exploring funding options in order to maintain sufficient resources dedicated to Court Education. The Task Force has dedicated members and would like to continue the momentum it has going. The Task Force submitted a state funding request and will continue exploring private funding options for ongoing judicial education if this request is approved.

This request may be a policy and/or funding consideration depending on the findings of the task force's work.

Stakeholders. *List stakeholder organizations with a likely interest in the issue.*

- Annual Conference Committee
- Appellate Judges Education Committee
- Superior Court Judges' Association and SCJA Education Committee, Mentor Committee
- District and Municipal Court Judges' Association and DMCJA Education Committee, Mentor Committee
- Washington State Association of County Clerks
- District and Municipal Court Management Association and DMCMA Education Committee
- Association of Washington Superior Court Administrators and AWSCA Education Committee
- Washington Association of Juvenile Court Administrators and WAJCA Strategic Planning and Education Committee
- Washington State Law School Deans
- Supreme Court and Court of Appeals Clerks
- Court Management Council
- Presiding Judge and Administrator Education Committee
- Judicial College Deans
- Institute for New Court Employees Committee
- Institute for Court Management Committee
- Gender and Justice Commission
- Minority and Justice Commission
- Interpreter Commission
- Commission on Children and Foster Care
- Commission on Judicial Conduct
- Counties and Cities

Other. *Describe any other information that is helpful to know when making a decision. Include requested resources and timeline considerations.*

The Task Force's current charter goes through June 2019.



October 5, 2018

TO: BJA Policy and Planning Committee Members

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

RE: Education Task Force Response to Charter activities achievement and ongoing needs

Thank you for reaching out to the Education Funding Task Force. The Task Force has assessed court system education funding needs through research, surveys, stakeholder interviews, and feedback from BJA Court Education Committee. The Task Force will not know if we are successful in receiving funding until after the legislative session. Regardless, the task Force wants to ensure ongoing dedication and attention to court system education and exploration of other funding options.

Below are the Task Force responses to your questions. Please let us know if you have any further questions.

- 1) How is this task force doing in meeting its goals?
The Task Force has explored immediate funding needs for the next biennium, developed two funding requests which were prioritized by the BJA and will be reviewed by the Supreme Court Oct 10.

The Task Force continues to explore other funding options and have put forth a request to explore private funding options to the CEC for review. If the CEC approves exploration of private funding, then the request will go to the BJA for approval and then the Supreme Court.
- 2) What activities still need to be addressed/implemented in the charter?
The Task Force needs to implement the communication campaign and continue to garner broad support from stakeholders. Materials will be distributed starting in late November. The Task Force also wants to continue exploring other funding options.
- 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?

Regardless of the outcome of the current legislative session, the Task Force would like to continue to explore different funding options for court system education. We would like to continue with the focus and energy created by the Task Force and continue to find adequate and sustainable funding.

The Task Force would like to extend the charter for 3 years and maintain current resources in staffing and budget.



WASHINGTON
COURTS

BOARD FOR JUDICIAL ADMINISTRATION
Interpreter Services Funding Task Force

October 5, 2018

TO: BJA Policy and Planning Committee Members
FROM: Justice Steven González, Judge Sean O'Donnell, and Judge Andrea Beall, Co-Chairs
RE: Interpreter task Force Response to Charter activities achievement and ongoing needs

Thank you for reaching out to the Interpreter Funding Task Force. The Task Force has assessed interpreter funding needs through surveys, stakeholder interviews, and feedback from the Interpreter Commission and reimbursement program. The Task Force will not know if we are successful in receiving funding until after the legislative session. Regardless, our funding strategy is a four year process which may require continue outreach efforts depending on the legislative response

Below are the Task Force responses to your questions. Please let us know if you have any further questions.

- 3) How is this task force doing in meeting its goals?
The task force is doing well. There was a great deal of information gathering, followed by analysis. The task force put forward a funding request and strategy that was approved by the BJA and will be prioritized by the BJA in the upcoming legislative session.
- 4) What activities still need to be addressed/implemented in the charter?
The Task Force needs to implement the communication campaign and continue to garner broad support from stakeholders. Materials will be distributed starting in late November.

- 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?

If the funding request is denied, the task force may need to continue their work into the next budget cycle. If the funding request is granted, after June 30 the task force may need to give policy guidance, particularly in consideration of how to expand the reimbursement program and what the process should be for inviting/accepting more courts into the program. Policy guidance and an implementation plan could probably be completed through the Interpreter Commission.

Trial Court Security

Sponsoring Individual/Entity: Judge Rebecca C. Robertson, President, District and Municipal Court Judges Association.

253-835-3025

Rebecca.robertson@cityoffederalway.com

- 1) **Issue:** Significant Gaps in Trial Court Security throughout the State

On March 3, 1995, King County Superior Court had no weapons screening. A plan to fund the screening had been languishing for years due to budget issues. On that day, a man entered the courthouse, shot his pregnant wife and two of her friends, killing his wife, her unborn child, and one of her friends. King County managed to find the funding and install an x-ray machine, armed guards, and a magnetometer by the end of the week.

However, these murders did not solve our statewide court security issues. On March 8 of 2012, Grays Harbor County had no weapons screening in the courthouse. A man entered the courthouse, confronted an armed guard, shot her with her own weapon, and stabbed the judge trying to defend her.

As of 2018, only 50% of this state's courthouses (superior, district, and municipal) have weapons screening. The 101 Municipal Courts and 52 district courts is even lower. These lower courts handle 80% of the cases that will come through the Washington court system, including serious domestic violence offenses.

From 2005 to 2012 Washington State had the 8th most documented courthouse security incidents in the country, and that number is increasing. In 2018, one superior court stated that while security personnel do not "confiscate" weapons, they prohibited 1,711 knives and 127 guns from entering the courthouse during their screenings

We need to increase trial court security by identifying gaps, educating courts, seeking grant funding for improvements, and gathering statistics regarding security incidents in all trial courts in the state. General Rule 36 was adopted in September 2017 with the goal of creating minimum court security standards, guiding courts in addressing security, providing resources to do so, and mandating reporting of security incidents. Courts were also mandated to explain why they could not comply with the minimum

court security standards. The explanations for failure to comply were, of course, the lack of financial resources to do so. It is time for the next step.

- 2) The **Goal** of this strategic initiative is that every trial court in Washington can comply with the GR 36 Minimum Court Security Standards by 2025. This is a policy and administrative practice initiative that will also explore and pursue funding options.

3) Taskforce/Initiative Goals/Activities

- A. Create a Model Court Security Manual based on best practices. A 2009 version exists, as do many examples from individual courts and out of state courts.
- C. Identify courts that can help each other with court security (combining courthouses, etc.)
- D. Assess funding needs and explore funding options. Explore granting opportunities to assist in getting equipment and funds for capital improvements that will be needed for security improvement. We know these exist.
- E. Creating a standing BJA Court Security Committee
- F. Creating a proposal to the Legislature outlining our attempts to address this issue without state funding and the need for state funding because of the continued gaps in trial court security.
 - 1. Show them the statistics we have gathered (now at minimum 3 years' worth)
 - 2. Show them everything we have done at no cost or minimal cost (security plans, meetings, etc.)
 - 3. Show them everything we have done through grant funding
 - 4. Show them why it is necessary that they provide us with specific funds to fill in the gaps
 - a. Equipment
 - b. Personnel
 - c. Capital Improvements

4) **Stakeholders:** The Board of Judicial Administration, Supreme Court and Appellate Courts, both trial court associations, and every individual who uses trial courts in Washington. Trial Court Security is not addressed through any other judicial committee, or any other committee in the legal community. The true danger is to the citizens we serve.

A. Taskforce Composition

- 2 Superior Court Judges
- 1 Municipal Court Judge
- 1 District Court Judge
- 1 Municipal or District Court Manager
- 1 Superior Court Manager
- 2 Experts in Courthouse security (police, court marshals, etc.)

Therapeutic Court Planning and Development

Sponsoring Individual/Entity

Callie Dietz, State Court Administrator (callie.dietz@courts.wa.gov)
Dr. Carl McCurley, Court Research Manager (carl.mccurley@courts.wa.gov)

Issue (priority area or concern)

This proposal recommends forming a taskforce to consider further development of Washington's therapeutic courts through the identification and implementation of best practices.

- I. An issue of statewide relevance: As of 2017, there were approximately 82 therapeutic courts operational in Washington State, 62 at the Superior Court level (24 drug courts, 13 juvenile drug courts, 18 family treatment courts, 1 DUI court, 4 mental health courts, and 2 veterans' courts), 20 at the District Court level (6 DUI courts, 1 DV court, 8 mental health courts, and 5 veterans' courts), and 2 at the Municipal Court level (1 mental health court, 1 veterans' court).
- II. Consistent with the Principal Policy Goals of the Judicial Branch: Therapeutic courts in Washington State operate under the authority of RCW 2.30.030, and together the RCW, the 2012 BJA resolution on problem solving courts, and a 2015 resolution of the Washington State Drug Court Professionals call for the implementation of research-based approaches, development of the data needed to understand court operations and results, and tracking results through performance reporting. Although individual courts have worked to assess performance and identify and implement effective practices, with the exception of the Washington State Center for Court Research's and the Superior court Judges' Association's Therapeutic Courts Committee's 2011 development of basic adult drug court data collection standards, Washington has yet to plan for or put into place practical elements for therapeutic court program development.
- III. An important issue affecting the administration of justice: Research related to therapeutic courts has demonstrated particular practices, such as the ongoing use of data at the court level, to be effective and cost effective. In Washington State, therapeutic courts are implemented in a jurisdiction-specific manner, and practices have been observed to vary from site to site. Therefore the Judiciary has obligation to assess practices and results across the range of therapeutic courts and to act in support of effective administration of therapeutic courts.

Goal:

To identify the necessary program components that will allow for best practice operations and sustainability of therapeutic courts in Washington State.

This request has a policy and administrative best practice focus.

The BJA-Therapeutic Courts Task Force would be formed to create and implement a strategy of comprehensive procedures that will lead to best practice standards for Therapeutic Courts in Washington. The Task Force's responsibilities may include:

- i. Identify and quantify the current best practices for therapeutic courts via a comprehensive literature and research review.
- j. Assess state and local data collection procedures for county-level therapeutic courts.
- k. Review data collection procedures and suggested performance measures per national organizations (e.g. National Association of Drug Court Professionals; National Center for State Courts; Council for State Governments).
- l. Draft suggested data collection and performance measurement plan, based on local and national review
- m. Review current program assessment/self-assessment tools utilized by courts that lead to practice and program improvements, and documented procedures for making changes.
- n. Draft recommended assessment procedures, based on local and national review.

- o. Identify current local and statewide trainings efforts used to meet the demand for continual learning of therapeutic court methods.
- p. Develop a standardized training plan for emerging and sustained courts, in order to align with best practice standards.
- q. Estimate at the court jurisdiction level local need for and benefit of therapeutic court implementation.

Stakeholders:

Following is a recommended membership list. Final membership will be determined by the Co-chairs of the Task Force.

Co-chairs: One Washington State Supreme Court Justice

Membership: The Taskforce membership should include, among others, the following members:

- Two members of the Superior Court Judges’ Association’s Therapeutic Courts Committee
- Two members of the District and Municipal Court Judges’ Association’s Therapeutic Courts Committee
- Director of Information Services, Administrative Office of the Courts
- Manager, Washington State Center for Court Research, Administrative Office of the Courts
- Representative of community-based substance use treatment providers
- Representative of community-based mental health treatment providers

Consultation: The Taskforce should consider seeking consultation from

- National Association of Drug Court Professionals
- National Center for State Courts
- NPC Research (Portland, OR)

Statewide Coordination of Therapeutic Services in justice System

Sponsoring Individual

Judge David Larson

Federal Way Municipal Court

david.larson@cityoffederalway.com

253-835-3012

1. Issue (Priority area and concern)

Fair and Effective Administration of Justice

We must develop a unified and coordinated statewide plan to address how the entire justice system (courts, police, prosecutors, defense counsel, probation, jails) interacts with people suffering from addiction and untreated mental illness. There are examples of many excellent individual efforts by courts in our state, but we are left with a patchwork of programs that are insufficient to address the breadth of the issues we face statewide. Local communities are forced to address the impacts of a larger regional and statewide issue and, in many cases, simply push the issues to adjacent communities without addressing the root causes of criminal conduct.

This issue is part of the “fair and effective administration of justice” because individuals suffering from addiction and untreated mental illness have “personal characteristics unrelated to the merits of the cases.” The attached *Strategic Plan for Addressing*

Criminal Conduct Caused by Addiction and Untreated Mental Illness lays out some suggested solutions. My suggestions are just a start to a larger conversation and include the following proposals:

1. Development of a public/private coalition of affected constituencies;
2. Coordinated pre-filing diversion;
3. Therapeutic sentencing alternatives;
4. Consolidated probation services;
5. Development and use of specialty detention facilities designed to address addiction and untreated mental illness.

Some of the suggestions may be out of our comfort zone as judicial officers, but we are impacted daily in our courts and in our communities by the lack of a concerted effort to address these issues. We must show leadership to the other two branches and other potential stakeholders that could be partners in addressing the issues we face.

2. Goal

Develop a cohesive coordinated statewide plan across disciplines and the three branches of government to address criminal conduct caused by addiction and untreated mental illness. This effort may require changes to state law, changes to court rules, and the development of non-traditional alliances. See the attachments to the *Strategic Plan for Addressing Criminal Conduct Caused by Addiction and Untreated Mental Illness* for examples of possibilities.

3. Stakeholders

1. Law enforcement;
2. Prosecution;
3. Defense counsel;
4. Judges;
5. Probation;
6. Jails and prisons;
7. Victims of crime, especially retailers and other institutional victims;
8. Addiction and mental health treatment providers;
9. Research and advocacy groups
10. Public social service agencies;
11. Private social service agencies;
12. Hospitals and health care;
13. Medical, psychiatric, and psychological professionals;
14. Health insurers;
15. Casualty insurers;
16. Faith communities;
17. Philanthropic communities.

Response from Sponsors of the proposals about combining them:

The BJA Policy and Planning Committee has received two proposals pertaining to responding to criminal defendants who also have behavioral health needs pertaining to substance use and/or mental health. The two proposals are summarized below.

The proposal from the AOC focuses on the internal operation of therapeutic courts, and the proposal from Judge Larson focuses on external initiatives such as legislation and the

formation of alliances that can help therapeutic courts and traditional courts produce better results for defendants facing addiction and untreated mental illness.

Given that the two proposals address the same challenge but with different emphases, they may constitute an opportunity to pursue a multi-track or multi-phased approach. A Crime and Behavioral Health Work Group could meet over the course of a year and consider a) therapeutic courts best practices (the AOC proposal) and b) the external initiatives described by Judge Larson. Pursuing either track will require a substantial commitment from the BJA and the judiciary as a whole (especially the Therapeutic Courts Committees). Because therapeutic court best practices are comparatively well-developed, it would be logical for the Work Group to sequence the work so as to address best practices first, and then move on to consider the external initiatives addressed in Judge Larson's proposal.

Therapeutic Court Planning and Development

This proposal recommends forming a taskforce to consider ways to advance Washington's therapeutic courts by identifying and implementing best practices.

There are numerous therapeutic courts in Washington (approximately 82 in 2017). Our therapeutic courts are implemented locally, in a jurisdiction-specific manner, and practices vary from site to site. The State has not planned for or taken practical, coordinated steps to promote optimal results. The proposal recommends that a task force review current implementation of the therapeutic courts, review the evidence-base related to best practices, and make recommendations to support adoption of best practices through a strategy of comprehensive procedures. The task force's responsibilities include:

1. Review and summarize the current in-state experience and national research base for best practices (including data collection, assessment/ self-assessment, and performance improvement)
2. Create guidelines for therapeutic court components based on the review
3. Develop a standardized training plan for emerging and sustained courts, in order to align with best practice standards.
4. Estimate at the court jurisdiction level local need for and benefit of therapeutic court implementation.

The task force membership will include representatives from the Washington State Supreme Court, the Superior Court Judges' Association's Therapeutic Courts Committee, the District and Municipal Court Judges' Association's Therapeutic Courts Committee, AOC / Information Services, AOC / Washington State Center for Court Research, Administrative Office of the Courts, community-based substance use treatment providers, and community-based mental health treatment providers. Consultation may be sought from the National Association of Drug Court Professionals, the National Center for State Courts, and NPC Research (Portland, OR).

Strategic Plan to Address Criminal Conduct Caused By Addiction and Untreated Mental Illness

Sponsoring Individual/Entity: Judge David A. Larson, Federal Way Municipal Court

The theme of the proposal is that communities can do better than a purely criminal justice, courts and jails response to individuals with criminal conduct related to behavioral health needs. Better options are needed because local governments fund treatment during incarceration, therapeutic courts rely on voluntary participation of a defendant ready for change, and process-related delay can impede formation of a timely connection between client

and services. Further, the standard criminal justice response operates within a non-system, without coordination within the justice system (courts, law enforcement, prosecutors, defense counsel, probation, and jails), across levels of government, treatment providers, insurers, and potential community-level beneficiaries of an improved response, such as retailers.

A multi-part program response is proposed,

1. A coordinated response through a public-private coalition across all levels of government, justice system partners, insurers, health care providers, philanthropists, and economic stakeholders such as affected businesses and other groups
2. A pre-filing diversion program that allows for a formalized process for cases to be resolved and tracked outside the system (i.e. LEAD, Law Enforcement Assisted Diversion).
3. Therapeutic sentencing alternatives, featuring increasing levels of intervention with each successive conviction. The purpose is to allocate resources by reserving more intensive and expensive interventions for cases in which the defendant exhibits persistent criminal behavior that has been influenced by addiction and/or untreated mental illness
4. Consolidated / coordinated probation services to reduce the cost and complexity for defendants of complying with probation requirements
5. Co-location of detention + treatment + other services in a “therapeutic jail”; a jail that is like a hospital that a person cannot leave versus a jail that also provides treatment. . Therapeutic jails would be public private entities funded through insurance funds and the repurposing of existing public funds used for jails. Law changes are needed that would allow health insurance to pay for treatment while the defendant is incarcerated in a therapeutic jail.

In general, the substance of the proposal deals with aspects of responding to court-involved offenders with behavioral health needs in program areas outside of therapeutic court models, while seeking to address limitations of the therapeutic court approach.

For additional guidance, the proposal refers to National Alliance on Mental Illness (NAMI) which has launched the Stepping Up Initiative, “designed to divert mentally ill people to treatment and away from jails,” and to the National Institute on Drug Abuse Strategic Plan.

As Judge Larson notes, some aspects of the proposal already exist in Washington, but the innovations are entirely local, with no mechanism to identify and promote effective innovations across the State. The goal is to provide a consolidated and coordinated response throughout the state that maximizes results for defendants and maximizes the use of resources expended by local government, state government, service providers, and others affected by the direct and indirect impacts of addiction and untreated mental illness.

Judicial Information System Committee and BJA Coordination

In response to the call for proposals for BJA strategic initiatives contained in Judge Robertson’s letter of June 19, 2018, let me offer the following:

BJA should begin work on a plan that would bring the Judicial Information System Committee (JISC) and its functions within BJA. This proposal aligns with the mission and principal policy goals of Washington’s judicial branch because it affects and improves effective court management. This proposal improves the open, fair, efficient and effective administration on justice in both criminal and civil cases. It does so by fostering the administration of justice by

improving communication within the branch, improving the coordination of legislative budget requests/priorities and by providing leadership for the courts at large, enabling the judiciary to speak with one voice.

Why bring JISC into BJA? To explain:

- 1) The ability to devise and administer improvements to the judicial branch depends upon funding.
- 2) The revenue source for JIS is a dedicated fund. But owing (primarily but not entirely) to prior “sweeps” of that money by the Legislature, the dedicated fund is increasingly unable to pay for all of the JIS projects, hence JISC will request financial support from the State general fund.
- 3) The budget of JIS is big. Its budget proposals (*i.e.* considered in their entirety and w/out regard for priority designations that might reduce the effective total “ask” of the legislature) for the biennium, *i.e.* two years, is \$51.4 million. Of this sum, it will be recommended to JISC that \$7.6 million come from the State general fund. To provide context, the total branch request that BJA was considering was a little more than \$21 million. And this is heavily skewed because it included a request to expand and enhance CASA programs with a price tag of \$10.9 million and for which BJA assigned the lowest priority of the 12 proposals. If that proposal is removed, the branch “ask” would be a little more than \$10.1 million.
- 4) This means that JIS projects begin this year to compete with other judicial branch requests for money and, may in later years swamp non-IT judicial branch requests. Yet as a separate entity, JISC is not accountable to BJA. Determining which projects should have budget priority should be a responsibility of the entire branch through its representatives on BJA. You know, speaking with one voice and all of that. But that sentiment presupposes BJA has a voice at all as to important budget matters. With JISC outside of BJA authority, that other voice crowds BJA’s voice. Already 40% or more of the judicial branch budget goes to the Office of Civil Legal Aid (OCLA) and the Office of Public Defense (OPD). These two organizations have their own Boards and make budget requests to the Legislature independently of BJA. There are good institutional reasons why these organizations should remain independent of BJA. But the fact remains that they are competitors for justice branch funds. And those good institutional reasons separating them from BJA are not pertinent in the case of JISC.
- 5) Regardless of whether JISC is financed by a dedicated funding source, Information Technology (IT) is, or will be, the most important tool courts have for improving the administration of justice.
- 6) Because of this, judges need to be sufficiently versed in IT that they will be able to understand where it may be useful. State IT likewise needs to be sufficiently versed in the business needs of all level of courts. IT/JIS needs to be formally brought into BJA to establish a place where this cross-pollination of ideas/needs can occur.
- 7) The huge importance of IT to the courts means that it may often be the case that the judicial branch should prioritize IT requests over other requests in its budget. But having separate goals and decision-makers is significant. Without coordination we will be at cross purposes. IT/JIS needs to be formally brought into BJA so that designated representatives of the branch may manage those decisions. And, when JIS is part of BJA, BJA Representatives will gain the necessary experience to be competent to make those decisions.

Bryan Chushcoff, Pierce County Superior Court Judge



July 16, 2018

SENT VIA ELECTRONIC MAIL TO jeanne.englert@courts.wa.gov

MEMBERS

Francis Adewale
Judge Laura T. Bradley
Hon. Frederick P. Corbit
Lynn Greiner
Hon. David S. Keenan
Lindy Laurence
Michelle Lucas
Salvador A. Mungia
Mirya Muñoz-Roach
Geoffrey G. Revelle, Chair
Andrew N. Sachs

STAFF

Diana Singleton
Access to Justice Manager
(206) 727-8205
dianas@wsba.org



Jeanne Englert
Policy and Planning Committee
Board for Judicial Administration

Dear Ms. Englert:

Thank you for your invitation to propose strategic goals for the Board for Judicial Administration (BJA) to consider. Together with the Office of Civil Legal Aid, we are submitting a goal to address the crisis of unrepresented litigants.

We believe this goal aligns with BJA's mission and vision, the Principal Policy Objectives of the Judicial Branch and is responsive to the needs of the judicial branch stakeholders. Attached is our proposed BJA strategic goal.

If you have any questions or need more information, please do not hesitate to let us know. You can reach Diana Singleton, Access to Justice Manager, at dianas@wsba.org or 206-727-8205.

Thank you for your consideration of our proposal.

Respectfully,

Geoffrey Revelle, Chair
Access to Justice Board

cc: Jim Bamberger, Office of Civil Legal Aid

encl: "Addressing the Crisis of Unrepresented Litigants" Proposal

TITLE. *Addressing the Crisis of Unrepresented Litigants*

PROPONENT. Washington State Access to Justice Board; Washington State Office of Civil Legal Aid

1. ISSUE STATEMENT. The Principal Policy Goals for the Judicial Branch declare that “litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.” Yet, at every level of court (trial and appellate), the number and percentage of unrepresented litigants continues to grow. People are routinely involved in litigation without the assistance of an attorney on matters relating to personal and family safety, shelter preservation, appeals from administrative determinations affecting their ability to engage in a professional discipline, consumer debt collection and garnishment, guardianship and other matters of significance to them.

While it is not up to the courts to assign counsel in the absence of a constitutional or statutory mandate, the courts do have a duty to ensure that systems, practices and procedures are understandable, accessible and self-navigable for those who cannot or do not have access to an attorney or other legal practitioner to assist them. Without undertaking intentional efforts to facilitate fair process and fair outcomes for unrepresented litigants, our courts become institutional contributors to unfairness and unjust outcomes. In so doing, the public’s trust and confidence in our judicial system erodes.

GOAL STATEMENT. *Provide a statement of desired outcome(s).* The Access to Justice Board and the Office of Civil Legal Aid suggest that the BJA convene a broad set of stakeholders to:

- Document the degree to which persons are unrepresented in litigation in our trial and appellate courts, including an analysis of the percentage of unrepresented litigants by case type
- Develop a clear statement of strategic purpose and a set of corresponding guidelines to assist courts, court managers and court staff to develop policies and practices that enhance the ability of unrepresented litigants to effectively participate in judicial proceedings when they are not represented by an attorney
- In coordination with the Access to Justice Board’s Technology Committee and Technology Assisted Forms (TAF) Project Advisory Workgroup (which is currently working on a statewide automated family law document assembly platform), design and develop a plan to implement a web-based statewide portal for unrepresented persons built on the framework developed through the Microsoft/Legal Services Corporation/Pro Bono Net Legal Access Platform initiative (see descriptions at <https://www.lsc.gov/simplifying-legal-help> and <https://simplifyinglegalhelp.org/2018/03/27/ideation-workshops/>)

STAKEHOLDERS. *Identify stakeholder organizations with a likely interest in the issue which should include:*

- Judicial officers from all levels of Washington State courts
- Representatives from SCJA and DMCJA
- Court managers
- Court clerks
- Courthouse facilitators
- Administrative law judges
- Staffed civil legal aid providers and volunteer lawyer programs
- Access to Justice Board
- Unrepresented litigants
- Law schools
- LLLT's
- Washington Association of Cities
- Washington Association of Counties

INTERNAL/EXTERNAL. *Indicate whether the goal is internally or externally focused to the BJA.*
External. The goal is to assess the needs of unrepresented litigants and to provide them with opportunities to access the justice system in a way that provides for fair and just outcomes.

2019 Budget/Session Schedule

MONTH	ACTIVITY	DATE
January 2019	Legislature convenes	January 14, 2019
January 2019	Revenue Forecast & Budget Outlook	January 23, 2019
February 2019	Policy Committee Cutoff	February 22, 2019
March 2019	Fiscal Committee Cutoff (except NIB bills)	March 1, 2019
March 2019	House of Origin Cutoff	March 13, 2019
March 2019	Revenue Forecast	March 20, 2019
April 2019	Policy Committee Cutoff-Opposite House	April 3, 2019
April 2019	Fiscal Committee Cutoff-Opposite House (except NIB)	April 9, 2019
April 2019	Opposite House	April 17, 2019
April 2019	Last Day of Regular Session	April 28, 2019

NIB-Necessary to Implement the Budget

BJA Meeting Schedule	JISC Meeting Schedule	Revenue Forecast Schedule
N/A	N/A	January 23, 2019
February 15, 2019	February 22, 2019	N/A
March 15, 2019	N/A	March 20, 2019
N/A	April 26, 2019	N/A
May 17, 2019	N/A	N/A
June 21, 2019	June 28, 2019	June 25, 2019
N/A	August 23, 2019	N/A
September 20, 2019	N/A	September 25, 2019
October 18, 2019	October 25, 2019	N/A
November 15, 2019	N/A	November 20, 2019
N/A	December 6, 2019	N/A

Statewide Fiscal Note Statistics 2018

Top 25

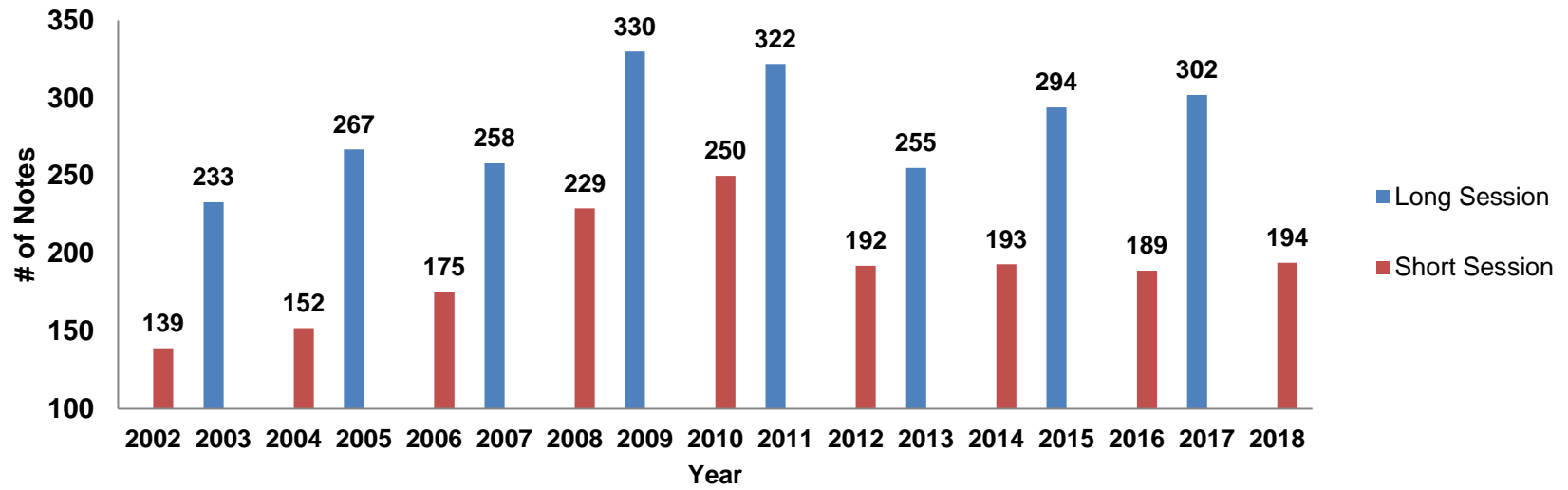
Rank	Agency	Fiscal Notes	Average Turnaround Time (Days)
1	Department of Commerce (local governments)	561	3.8
2	Department of Revenue	303	3.2
3	Superintendent of Public Instruction	238	3.5
4	Social and Health Services	221	4.1
5	Department of Commerce	209	2.5
6	Administrative Office of the Courts	194	1.6
7	Department of Licensing	166	2.1
8	Office of the State Treasurer	159	2.1
9	Health Care Authority	155	7.1
10	Department of Health	153	2.4
11	Office of the Attorney General	147	2.1
12	University of Washington	131	2.5
13	Community/Technical Colleges	128	7.1
14	Department of Corrections	127	4.9
15	Department of Labor & Industries	117	2.2
16	Office of Financial Management	116	2.1
17	Washington State University	109	2.6
18	Evergreen State College	104	6.6
19	Children, Youth and Families	101	2.6
20	Department of Ecology	100	4.0
21	Natural Resources	90	2.5
22	Washington State Patrol	87	1.6
23	Enterprise Services	86	2.1
24	Utilities/Transportation Commission	85	2.5
25	Department of Transportation	83	3.1

Statewide Fiscal Note Statistics 2017

Top 25

Rank	Agency	Fiscal Notes Assigned	Average Turnaround Time (Days)
1	Department of Commerce (local governments)	755	4.6
2	Department of Revenue	343	2.9
3	Administrative Office of the Courts	302	2.0
4	Department of Social and Health Services	280	6.0
5	Superintendent of Public Instruction	243	2.9
6	Department of Health	215	2.4
7	School District Fiscal Notes (OSPI)	199	3.3
8	Office of the Attorney General	190	2.3
9	Department of Commerce	185	3.3
10	Department of Licensing	172	2.1
11	Office of the State Treasurer	168	1.5
12	Department of Corrections	163	3.9
13	Washington State Patrol	146	2.0
14	Office of Financial Management	134	2.0
15	Liquor and Cannabis Board	130	2.0
16	Evergreen State College	130	1.7
17	Health Care Authority	127	3.4
18	Department of Ecology	126	2.7
19	University of Washington	119	2.6
20	Community & Technical College System	118	4.4
21	Department of Labor and Industries	112	2.7
22	Department of Natural Resources	104	3.2
23	Department of Fish & Wildlife	102	2.4
24	Washington State University	102	2.9
25	Joint Legislative Audit and Review Committee	96	1.6

AOC Fiscal Note Volume



The Supreme Court
State of Washington

MARY E. FAIRHURST
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2053
E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

MEMORANDUM

TO: Supreme Court Justices
Judge Laurel Siddoway, COA Presiding Chief Judge
Judge Marlin Appelwick, Presiding Judge, COA, Division One
Judge Bradley Maxa, Presiding Judge, COA, Division Two
Judge Robert Lawrence-Berrey, Presiding Judge, COA, Division Three
Judge Judy Rae Jasprica, BJA Co-Chair and BJA Committee Chair
Judge Kevin Ringus, BJA Committee Chair
Judge Rebecca Robertson, BJA Committee Chair and DMCJA President-Elect
Judge Ann Schindler, BJA Committee Chair
Judge Blaine Gibson, SJCA President
Judge Kitty-Ann van Doorninck, SCJA President-Elect
Judge Sean O'Donnell, SCJA Immediate Past President
Judge Bryan Chushcoff, SCJA Treasurer
Judge Joseph Wilson, SCJA Secretary
Judge Samuel Meyer, DMCJA President-Elect
Judge Scott Ahlf, DMCJA Immediate Past President
Judge Michelle Gehlsen, DMCJA Vice President
Judge Jennifer Fassbender, DMCJA Secretary/Treasurer
Callie Dietz, AOC, State Court Administrator
Dirk Marler, AOC, Manager, Judicial Services Division
Vonnie Diseth, AOC, ISD, Director/CIO
Ramsey Radwan, AOC, Manager, Management Services Division

FROM: Chief Justice Mary Fairhurst

DATE: October 30, 2018

RE: Follow-up to Judicial Leadership Summit held June 2018

I am writing as a follow-up to the Judicial Leadership Summit held in June 2018, to summarize not only the content of the meeting, but some of the excellent recommendations noted by our coming together. As you will recall, the leadership from all levels of court and from the AOC were invited to participate in this day-long meeting.

Those attending were: Supreme Court Justices, Court of Appeals Presiding Chief Judge, Court of Appeals Presiding Judges, BJA Co-Chairs, BJA Committee Chairs, SCJA Officers, DMCJA Officers, and AOC leadership. The goal of the meeting was to discuss our individual and collective work and to envision the future of the Washington Judicial Branch.

The meeting provided an opportunity for us to report from each court level and administration, to learn more about the budgeting process, the work of AOC in support of the courts, and to consider what courts could/should be focused on to provide efficient, effective justice in our state. Through the reports and the small group discussions, I was amazed, once again, at the deep level of service and dedication of judicial officers and staff. Each participant, individually and as a group, committed themselves to the task and contributed to every conversation. I left energized with the possibilities and a renewed sense of accomplishment and hope.

At the meeting, we spent the morning sharing the different court level priorities and work, reviewing the branch budget, and learning more about the AOC priorities and structure. In the afternoon, we utilized small groups to answer the following questions:

- What are our challenges and barriers?
- What are our opportunities?
- How do we work together?
- What are some of the majority changes or trends facing courts in the next 5-10 years?
- How do we stay relevant in a rapidly changing world and how do we use technology?

Several broad themes emerged from these conversations. They were:

1) A need for increased transparency, communication, and power sharing.

There is a need to collaborate more consistently on voice branch priorities. There was also agreement that sharing budget information helps increase transparency.

Some of the steps that are already in place or being developed to accomplish this are: presenting the branch budget overview, including budget updates/review on each BJA meeting agenda, and developing a court communication plan through the BJA.

2) A need for clarity and coordination around branch policy and budget issues.

Currently BJA has a role in the development of branch policy and budget priorities but they are not the ultimate budget decision makers. How do we determine BJA's role on these issues while respecting the autonomy of each court level?

Some of the steps already in place or being developed to accomplish this are: presenting the branch budget overview, including budget updates/review on each BJA meeting agenda, sharing AOC activities at regularly scheduled times at BJA meetings and during court association conferences (that would be mutually agreed upon by each level of court), the BJA request for proposals to multiple branch groups on legislative and policy considerations, and the work of the Policy and Planning Committee on identifying common priorities between groups and associations.

3) *A need to identify the commonalities and information sharing opportunities among courts.*

Conversations identified the need to: increase sharing of courts' innovations, increase data use for performance assessments and reviews, develop easier access to tools and resources, plan for judicial officers and administrative leaders' large turnover, and identify ongoing technology uses and needs.

All agreed to continue these conversations and identify essential next steps. We will discuss ways to work on these needs at the November BJA meeting.

We look forward to hearing your ideas as we move forward. Please share any thoughts, ideas, and concerns. The more we can work together, the stronger our branch will be.

Again, I want to thank each of you for your hard work and thoughtful participation in this annual event. We will continue to develop ideas and share innovations that will move our courts forward to better serve those who come to us for help. Thank you for what you do in this regard every day in Washington.

Questions from the Judicial Leadership Summit, June 2018:

- What do we think our court system should look like? How should we communicate and coordinate amongst each other?
- What is the difference between leadership and control specific to role of the BJA?
- How do we plan for a large turnover of judicial officers and administrative leaders (recruitment, succession planning)?
- How can the change in leadership at various court levels and associations change the dynamics and priorities of the association and their interactions with other groups?
- How do we work together on priorities?
- There are so many remarkable things happening. How do we capitalize on this going forward?

TAB 7

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

BJA Committee: Public Trust and Confidence Committee

Nominee Name: Jean Kang

Nominated By: Access to Justice Board
(i.e. SCJA, DMCJA, etc.)

Term Begin Date: January 2019

Term End Date: December 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:** N/A

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

Please see her attached letter expressing interest in serving on this committee and her
resume.

Please send completed form to:

Jeanne Englert
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
jeanne.englert@courts.wa.gov

Letter of Interest

Jean Y. Kang

RE: Board of Judicial Administration's Public Trust & Confidence Committee

To the Access to Justice Board:

Please accept my letter of interest to serve on the Board of Judicial Administration's Public Trust & Confidence Committee. As a trial lawyer, a leader in the legal community, and an immigrant woman of color, I have seen firsthand both the promises and the perils of our justice system. I seek to bring this experience and unique perspective to this committee to help achieve its goals.

In addition to my work in the legal community and various bar associations, I currently serve on the advisory board for NW Asian Weekly, and is active with the Korean American Coalition of Washington to ensure that I am connected with the community at large. Further, my experience of serving as *pro tempore* judge for Edmonds Municipal Court provides another layer of perspective. As a *pro tempore* judge in a municipal court, I often converse with individuals representing themselves in court, and have the opportunity to directly learn about their stories and struggles.

As a past Fellow for the Washington Leadership Institute, I dedicated myself to the program to become the leader I need to be to make a change, not only within the legal community, but to the general public as an ambassador and voice of the legal profession. I continue to work toward that goal as the Governor-Elect for District 7 South on the WSBA Board of Governors.

I firmly believe in the mission, vision, and goals of the Public Trust & Confidence Committee, and that is why I am requesting to be nominated.

Thank you for your time and kind consideration. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Jean Kang". The signature is written in a cursive, flowing style with a long, sweeping underline.

Jean Y. Kang



**Board for Judicial Administration (BJA) Meeting
Friday, October 19, 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 Blaine Gibson
Judge Gregory Gonzales (by phone)
Judge Dan Johnson
Judge David Kurtz
Judge Linda Lee (by phone)
Judge Mary Logan
Judge David Mann
Judge Samuel Meyer
Bill Pickett
Judge Kevin Ringus
Judge Rebecca Robertson
Justice Charles Wiggins

Guests Present:

Patricia Austin
Darryl Banks
Derek Byrne
Sonya Kraski
Frank Maiocco
Judge Jacqueline Shea-Brown
Lisa Tremblay
Dawn Williams
Margaret Yetter

Public Present:

Page Carter

Administrative Office of the Courts

(AOC) Staff Present:

Lynne Alfasso (by phone)
Crissy Anderson (by phone)
Jeanne Englert
Sharon Harvey (by phone)
Dirk Marler
Ramsey Radwan
Intisar Surur
Caroline Tawes

Call to Order

Chief Justice Fairhurst called the meeting to order at 9:00 a.m. The members introduced themselves. Chief Justice Fairhurst announced that the Court Management Council (CMC) members were joining the meeting today.

Court Management Council

Maiocco presented an overview and history of CMC, as well as an update on their current project. Since 2017, CMC members have been examining the public perception of courts with a primary focus on helping the public and court staff understand the difference between legal information and legal advice. Two CMC subcommittees created a PowerPoint presentation and developed talking points, a curriculum, and objectives for education programs on legal information versus legal advice, as well as

updating and adding to a guidebook from the Clallam County Clerk's office, *Legal Information vs. Legal Advice*.

Dietz and Maiocco jointly presented the Court Manager of the Year award to Benton-Franklin Superior Court administrator Patricia Austin.

Representatives from the Association of Washington Superior Court Administrators (AWSCA), the District and Municipal Court Management Association (DMCMA), the Washington Association of Juvenile Court Administrators (WAJCA), the Washington State Association of County Clerks (WSACC), and the Court of Appeals presented updates on their associations and courts.

Branch Budget Overview

Radwan presented an overview of the judicial branch budget using the PowerPoint presentation in the meeting materials. He said it was important for BJA members to understand the budget to help ensure long-term, stable, and adequate funding for the judicial branch.

Radwan reviewed the budget process and timeline. A new step in the process this year is the addition of the Court Funding Committee. The Supreme Court approved the 2019–2021 budget request for state general fund items that flow through the AOC to be forwarded to the legislature with three changes: the Finding Fathers request was combined with the Family and Juvenile Court Improvement Program request; the Expedited Data Repository (EDR) Future Integrations request was reduced from \$1.5 million to \$500,000; and the State CASA request was not included in the budget submittal.

2018 Legislative Agenda

Chief Justice Fairhurst announced that AOC staff member and Associate Director of Legislative and Judicial Relations Brady Horenstein resigned.

Judge Ringus said the BJA approved the 2017–19 Legislative Communications Plan last November. The BJA Legislative Committee met September 7 and October 5 to discuss three proposals received by the Committee and the 2019 legislative agenda.

Judge Ringus also discussed the one-page information sheet on the 2019 legislative priorities. The priorities sheet will be designed after the content is approved as part of the legislative agenda. Judge Ringus thanked AOC staff for their assistance on the project.

The Legislative Committee will continue to work on a unified message for BJA. The wording should reference the importance of funding so that the courts can continue to

be relevant. Work on the unified message will continue at the next Legislative Committee meeting. Any change in the BJA approach should increase support of all levels of the judicial branch and how we work as partners. This will be discussed at the November meeting.

It was moved by Judge Ringus and seconded by Judge Gibson to approve the 2019 legislative agenda. The motion carried.

Dietz said the Associate Director Legislative and Judicial Relations job announcement had been sent out and will be open until filled. She asked that BJA members encourage qualified people they might know to apply. There is a plan to hire a contractor if a permanent employee is not hired before the legislative session begins.

BJA Strategic Initiatives

There will be presentations on the BJA Strategic Initiatives at the November BJA meeting. The Interpreters Services Funding Task Force submitted a budget request of \$2.1 million for this biennium. The Court System Education Funding Task Force submitted a budget request for \$1.4 million for education, travel support, and curriculum needs for all courts. The task forces are each developing talking points and a question and answer document for stakeholders, as well as a fact sheet for legislators. This information will be available at the November BJA meeting.

The Interpreters Services Funding Task Force is compiling customer feedback from their survey. Findings from the Court System Education Funding Task Force survey on mandatory training requirements for court administrators were included in the meeting materials.

Standing Committee Reports

Budget and Funding Committee (BFC): The Committee met in June to prioritize budget requests to send to the BJA with recommendations. Judge Logan likes the new budget process and hopes it remains in place.

Court Education Committee (CEC): The Judicial Education Leadership Institute (JELI) in November will provide education on how to do a good presentation and how adults learn.

The 2019 Judicial College will have at least 62 or 63 participants. Funding will be a challenge and may have an impact on association conference budgets. Because the Judicial College is mandatory, funding may have to be prioritized for it.

Legislative Committee (LC): Judge Ringus will work with Dietz to cover the Court Funding Committee meetings in Horenstein's absence. AOC association staff will assist.

Policy and Planning Committee (PPC): Judge Robertson reported the PPC received six proposals for new strategic initiatives. Two were not a good fit and two were similar to each other. The PPC is meeting today to discuss what the current strategic task forces need and if they will recommend another strategic initiative.

Expiring Resolution Follow Up

There was an expired resolution that was previously brought to the BJA for consideration of whether to revise, renew or retire it. The Policy and Planning Committee reached out to the Minority and Justice Committee who will not be renewing it as there are other policies in place that address the issue. The BJA decided to retire the resolution.

BJA Leadership Goals

Two ad hoc groups will be formed to evaluate the BJA committee structure format and review the BJA bylaws and rules. A representative from each committee and each court level is needed. The Committee Composition Committee will be Judge Gonzales, Judge Meyer, Judge Rogers, and Judge Logan. The Bylaws and Rules Ad Hoc Committee will be Chief Justice Fairhurst, Judge Johnson, and Judge Gibson.

Public Trust and Confidence Committee

Seven new members have been nominated for appointment to the Public Trust and Confidence Committee: Judge David Larson, Judge Kathryn Loring, Commissioner Rick Leo, Judy Ly, Emily McCartan, Val Barschaw, and Jennifer Garber.

It was moved by Judge Johnson and seconded by Judge Gibson to approve all seven nominees to the Public Trust and Confidence Committee. The motion carried.

September 21, 2018 Meeting Minutes

It was moved by Judge Ringus and seconded by Judge Logan to approve the September 21, 2018 BJA meeting minutes. The motion carried.

Information Sharing

Chief Justice Fairhurst announced that Dawn Marie Rubio has been hired as the new Washington State Court Administrator. From November 19 to December 31 she will be

the State Court Administrator Designate, becoming the State Court Administrator on January 1, 2019.

The Washington Citizens' Commission on Salaries for Elected Officials gave a strong recommendation to increase judicial salaries. More information will be shared later.

Chief Justice Fairhurst, Judge Jasprica, Englert, and Dietz met to discuss follow up from the Judicial Leadership Retreat in the spring. They will be sharing information about the meeting and the BJA will devote time to discuss some of the follow up items.

Byrne said the Department of Labor and Industries has a new proposal to compensate staff for overtime. This could have a significant impact on court budgets. Byrne is looking into statutory issues and will report back.

Pickett announced that Judge Logan and the Spokane Community Court were presented with the Washington State Bar Association (WSBA) Award of Merit. The WSBA has rolled out a new health care exchange for its members. The structure of the WSBA is being examined in light of recent court decisions.

The Superior Court Judges' Association (SCJA) has agreed to fund a Color of Justice program. The first of three programs will be held in Yakima on November 2. There will be public recommendations from the Pretrial Task Force in January.

Dietz thanked everyone for their work and said she will miss everyone. She plans to do some consulting work for the National Center for State Courts (NCSC) after her retirement.

Other

There being no further business, the meeting was adjourned at 11:50 a.m.

Recap of Motions from the September 21, 2018 Meeting

Motion Summary	Status
Approve the 2019 legislative agenda	Passed
Approve all seven nominees to the Public Trust and Confidence Committee.	Passed
Approve the September 21, 2018 BJA meeting minutes.	Passed

Action Items from the September 21, 2018 Meeting

Action Item	Status
There will be presentations on the BJA Strategic Initiatives at the November BJA meeting.	
The unified legislative agenda message will be discussed at the November meeting.	

Action Item	Status
The Committee Composition Committee will facilitate a discussion at the November meeting.	
<u>September 21, 2018 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