

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, JUNE 19, 2020
9:00 A.M.**

VIDEOCONFERENCE



VOTING MEMBERS:

Chief Justice Debra Stephens, 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 Michelle Gehlsen, President
District and Municipal Court Judges'
Association
Thurston County District Court

Judge Rebecca Glasgow
Court of Appeals, Division II

Justice Steven González
Washington State Supreme 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 Mary Logan
District and Municipal Court Judges'
Association Spokane Municipal Court

Judge David Mann
Court of Appeals, Division I

Judge Rebecca Pennell
Court of Appeals, Division III

Judge Judith Ramseyer, President
Superior Court Judges' Association
Pierce County Superior Court

Judge Rebecca Robertson
District and Municipal Court Judges'
Association Fife Municipal Court

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

NON-VOTING MEMBERS:

Judge David Estudillo, President-Elect
Superior Court Judges' Association
Pierce County Superior Court

Rajeev Majumdar, President
Washington State Bar Association

Judge Bradley Maxa,
Presiding Chief Judge
Court of Appeals, Division III

Terra Nevitt, Interim Executive Director
Washington State Bar Association

Dawn Marie Rubio
State Court Administrator

Judge, Charles Short, President-Elect
District and Municipal Court Judges'
Association
King County District Court



Board for Judicial Administration (BJA)

Friday, June 19, 2020 (9:00 a.m. – 12:00)

Zoom Video Conference

AGENDA

1. Call to Order Welcome and Introductions	Chief Justice Debra Stephens Judge Gregory Gonzales	9:00 a.m.
2. Court Impacts - COVID 19 Information Sharing: Emerging issues and updates Court Recovery Task Force Updates	Chief Justice Debra Stephens	9:05 Tab 1
3. Superior Court Judges' Association Information Sharing	Judge Judith Ramseyer	10:00
4. District and Municipal Court Judges' Association Information Sharing	Judges Sam Meyer and Michelle Gehlsen	10:15
Break		10:30
5. BJA Task Forces Court Security Court System Education Funding	Judges Rebecca Robertson and Sean O'Donnell/Penny Larsen Jeanne Englert	10:40 Tab 2
6. Standing Committee Reports Court Education Committee Legislative Committee Policy and Planning Committee Action: Motion to approve adequate funding work group	Judge Gregory Gonzales/Judith Anderson Judge Kevin Ringus/Dory Nicpon Judge Michael Scott/Penny Larsen	10:55 Tab 3
7. Budget and Funding Committee 2021–23 Biennium Packages' review Information Sharing	Judge Mary Logan/Ramsey Radwan	11:10 Tab 4
8. 2020–21 Meeting Schedule Action: Motion to approve 2020 meeting schedule Information sharing: August 25 BJA Court Recovery Summit	Chief Justice Debra Stephens Judge Greg Gonzales	11:35 Tab 5

9. BJA Board and Committee Membership Action: Motion to approve committee membership	Chief Justice Debra Stephens Judge Greg Gonzales	11:40 Tab 6
10. May 8, 2020 Meeting Minutes Action: Motion to Approve the Minutes of the May 8, 2020, Meeting	Chief Justice Debra Stephens Judge Greg Gonzales	11:45 Tab 7
11. Information Sharing Roundtable Meeting Review Thank you to outgoing members	Chief Justice Debra Stephens Judge Greg Gonzales	11:50 Tab 8
12. 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: September 18 — Zoom
October 16 — Location TBD
November 20 — Location TBD



6/19/2020

To: Board for Judicial Administration Members

From: Chief Justice Debra Stephens, Judge Judith Ramseyer, Judge Scott Ahlf, Chairs

Re: Court Recovery Task Force BJA Report

The Task Force Chairs, voting members, and consulting members have been assigned to the Task Force. See attached Roster.

The Task Force's first meeting is June 15. At that meeting, members will discuss court COVID-19 impacts, Task Force structure and subcommittees, and guiding principles. More Task Force Recovery meeting information will be shared during the Task Force update section of the BJA meeting.

BOARD FOR JUDICIAL ADMINISTRATION Court Recovery Task Force

BJACOURTRECOVERYTASKFORCE@listserv.courts.wa.gov

Voting Members

Name	Court/Association/ Organization	E-mail	Phone
Chief Justice Debra Stephens, Co-Chair	Supreme Court	Debra.stephens@courts.wa.gov	
Judge Judith Ramseyer, Co-Chair	King County Superior SCJA President	Judith.ramseyer@kingcounty.gov	
Judge Scott Ahlf, Co-Chair	Olympia Municipal Court, DMCJA	sahlf@ci.olympia.wa.us	
Linnea Anderson	San Juan Juvenile Court Administrator, WAJCA	linneaa@sanjuanco.com	
Renea Campbell *	Klickitat Superior Court, WSACC	reneac@klickitatcounty.org	
Jennifer Creighton*	Thurston County District Court Administrator, DMCMA	Jennifer.creighton@co.thurston.wa.us	
Jerrie Davis*	Kitsap County District Court Administrator, DMCMA	jdavies@co.kitsap.wa.us	
Judge David Estudillo	Grant Superior Court, SCJA President-Elect	destudillo@grantcountywa.gov	
Justice Steve González	Supreme Court	J_S.Gonzalez@courts.wa.gov	
Vanessa Torres Hernandez	Northwest Justice Project, Director of Advocacy, OCLA Representative	Vanessa.Hernandez@nwjustice.org	
Jessica Humphreys	Yakima Superior Court Administrator, AWSCA	jessica.humphreys@co.yakima.wa.us	
JudgeCarolynn Jewett	San Juan District Court DMCJA	carolynje@sanjuanco.com	
Mike Killian*	Benton/ Franklin Superior Court, WSACC	michael.killian@co.franklin.wa.us	
Sophia Byrd McSherry	OPD Deputy Director	Sophia.ByrdMcSherry@opd.wa.gov	
Judge Ruth Reukauf	Yakima Superior Court, SCJA	Ruth.reukauf@co.yakima.wa.us	
Dawn Marie Rubio	State Court Administrator, Administrative Office of the Courts	Dawnmarie.rubio@courts.wa.gov	
Judge Jeffrey Smith	Spokane District Court, DMCJA	jsmith@spokanecounty.org	
Judge Lisa Sutton	COA Division 2	J_L.Sutton@courts.wa.gov	

*Sharing position for their respective associations, one vote

Consulting Members

Name	Court/ Association/ Organization	E-mail	Phone
Cindy Bricker	Commission on Children in Foster Care, AOC	Cindy.bricker@courts.wa.gov	
Adam Cornell	Snohomish County Prosecutor, WAPA	acornell@snoco.org	
Cynthia Delostrinos	Supreme Court Commissions: Gender & Justice, Minority & Justice, Interpreter, AOC	Cynthia.delostrinos@courts.wa.gov	
PJ Grabicki (Peter J.)	Attorney, Randall Danskin, A Professional Service Corporation, WSBA	pjg@randalldanskin.com	
Tracy Jeffries	Kirkland Municipal Court Administrator, AWC	TJeffries@kirklandwa.gov	
Ray Kahler	Attorney, Stritmatter Kessler, et al, WSAJ	Ray@stritmatter.com	
Kathryn Leathers	General Counsel, Governor's Office	kathryn.leathers@gov.wa.gov	
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Carl McCurley	Washington State Center for Court Research, AOC	Carl.McCurley@courts.wa.gov	
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Glen Patrick	Deputy Director/Sr. Epidemiologist, Washington State Dept. of Health	glen.patrick@doh.wa.gov	
Terry Price	University of Washington School of Law, ATJ Board	tprice@uw.edu	
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Sheriff Brad Thurman	Cowlitz County Sheriff, WASPC	ThurmanB@co.cowlitz.wa.us	
AOC Staff			
Jeanne Englert	Administrative Office of the Courts	Jeanne.englert@courts.wa.gov	360-705-5207
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June 19, 2020

TO: Board for Judicial Administration (BJA) 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 Proposals and Implementation Work Group (P&I WG) of the Court Security Task Force met via Zoom on May 9, to discuss options for reducing the funding estimates in the budget decision package, per the directive given at the April 29 Task Force meeting. The Task Force co-chairs, Judge Forbes, chair of the P&I WG, Ramsey Radwan, Jeanne Englert and Penny Larsen met on May 28 to review the draft budget decision package and the revised funding request estimate. The original and revised funding strategies for BJA review are on page two of this report. The budget decision package was submitted to the AOC on June 5, 2020.

The task force work groups will begin working on the court security tool kit and the advocacy network later this month.

Court Security Task Force Funding Request - Approved by BJA, March 20, 2020

Phased Funding to meet GR 36 minimum standards in 4 years Prioritized by shared sites with two court levels and no entry screening		Cost FY 2022 (Ramp Up)				Cost FY 2023						Cost FY 2024					Cost FY 2025			
Funding for equipment, small capital projects, security audits, training and staff to implement program and provide technical assistance to prioritized courts		AOC Staff	Audits	Training	Total	AOC Staff	Audits	Audit Solutions	Small Capital Projects	Pass Through Equipment	Total	AOC Staff	Audit Solutions	Small Capital Projects	Pass Through Equipment	Total	AOC Staff	Pass Through Equipment	Total	
Biennium 1: Prioritized funding for 17 shared site courts with no screening or only in-session screening	Shared site	240,000	100,000	100,000	440,000	240,000	100,000	50,000	200,000	850,080	1,440,080					0	0		0	0
Biennium 2: Funding for single site courts in 2024 with no screening or only in-session screening and all other courts with other minimum standards needs in 2025	Single site											240,000	50,000	200,000	854,220	854,220	240,000	308,600	548,600	
Total State Funding																854,220			548,600	
		Cost FY 2022				Cost FY 2023						Cost FY 2024					Cost FY 2025			
		440,000				1,440,080						1,344,220					548,600			
		Biennium 21-23						Biennium 23-25												
		1,880,080						1,892,820												

Court Security Task Force Funding Request - Submitted to AOC, June 5, 2020

Phased Funding to meet GR 36 minimum standards in 4 years Prioritized by shared sites with two court levels and no entry screening		Cost FY 2022 (Ramp Up)					Cost FY 2023					Cost FY 2024						Cost FY 2025						
Funding for equipment, security audits, and staff to implement program and provide technical assistance to prioritized courts		AOC Staff	Audits	Pass Through Equipment	Audit Solutions	Total	AOC Staff	Audits	Audit Solutions	Pass Through Equipment	Total	AOC Staff	Audits	Audit Solutions	Training	Pass Through Equipment	Total	AOC Staff	Pass Through Equipment	Total				
Biennium 1: Prioritized funding for 17 shared site courts with no screening or only in-session screening	Shared site	131,375	8,000	223,115	8,500	370,990	128,016	9,000	8,500	251,005	396,521					0	0		0	0				
Biennium 2: Funding for single site courts in 2024 with no screening or only in-session screening and all other courts with other minimum standards needs in 2025	Single site											128,016	83,000	83,000	10,000	758,360	1,062,376	128,016	258,800	386,816				
Total State Funding																	1,062,376			386,816				
		Cost FY 2022					Cost FY 2023					Cost FY 2024						Cost FY 2025						
		370,990					396,521					1,062,376						386,816						
		Biennium 21-23										Biennium 23-25												
		767,511										1,449,192												



June 19, 2020

TO: Board for Judicial Administration Members
FROM: Judge Douglas Fair and Judge Joseph Burrowes, Co-Chairs
RE: Court System Education Funding Task Force Report

The Task Force met in May and reviewed the 2020 Legislative Session activities and determined next steps.

The Task Force was successful in obtaining funding for the Learning Management System. The Task Force decided not to pursue a budget package for the next biennium. They are continuing to explore other funding options. With the Board's agreement, they will continue to explore alternative revenue sources that are already in existence to determine if some of those funds could be earmarked for court education.

June 10, 2020

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

The District and Municipal Court Judges' Association's Education Committee and the AOC education team planned, developed and facilitated approximately 13 plus hours of online education for the 2020 DMCJA Virtual Spring Program. They conducted online programs starting on Sunday, May 31, 2020 and ended with a judge's roundtable on Friday, June 5, 2020. Evaluations have been very positive and much needed education delivered. The entire program and supporting materials have been moved under one link on Inside Courts. The CEC would like to recognize and thank Mr. Phil Zitzelman and Ms. Laura Blacklock, Court Education Professionals for all their dedication and hard work in making this first virtual conference happen.

The District and Municipal Court Managers Association's education committee, with the assistance of Ms. Pam Dittman, Court Education Professional, conducted Tuesday Forums throughout the month of May. The majority of the education content from their cancelled 2020 Spring Program will carry over into FY21 but they moved several sessions by AOC personnel into these Tuesday Forums. Topics included: Change Management, Preparing for Moving Day (Cleaning up Data to prepare of new case management system), Legislative Impacts and a Department of Licensing update. These programs are also available on Inside Courts.

The Association of Washington Superior Court Administrators' education committee, with the assistance of Ms. Laura Blacklock, Court Education Professional, are hosting an AWSCA Virtual Roundtable: COVID Courtroom Set-up and COVID Safety Measures on June 15, 2020.

The 2021 Judicial College Deans are working with the AOC education team to discuss options for the 2021 Judicial College, including moving it online, via webinars, breakouts or self-paced programs.

Due to the cancellations of the spring program, the CEC re-allocated funding towards a scholarship program. The intent was to provide support for all court

personnel to attend online education by providing a scholarship for the tuition. The CEC received a total of 43 scholarship requests and were able to fund 31. Other funds were utilized to purchase equipment for the education team for online and live education and training. The remaining funds will go back to the AOC to help with any budgetary cuts they may be facing in FY20.

The Court Order temporarily reducing mandatory training and reporting requirements for 2020 has been created and posted by the Supreme Court.

Work in Progress

Reviewing four Request For Information (RFI) proposals regarding a mobile meeting event application.

Developing a strategic plan to implement the online education platform, and to prioritize projects.

Draft of the new online educator FTE job description provided to CSD Director.

Creation of a Request for Proposal (RFP) for a Learning Management System (LMS) for the AOC.

Continue work on Inside Courts Education and Training site.

Continue work on the Judicial College with input from the current Deans and educators.

TO: Board for Judicial Administration
FROM: Court Education Committee
DATE: June 10, 2020
RE: Judicial Leadership Summit Report

The Court Education Committee has reviewed the Board for Judicial Administration's (BJA) Judicial Leadership Summit questions, which were assigned to the Court Education Committee (CEC) regarding the education and training of judicial officers. Please note that the CEC also provides education and training to administrators, county clerks and line-staff at all levels of the court, and has included that information in this report.

We reviewed the requests and identified what the CEC is already doing to address some of the questions and future plans for additional education, and training of judicial officers and court system personnel. Also identified were gaps in education and training for all court personnel.

Below are our responses to the questions sent to the committee.

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

A) Enhance the quality of judicial decision making

Being an effective judicial decision maker is only one part of the knowledge, skills, and abilities that a judicial officer needs. The Association's education committees, along with the assistance of the AOC educators, have consistently been working on curriculum designs that address the total education and training needs of judicial officers, which includes judicial decision making. The CEC also provides education and training to court system personnel.

1. The SCJA and DMCJA education committees have identified core competencies to develop highly effective judicial officers.
2. The CEC support the SCJA and DMCJA education committees as they continue to identify knowledge, skills and abilities within each core competency that is needed to become an effective judicial officer, including becoming an effective decision maker.

In order to continue to support and promote the efforts of the SCJA and DMCJA education committees, the CEC could:

1. Coordinate planning efforts with the Judicial College Deans, Appellate, Superior, and the District and Municipal education committees to identify specific areas of education and training needed over the first three years on the bench. Discussion has occurred regarding the possibility of the AOC to conduct an education and training assessment of all new judicial officers to ascertain where they need education and training the most within the first two to three years on the bench, and then develop a learning plan.
2. Identify and create “just in time” education and training for new judicial officers. Provide access to education and training via online courses (tips and techniques), and more in-depth education programs to help new judicial officers practice their skills.
3. Coordinate with education committees and the Annual Conference Committee to secure time during their respective programs to present specific courses designed for new judicial officers.
4. If funding is available, create scholarships and encourage new judicial officers to attend national programs that are general in nature (i.e. National Judicial College courses – General Jurisdiction).

For Administrators and County Clerks:

1. Identify knowledge, skills, and abilities needed to become an effective administrator and county clerk. Incorporate the NACM core principles.
2. Design core competency courses and programs to develop highly effective administrators and county clerks. DMCMA has drafted an Academy for new administrators that includes many of these core competencies.
3. Coordinate planning efforts with the Appellate Clerks, Superior, Juvenile, District and Municipal Administrator, and County Clerks’ education committees to identify specific areas of education and training needed over the first three years of service.
4. Coordinate with education committees to secure time during their specific programs for specific courses to be conducted for new administrators or county clerks.
5. Identify and create “just in time” education and training for new administrators and county clerks. Provide access to education and training via online courses (tips and techniques), and more in-depth education programs to help administrators and county clerks to practice their skills.
6. If funding is available, provide scholarships to new administrators and county clerks to attend local or national programs that are general in nature (for example, pursuing certification by the Institute for Court Management).

B) Mentor and recruit judges/managers? Expand outreach and mentoring to increase diversity on the bench.

Both the SCJA and DMCJA Associations have mentor programs. WAJCA has a new member committee. The AWSCA sends out a letter and assigns a mentor as new SCA administrators are identified, followed by a packet designed for the mentee and mentor. DMCMA has a Courts Helping Courts program and mentor program. The County Clerks identify all new county clerks and reach out to them with information, as well as assign a mentor.

1. The Associations already have active mentor programs.
2. Work with Associations to develop a series of 10-minute online mentor courses to augment their existing mentor programs.

3. CEC does not focus on recruitment. However, the various commissions and associations could develop mentor programs at the law school level to increase diversity on the bench.

Possible BHAGs (Big, Hairy, Audacious Goals)

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.

- a. *Improve the quality of judicial decisions so that they affirm the public expectation that cases will be decided fairly and correctly. There are some, but not enough trainings to keep up with evolving statutes and new legal issues.*

1. The education and training of judicial officers needs to be approached holistically. Not only do the judges need to ensure they are up to date on evolving statutes and new laws, but the public expectation process begins when the public walks into the court. We suggest education, training, and resources be made available to all judicial officers, administrators and court system personnel. There are procedural justice resources that are excellent reference materials to help the judicial officer, administrator and court system personnel determine if the courthouse itself is easy to use, and that security and front-line personnel are trained in customer service, de-escalation, and making sure everyone is heard. There is ongoing yearly education and training for judicial officers and court personnel that address the changes to statutes and laws. Most associations have active legislative committees that focus on presenting these changes.

- b. *Development of competent, skilled judicial officers (JO) needed who listen well.*

1. In the 1990s, the SCJA developed a list entitled “The Highly Effective Judge.” “Their goal is ultimately to promote the highly developed judge through personal growth and integrity.” In the past, when education and training funds were adequate to develop and deliver numerous education and training opportunities, the SCJA had several opportunities to develop and conduct educational content to “grow the judge” (Judicial College, SCJA Spring Program, Advisor Judge Program (mentor), Regionals, tuition assistance (scholarships), Annual Conference, Faculty Development, Benchbooks, Checklists, and the Audio Visual Library). The DMCJA also utilized this list in the past and also had more education and training opportunities. The design of courses were based on these identified attributes.

Development of competent, skilled administrators, county clerks and front line personnel who listen well.

The National Association of Court Management (NACM) developed core competencies for all court managers. Two of their core competencies focus on Public Trust and Confidence and Accountability and Court Performance. The Administrators and County Clerks have used the NACM core competencies as their guide in the development of their courses and programs. The entire core competencies are: Public Trust and Confidence, Purposes and Responsibilities, Caseflow and Workflow, Operations Management, Public Relations, Education Development,

Workforce Management, Ethics, Budget and Fiscal Management, Accountability and Court Performance, Leadership, Strategic Planning, and Court Governance.

The District and Municipal Court Management Association has drafted content for an Academy for all new district and municipal court administrators. They also have been interested in mandatory education for the administrators.

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?

c. *Judicial College, Spring Programs and Fall Conference, Westlaw, Law Clerks/Judicial Assistants (for some courts).*

1. The Judicial College content is based on what judicial officers need to know 90% of the time of their first year on the bench. Courses are designed to provide checklists, how-to information, and the opportunity to talk with seasoned judicial faculty.
2. Spring Programs – The SCJA and DMCJA utilize their curriculum and strive to develop courses that match their areas of education and address the new and experienced judicial officer's needs. Both identify the broad areas of the law and court administration that judicial officers need to learn along with specific core competencies. As groups continue to identify core competencies and design courses to fit the needs of their groups, education and training programs will become more valuable to judicial officers.
3. Administrators and County Clerks utilize the NACM core competencies to develop programming; they also have access to city and county education and training. As groups continue to identify core competencies and design courses to fit the needs of their groups, education and training programs will become more valuable to their participants.
4. Annual Conference has representatives from every judicial education committee who are tasked to bring their "voices" to the table to develop courses. The Annual Conference has been seen as the modality by which leading-edge judicial education is made available to everyone, but is also used to enhance the education developed by each judicial group.
5. 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 (from retreat).
6. King County created a manual for new judges that they will be sharing with the court community (from retreat).

What are areas for improvement?

Judicial College presents too much information too quickly. The information needs to be separated and spaced out over time.

There is discussion that the AOC education unit needs to conduct an analysis or assessment on all new judicial officers to identify where they need education and training and develop a learning plan.

Judge Judy Rae Jasprica presented an analysis of the Judicial College along with recommended/suggested changes in content and procedures. The current Judicial College Deans are doing the same and also addressing moving all or portions of the Judicial College to an online format.

Develop mentoring programs and recruit retired judges to participate.

1. All the associations have mentor programs.

Develop a “sit and switch” program, whereby judges observe each other and get feedback and input that can help improve performance.

1. The DMCMA have the Courts Helping Courts committee. Senior administrators will travel to a court in need of assistance. The County Clerks also rely on senior members of their Association to reach out to new county clerks.

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”.

1. Recently retired judges are already serving as pro tems for various courts.

Highlight the quality of life and public service aspects of being a judge.

1. Part of the discussion during the Judicial College was to help new judicial officers understand that they can still be involved in their community and abide by the Canons of Judicial Ethics. New judicial officers are given information on other programs, such as volunteering for the mock trial competitions, Judges in the Classroom, and iCivics efforts.

What opportunities exist to help address this issue? – See above

Observe other trial courts and view other decision-making styles. – See above

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

Judicial officers 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 judges from admitting areas of struggle on the record.

1. AOC legal services periodically schedules campaign ethics programs, which are not funded by the CEC. The ethics program at the Judicial College focuses more on the intent of the canons, not how to navigate through elections. Spring programs have also developed courses to address these issues.

Time.

1. Time away from courts is an issue for judicial officers and other court system personnel. This is especially true for part-time and rural courts.
2. CEC received funding to hire an online educator to determine what courses and content can move into an online format. Providing on-demand online education will provide more opportunities for judicial officers and court system personnel to access needed education and training in the time they have to focus on their personal and professional growth.
3. AOC educators are looking at the development of micro-learning modules which provide quick and how-to information easily accessed by all court personnel.

4. CEC is working with AOC to revamp Inside Courts for easy access to micro-learning information.
5. Judicial Information Services are developing quick online sessions focusing on the various JIS systems.
6. The courts do not seem to have an internal culture to allow judges, administrators or court personnel to incorporate time within their daily schedules to take online programs or attend in-person courses.

Money.

1. Courts do not have funding to send court personnel to numerous education and training events and the AOC does not have funding help with those costs.
2. The CEC is looking at cost effective ways to bring education and training to all court system personnel.

Busy dockets.

1. It is especially difficult for a judge and/or administrator from a small, one-judge court to attend in-person meetings as they are forced to close the court.
2. It is difficult for judges, administrators, county clerks, and line-staff to leave their busy courts to attend too many programs.
3. One of the challenges for online education is, if we create it, will they use it?

Part II – Develop an action plan to address the issue:

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

Develop a profile of an “ideal” judge. List traits, characteristics, and skill sets needed to do the job well.

1. (Refer to SCJA characteristic traits of The Highly Effective Judge.)

Rethink whether the Generalist Model is the best approach. Fewer generalists coming to the bench 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.

1. Previously we referred to the idea of conducting an education and training needs analysis to identify specific areas of the law that a new judicial officer may need education and training for, and develop a learning plan. The same idea would pertain to new administrators and county clerks.

COA can collect data on the “Top Five” reasons cases are remanded, which will help trial courts focus on them.

1. In the past both the SCJA and the DMCJA and the Annual Conference have developed courses addressing this issue. They invite current COA judicial officers to be faculty.

Revamp the Judicial College.

1. As mentioned before, Judge Judy Rae Jasprica’s ad hoc committee made recommendations to the CEC and the current Deans of the Judicial College are also reviewing content of the current programming with the intent to focus on the programs and determine if any current program can be moved into an online format.

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.

1. As stated before, the CEC is investigating an educational analysis on all new judicial officers to determine their educational needs and develop an educational program. This information will be shared with the Judicial College Deans and the CEC to create a strategic plan for the Judicial College, online education and ongoing education for all new judicial officers.

Initiate more trainings like retired Judge McBeth's Search and Seizure program.

1. CEC will reach out to judicial and administrative personnel and county clerks to identify faculty and program content that could be used to develop pertinent course programming for each group.

Video-tape lectures in segments so that judges can refer back to what they need quickly.

1. CEC has researched live streaming capabilities and costs. This is cost prohibitive at the moment, as there are not enough AOC personnel or equipment to make this happen. CEC is looking at cost effective equipment.
2. CEC is also considering podcasts as a way to increase communication between courts and court system employees.

Send Judges to National College in Reno.

1. If adequate funding is found, the CEC could institute scholarships for new judges to attend the National Judicial College in Reno. It would also provide scholarships to administrators, county clerks, and line-staff.

The CEC determined that the following questions were either taken over by another group, or not within the scope of the CEC.

Self-Care - How to prevent burnout

Improve retirement packages to compete with higher compensation in private sector law.

Methods and strategies needed to attract and retain good judges/administrators/county clerks, front line personnel.

Informal peer review

Some attorneys provide the judges with a copy of their color-coded, indexed binder books for cases. This is very helpful to assist in making good decisions. This practice should be encouraged on a larger scale.

Cross train between court levels. COA and trial judges shadow each other's courts so that they can view with a different lens, gain new perspective, and offer pointers to improve the process for both levels.

Create a job description so that a prospective judge can see what is involved. It will also help judges analyze what they actually do and perhaps lead to more efficiency.

Look at the differences between trial and transactional attorneys. They require different skill sets that have implications for becoming a successful judge. Try to recruit trial attorneys.

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?

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?

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

How will we know if we met our goals?



June 19, 2020

TO: Board for Judicial Administration (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 regular legislative session and any special session, the BJA Legislative Committee convenes weekly calls to discuss pending legislation. During the legislative interim, the BJA Legislative Committee convenes as necessary to review and prepare legislative proposals and develop strategies for any upcoming legislative sessions.

AOC staff completed legislative implementation tasks for bills taking effect on June 11, 2020. Implementation activities continue for several larger 2020 enactments, with delayed effective dates.

In order to respond to the COVID-19 pandemic and related economic considerations, the executive and legislative branches have indicated that a special session of the legislature may be necessary before the 2021 regular session. In a joint meeting of the BJA Budget and Funding Committee and the BJA Legislative Committee on May 18, 2020, the two committees discussed concerns and strategy for a potential special session of the legislature.

In addition to special session preparations, the BJA Legislative Committee has convened two small work groups to consider specific potential legislation for 2021: a potential BJA-request bill regarding single-judge courts; and the reintroduction of a Clean Slate Act proposal.

BJA Legislative Committee Next Activities

The BJA Legislative Committee will review the work product from the two work groups and develop appropriate legislative engagement plans. The Committee will make recommendations to the BJA regarding any proposals for BJA-request legislation for the 2021 legislative session. As of the date that this report was prepared, the BJA Legislative Committee had received two proposals for BJA-request legislation. One is the single-judge court proposal being reviewed in detail by a work group as indicated above, and the other is a proposal to add a ninth superior court judge in Thurston County.



June 19, 2020

TO: Board for Judicial Administration (BJA) Members
FROM: Judge Michael Scott, Chair, Policy and Planning Committee (PPC)
RE: REPORT OF POLICY AND PLANNING COMMITTEE

Motion Request:

The Policy and Planning Committee (PPC) requests the Board to make a motion to form an Adequate Funding Work Group. The work group will reside in the PPC and include members of the BJA Budget and Finance Committee and the Washington Center for Court Research. The work group will undertake a systemic investigation of court funding to identify funding needs and form recommendations to approach adequate funding.

Status of BJA Strategic Initiative Process:

The PPC has heard from the Superior Court Judges Association (SCJA) and the District and Municipal Court Judges Association (DMCJA) that a task force on therapeutic courts is not supported at this time. The PPC will discuss when to begin a new solicitation for strategic initiatives at their next meeting. Given that the Adequate Funding project is ramping up and the Court Recovery Task Force is convening this month, the committee will likely postpone the solicitation until later in the year.

Committee Work Plan Update:

1. Work on the Adequate Funding project continues. At the last meeting, the committee discussed examples of how to classify the core court functions at a high level. At the next meeting, Penny Larsen will be presenting a draft core functions table that includes a list of court programs nested under each of the functions. If the BJA accepts the recommendation to form an adequate funding work group, this summer will be dedicated to drafting the multi-prong research design outlined in last month's BJA report for approval by the BJA in September.
2. Develop recommendations to the BJA to increase board diversity as requested at the March 2019 meeting.

This item has been postponed during the COVID-19 pandemic. The PPC has recommendations to share with the BJA and will present options and ideas at October BJA meeting.

Administrative Office of the Courts – State General Fund Requests		
Title	FTE	Amount Requested
Judicial Needs Development: Caseload Study and Sustainability of Essential Information	1.5	\$617,000
Funding is requested for ongoing staff for project and program development assistance to develop a Judicial Needs Weighted Caseload Study and Sustainability of Essential Information.		
Office of Innovation – Realizing Change Through Research	1.0	\$329,000
Funding is requested to provide support to the Office of Court Innovation for research related to race, gender, foreign and signed language groups, and how the courts interact and administer justice to such groups.		
Responding to Behavioral Health Needs in the Court	4.5	\$1,200,000
Funding is requested to develop a statewide court Behavioral Health Response Team.		
New Judge Position – King County	1.0	\$298,000
Funding is requested to add a 54 th judge to King County Superior Court.		
Trial Court Legal Services	2.9	\$769,000
Funding is requested for additional professional legal staff who will provide legal research, legal materials and training.		
Trial Court Security Improvement	1.0	\$768,000
Funding is requested to purchase the basic security equipment and services that courts need in order to provide safe access to justice to the communities of Washington State.		
Court Equity and Access Team	6.0	\$1,733,000
Funding is requested to develop a statewide Court Equity and Access Team who will ensure equal access to civil justice.		
The LFO Calculator	0.0	\$53,000
Funding is requested for continued support of the Legal Financial Obligations (LFO) Calculator, a web-based tool that provides ready access to current statutes and case-law governing LFO's.		

Title	FTE	Amount Requested	
Web Services Support	1.0	\$319,000	
Funding is requested for additional Web Services staff support, necessary to serve the increasing demand from multiple internal and external stakeholders.			
Trial Court Funding Language Access	0.0	\$2,558,000	
Funding is requested to expand the state Interpreter Reimbursement Program.			
Total 2021-2023 SGF Request-Pass Through /Programmatic	2.0	\$3,624,000	
Total 2021-2023 SGF Request-Infrastructure	9.9	\$5,020,000	
Total 2021-2023 SGF Proposal	11.9	\$8,644,000	Approximately a 6.4 % increase in near general fund.

Administrative Office of the Courts – JIS Requests			
Title	FTE	Amount Requested-JIS Account	
Appellate Court Systems Operations and Maintenance (AC-ECMS)	6.0	\$2,654,000	
Funding is requested to establish permanent staffing for the maintenance, operations, and support of the Appellate Court Information Systems and web pages.			
CLJ-CMS	34.0	\$17,802,000	
Funding is requested to continue the implementation of the new Commercial-Off-The-Shelf (COTS) Case Management System (CMS) for the Courts of Limited Jurisdiction (CLJ) and probation offices.			
External Equipment Replacement	0.0	\$252,000	
Funding is requested to replace aged computer equipment at the trial courts and county clerk's offices.			
Administrative Office of the Courts – JIS Requests			
INH-EDR Future Integrations	0.0	\$500,000	
Funding is requested to integrate additional case management systems with the Information Networking Hub – Enterprise Data Repository (INH-EDR).			

Title	FTE	Amount Requested-JIS Account
Internal Equipment Replacement	0.0	\$2,824,000
Funding is requested to replace end of life equipment and to improve performance of heavily used JIS services.		
Juvenile Court Portfolio Enhancements	4.0	\$964,000
Funding is requested to expand staff to sustain support for and enhance the Juvenile Court application Portfolio.		
Total Information Tech. Requests-JIS Acct.	44.0	\$24,996,000
Total Information Tech. Requests-All Sources	44.0	\$24,996,000

**Total Administrative Office of the Courts
2019 – 2021 Biennial Budget Request**

Title	FTE	Amount
Total State General Fund Requests	11.9	\$8,644,000
Total Info. Tech. Requests (JIS Acct.)	44.0	\$24,996,000
Total All Requests	55.9	\$33,640,000
Total Proposed SGF Request \$8.644 million - approximately 6.4% greater than carry forward level.		

**Board for Judicial Administration
2020 Meeting Schedule**

All meetings 9:00 – 12:00 p.m. unless otherwise specified

Date	Location
August 25 - hold 8:30-12:30 Court Recovery Summit	Zoom
September 18	Zoom
October 16	TBD
November 20	TBD

Location - Zoom or SeaTac Location

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

**Board for Judicial Administration
2021 Meeting Schedule**

Date	Location
February 19	SeaTac Location
March 19	SeaTac Location
May 21	SeaTac Location
June 18 – hold 8:30-4:30 Combined BJA Board Meeting and Judicial Leadership Institute	TBD
September 17	SeaTac Location
October 15	SeaTac Location
November 19	SeaTac Location

June 19, 2020

TO: Board for Judicial Administration (BJA) Members

FROM: Jeanne Englert, BJA Administrative Manager

RE: 2020–2021 BJA Membership

Board membership for 2020–2021 is final. Membership is determined by BJA Rule and is recommended by court level leadership. It does not need approval from the BJA.

Name	Term
Supreme Court	
Chief Justice Debra Stephens , Chair	Indefinite
Justice Steve González	7/19–6/21
Courts of Appeal	
Judge Rebecca Glasgow, Division II	6/20–6/22
Judge Rebecca Pennell, Division III	6/20–6/22
Judge David Mann, Division I	7/18–6/22
SCJA	
Judge David Kurtz	7/18–6/22
Judge Gregory Gonzales	7/17–6/21
Judge Michael Scott	2/19–6/21
Judge Judith Ramseyer, SCJA President	6/20–6/21
Judge Doug Federspiel	7/18–6/22
DMCJA	
Judge Dan Johnson	7/19–6/23
Judge Tam Bui	7/19–6/23
Judge Mary Logan	6/20–6/24
Judge Rebecca Robertson	6/20–6/24
Judge Michelle Gehlsen, DMCJA President	6/20–6/21
Non-Voting Members	
Judge David Estudillo, SCJA President-Elect	6/20–21
Dawn Marie Rubio, State Court Administrator	Indefinite
Kyle Sciuchetti, WSBA President	9/20–9/21
Judge Bradley Maxa, COA Presiding Chief Judge	6/20–6/21
Terra Nevitt, WSBA Executive Director	Indefinite
Judge Charles Short, DMCJA President-Elect	6/20–6/21

Committee Membership

According to Bylaws Articles VI and VII, the Chief Justice and Member Chair shall nominate for the Board's approval the chairs and members of the committees. BJA standing committee chairs and membership are being recommended based on vacancies and representations to be filled.

Requested Action: To approve the BJA Standing Committee Chairs and Membership as outlined in the following rosters.

Legislative Committee

Representative	Name
BJA Member, Appellate Courts	Judge Rebecca Glasgow
BJA Member, SCJA	Judge Van Doorninck
BJA Member, DMCJA	Judge Rebecca Robertson
Chief Justice	Chief Justice Debra Stephens
BJA Member Chair	Judge Greg Gonzales
COA Presiding Chief Judge	Judge Bradley Maxa
SCJA President	Judge Judith Ramseyer
DMCJA President	Judge Michelle Gehlsen
DMCJA Legislative Committee Chair	Commissioner Paul Wohl/Judge Kevin Ringus (Chair)
SCJA Legislative Committee Chair	Judge Sean O'Donnell/Judge Jennifer Forbes

Court Education Committee

Representative	Name
BJA Member, Appellate Courts	Judge Rebecca Pennell, Division III
BJA Member, SCJA	Judge Gregory Gonzales, Co-Chair
BJA Member, DMCJA	Judge Tam Bui
Appellate Court Education Chair/Designee	Justice Raquel Montoya-Lewis
Superior Court Judges' Association Education Committee Chair/Designee	Judge Kevin Hull
District and Municipal Judges' Association Education Committee Chair/Designee	Judge Douglas Fair, Co-Chair
Annual Conference Chair/Designee	Justice Susan Owens
Association of Washington Superior Court Administrators Education Committee Chair/Designee	Ashley Callan
District and Municipal Court Management Association Education Committee Chair/Designee	Margaret Yetter
Washington Association of Juvenile Court Administrators Education Committee Chair/Designee	Linnea Anderson
Washington State Association of County Clerks Education Committee Chair/Designee	Tristen Worthen
Washington State Law School Dean	Dean Annette Clark

Policy and Planning Committee

One position will be filled by the DMCJA.

Representative	Name
Chief Justice	Chief Justice Debra Stephens
COA Presiding Chief Judge	Judge Bradley Maxa
SCJA President-Elect	Judge David Estudillo
DMCJA President-Elect	Judge Charles Short
Superior Court Judge	Judge David Kurtz
Superior Court Judge	Judge Michael Scott, Chair
District or Municipal Court Judge	Judge Dan Johnson
District Municipal Court Judge	TBD
Association of Washington Superior Court Administrators	Jessica Gurley
District and Municipal Court Management Associations	Patti Kohler
Washington Association of Juvenile Court Administrators	James Madsen
WSBA Executive Director or designee	Bill Pickett
One at-large member (optional)	

Budget and Funding Committee

Representative	Name
DMCJA BJA Member	Judge Mary Logan, Chair
SCJA BJA Member	Judge Doug Federspiel
COA BJA Member	Judge David Mann



Board for Judicial Administration (BJA) Meeting
Friday, May 8, 2020, 9:00 a.m. – 12:00 p.m.
Videoconference

DRAFT MEETING MINUTES

BJA Members Present:

Chief Justice Debra Stephens
Judge Greg Gonzales, Member Chair
Judge Tam Bui
Judge Doug Federspiel
Judge Michelle Gehlsen
Justice Steven González
Judge Dan Johnson
Judge David Kurtz
Judge Robert Lawrence-Berrey
Judge Linda Lee
Judge Mary Logan
Judge David Mann
Judge Bradley Maxa
Judge Sam Meyer
Rajeev Majumdar
Terra Nevitt
Judge Judith Ramseyer
Judge Kevin Ringus
Dawn Marie Rubio
Judge Michael Scott
Judge Kitty Ann Van Doorninck

Guests Present:

Jim Bamberger
Esperanza Borboa
Sophia Byrd McSherry
Adam Cornell
Judge Doug Fair
Timothy Fitzgerald
Justice Sheryl Gordon McCloud
Patricia Kohler
Amy Muth
Brooke Powell
Judge Rebecca Robertson
Kyle Sciuchetti

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

Crissy Anderson
Judith Anderson
Jeanne Englert
Penny Larsen
Dirk Marler
Dory Nicpon
Ramsey Radwan
Caroline Tawes
Andrea Valdez

Call to Order

Chief Justice Stephens called the meeting to order at 9:05 a.m.

Court Impacts – COVID-19

Chief Justice Stephens reviewed discussions and webinars taking place within the judicial branch about the COVID-19 public health emergency. The charter for the proposed Court Recovery Task Force was included in the meeting materials.

It was moved by Judge Kurtz and seconded by Judge Scott to approve the Court Recovery Task Force Charter. The motion carried unanimously.

Chief Justice Stephens asked the BJA members to share how they and their staff are doing during the public health emergency and what concerns and challenges they have.

Washington Association of Prosecuting Attorneys (WAPA), Washington Association of Criminal Defense Lawyers (WACDL), and Washington Defender Association (WDA),

Adam Cornell and Amy Muth discussed their collaboration on a uniform approach to court operations concerning members of the public who may not have the same access to lawyers as other members of the public. They hope to continue their collaboration after the courts recover from the impacts of COVID-19. The pandemic is an opportunity for transformation, with continued collaboration to make everyone safer; for example, technical advances can limit the in-person appearances required in court. There are options for creativity and innovation and use of technology.

Office of Civil Legal Aid (OCLA)

Jim Bamberger, Director of OCLA, presented an overview of OCLA projects and operations. OCLA has submitted a request for emergency Disaster Relief Account funding from the Washington State Office of Financial Management to expand courthouse justice programs and OCLA received \$3 million. He shared information about future projects and funding as detailed in the meeting packet.

Standing Committee Reports

Budget and Funding Committee (BFC): Due to the pandemic, there may be budget reductions. The BFC is scheduled to meet jointly with the Legislative Committee to discuss possible budget reductions. The governance process will be used to determine what budget requests move forward. Two sets of budget reduction criteria were included in the meeting materials, and there are ongoing discussions on how to handle budget reductions.

Court Education Committee (CEC): Because the COVID-19 pandemic has impacted the ability to provide mandatory continuing education credits, the CEC proposed temporarily reducing the mandatory education requirements. This requires temporary changes to GR 26 and the General Standards for Continuing Judicial Education.

It was moved by Judge Kurtz and seconded by Judge Logan to recommend that the Supreme Court temporarily relax the GR 26 requirement of 45 credits (6 of which are ethics credits) for judicial officers whose three-year reporting period ends December 31, 2020, to allow for 10 fewer credits (35 credits required). The motion carried unanimously.

It was moved by Judge Ringus and seconded by Judge Gonzales to ask the Supreme Court to suspend, until December 31, 2020, the provision in the

General Standards for Continuing Judicial Education that limits self-study credits to 15 hours within a three-year period. The motion carried unanimously.

Staff will create a draft of the approved changes and send that draft to Chief Justice Stephens.

Legislative Committee (LC): The LC will have a joint meeting with the BFC. Governor Inslee vetoed an extraordinary number of bills due to the public health emergency. There will likely be a special session of the Legislature, and the LC will meet on May 18 to discuss approaches to the special session.

Policy and Planning Committee (PPC): PPC continues to work on ideas for adequate and consistent funding for the Judicial Branch. Carl McCurley from the Washington State Center for Court Research at AOC attended the last PPC meeting and had some recommendations. The law clerk pool was discussed and the PPC agreed the preferred approach would be to add permanent staff at AOC who would also be available to work on publications and education programming. AOC staff will submit a decision package.

March 20, 2020 Meeting Minutes

It was moved by Judge Scott and seconded by Judge Gonzalez to approve the March 20, 2020, BJA meeting minutes. The motion carried unanimously.

BJA Task Force Updates

Court Security Task Force: The Task Force has altered its court security funding request due to possible budget cuts from the pandemic. The Task Force will work on plans that require less funding. The grant pool model will be continued, and funding will be sought for courts to perform self-audits.

Court Education Funding Task Force: The Task Force will not submit a budget package. Task Force members are available if there are any questions.

Stress and Burnout

There are resources for court personnel like the Judicial Assistance Services Program (JASP) and the Employee Assistance Program (EAP). The next Friday Forum will deal with the impact on people in the judicial branch, and a JASP counselor will be participating. Questions to help begin discussions on self-care and burnout were included in the meeting materials. Judge González suggested letting courts know there are options for court personnel and asking for other ideas.

Information Sharing

Dawn Marie Rubio outlined some of the things AOC has done to meet the challenges of the public health emergency and to continue to collaborate and be of service to others in the judicial branch. Others discussed their collaboration efforts to support both the public and courts.

Next Meeting

The next BJA meeting will be on June 19, and will probably be a videoconference.

Other

There being no further business, the meeting was adjourned at 12:11 p.m.

Recap of Motions from the May 8, 2020 Meeting

Motion Summary	Status
Approve the Court Recovery Task Force Charter.	Passed
Ask the Supreme Court to relax temporarily the GR 26 requirement of 45 credits (6 of which are ethics credits) for judicial officers whose three-year reporting period ends December 31, 2020, to allow for 10 fewer credits (35 credits required).	Passed
Ask the Supreme Court to suspend, until December 31, 2020, the provision in the General Standards for Continuing Judicial Education that limits self-study credits to 15 hours within a three-year period.	Passed
Approve the March 20, 2020, BJA meeting minutes.	Passed

Action Items from the May 8, 2020 Meeting

Action Item	Status
<u>March, 2020, 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

Outgoing BJA and Committee Members 2020

Thank you to the following members for their commitment and contributions to the BJA and committees.

Board for Judicial Administration

Judge Robert Lawrence-Berrey
Judge J. Robert Leach
Judge Linda Lee
Judge Sam Meyer
Judge Kevin Ringus
Judge Kitty-Ann Van Doorninck
Rajeev Majumdar

Court Education Committee

Judge Robert Lawrence-Berrey
Justice Charles Wiggins
Chris Gaddis

Legislative Committee

Judge J. Robert Leach
Judge Linda Lee
Judge Sam Meyer
Judge Steve Warning

Policy and Planning Committee

Judge J. Robert Leach
Judge Sam Meyer
Judge Michelle Gehlsen
Judge Judith Ramseyer
Pam Hartman-Beyer
Margaret Yetter