

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, SEPTEMBER 20, 2019
9:00 A.M.**

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

Board for Judicial Administration Membership

2019-2020



VOTING MEMBERS:

Chief Justice Mary Fairhurst, Chair
Washington State Supreme Court

Judge Gregory Gonzales, Member Chair
Superior Court Judges' Association
Clark County Superior Court

Judge Tam Bui
District and Municipal Court Judges'
Association
Snohomish County District Court

Judge Doug Federspiel
Superior Court Judges' Association
Yakima 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 David Mann
Court of Appeals, Division I

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

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

Judge Michael Scott
Superior Court Judges' Association
King County Superior Court

Justice Debra Stephens
Washington State Supreme Court

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

NON-VOTING MEMBERS:

Terra Nevitt, Interim Executive Director
Washington State Bar Association

Judge Michelle Gehlsen, President-Elect
District and Municipal Court Judges'
Association
King County District Court

Rajeev Majumdar, President
Washington State Bar Association

Dawn Marie Rubio
State Court Administrator

Judge J. Robert Leach,
Presiding Chief Judge
Court of Appeals, Division III

Judge Judith Ramseyer, 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, September 20, 2019 (9 a.m. – noon)

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

AGENDA

1. Call to Order Welcome and Introductions Recognition of New Members	Chief Justice Mary Fairhurst Judge Gregory Gonzales	9:00 a.m.
2. BJA Orientation	Chief Justice Mary Fairhurst Judge Gregory Gonzales	9:10 Tab 1
3. Presentation: Public Trust and Confidence Information sharing	Justice Mary Yu	10:00 Tab 2
4. Standing Committee Reports Budget and Funding Committee <ul style="list-style-type: none"> Supplemental Budget Update Court Education Committee Legislative Committee Policy and Planning Committee	Judge Mary Logan Ramsey Radwan Judge Gregory Gonzales Judge Kevin Ringus Judge Michael Scott	10:20 Tab 3
5. Annual Picture		10:35
Break		10:40
6. BJA Task Forces Court Security Court System Education Funding Interpreter Services Funding	Penny Larsen Jeanne Englert Jeanne Englert	10:50 Tab 4
7. Judicial Leadership Summit Follow Up Action: Review and motion to approve recommendations	Chief Justice Mary Fairhurst Judge Greg Gonzales Jeanne Englert	11:00 Tab 5
8. 2020 BJA Meeting Schedule Action: Motion to Approve schedule for 2020	Chief Justice Mary Fairhurst	11:35 Tab 6
9. June 21, 2019 Meeting Minutes Action: Motion to Approve the Minutes of the June 21, 2019 Meeting	Chief Justice Mary Fairhurst	Tab 7
10. Information Sharing Roundtable Q2 Statement Meeting Review	Chief Justice Mary Fairhurst	11:40 Tab 8

11. Adjourn		12:00
Persons who require accommodations should notify Jeanne Englert at 360-705-5207 or jeanne.englert@courts.wa.gov to request or discuss accommodations. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.		

Next meetings: October 18, 2019 - AOC SeaTac Office
November 15, 2019 - AOC SeaTac Office

TAB 1

Member Feedback on BJA Meetings and Activities 2018 -2019 (Members)

		1 strongly disagree	2	3	4	5 strongly agree
1	The BJA made progress towards the leadership goal speaking with a unified voice this past year		1	3	7	4
	Comments	<ul style="list-style-type: none"> • Committee at various levels are not communicating as well as they could and may be duplicating efforts • Conflicting public statements re: legislation at various levels and committees 				
2	The BJA made progress towards the leadership goal court communication this past year.		2	1	9	3
3	The BJA made progress towards the leadership goal committee composition this past year.			6	2	7
4	The BJA made progress towards their leadership goal committee coordination this past year.			4	10	1
5	Overall, the atmosphere at the meetings was conducive to open and productive discussions and decision-making. Different opinions were encouraged.				5	10
6	Do you feel you could speak and contribute during the meetings?				3	12
	Please explain	<ul style="list-style-type: none"> • All comments are welcome. • Relatively new to the Board so it is likely my issue. • I always felt comfortable speaking my mind even if I was in the minority. 				
7	What is one thing the BJA did really well?	<ul style="list-style-type: none"> • Working towards speaking with one voice. • Kept members informed of what was happening with the various committees. • This past year was much more coordinated. • At least be brave enough to open a conversation about diversity on the board. Not to drop the issue of how board wants to define diversity. • Great work on communication & outreach. • Bringing all court levels together around issues of mutual concern. • There is a big improvement in the tenor of the meetings. All are invited to participate. • The members get along very well. 				

		<ul style="list-style-type: none"> • The atmosphere created by Chief Justice Fairhurst is the main reason I enjoy the meetings. • Justice Fairhurst created a real atmosphere of trust and cooperation among all levels of court. • Discuss issues positively & respectfully. Task forces. • I think the current Chief has really done a great job in making sure all court levels have a voice. It was not too long ago that there was a great deal of friction between some of the levels and it is great that the court levels appear to be much more cooperative with each other.
8	What is one thing the BJA could improve and how?	<ul style="list-style-type: none"> • A criticism w/o a solution provided; providing a more open feeling of open discussion. • Do not promote unfunded mandates. • Focused efforts on court education. • I think that there is a tendency for members to think/act “locally” rather than statewide, either geographically or court level. • Identifying the true purpose of the BJA and how the BJA can fulfill that purpose. • Coordinate efforts with SCJA and DMCJA. Better communication of ideas in the works. • Outreach to judicial officers about what we do. • More action items/discussions together on ??? topics. • Communication with the membership of the various levels. It was a great idea to have a table at the DMCJA conference. As I write this though maybe this should fall to the boards of the levels to better communicate with its members.
9	What is one aspect that was most useful about the meetings?	<ul style="list-style-type: none"> • Insight into what the branch is doing/wanting/seeking. • We encouraged sharing by ALL. This was something that was lost due to time. • The option of attending in person or telephonically. • Getting to meet others in person and build personal relationships and to understand the various points of view. • Sharing information & ideas across the judicial branch. • I think the in-person meeting aspect is critical. • Hearing about what is occurring in the judicial branch gives a sense of being informed. • The format lends to full information on what is being accomplished.

		<ul style="list-style-type: none"> • We can pitch ideas. • Learning about what others are doing. • Connections with other judges. • Keeping on time, having good agendas and materials.
10	What is one aspect that you would change about the meetings?	<ul style="list-style-type: none"> • Let's drop the reports – trust board to read, and use meeting to work on one or more decisions that have to be made to advance our goal/mission and don't try to micro-manage the task force. • To that end (Q#9) increase in-person attendance. Fewer phone-in participants. • Holding meetings just to hold a meeting. Be sure there is relevant information. Having the reports usually fulfills this purpose. • Saturday meetings. • The microphone situation. • Shorten meetings and hold less meetings
11	What should the BJA focus on in the upcoming year to advance the work of the courts?	<ul style="list-style-type: none"> • Continue working on the speaking with unity. • Adequate funding. • Advancing public trust in the integrity and skill sets & nonpolitical. Spec. remove the stigma of “liberal” judges vs “conservative” judges and promote the idea of a non-part. bench anchored in law. Leave social engineer- to the exec./leg. br. • Education should be a key priority. • Equity/diversity/inclusion effects. • Address the turnover and how we can promote the leadership and define the role of the BJA. • Security, adequate funding for court operations – more state funding. • Education. • Interim communications & communications to all judicial stakeholders. • More unity! • Funding and independence. • Security, security, security. The task force on this issue is great. • Funding court education appropriately.
12	If a colleague asked, how would you describe what it is like to be a member on the BJA?	<ul style="list-style-type: none"> • A formal, informative, upper level representative position. • The UN – differing POVs, but a global outlook. • I am a rubber stamp needed to secure a quorum.

		<ul style="list-style-type: none"> • Getting to know & learn from judges, administrators, & other ?? of the judicial branch from around the state. • It is an important policy advisory board that works on behalf of the entire judicial branch. • Informative and an honor. • Interesting group. • I've learned so much about funding and how important it is to recognize where the money comes from. • Collegiality. • Very fulfilling and useful. • Interesting and fun. • Interesting and informative. • If you want to be involved, you have a very good opportunity.
13	Is there anything else you would like to share?	<ul style="list-style-type: none"> • The “outside” world has a very low opinion of the BJA; no one I have spoken to would want to be quoted/attributed to this opinion. We need to have thick skin. Ackn.this and work on it. • Chief Justice Fairhurst and Judge Jasprica have provided great leadership. • Thank you Mary & Judy! • I like being Chief-chair. I like working with you. • I understand the desire to have representatives from each level of court. But appellate judges are on so many committees. (I'm on 5). By tradition, the Chief Judge of one of the three COA divisions is supposed to be a member of this committee. We need to change our tradition, and open it up to allow any COA judge to sit on this committee. This will allow a COA judge who truly wants to be part of this worthwhile committee to join, and will ensure greater COA participation.

TAB 2

BJA Public Trust and Confidence Projects

July 2018 to September 2019, Completed

Presented by Justice Mary Yu

September 20, 2019

1. Launched Constitution Day, pairing judges with teachers for presentation on September 17, 2018 and repeated on September 17, 2019.
2. Presented the Islamophobia session as a plenary session at the 2018 fall Judicial Conference and at the June 2019 Access to Justice Conference.
3. Presented the Court portion of the July 2018 and July 2019 Legislative Scholars Program.
4. Created and presented a new lesson on diverse juries based on the Pierce County Diverse Juries Research Project in March 2019 to teachers at the Washington State Council for the Social Studies.

New Projects Undertaken in 2019, including Continuing Projects

1. Updating Judges in the Classroom Lessons, new project.
2. Expanding explicit and implicit bias against religious minorities to additional audiences, including those using interpreters and those with mental problems, continuing project.
3. Production of a PSA on Access to Justice for the Public, continuing project.

TAB 3



September 20, 2019

TO: BJA Members

FROM: Judge Mary Logan, BJA Budget & Funding Committee Chair
Ramsey Radwan, AOC Management Services Division Director

RE: BJA Budget & Funding Committee Report

As noted in our 2020 Supplemental Budget request timeline, all final decision packages were to be delivered to AOC by July 12, 2019. However, we continue to receive changes and updates.

Requests from the Supreme Court, Court of Appeals, Office of Public Defense (OPD) and the Office of Civil Legal Aid (OCLA) have been received, see attached table. The requests for the Supreme Court and Court of Appeals are “maintenance” level requests for attorney general and retirement buyout costs, respectively. The funding requests from OPD and OCLA are mostly policy level in nature, meaning funds would be used for new activities/functions or would be used to substantially increase an existing activity/function.

At this point the AOC may have one 2020 budget request for additional resources associated with SB 5604, the Uniform Guardianship Act. However, until we receive word from legislative leadership we won’t know if the request should be included in our 2020 supplemental process, through a 2020 judicial impact note or if the legislature will add funding to our budget solely through their processes. Once known, we will inform BJA.

Because there are no current requests for general fund state monies that flow through the AOC, the attached table is for information purposes only.

**Washington State Judicial Branch
Proposed 2020 Supplemental Budget Request
September 2019**

Supreme Court		
Title	FTE	Amount Requested
Office of the Attorney General	0.0	\$29,000
Funding is requested to reimburse the AGO for services provided in FY 19 and for anticipated AGO costs in FY 20		
Total Supreme Court Request	FTE 0.0	\$29,000

Court of Appeals		
Title	FTE	Amount Requested
Retirement Buyout	0.0	\$187,000
Funding is requested to meet the expected leave buyout obligation for court employees.		
Total Court of Appeals Request	FTE 0.0	\$187,000

Office of Public Defense		
Title	FTE	Amount Requested
Implementation of Dependency Parenting Plans under C80 L18	0.0	\$100,000
Funding is requested to fully implement C80 L18 (SB 6453), which authorizes legal services for parents of dependent children to establish or modify parenting plans as may be necessary.		
Payment for Social Work Services	0.0	\$160,000
Funding is requested to provide a cost of living increase payment for independent social work services used by OPD contract attorneys providing client services under the Parents Representation Program and the Ch. 71.09 RCW Civil Commitment Program.		
Total Office of Public Defense Request	FTE 0.0	\$260,000

**Washington State Judicial Branch
Proposed 2020 Supplemental Budget Request
September 2019**

Office of Civil Legal Aid		
Title	FTE	Amount Requested
Assistant Agency Director	1.0	\$139,000
Funding is requested to establish and fund the position of Assistant Director for the Office of Civil Legal Aid.		
Automated Document Assembly System	0.0	\$165,000
Funding is requested to reauthorize \$165,000 in unspent FY 2019 funding for the family law automated forms project.		
Children's Representation Study Completion	0.0	\$365,000
Funding is requested for the costs of attorney representation in dependency cases associated with the Children's Representation Study.		
FY19 Caseload-Driven Over-Expenditure	0.0	\$126,000
Funding is requested to compensate for caseload-driven expenditures for the Children's Representation Program and the Children's Representation Study.		
Total Office of Civil Legal Aid Request	FTE 1.0	\$795,000

Title	FTE	Amount Requested
State General Fund	FTE 1.0	\$1,271,000
Judicial Information System Account	FTE 0.0	\$0
Total	FTE 1.0	\$1,271,000



September 11, 2019

TO: Board for Judicial Administration Members

FROM: Judge Gregory M. Gonzales, BJA Court Education Committee Chair
Judge Douglas J. Fair, BJA Court Education Committee Co-Chair

RE: Court Education Committee Report

I. Work in Progress

The CEC met in July to review the final expenditures in FY19.

The CEC ad hoc budget committee met and recommended that FY20 allocations remain the same. The CEC ad hoc budget committee will meet monthly, via conference calls, beginning in late September through December to review ideas, comments, and funding models regarding FY21 allocations to determine if the current funding model is most cost effective. A report will be given to the CEC in January along with a FY21 funding proposal.

The DMCMA are continuing to pursue ARLJ 14 regarding mandatory education for District and Municipal Court Administrators. The rule has two parts; the first is a two-day Academy which is mandatory, and the second part is voluntary, regarding submission of ongoing education credits, much like the judges do. They are currently working on a curriculum proposal. There is currently no timeline on when they plan to submit to the Supreme Court Rules Committee. The DMCJA supports mandatory education for their administrators. The DMCMA is working with Mr. Dirk Marler on drafting standards, policies, and governances, and determining the impact on AOC personnel. Further discussions and decisions need to be made regarding the sustainability and AOC staffing, including how to absorb new programming. The CEC needs to discuss how it would prioritize funding for another mandated program if there is a reduction in funds, and the impact it would have on the other stakeholders.

The CEC re-organized the Presiding Judge and Administrator Committee, and allotted \$1,500 in FY20 so they can schedule half-day focus groups with presiding judges and administrator across the state, (rural, urban) where committee volunteers will discuss and identify areas of education/training/content needed by current Presiding Judges and Administrators. The intent is to develop regionals to address the educational needs.

The CEC is currently working with AOC Business Analysts on revamping Inside Courts to create a portal to all education and training available. This portal would include, for now, all the online and live educational/training information conducted by the Court Education and the Judicial Information System (JIS) training units. The purpose is to provide easy access to all court personnel to search for what education or training they need. This might include recorded webinars, live educational event information and JIS online and onsite educational opportunities. The CEC has looked into live streaming programs, videotaping programs, teaming with law schools, podcasts, etc. and will continue to determine the best use of the limited resources we have. Funding and personnel resources continue to be an issue with moving forward. The Court Education Unit is committed to developing online education and training products for the courts, and coordinating with the JIS training team where possible.

There are two new CEC members; the Honorable Tristen Worthen, who represents the Washington Association of Court Clerks, (WSACC) and Ms. Linnea Anderson, Washington Association of Juvenile Court Administrators (WAJCA).

Short-term Goals

- CEC hosted webinar this fiscal year.
- Develop strategic plan for online education with no additional funding.
- Review and discuss ideas that were discussed during the BJA strategic retreat that deal with education and training of court system personnel.

Long-term Goals

- Continue to work with the BJA taskforce on adequate and sustainable court education funding.
- Continue to implement strategies and priorities identified in the CEC Roadmap
- Update Roadmap.
- Continue to develop collaborative relationships with other stakeholders who conduct education and training within the AOC and outside the AOC.



September 20, 2019

TO: BJA Members
FROM: Judge Kevin Ringus, BJA Legislative Committee Chair
Dory Nicpon, AOC Associate Director, Judicial and Legislative Relations
RE: BJA Legislative Committee Report

During the legislative interim, the BJA Legislative Committee convenes meetings or calls as needed to address interim business and prepare for the next legislative session. The BJA Legislative Committee last convened a conference call on September 9, 2019.

The Committee's discussion included:

- the four judicial branch priorities identified at the Judicial Leadership Summit on August 12, 2019 and "Speaking with One Voice;"
- the interim activities of select legislative committees (see attachment);
- recurring themes of judicial branch legislative engagement, including
 - separation of powers/judicial independence/role of courts when bill draft language purports to prescribe court operations, condition appropriations on judicial decisions, etc.; and
 - courts and money -- funding courts from a general fund appropriation, and not expecting courts to be revenue collectors;
- judicial branch preparations for the 2020 legislative session, including
 - process for BJA request legislation;
 - interim meeting between AOC staff and legislative staff;
 - convening a branch-wide discussion of potential regulation of artificial intelligence technology in government decision making; and
 - BJA Legislative Committee adjustments to the format of its weekly session calls to maximize information sharing among court levels, commissions, and task forces.

Dawn Marie Rubio, Judge Stephen E. Brown, and Judge Scott K. Ahlf presented about therapeutic courts at a work session of the House Civil Rights and Judiciary Committee on September 13, 2019. AOC staff attended a broad stakeholder discussion of therapeutic courts convened by Representative Goodman later that day.

AOC and court staff completed adjustments to judicial publications, education, and systems to reflect bills passed during the 2019 session.

2019 Interim Meetings of Select Legislative Committees

House Civil Rights and Judiciary Committee

Date	Location	Agenda Items	Details
September 13, 8:00-10:00 a.m.	JLOB Building, Olympia	Specialty Courts	AOC, plus Judges Stephen Brown and Scott Ahlf, to present in 30 minutes: <ul style="list-style-type: none"> • What they are? • National best practices • Efficacy in Washington
		Housing & Homelessness Issues	Housing advocates and regulatory agencies to discuss Foreclosure Fairness Act, changes to landlord/tenant laws (e.g., ESSB 5600), and <i>Martin v. Boise</i> (9 th Circuit), and intersections between legal processes and housing/homelessness.
		Youth Courts (SB 5640, which did not pass in 2019)	Briefing on intersection of youth courts in CLJs and the juvenile courts.
November 22, 8:00-10:00 a.m. (tentatively)	JLOB Building, Olympia	Single POC for Firearms Background Check System	OFM to present findings and recommendations pursuant to HB 1949.
		<i>Trueblood</i> Update	Governor's Office, Disability Rights Washington, and stakeholders to present on implementation strategies.
		UGA (2SSB 5604)	Discussion of a "trailer bill" and on-going funding needs.
		Update on Supreme Court Work Group on WSBA Structure	Presentation by the Chief Justice.

House Public Safety Committee

Date	Location	Agenda Items	Details
July 16	CJTC in Burien	Sentencing Guidelines	Briefing on recommendations from the Sentencing Guidelines Commission, including Judge Rogoff.
September (exact date TBD)	JLOB Building, Olympia	Prevalence of Fetal Alcohol Spectrum Disorders Among Criminal Justice System-Involved Persons	Experts to brief the committee.
		Department of Corrections Classification and Transfer Policies	Briefing by DOC and stakeholders on policies governing inmate classification and transfers, gender considerations, and recidivism.
November 22 (exact date TBD)	JLOB Building, Olympia	Trends in Crime and Victimization	Local and federal law enforcement to brief on trends in incidence and types of crime, as well as trends in victimization.
		I-940 (Deadly Force by LE) Rulemaking and Implementation	CJTC and stakeholders to provide an update.

Senate Law & Justice Committee

Date	Location	Agenda Items	Details
June 11	Longview City Hall	Uniform Guardianship Act (2SSB 5604)	Stakeholder discussion of errors, omissions, and proposed changes to 2SSB 5604, which passed in 2019.
September (exact date TBD)	Bremerton or Port Townsend	Non-profit Corporations	Discussion of WSBA's proposed revisions to chapter 24.03 RCW.
		Women on Corporate Boards	Updates pending.
		Uniform Electronic Transactions Act	Updates pending.
October (exact date TBD)	Wenatchee	Child sex trafficking and commercial sexual exploitation through online advertising	Updates pending.
		Cyberstalking	Updates pending.
November (exact date TBD)	JAC Building, Olympia	CPLs and Firearms Background Check Update	OFM to present findings and recommendations pursuant to HB 1949.
		Uniform Guardianship Act (2SSB 5604)	Updates pending. Possible discussion of draft legislation following the June 11 meeting.
		Update on Supreme Court Work Group on WSBA Structure	Presentation by the Chief Justice.

Senate Behavioral Health Subcommittee of the Health & Long Term Care Committee

Date	Location	Agenda Items	Details
June 2019	Skagit County	Jail psychiatric services	Tour
		Innovative treatment models	
		Tour of Justice Center and SWIFT Center	
September (exact date TBD)	Pierce County	Public Safety Review Panel and criminal insanity detainees	Updates pending.
		Non-felony competency to stand trial defendants	Updates pending.
		Tour of Child Study and Treatment Center	Updates pending.
November 20-21 (exact date TBD)	JAC Building, Olympia	Involuntary detention for persons with substance use disorders	Updates pending.
		Local option behavioral health tax implementation	Updates pending.



September 11, 2019

TO: Board for Judicial Administration Members
FR: Judge Sean O'Donnell and Judge Rebecca Robertson
Co-Chairs, BJA Court Security Task Force
RE: REPORT OF THE COURT SECURITY TASK FORCE

The Court Security Task Force is getting ready for the second onsite meeting on October 9, 2019. The task force is collecting data for the court security needs assessment. Some preliminary data analysis will be available for the meeting. The task force will also begin discussing the complexities in evaluating funding strategies at the October 9 meeting. Representative Goodman and Senator Holy have confirmed attendance, and we have added a security expert to the task force: Patrick Conesa, Risk Analyst for the Washington Counties Risk Pool, who will be attending the meeting too.

The Assessment & Evaluation Work Group sent a message to Presiding Judges and Court Administrators/Managers on how to use the court security incident reporting form located on Inside Courts and reminded them that incident reporting is mandatory under GR 36. The work group created a census of all courthouse facilities in the state to ensure that we have accurate information on which to base the needs assessment. Once the rest of the courthouse security data has been collected, the work group will complete the GR 36 benchmark. This benchmark tool will show the level of GR 36 compliance for each individual court and allow comparisons between courts, too. Data collection efforts include a survey of the experiences of the victim advocate community, and a courthouse security survey has been extended to juvenile courts.

The Proposals & Implementation Work Group is evaluating a list of potential grants for court security items, audits, and training costs. There are potential grant sources and the task force will consider whether it is feasible to apply for them via AOC, or to provide a list in the court security tool kit and assistance to individual courts. The work group is working on a survey for a sample of courts to determine two things: 1) what are the security budgets of the courts, including executive branch and other budgets; and 2) what have courts requested from their funding entities (county/city) and the results of their requests. The survey is being vetted by task force members and sampling will begin in the next few weeks.



September 20, 2019

TO: Board for Judicial Administration Members

FROM: Chief Justice Mary Fairhurst, Judges Greg Gonzales and Judy Jasprica, Dawn Marie Rubio (Judicial Leadership Summit Planning)

RE: Judicial Leadership Summit Recommendations

Purpose

The purpose of this memorandum is to provide recommendations on the prioritized items from the 2019 Judicial Leadership Summit. We ask that BJA members review the recommendations and identify and approve next steps. The red numbers after each priority reflects how many votes each item received.

Ranked Priorities/Issues from the Summit and Recommendations

- 1) **Adequate Funding (32)** as a branch. We need funding for the courts and AOC. We need adequate and dependable funding for court infrastructure (i.e., security, technology) and resources (i.e., interpreters, judicial officers, family court facilitators, and so on) to promote efficiencies and access to justice. How do we get the state to fund what we do and how do we tell them what we can do if they adequately fund us? How does funding ultimately impact the community and justice system? How can we reduce the number of unfunded mandates?

Summit participants interested in future conversation/committee work around this topic:

Justice Susan Owens, Judges Kevin Ringus, Sam Meyers, Michelle Gehlsen, Dan Johnson, Michael Scott, and Judith Ramseyer, and Ramsey Radwan, Dory Nicpon

Recommendations:

- The BJA will create a new committee that will address long term adequate funding for the court system. An ad hoc committee will work on creating the charter and membership for this group. BJA staff will support this committee.
 - The priorities of speaking with a unified voice/telling our story and building relationships (priorities 5 and 7) will be incorporated into this group. The BJA may also have conversations about these topics.
- 2) **Access to courts and justice (23):** Working to reduce unequal treatment of minorities within the court system and in all contexts. Implicit bias, access to justice, and help when litigants are disabled, non-English speaking, and/or pro se. Criminal and juvenile justice reform to reduce disproportionality, collateral consequences of convictions, and associated costs. Immigrant rights.

Summit participants interested in future conversation/committee work around this topic:
Justices Debra Stephens and Steven González, and Judges Kitty-Ann van Doorninck, J. Robert Leach, Lori Kay Smith

Recommendations:

- There are many existing groups working on needs and issues addressing access to justice.
 - The BJA should determine if: 1) There any gaps identified and groups that can address them; 2) There any next steps or needs from the conversations that the BJA wants to address.
- 3) **Improving quality of decisions and our role** in judicial branch and turnover of judges **(21)**.
How do we mentor and recruit judges/managers? Expand outreach and mentoring to increase diversity on the bench. Self-care – how do we prevent burnout? (There have been discussions at BJA on turnover of judges). Professionalism and civility.

Summit participants interested participants for ongoing work: Judges Judy Jasprica, Greg Gonzales, Blaine Gibson, Linda Lee, Doug Federspiel, Brad Maxa, Rebecca Robertson, and David Mann and Dirk Marler.

Recommendations:

- The CEC will review the information from the discussion and identify next steps.
 - The PPC will explore the idea of a central pool of law clerks.
 - The BJA will determine if there are any next steps to address the issues that arose around self-care and burnout for judges.
- 4) **Behavioral health impacts on courts** (therapeutic courts) **(16)** we previously had budget requests for a coordinator to help facilitate learning from each other, develop best practices, etc. that were unfunded. Funding to provide tuition for indigent defendants to complete domestic violence perp treatment. Partnering with other agencies to secure adequate funding for and development of effective state-wide social services (e.g., mental health treatment, drug treatment, housing, etc.) that could translate into a reduction of court cases for many repeat offenders and provide courts with diversion options. Sequential Intercept Model.

Summit participants interested in future conversation/committee work around this topic:
Judges Mary Logan, Tam Bui, Rebecca Robertson, Charles Short, and Dawn Marie Rubio, Jeanne Englert

Recommendations:

- The PPC will develop a recommendation and charter for behavioral health as the next strategic initiative that will be presented to the BJA in October. This item was prioritized previously by BJA.
- 5) **Building relationships (15):** Build relationships with executive, legislative, community members to educate as to work and challenges of the courts and local funding structures and how they relate to larger funding needs and communications. Coordinate legislative approach outside and during session and priorities when able to. How do we effectively work with the legislative and executive branch to ensure judicial branch drives our priorities rather than the other way around?

Recommendations:

- Discussions at BJA and ongoing adequate funding group.

6) **Efficiency in the courts (14):** Better use of technology and to find ways to be more efficient. Completion of transition to electronic files and provide online public access to files to which public allowed access. Fully implement electronic court records. Including insuring records, other than physical exhibits, are scanned. Notice to litigants.

Recommendations:

- Facilitated conversation and small group discussions at the BJA/CMC joint meeting in November.
- Ask the PPC to develop small group discussion questions (separate areas for each group so that we can cover more topics).

7) **Unity, speaking with one voice/How do we better tell our story? (11):** What can we cooperate on at different levels? Identify goals/topics/areas on which we should have uniformity and a purpose to consolidate efforts and/or to collaborate as needed? How can we look at all the committees/task forces/etc. to ensure we are not duplicating efforts? How can we support the work of the BJA? What do we need to do as a branch to talk about what the courts do? Are there data points we want to collect to demonstrate the extent of the work the courts do, for example, how long a particular type of case can take?

Recommendations:

- Discussions at BJA and ongoing adequate funding group.

Recommendations for next steps for 8–13: Keep these on the list for possible future conversations.

8) **AOC-specific: (5)** Ensure that courts and judicial partners know about and value the AOC; move AOC from solely a support organization to an equal partner in the discussion; and establishment of branch goals, objectives, initiatives, and policies. Discussion and decision-making.

9) **Jury Selection (5):** GR 37. What has been the impact of GR 37?

10) **On the criminal side (3):** Expand safe alternatives to jail. Continuing to refine our pretrial release program. Implementing changes in protection orders. Timely issuance of opinions. Reducing the time from filing an appeal to decision. Criminal and juvenile justice reform to reduce disproportionality, collateral consequences of convictions, and associated costs. Immigrant rights.

11) **Civil litigation (2):** Access to paid counsel for individuals that cannot afford it and reducing the costs and time for civil litigation (the process has become too complicated and costly to provide an appropriate and available method for dispute resolution). Implementing changes in landlord/tenant policies. Streamline review of administrative decisions.

12) **Public defense funding (1).**

13) **Collaboration for youth services (1):** Collaborating to develop collateral community resources, such as emergency housing for dependent/at-risk youth and visitation supervision

centers and collaborating with DCYF to reduce the multiple placements dependent youth must endure.

Current activities dedicated to the following: (did not prioritize)

14) **Court education:** Adequate funding for court education (there is a task force dedicated to working on this).

15) **Sustaining/increasing number of qualified interpreters** (we have an interpreter task force that secured funds to help with recruitment and retention and the Interpreter Commission is working on this).

16) **Court security** (there is a task force dedicated to working on this).

17) **Self-represented litigants** (the Court Management Council and SCJA have current efforts underway to assess/discuss needs of SRLs).

18) **Statewide case management systems** (CLJ-CMS, JIS/EDR): Data is critical and information system necessary. Improved statewide electronic system that makes data collection & statistics easier for courts so courts can better assess effectiveness & fairness (JISC and other groups working on this).

Priorities/issues identified by BJA and JLS survey (as submitted)

- Funding as a branch: How do we get the state to fund what we do and how do we tell them what we can do if they adequately fund us? How does funding ultimately impact the community and justice system?
- Court education: Funding and turnover.
- Therapeutic courts.
- JIS/EDR: Data is critical and information system necessary.
- How do we mentor and recruit judges/managers?
- Legislative and budget implications.
- Self-represented litigants.
- Self-care: How do we prevent burnout?
- Mental health needs with litigants in the justice system.
- Public defense funding.
- National issues: Increasing litigations costs, access to justice needs, etc.
- How do local courts educate politicians/legislators/commissioners/councils about local funding structures and how they relate to a larger funding need and communications
- Case management systems (DMCJA).
- What can we cooperate on at different levels? Identify goals/topics/areas that we should have uniformity and a purpose to consolidate efforts and/or to collaborate as needed? How can we look at all the committees/task forces/etc. to ensure we are not duplicating efforts?
- Jury Selection – GR 37. What has been the impact of GR 37?
- How do we effectively work with the legislative and executive branch to ensure judicial branch drives our priorities rather than the other way around? How can we develop outreach to and educate legislators in-between session?
- How do we better tell our story? Are there data points we want to collect, for example, how long a particular type of case can take to demonstrate the extent of the work the courts do.
- Juror pay and jury diversity.
- Mentoring, training, and other roles for retired judges.
- Collaborating to develop collateral community resources, such as emergency housing for dependent/ARY youth and visitation supervision centers.
- Collaborating with DCYF to reduce the multiple placements dependent youth must endure.
- On the criminal side, we are continuing to refine our pretrial release program. We are also preparing for the many changes in the law that go into effect this year, especially regarding landlord/tenant and protection orders.
- Successfully implement modern case management systems to provide efficiencies and support future innovation; Enhance education and training opportunities for all judicial officers and court system personnel.
- Continued development of our case management system.
- Reducing the time from filing an appeal to decision.
- AOC; acquire adequate and stable funding that will allow us to provide support to all court levels and judicial branch partners; successfully lobby for higher salaries for all AOC staff; ensure that courts and judicial partners know about and value the AOC; move AOC from solely a support organization to an equal partner in the discussion and establishment of branch goals, objectives, initiatives and policies.
- Educate and familiarize myself with policy/issues; court level goal: funding for continuing education.
- Having a well-resourced, judiciary able to meet the needs of the public we serve.

- Improved statewide electronic system that makes data collection & statistics easier for courts so courts can better assess effectiveness and fairness.
- Funding to provide tuition for indigent defendants to complete domestic violence perp treatment.
- Adequate and dependable funding for court infrastructure (i.e., security, technology) and resources (i.e., interpreters, judicial officers, family court facilitators and so on) to promote efficiencies and access to justice. Judicial education and independence.
- Statewide IT Initiatives.
- Adequate court funding and increasing access to courts.
- Enhance trial court judicial training and continuing education.
- Completion of transition to completely electronic files. Provide online public access to files to which public allowed access.
- State provides additional funds for the county level so that adequate security can be achieved.
- Fully implement electronic court records. Including insuring records other than physical exhibits, are scanned.
- Improve security and timely issuance of opinions.
- Turnover of judges.
- Adequate funding, statewide CLJ/CMS. Access to data from all court levels, court security.
- Unrepresented litigants, court education.
- Lack of funding for trial courts. Unfunded mandates.
- Adequate and stable funding for education and training; creating a big, hairy, audacious vision for a modern court system.
- Long term stable funding for the AOC; court security and other initiatives that benefit the judiciary and AOC.
- Sustaining/increasing number of qualified interpreters.
- Local government collaboration.
- Adequate funding for court education, including administrators & staff.
- Adequate funding for court security while maintaining local control.
- Expand outreach & mentoring to increase diversity on the bench.
- Criminal and juvenile justice reform to reduce disproportionality, collateral consequences of convictions, and associated costs. Build relationships with executive, legislative, community members to educate as to work and challenges of the courts.
- Long term stable funding.
- Adequate court funding and increasing access to courts.
- Improved funding for the judicial branch.
- Access to civil courts with counsel; reducing expense and time for civil litigation.
- Need to work on strategies for obtaining more funds, perhaps a change in how courts are funded, more state funding than county funding.
- Unity, speaking with one voice.
- Streamline review of administrative decision.
- Work with legislature on funding; supporting the BJA
- Recruiting and keeping quality judges
- Adequate funding for the judicial branch/access to justice. Acting with unity and as justice partners.
- Coordinated legislative approach outside of and during session, increased coordination of priorities when able to.

Judicial Leadership 2019

Part I – Define and Analyze the Issue – Adequate Funding

Description from prioritization:

Adequate Funding as a branch. We need funding for the courts and AOC. We need adequate and dependable funding for court infrastructure (i.e., security, technology) and resources (i.e., interpreters, judicial officers, family court facilitators, and so on) to promote efficiencies and access to justice. How do we get the state to fund what we do and how do we tell them what we can do if they adequately fund us? How does funding ultimately impact the community and justice system? How can we reduce the number of unfunded mandates?

Possible BHAGs

Courts have sufficient resources to ensure all individuals have fair, effective, and equal access to the courts.

Courts have sufficient resources to provide effective and timely services to all individuals.

Define the need/issue that we are seeking to remedy.

We need dependable and adequate state funding.

Issues:

- There is a lack of understanding of the duality of the courts.
- Want funding for education of staff and judges, probation and supervision, technology and infrastructure, therapeutic courts and court security.
- Current funding mechanism can cause problems.
- Local judges, local authority.

What are we currently doing to address this issue?

What are some examples of how your current policies or practices on this issue are successful?

- Task Forces.
- Communications between branches and within the legislature.
- AOC and association lobbyists.
- BJA addressing unified messaging/voice.
- Nonprofit involvement.

What are areas for improvement?

- Educate the legislature better on courts and what we do.
- Work on doing a better job of having a unified message/speaking with one voice.
- Increase number of judges coming to the legislature to testify. Pair up legislators and judges.
- Broaden group of stakeholders to support court funding in their communities and with legislature (need more voices advocating for this).
- Bring legislators to observe courts in action.
- Overlap with access to justice.

What opportunities exist to help address this issue?

- Build relationships with legislators/other key stakeholders: off-session conversations, civics education, court observations and tours.
- Engage and coordinate more with the county and city associations.
- Are there any items from justice in jeopardy strategies that we want to revive?

Judicial Leadership 2019

What challenges or barriers may we encounter while working on this issue?

- Change is hard. Bucking tradition.
- Legislators not having education/relationships with judiciary.
- Lack of understanding about what the courts do.
- Already being paid for at the local level and the reality of state versus local funding.
- Lack of understanding about what the branch does and responsibilities.
- Money is always tight and/or being paid by someone else.

Part II – Develop action plan to address issue

What goals and activities do we need to accomplish to address the priority?

What local and statewide steps can we take to address the goals and activities?

1) Outline current funding process

Identify problems so we know how to address them.

Review Justice in Jeopardy to determine if there is anything to refresh, revise, etc.

2) Formulate broad communication/messaging:

With better funding, we have better outcomes (may bring cost savings).

Develop public relations tools (video, materials, etc.)

Continuum of branch communication.

Need a focused and consistent strategy.

3) Identify different funding options to bring to the legislature (no one is really excited about increased fees and taxes)

4) Develop and implement community and state organizations' engagement process

Identify and develop key community relationships.

Identify state stakeholder organizations that can partner and support.

Onsite one-one visits with judges and local legislators.

Attend town hall meetings as applicable.

Who should be involved? Are there groups already working on this issue?

- Legislators
- Community stakeholders
- City and County associations
- Legal associations, bars, etc.
- Any businesses that can be engaged?
- WASPC
- Identify stakeholders for specific issues.

What resources do we need to address this issue? (Be specific – funding, people time, equipment, etc.)

- Increased participation between AOC and associations
- TVW or something else

How will we know if we met our goals? When the budget comes out.

Interested in future conversation/committee work around this topic: Justice Susan Owens, Judges Kevin Ringus, Sam Meyers, Michelle Gehlsen, Dan Johnson, Michael Scott, and Judith Ramseyer, and Ramsey Radwan, Dory Nicpon

Judicial Leadership 2019

Part I – Define and Analyze the Issue – Access to Justice and Courts

Description from prioritization:

Access to courts and justice: Working to reduce unequal treatment of minorities within the court system and in all contexts. Implicit bias, access to justice, and help when litigants are disabled, non-English speaking, and/or pro se. Criminal and juvenile justice reform to reduce disproportionality, collateral consequences of convictions, and associated costs.

Possible BHAGs

All individuals have fair, effective, and equal access to the courts.

Define the need/issue that we are seeking to remedy.

People are able to get the help they need and achieve fair justice when they do.

Issues:

- Can people get legal help when they need it and a just outcome?
- Survival of our democracy. Access and faith in the system.
- Underlying social issues.
- Moral and fairness issues.
- Need for juvenile and criminal reform.
- It is about power and who we are.

What are we currently doing to address this issue?

What are some examples of how your current policies or practices on this issue are successful?

- OCLA
- Commissions
- AOC plain language forms
- ATJ – state planning
- Online legal services
- Legal clinics
- Caseload standards for criminal defense
- LLTs
- GR 37 and the conversations it promoted
- Interpreter funding
- Judicial training
- Implicit bias and implications to jurors
- Street Law – outreach
- Courts – facilitators
- ADR – software and programs

What are areas for improvement?

- Increased availability of interpreters, cultural competency
- Decreased delays in trial and appellate courts
- Help with debt collection
- Money incentives to take small cases for attorneys
- Public confidence

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What opportunities exist to help address this issue?

- Pro bono services/groups
- Use positional authority to push for changes
- Rulemaking
- Innovation
- Grants
- Re-entry programs

What challenges or barriers may we encounter while working on this issue?

- Consensus is hard
- Money is tight
- Tradition

Part II – Develop action plan to address issue

What goals and activities do we need to accomplish to address the priority?

What local and statewide steps can we take to address the goals and activities?

1) Faster decisions and speedy process

Simplification of discovery. Accurate trial date for simplified discovery.
Statewide consistency. Convene statewide conference for expedited discovery.
Expedited trials.

2) Reimagining how the court looks

Get out of the way of what we think things should look like and be creative.
Allow judges more freedom.
Courts providing legal assistance.
Specialty courts, like water courts.

3) Electronic dispute resolution

Look at different ways to provide dispute resolution, for example the tribal courts process.
Increase use of settlement models.

4) Creating less adversarial atmosphere

How to “watchdog” ourselves to improve efficiencies.
Not be locked into old models.

5) Increasing juror diversity and pool

Alternate ways to summon jurors/reimbursement.
Videos engaging jurors to serve.

6) Increased access to counsel

Who should be involved? Are there groups already working on this issue?

- ATJ
- Community stakeholders
- Union Gospel Mission/faith orgs.
- Legal voice community
- ACLU
- Legal associations, bars, etc.

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- Identify stakeholders for specific issues

What resources do we need to address this issue? (Be specific – funding, people time, equipment, etc.) All needed

How will we know if we met our goals?

- Be clear about where we start and identify ways to measure progress.

Interested in future conversation/committee work around this topic: Justices Debra Stephens and Steven González, and Judges Kitty-Ann van Doorninck, J. Robert Leach, Lori Kay Smith

Part I – Define and Analyze the Issue – Improving quality of decisions and our role in the judicial branch and dealing with turnover of judges

Description from prioritization:

Improving quality of decisions and our role in the judicial branch and dealing with turnover of judges. How do we A) enhance the quality of judicial decision making and B) mentor and recruit judges/managers? Expand outreach and mentoring to increase diversity on the bench. Self-care – how do we prevent burnout?

Possible BHAGs

The public perceives that cases will be decided fairly and correctly.

There is a substantial decrease in the number of cases remanded at the appellate level.

Judges have access to a wide array of resources necessary to improve the quality of their decision making.

There are highly qualified judicial officers at every court level.

Define the need/issue that we are seeking to remedy.

- Improving the quality of judicial decisions so they affirm the public expectation that cases will be decided fairly and correctly. Have some, but not enough trainings to keep up with evolving statutes new legal issues.
- Need methods and strategies to attract and retain good judges.
- Need to develop competent, skilled judicial officers (JO) who listen well.

What are we currently doing to address this issue? What are some examples of how your current policies or practices on this issue are successful?

- Judicial College, Spring and Fall Conference, Westlaw, Law clerks/Judicial Assistants (for some courts).
- Pierce County has breakfast meetings where judges share challenges and seek advice from each other on cases or legal issues. This may increase uniformity in deciding cases.
- King County has a manual for new judges that they will be sharing with the court community.
- The BJA is developing recommendations to address turnover, retention.

What are areas for improvement?

- Judicial College – too much information, too quickly. Need chunks over time. Space it out.
- Develop mentoring programs and recruit retired judges to participate.
- Develop a “sit and switch” program, where judges observe each other and get feedback and input that can help improve performance.
- Institute a “Senior Judge” status to help with the turnover of seasoned judges. These JOs may work part-time but also mentor. Ease into retirement and assuage the silver tsunami.
- Improve retirement packages to compete with higher compensation in private sector law.
- Highlight the quality of life and public service aspects of being a judge.

What opportunities exist to help address this issue?

- Observe other trial courts and view other decision making styles.
- Cross train between court levels. COA and trial judges shadow each other’s courts so that can view with a different lens. Gain new perspective and offer pointers to improve the process for both levels.
- Informal peer review.

- Some attorneys provide the judges with a copy of their color-coded, indexed binder books for cases. Very helpful to assist to good decisions. Encourage this practice on a larger scale.

What challenges or barriers may we encounter while working on this issue?

- JOs face scrutiny in elections, making candor less likely about anything that an opponent could use to raise doubts about competency for the job. It can thwart judge from admitting areas of struggle on the record.
- Time.
- Money.
- Busy dockets.

Part II – Develop action plan to address issue

What goals and activities do we need to accomplish to address the priority?

- Develop a profile of an “ideal” judge. List traits, characteristics, and skill sets needed to do the job well.
- Create a job description so that a prospective a judge can see what is involved. It will also help judges analyze what they actually do and perhaps lead to efficiencies.
- Look at the differences between trial and transactional attorneys. They require different skill sets that have implications for being a successful judge. Try to recruit trial attorneys.
- Rethink whether generalist model is best approach. Fewer generalist coming to the bench, it creates a big gap to educate up to the level to handle all cases. But smaller courts need generalists to handle the variety of cases.
- COA can collect data on the “Top Five” reasons cases are remanded, it will help trial courts focus on them.
- Develop a central pool of law clerks that can be used by smaller courts without those resources. Judges don’t have time to do all the research necessary to make the best decisions possible. Litigants in smaller courts deserve the high quality decisions too.

What local and statewide steps can we take to address the goals and activities?

- AOC/BJA can research the feasibility of the law clerk pool to serve smaller or under-resourced courts.
- Revamp the Judicial College.
- Allow new judges who have expertise in a certain area to opt out of a training on that topic and focus on what they need at Judicial College.
- More trainings like ret. Judge McBeth’s Search and Seizure.
- Video tape lectures into segments so judges can refer back to what they need quickly.
- Send Judges to National College in Reno.
- Revamp the judicial election and appointment process. Increase to 6–10 year retention. One problem with overhaul is that those who are successful in status quo vote to maintain it.
- The judicial branch will look at the appointment and election process and enhance training resources in order to recruit and retain the next generation of highly qualified judicial officers.

Who should be involved? Are there groups already working on this issue?

Judicial associations and BJA. BJA had small group discussions on retention and recruitment issues in the judiciary during a meeting based on feedback from the 2018 Judicial Leadership Summit.

What resources do we need to address this issue? (Please be specific – funding, people time, equipment, etc.) No info

How will we know if we met our goals? No Info

Interested participants for ongoing work: Judges Judy Jasprica, Greg Gonzales, Blaine Gibson, Linda Lee, Doug Federspiel, Brad Maxa, Rebecca Robertson, and David Mann and Dirk Marler.

Judicial Leadership 2019

Part I – Define and Analyze the Issue – Behavioral Health Impact on the Courts

Description from prioritization:

Behavioral health impact on the courts (therapeutic courts): We previously had several budget requests that were unfunded for a coordinator to help facilitate learning from each other, develop best practices, etc. Funding to provide tuition for indigent defendants to complete domestic violence perp treatment. Partnering with other agencies to secure adequate funding for and development of effective state-wide social services (e.g., mental health treatment, drug treatment, housing, etc.) that could translate into a reduction of court cases for many repeat offenders and provide courts with diversion options.

Possible BHAGs

All individuals with behavioral health needs have fair and equal access to the courts. Communities and courts work with individuals with behavioral health needs so they do not enter the justice system. There is a coordinated community and court response to individuals with behavioral health needs.

Define the need/issue that we are seeking to remedy.

We need increased coordination and collaboration and a shared commitment to providing the continuum of behavioral health services (especially as it intersects with the justice system).

Issues:

- The criminal justice system is being used to address larger societal problems.
- There is a lack of coordination and communication between community organizations and criminal justice partners. There is coordination in some communities, especially those with therapeutic courts.
- Over criminalization and incarcerations rather than exploring community based, non-court options.
- Fragmented services and disjointed collaborative efforts across the state.
- We have to move upstream and address needs prior to the justice system becoming involved.
- Conversations should include juveniles and adults. Juveniles have different developmental considerations.

What are we currently doing to address this issue?

What are some examples of how your current policies or practices on this issue are successful?

- Community specific resources and community courts (varies).
- Participating in multidisciplinary teams (MDT) in some communities.
- Resource centers both inside and outside of the court.
- SIM – evidence based model for engagement/process.

What are areas for improvement?

- Increased consistency of services and relationship building.
- How do we move upstream so that we can address issues before they come into the court?

What opportunities exist to help address this issue?

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- Readiness.
- Trueblood settlement.
- Community courts already in existence and additional courts interested in implementing them.
- There is awareness of/energy to address disproportionality and over incarceration both statewide and nationally.
- Existing mental health services and successful models, for example, wrap-around mental health services in communities. (Do we have these in WA?)
- Existing partnerships with community resources.
- Providing community-based services for behavioral health needs is more cost effective than incarceration.
- Courts' ability to convene people to have discussions, build relationships, and provide tools for the court to address behavioral health needs.

What challenges or barriers may we encounter while working on this issue?

- Attitudes/beliefs/stigma of people in the criminal system with behavioral health needs (is some work in progress to demystify attitudes/beliefs).
- Lack existing coordination efforts and funds to convene people.
- Non-consistency of services.
- Program implementation problems.

Part II – Develop action plan to address issue

What goals and activities do we need to accomplish to address the priority?

What local and statewide steps can we take to address the goals and activities?

1) State behavioral health courts coordinator

Help collect information, data, etc.

Need funding.

Also identify what we can do without funding for a coordinator.

2) Convene a BJA Task Force

Check into the possibility as therapeutic courts was the next prioritized strategic initiative for BJA (depending on resources).

3) Process to go through the system and address points of entry/treatment/coordination

May help focus on lower level misdemeanors and divert to more supportive and applicable services.

Will save money in the long run (we hope).

Sequential Intercept Model.

4) Conduct a needs assessment and inventory of available resources

Gather information, research, existing resources, and data available.

Convene stakeholders.

Develop and implement needs assessment and inventory process.

Utilize therapeutic court committees with associations.

AOC may have some updated information.

5) Develop and implement community and state organizations' engagement process

Conduct community conversations for buy-in.

Identify state organizations critical to the conversations.

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6) Identify best practices, diversion opportunities, successful collaboration models

Conduct a statewide summit whereby court teams can model best practices, SIM, etc. Ensure that we address needs along the continuum of services and the age of individuals (later teens especially need transition services from juvenile to adult). Deployment of teams to help educate communities.

Who should be involved? Are there groups already working on this issue?

- Law enforcement
- Schools
- Hospitals
- Nonprofits
- Legal agencies, local attorney groups
- Local and state behavioral health service providers
- Court users
- MH navigators
- WAPA
- City and County associations
- CCI – technical assistance, expertise, grants

If time, address:

What resources do we need to address this issue? (Please be specific – funding, people, time, equipment, etc.)

- Funding
- Paid personnel
- Meeting expenses

How will we know if we met our goals? Did not get to.

Interested in future conversation/committee work around this topic:

Judges Mary Logan, Tam Bui, Rebecca Robertson, Charles Short, and Dawn Marie Rubio, Jeanne Englert

**Board for Judicial Administration
2019 Meeting Schedule**

Date	Location
September 20	SeaTac (9:00 a.m. – 12:00 p.m.)
October 18	SeaTac (9:00 a.m. – 12:00 p.m.)
November 15	SeaTac (9:00 a.m. – 12:00 p.m.)

SeaTac Location: AOC SeaTac Facility
SeaTac Office Center-South Tower
18000 International Blvd., Suite 1106
SeaTac WA 98188-4251

**Proposed
Board for Judicial Administration
2020 Meeting Schedule**

Date	Location
February 21	SeaTac (9:00 a.m. – 12:00 p.m.)
March 20	SeaTac (9:00 a.m. – 12:00 p.m.)
May 15	SeaTac (9:00 a.m. – 12:00 p.m.)
June 19	SeaTac (9:00 a.m. – 12:00 p.m.)
September 18	SeaTac (9:00 a.m. – 12:00 p.m.)
October 16	SeaTac (9:00 a.m. – 12:00 p.m.)
November 20	SeaTac (9:00 a.m. – 12:00 p.m.)

TAB 7



Board for Judicial Administration (BJA) Meeting
Friday, June 14, 2019, 8:30 – 11:30 a.m.
AOC SeaTac Office, 18000 International Blvd, Suite 1106, SeaTac

DRAFT MEETING MINUTES

BJA Members Present:

Chief Justice Mary Fairhurst
Judge Judy Rae Jasprica, Member Chair
Judge Doug Federspiel
Judge Michelle Gehlsen
Judge Gregory Gonzales
Judge Dan Johnson
Judge David Kurtz
Judge Robert Lawrence-Berrey (by phone)
Judge Mary Logan
Judge David Mann (by phone)
Judge Sam Meyer (by phone)
Judge Rebecca Robertson
Judge Kevin Ringus
Dawn Marie Rubio
Judge Michael Scott
Judge Kitty-Ann VanDoorninck
Justice Charles Wiggins (by phone)

Guests Present:

Barb Miner
Lisa West (by phone)
Dawn Williams

Public Present:

Page Carter

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

Judith Anderson
Jeanne Englert
Stephanie Happold (by phone)
Sharon Harvey
Penny Larsen
Dirk Marler
Dory Nicpon (by phone)
Ramsey Radwan (by phone)
Caroline Tawes

Call to Order

Judge Jasprica called the meeting to order at 8:30 a.m. The members introduced themselves.

District and Municipal Court Judges' Association (DMCJA) Presentation

The DMCJA membership elected new officers at their recent conference. They also established a permanent Council on Independent Courts (CIC) to work on matters affecting judicial independence.

Superior Court Judges' Association (SCJA) Presentation

The SCJA held a long-range planning meeting on June 1–2 where they reviewed association goals. Issues discussed included education of new judges, the budget, and the legislative agenda. A committee has been formed to work on implementation of the Uniform Guardianship Act (UGA).

Standing Committee Reports

Budget and Funding Committee (BFC): Ramsey Radwan reviewed the 2020 supplemental budget request. The only request from AOC might be funding for the UGA. There were five requests from the Office of Civil Legal Aid (OCLA) and Office of Public Defense (OPD) which will be routed through the BJA for information purposes when the requests are finalized.

Court Education Committee (CEC): There will be a conference call meeting next week. The new chair of the CEC will be Judge Gonzales. The CEC report was included in the meeting materials. Judge Jasprica noted the recent DMCJA conference was paperless, saving \$4,000 to \$5,000. The CEC is discussing ways to move forward with education. Judge Jasprica is chairing a task force on the Judicial College and looking for ways to save money at that conference. Chief Justice Fairhurst and Judge Gonzales thanked Judge Jasprica for serving as chair to the CEC.

There was a discussion on why court education did not receive funding this year, and what steps the Court Funding Task Force took to reach out to stakeholders and legislators. Ideas for future strategies included continuing to build relationships with legislators, engaging stakeholders outside the judiciary, using data to discuss funding needs, and looking at other funding options. Jeanne Englert discussed the next steps for the Task Force.

Legislative Committee (LC): Work continues on the implementation of 130 bills that have impact on the judicial branch. The LC will meet in July. Dory Nicpon is working on a summary of bills relevant to the judicial community.

Policy and Planning Committee (PPC): The new chair of the PPC is Judge Scott. The PPC is looking for ideas for the Judicial Leadership Summit in August. By the end of this year, the PPC will provide recommendations to the BJA to increase diversity. Chief Justice Fairhurst thanked Judge Robertson for serving as chair of the PPC, and thanked Judge Scott for joining the PPC and serving as the new chair.

BJA Task Force Updates

The Court Security Task Force split its members into two work groups: funding and data gathering. The funding work group has met and is researching options. The Task Force is also working on the incident reporting mechanism. The next meeting is October 9, and Senator Jeff Holy and Representative Roger Goodman plan to attend.

Jeanne Englert reviewed the work of the Court System Education Funding Task Force and the Interpreter Services Funding Task Force. The Court System Education Funding Task Force may become a four-year task force to continue working on funding options. The next step for the Interpreter Services Funding Task Force will be to create a lessons-learned report that will be presented to the BJA in October.

BJA Year End Review

A member feedback form was included in the meeting materials. Members were asked to fill out the form and return it to Jeanne Englert. She will send the form to those on the phone or unable to attend today's meeting. Non-members and staff were invited to fill out the form as well, and indicate their non-member or staff status on the form. Results will be compiled and shared in the fall.

Jeanne Englert staffed an information table at the DMCJA conference with assistance from Judges Jasprica and Ringus. The intent was to build relationships and increase the visibility of the BJA. At the conference she shared the BJA goals and accomplishments document included in the meeting materials. Chief Justice Fairhurst suggested providing the document at all the conferences to help judicial officers understand the role of the BJA.

Judicial Leadership Summit

Chief Justice Fairhurst would like the Judicial Leadership Summit to be a biannual event, held in the year following the longer legislative session. Questions from last year's summit were discussed at BJA meetings. Jeanne Englert will send a message to the BJA members requesting ideas for topics on both a court level and branch level for this year's summit with the registration. The summit will be from 10:00 a.m. to 4:00 p.m. on August 12, followed by a reception at Chief Justice Fairhurst's home.

Some topic suggestions included:

- Jury selection and the impact of GR 37;
- How can all court levels coordinate so the task forces don't duplicate efforts or come up with conflicting approaches; consolidate efforts or structure coordination;
- Collaboration on mental health issues and how we respond as a judicial branch;
- The budget and an underfunded judicial branch;
- How do we instill pride in all judges? How do we maintain excitement for the position in older, established judges? How do we hold each other accountable?
- Encourage media and public participation in meetings;
- Public education about the judiciary;
- After the legislative session, share information about what went well or didn't go well;
- Use the opportunity to communicate and collaborate and agree on core tenants for branch-to-branch communication.

BJA Committee Membership 2019–2020

It was moved by Judge Kurtz and seconded by Judge Ringus to approve the BJA committee membership for 2019–2020. The motion carried unanimously.

OCLA Oversight Committee Nominations

Judge Federspiel withdrew his application for appointment to the OCLA Oversight Committee.

It was moved by Judge Federspiel and seconded by Judge Ringus to approve Judge Faye Chess as the BJA appointment to the OCLA Oversight Committee. The motion carried unanimously.

May 17, 2019 Meeting Minutes

It was moved by Judge Ringus and seconded by Judge Logan to approve the May 17, 2019, BJA meeting minutes. The motion carried unanimously.

Information Sharing

Jeanne Englert created a survey with the Court Management Council (CMC) on services for self-represented litigants (SRLs) that will be distributed to court administrators and county clerks. She is working on a Justice for All grant to provide support to implement a statewide assessment and develop a strategic action plan for SRL programs.

There was a discussion on the new parameters for online forms and the impact on the Access to Justice (ATJ) forms project.

The CLJ-CMS project continues to move forward and will reach out again to vendors as well as looking at other alternatives.

The SCJA has formed a work group to look at creating a model local rule on the use of a pre-trial safety assessment tool for counties to consider adopting.

AOC is working on developing an online resource for judges and other court personnel on legal advice v. legal information. There will be a demonstration for the CMC in August with a rollout planned after that. The education content on the Inside Courts web site is being reorganized.

Dawn Williams thanked the DMCJA for supporting court management education.

The spring DMCJA conference was one of the best, and Judge Johnson appreciated AOC staffing.

Judge Gonzales asked Page Carter to draft a letter to the media about BJA. He thanked Chief Justice Fairhurst and Judge Jasprica for their service.

Justice Wiggins said this is his last meeting. Membership on the BJA has been interesting and educational.

The leadership of the Washington State Association of County Clerks will change at their Annual Conference, June 24–27. Tim Fitzgerald will be the new president.

SCJA will be working on trying to implement some of the reforms court by court as suggested in the Pretrial Reform Task Force’s Final Recommendations.

The Annual Judicial Conference will be held September 22–25. A conference flyer will be sent in about a month.

Judge Jasprica pointed out the list of outgoing BJA members included in the meeting materials. This will be her last meeting.

Chief Justice Fairhurst thanked Justice Wiggins for his service.

Other

There being no further business, the meeting was adjourned at 11:45 a.m.

Recap of Motions from the June 14, 2019 Meeting

Motion Summary	Status
Approve the BJA committee membership for 2019–2020.	Passed
Approve Judge Faye Chess as the BJA appointment to the OCLA Oversight Committee.	Passed
Approve the May 17, 2019, BJA meeting minutes.	Passed

Action Items from the June 14, 2019 Meeting

Action Item	Status
The PPC will provide recommendations to the BJA to increase diversity before the end of the year.	Tabled to October or November BJA meeting
The Interpreter Services Funding Task Force will create a lessons learned report that will be presented to the BJA in October.	Done

Action Item	Status
Jeanne Englert will compile the results of the BJA Member Feedback survey.	Done
Jeanne Englert will send a message to the BJA members requesting ideas for topics for this year's summit, thinking on both a court level and branch level.	
<u>May 17, 2019 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

BJA BUSINESS ACCOUNT
SECOND QUARTER 2019 SUMMARY

APRIL - JUNE 2019			
ITEM	WITHDRAWALS	DEPOSITS	BALANCE
BEGINNING BALANCE			\$6537.71
TOTAL EXPENDITURES	\$423.79		
TOTAL DEPOSITS		\$0.00	
ENDING BALANCE			\$6113.92

BJA BUSINESS ACCOUNT
SECOND QUARTER 2019 ACTIVITY DETAIL

DATE	CK #	TO	FOR	AMOUNT	CLEARED
4/11/2019	3786	CAROLINE TAWES	REIMBURSEMENT/RECOGNITION GIFT	27.54	YES
4/12/2019	3787	CAROLINE TAWES	REIMBURSEMENT/RECOGNITION GIFT	41.32	YES
4/23/2019	3788	CAROLINE TAWES	REIMBURSEMENT/RECOGNITION GIFT	22.95	YES
6/7/2019	3789	JEANNE ENGLERT	DMCJA CONFERENCE TABLE	31.98	YES
6/7/2019	3790	JAN NUTTING	BOOKKEEPING EXPENSE	300.00	NO
				\$ 423.79	

DEPOSIT DATE	AMOUNT
TOTAL FOURTH QUARTER DEPOSITS	\$0.00