

**Board for Judicial
Administration
and
Court Management Council**



**WASHINGTON
COURTS**

Joint Meeting Packet

**FRIDAY, NOVEMBER 20, 2020
9:00 A.M.**

VIDEOCONFERENCE

Board for Judicial Administration Membership

2020–2021



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
King 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
King County Juvenile Court

Judge Rebecca Robertson
District and Municipal Court Judges' Association
Federal Way 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
Grant County Superior Court

Kyle Sciuchetti, President
Washington State Bar Association

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

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
Okanogan County District Court

Court Management Council Membership

2020–2021



Dawn Marie Rubio, Co-Chair
State Court Administrator

Ruth Gordon, Co-Chair
Jefferson County Clerk

Derek Byrne
Court of Appeals Division II
Clerk/Administrator

Susan Carlson
Supreme Court
Clerk

Barbara Carr
Washington Association of Juvenile Court
Administrators
Administrator, Jefferson County Juvenile Court

Jessica Gurley
Association of Washington Superior Court
Administrators
Administrator, Clark County Superior Court

Patti Kohler
District and Municipal Court Management
Association
Director, King County District Court

Brooke Powell
Washington Association of Juvenile Court
Administrators
Assistant Administrator
Snohomish County Juvenile Court

Dennis Rabidou
Alternate; Association of Washington Superior
Court Administrators
Administrator, Okanogan County Superior Court

Jane Severin
Association of Washington Superior Court
Administrators
Administrator, San Juan County Superior Court

Alison Sonntag
Washington State Association of County Clerks
Kitsap County Clerk

Kris Thompson
District and Municipal Court Management
Association
Administrator, Colfax Municipal Court

Dawn Williams
Alternate; District and Municipal Court
Management Association
Administrator, Bremerton Municipal Court


ADMINISTRATIVE OFFICE OF THE COURTS (AOC) STAFF

Dirk A. Marler
Administrative Office of the Courts

Christy Hunnefield
Administrative Office of the Courts

The **Mission** of the Board for Judicial Administration is to provide leadership and develop policy to enhance the judiciary's ability to serve as an equal, independent, and responsible branch of government.

The **Vision** of the Board for Judicial Administration is to be the voice of the Washington State courts.

 <p>WASHINGTON COURTS</p>	<p>Board for Judicial Administration (BJA) Joint BJA and Court Management Council Meeting Friday, November 20, 2020 (9 a.m. – 12:30 p.m.) Zoom Meeting</p>	
AGENDA		
<p>1. Call to Order Welcome and Introductions</p>	<p>Chief Justice Debra Stephens Judge Gregory Gonzales</p>	<p>9:00 a.m.</p>
<p>2. Presentation: “Not Just Hanging in There”</p> <p>Discussion Questions (break out rooms)</p> <p>Please share the greatest obstacle that you have overcome in your job during this time.</p> <p>What can you do for yourself AND your court staff to commit to self-care.</p>	<p>Judge Mary Logan (JASP) All Small break outs</p>	<p>9:05</p>
<p>3. Court Management Council</p> <ul style="list-style-type: none"> • Brief overview and update • Presentation of Court Manager of the Year Award 	<p>Dawn Marie Rubio Ruth Gordon</p>	<p>9:25</p>
<p>4. CMC Association Updates Information: Overview and update</p> <p>Association of Washington Superior Court Administrators (AWSCA)</p> <p>District and Municipal Court Management Association (DMCMA)</p> <p>Washington Association of Juvenile Court Administrators (WAJCA)</p> <p>Washington State Association of County Clerks (WSACC)</p> <p>Court of Appeals</p> <p>Supreme Court</p>	<p>Jessica Gurley, Jane Severin, Dennis Rabidou</p> <p>Patti Kohler, Dawn Williams, Kris Thomas</p> <p>Brooke Powell, Barbara Carr</p> <p>Ruth Gordon, Alison Sonntag</p> <p>Derek Byrne</p> <p>Susan Carlson</p>	<p>9:40</p>
<p>5. Presentation Children In Foster Care Commission Information Sharing</p>	<p>Justice Barbara Madsen Jody Becker Cindy Bricker</p>	<p>10:00 Tab 1</p>
<p>Break</p>	<p>3</p>	<p>10:20</p>

6. Innovating Justice Award Presentation	Chief Justice Debra Stephens Judge Gregory Gonzales	10:30
7. BJA Task Forces Court Recovery Court Security	Chief Justice Debra Stephens/Judge Judith Ramseyer/Jeanne Englert Judge Rebecca Robertson/Penny Larsen	10:40 Tab 2
8. Budget and Funding Committee 2021-2023 Biennial Budget Requests Action: Discussion and prioritization Motion to approve the budget packages	Judge Mary Logan/Ramsey Radwan	10:50 Tab 3
9. Standing Committee Reports Court Education Committee Legislative Committee Policy and Planning Committee	Judge Gregory Gonzales/Judith Anderson Judge Kevin Ringus/Dory Nicpon Judge Michael Scott/Penny Larsen	11:40 Tab 4
10. Public Trust and Confidence Action: Motion to approve new members with Jennifer Garber contingent on WSBA approval.	Chief Justice Debra Stephens	12:00 Tab 5
11. October 16, 2020 Meeting Minutes Action: Motion to Approve the Minutes of the October 16, 2020 Meeting	Chief Justice Debra Stephens	12:00 Tab 6
12. Information Sharing Announcements Thank you to Chief Debra Stephens for her BJA leadership. Welcome to Justice Steven González as BJA chair starting January 2021.	Judge Gregory Gonzales	12:05
13. Adjourn		12:30
<p>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.</p>		

Next meetings:

- February 19, 2020 – Zoom Meeting**
- March 19, 2020 – Zoom Meeting**
- May 21, 2020 – Zoom Meeting**
- June 18, 2020 – Zoom Meeting**

TAB 1



Washington State Supreme Court Commission on Children in Foster Care

The Commission on Children in Foster Care was established by Supreme Court Order on November 9, 2004, to monitor and report on the extent to which child welfare programs and courts are responsive to the needs of the children in their joint care; to make recommendations for systemic improvements; and to broaden public awareness of and support for meeting the needs of vulnerable children and families, including provision of sufficient mental health, health care, education, and other services.

The Commission is Co-chaired by a justice of the Supreme Court, designated by the Chief Justice, and by the Assistant Secretary Department of Children, Youth, and Families; and consists of the following

Members:

- Attorney General of the State of Washington
- Superintendent of Public Instruction
- President-Judge of the Superior Court Judges Association
- Executive Director of Washington State CASA
- President/Co-Presidents of the Foster Parents Association of Washington State
- Chair of the Northwest Inter-Tribal Council
- Chair of the House Committee with oversight for issues relating to the child welfare system
- Chair of the Senate Committee with oversight for issues relating to the child welfare system
- Director of the Office of Public Defense
- Director of the Office of Civil Legal Aid
- One youth currently in foster care
- One youth who has been reunified
- One alumni of foster care
- One parent who has been involved in a dependency proceeding
- One representative of foster care physical/mental health system
- One representative of child and family services providers
- President of Center for Children and Youth Justice
- One representative of Partners for Our Children

Mission: Provide all children in foster care with safe, permanent families in which their physical, emotional, intellectual, and social needs are met.

Goals: Improve collaboration between the courts, child welfare partners and the education system to achieve the mission.

- The Commission will monitor and report on the extent to which child welfare programs and courts are responsive to the needs of the children in their joint care.
- The Commission will broaden public awareness of and support for meeting the needs of children and families in foster care.
- The Commission will institutionalize collaboration beyond the terms of office of individual agency directors and elected officials.

The Commission can achieve its goals by convening stakeholders and encouraging collaboration for the purpose of initiating policy decisions and needed legislative and court rule changes.

Current Work and Priorities:

- **COVID Response**

- Assistance with Supreme Court Orders re: Dependency and Termination Cases
 - [Order No. 25700-B-647](#)
 - [Order No. 25700-B-622](#)
- Developed [Guidance for Resuming Dependency and Fact Finding Hearings in Child Welfare](#)
- COVID Rapid Response Workgroup
Initially met weekly to resolve issues regarding COVID safety protocols for family time visitation and access to technology for virtual visits and court appearances. Now meeting bi-weekly to also discuss issues regarding services, termination of parental rights, youth suicide, and other issues as they come up.

- **Youth Leadership Summit**

Each year the Commission co-hosts the Youth Leadership Summit in partnership with the Office of Homeless Youth Prevention and Protective Programs Advisory Committee. This effort included peers from the Youth Advocates Ending Homelessness program. Policymakers, advocates, and community members work alongside youth throughout the year to address the proposed reforms. The proposals are presented by the youth at the summit. The presentations combine research and data to describe problems the youth identify, personal experiences that underscore the impact of these problems, and thoughtful solutions that will improve the system. These proposals initiate a year-round effort to bring positive changes that will benefit those who are currently in foster care or homeless, as well as those who have yet to enter the system.

At the 2020 summit, youth from across the state proposed the following reforms:

- Legal representation for all children and youth in care in Washington State
- Establishing an intergovernmental task force to identify gaps and barriers for Native youth in accessing state services
- Ensure hygiene and wound care resources for youth and young adults experiencing homelessness after discharge from hospitals and clinics
- Addressing policy brutality
- Improving homeless youth caseworker retention by reducing paperwork
- Improvements to Child Protective Services to address racial disproportionality and other systemic biases with an equity toolkit that includes youth voice
- Improving family connections for children and youth in foster care, including those with siblings placed in other systems, through centralization, data collection, and virtual visits

If you would like to view the Summit, here's a link: [2020 Youth Leadership Summit](#)

The Commission met in September to follow up with youth and staff from The Mockingbird Society on reform proposals related to child welfare.

- **State Team Action Plan**

The Conference of Chief Justices and Conference of State Court Administrators invited Chief Justices from each state to assemble and lead a team for the National Judicial Leadership Summit: Ensuring Justice in Child Welfare in August 2020. The focus of the summit was reducing racial injustice in the child welfare system, reducing unnecessary removals, and improving high quality legal representation upstream. Each state was asked to create an action plan. The following strategies were created by the Washington team and will be introduced to the Commission at the December meeting for further discussion and action.

Reducing racial injustice in the child welfare system

- 1) Review statutory definition of neglect and how it is currently used and by whom as a standard for removal, including substance abuse, which is currently given great weight in the decision to remove.
- 2) Draft legislative proposal to require active efforts for all children pre and post removal, including a definition/description of active efforts.
- 3) Research case law and definitions of neglect and active efforts that other states are using. Form a multidisciplinary workgroup to draft legislative proposals.
- 4) Remove barriers to placement with family—criminal history, prior founded allegations.

Reducing unnecessary removals

- 1) Provide meaningful parent representation PRIOR to shelter care hearing by enforcing RCW 13.34.090 regarding the provision of counsel and discovery prior to shelter care. Research how/when counsel is being appointed and how discovery is occurring in each county. Develop best practices and possibly court rule to implement practice standards statewide. AOC/CITA to include these expectations in annual judicial training and other training venues.
- 2) Improve practice at shelter care hearings by emphasizing safety planning and utilize court as next step with in-home dependencies. Require specific findings regarding reasonable efforts - not just a checked box. In order to make accurate reasonable efforts findings, AOC work with the Department of Children, Youth and Families (DCYF) on providing information regarding available resources in each community to courts and court partners.
- 3) Support further development of Family Intervention Response to Stop Trauma (F.I.R.S.T.) Clinic in Snohomish County. This is a medical-legal partnership that provides pregnant women with legal advocacy and connection to services to prevent not only a removal now and future involvement with CPS as well. The team includes volunteer attorney, parent ally, community resource navigator and hospital staff.

Improving high quality legal representation upstream

- 1) Utilize IV-E reimbursement to support multidisciplinary parent representation to include social workers and parent allies in order to engage parents earlier.

- Monitor Multidisciplinary Pilot adding more social workers.
 - Redesign Parents for Parents (P4P) program to allow parent allies to be available to families during investigation/Family Alternative Response (FAR).
 - Consider changing RCW 10.101 to provide indigent legal representation to families during investigations/FAR
 - Incorporate additional workload into caseload standards and funding models.
 - Revisit DCYF agreement with the Office of Public Defense (OPD) for IV-E funding.
- 2) Utilize IV-E reimbursement to expand provision of representation for all dependency youth.
- Evaluation of study of legal representation for all youth will be complete December 2020. Provide legislative advocacy and education about the benefits of legal representation for children and youth in dependency cases.
 - Revisit DCYF agreement with the Office of Civil Legal Aid (OCLA) for IV-E funding.
 - Require training for child attorneys hired by counties to improve high quality legal representation. OCLA provides training to their contracted attorneys, but county-hired attorneys are not held to the same standards.
- 3) Monitor progress of the Family Advocacy Center (Center for Children and Youth Justice (CCYJ)/King County) using upstream legal services to prevent or reduce removal. The team of civil legal aid attorney and parent ally receive referrals from child welfare, defense attorneys and community partners. They include racial justice at key points in system.

Ongoing Work of Commission Workgroups:

Normalcy Workgroup - Foster youth often are not included in everyday activities, including after-school jobs, learning to drive, cell phone and computer use, and sexual education that their peers participate in and that can help facilitate their transition to adulthood. The Normalcy Workgroup brings these issues to the attention of the Commission along with possible solutions.



For more information contact:

Justice Barbara Madsen: J.B.Madsen@courts.wa.gov

Jody Becker, Deputy Secretary DCYF: jody.becker@dcyf.wa.gov

Cindy Bricker, AOC: cindy.bricker@courts.wa.gov

TAB 2



November 20, 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

Motion Request: Withdraw the court security funding decision package

The Court Security Task Force Co-Chairs recommend a motion for the BJA to withdraw the Court Security Task Force 2021-2023 budget request from consideration.

Background:

On March 20, 2020, the BJA approved the court security funding request and a decision package was submitted to the AOC on June 5, 2020. Over the course of the summer and fall, it became evident that the economic impacts from the COVID-19 pandemic would have lasting and substantial impact on state resources. At the BJA meeting on October 16, the Budget and Funding Committee (BFC) listed court security as the top priority on their list of recommendations. The task force leadership met with the BFC and Jeanne Englert to discuss options.

Current State:

Members of the task force leadership and Ramsey Radwan ranked three options: (1) submit budget request for the 2021-2023 biennium, (2) submit budget request for the 2022 supplemental budget, or (3) withdraw budget proposal and communicate with legislators now, informing of request coming in either the supplemental budget of 2022 or the 2023-2025 biennium.

There was most consensus for option 2, submitting the request in the 2022 supplemental budget. Therefore, the recommendation to the BJA is to withdraw the budget request now and submit it in the 2022 supplemental budget. The table on page 2 contains the considerations that were used to make this recommendation.

Future Task Force activities:

The Task Force will continue to work on activities that do not require funding such as the court security tool kit, creating a communication plan and talking points for communicating with legislators during the upcoming session and based on feedback, develop an updated strategic plan for court security funding needs.

Options for Budget Package Recommendation to BJA

Options	In favor	Opposing
1. Submit budget proposal	<ul style="list-style-type: none"> • May get some funding • Test the waters for next time 	<ul style="list-style-type: none"> • Budget deficits will leave little chance of success • Return on investment of advocacy resources; will judges and justice partners expend their labor on this package at this time? • Competing priorities of AOC and other judicial branch funding asks • If locals express need for staff and not equipment, may “taint” other requests or our process.
2. Withdraw budget proposal now and submit in 2022 supplemental budget	<ul style="list-style-type: none"> • Let current uncertainties die down before introducing novel request. • Educational task force was successful in supplemental year • May be able to gain support from counties in the future. • Allow time to further refine based on feedback. • The revenue forecast may improve for the 21-23 and 23-25 biennia. • Gauge legislative interest. 	
3. Withdraw budget proposal and communicate with legislators during this session regarding the	<ul style="list-style-type: none"> • Get issue on the radar • Gain insight on how to be successful 	

<p>importance of the request and the fact that we are waiting for a more clear view of the economy and hopefully a better understanding of federal funding and COVID-19.</p>	<ul style="list-style-type: none">• May be able to gain support from counties in the future.• Allow time to further refine based on feedback.• Shows the legislature that we do understand the intricacies of policy and budget.• The revenue forecast may improve for the 21-23 and 23-25 biennia.• Gauge legislative interest.	
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TAB 3



WASHINGTON
COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

November 6, 2020

TO: Board for Judicial Administration
FROM: BJA Budget and Funding Committee
SUBJECT: BJA 2021-2023 Budget Prioritization Process

On October 16, 2020 the BJA Budget and Funding Committee (BFC) presented the proposed budget priorities for those state general fund requests that flow through the AOC. As previously mentioned, the process has changed somewhat, but all court levels still remain engaged.

During the November 2020 BJA meeting, the BFC will respond to any further questions and will ask the full board to review the budget priority recommendations and affirm or modify them. We will use an automated system to tally BJA member votes. The process will be explained during or prior to the meeting.

If there are discrepancies in member priorities a discussion will ensue to reach consensus and a re-vote may occur. If all members are present and vote, a tie should not occur. If an even number of members are present and a tie occurs, further discussion will take place and a re-vote will occur.

If the BJA selects priorities different than those recommended by the BFC, a discussion may occur, however the priorities recommended by the BJA supersede those recommended by the BFC. The final priorities will then be forwarded to the Supreme Court for consideration.

**Washington State Judicial Branch
2021-2023 Biennial Budget Request
November 2020**

Administrative Office of the Courts – State General Fund Requests			BFC Priority	BJA Priority
Title	FTE	Amount Requested		
Trial Court Security Improvement	1.0	\$768,000	1	
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.				
New Judge Position – King County	1.0	\$318,000	2	
Funding is requested to add a 54 th judge to King County Superior Court.				
Trial Court Funding Language Access	0.0	\$2,726,000	3	
Funding is requested to expand the state Interpreter Reimbursement Program.				
The LFO Calculator	0.0	\$61,000	4	
Funding is requested to continue 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.				
Responding to Behavioral Health Needs in the Court	4.0	\$1,071,000	5	
Funding is requested to develop a statewide court Behavioral Health Response Team.				
Web Services Support	1.0	\$319,000	6	
Funding is requested for additional Web Services staff support, necessary to serve the increasing demand from multiple internal and external stakeholders.				
Trial Court Legal Services	3.0	\$769,000	7	
Funding is requested for additional legal staff to provide legal research, legal materials and training to judicial officers.				
Court Equity and Access Team	5.0	\$1,518,000	8	
Funding is requested to develop a statewide Court Equity and Access Team who will ensure equal access to civil justice.				

**Washington State Judicial Branch
2021-2023 Biennial Budget Request
November 2020**

Title	FTE	Amount Requested	BFC Priority	BJA Priority
Judicial Needs Development: Caseload Study and Sustainability of Essential Information	1.5	\$620,000	9	
Funding is requested to develop a judicial needs weighted caseload study.				
Realizing Change through Research	1.0	\$301,000	10	
Funding is requested to focus on research related to race, gender, foreign and signed language groups, and how the courts interact and administer justice to historically marginalized groups.				
Total 2021-2023 SGF Request-Pass Through /Programmatic	2.0			\$3,812,000
Total 2021-2023 SGF Request-Infrastructure	15.5			\$4,659,000
Total 2021-2023 SGF Proposal	17.5	\$8,471,000	Approximately a 6.3 % increase in general fund.	

**Administrative Office of the Courts
 Budget Request Review - General Fund State
 2019-2021 Biennium - General Fund State**

Decision Package Title	Category	BJA Recommendation	Status		
			Proposed Dollars	Requested Dollars	Funded Dollars
Trial Court Interpreter Services	Program Expansion	1	\$2,160,000	\$2,160,000	\$2,160,000
Statewide Online Training	New Program	2	\$496,000	\$496,000	\$0
In-Person Training	Program Expansion	3	\$911,000	\$911,000	\$0
Thurston County Impact Fee (amt amended)	Expansion	4	\$1,622,000	\$2,000,000	\$2,188,000
Finding Fathers (combined with FJCIP)	New Program	5	\$152,000	\$0	\$132,000
Judicial Bench Books	Expansion	6	\$487,000	\$487,000	\$0
Web Services	Expansion	7	\$277,000	\$277,000	\$0
Guardianship Services (amt amended)	Program Expansion	8	\$1,708,000	\$1,718,000	\$660,000
Family & Juvenile Court Improvement Program	Program Expansion	9	\$577,000	\$729,000	\$0
Guardianship Monitoring	New Program	10	\$1,399,000	\$1,399,000	\$0
Therapeutic Courts	New Program	11	\$340,000	\$340,000	\$0
CASA Program Expansion	Program Expansion	12	\$10,900,000	\$0	\$0
Total			\$21,029,000	\$10,517,000	\$5,140,000

**Administrative Office of the Courts
 Budget Request Review - General Fund State
 2017-2019 Biennium - General Fund State**

Decision Package Title	Category	BJA Recommendation	Status		
			Proposed Dollars	Requested Dollars	Funded Dollars
Trial Court Interpreter Services	Program Expansion	1	\$8,000,000	\$4,305,000	\$0
Court Personnel Education	Program Expansion	2	\$396,000	\$396,000	\$0
Pattern Forms	Expansion	3	\$371,000	\$299,000	\$0
Courthouse Facilitator Training	New Program	4	\$268,000	\$268,000	\$0
Web Services Support	Expansion	5	\$487,000	\$487,000	\$0
Telephonic Interpreting Services	New Program	6	\$2,187,000	\$0	\$0
Guardian Monitoring	Program Expansion	7	\$1,243,000	\$0	\$0
Therapeutic Courts Best Practices	New Program	8	\$136,000	\$0	\$0
CASA Program Expansion	Program Expansion	9	\$12,100,000	\$0	\$0
AOC Salary Adjustment	Increase	N/A	\$200,000	\$200,000	\$0
SCJA Support	Increase	N/A	\$0	\$423,000	\$0
Expedited Data Exchange	Fund Shift	N/A	\$5,513,000	\$5,513,000	\$0
Total			\$30,901,000	\$11,891,000	\$0

**Administrative Office of the Courts
 Budget Request Review - General Fund State
 2015-2017 Biennium - General Fund State**

Decision Package Title	Category	BJA Recommendation	Status		
			Proposed Dollars	Requested Dollars	Funded Dollars
Trial Court Funding for Language Access	Program Expansion	1	\$6,609,000	\$5,070,000	\$0
Employee Salary Adjustment	Technical/Other	2	\$0	\$0	\$0
Telephonic Interpreting	Program Expansion	3	\$1,324,000	\$0	\$0
CASA Restoration & State CASA Funding	Program Restoration	4	\$1,656,000	\$0	\$0
Family & Juvenile Court Improvement Program Expansion	Program Expansion	5	\$558,000	\$428,000	\$0
Juvenile Court & Juvenile Detention Alternative Staff	New Program	6	\$394,000	\$302,000	\$0
Misdemeanant Corrections	New Program	7	\$1,100,000	\$0	\$0
Becca Programs	Program Expansion	Failed	\$5,090,000	\$0	\$0
Guardian Monitoring Program	Program Expansion	No Motion	\$956,000	\$0	\$0
Therapeutic Court Coordinator	New Program	Failed	\$191,000	\$0	\$0
Total			\$17,878,000	\$5,800,000	\$0

**Administrative Office of the Courts
 Budget Request Review - General Fund State
 2013-2015 Biennium - General Fund State**

Decision Package Title	Category	BJA Recommendation	Status		
			Proposed Dollars	Requested Dollars	Funded Dollars
Interpreter Restoration	Program Restoration	1	\$679,000	\$0	\$0
Courts of Limited Jurisdiction (CLJ) Judges Salaries	New Program	2	\$6,269,000	\$0	\$0
CASA Restoration	Program Expansion	3	\$1,242,000	\$0	\$0
Interpreter Services	Program Expansion	4	\$1,231,000	\$0	\$0
Expand Interpreter Program	Program Expansion	5	\$3,829,000	\$0	\$0
Video Remote Interpretation	Program Expansion	6	\$370,000	\$384,000	\$0
Family & Juvenile Court Improvement Program Restoration	Program Restoration	7	\$234,000	\$0	\$0
Therapeutic Court Coordinator	New Program	8	\$170,000	\$0	\$0
Quality Assurance Transfer	Program Expansion	9	\$1,337,000	\$0	\$0
AOC Court Access Forms	New Program	No Action	\$1,046,000	\$0	\$0
Access to Justice Board	Program Expansion	No Action		\$50,000	\$0
Criminal Justice Research Associate	New Program	No Action	\$196,000	\$0	\$0
Guardianship Service Expansion	Program Expansion	No Action	\$708,000	\$0	\$0
Risk Assessment & Law Table Support	New Program	No Action	\$169,000	\$0	\$0
Spokane Water Rights Adjudication	New Program	No Action	\$1,308,000	\$0	\$0
Total			\$18,788,000	\$434,000	\$0

**Administrative Office of the Courts
 Budget Request Review - General Fund State
 2011-2013 Biennium - General Fund State**

Decision Package Title	Category	BJA Recommendation	Status		
			Proposed Dollars	Requested Dollars	Funded Dollars
Spokane Superior Court (Water Rights Adjudication)	New Program	No BJA participation	\$1,812,058	\$0	\$0
Transfer Quality Assurance Funds	New Program	No BJA participation	\$1,078,376	\$1,178,000	\$0
Risk Assessment Phase I	New Program	No BJA participation	\$270,000	\$200,000	\$0
Risk Assessment Phase II	Program Expansion	No BJA participation	\$388,000	\$0	\$0
FJCIP Restoration	Restoration	No BJA participation	\$309,000	\$0	\$0
FJCIP Enhancement	Program Expansion	No BJA participation	\$1,491,000	\$0	\$0
Office of Public Guardianship Services	Program Expansion	No BJA participation	\$1,060,075	\$1,060,000	\$265,000
Thurston County Impact Fees	Program Expansion	No BJA participation	\$439,482	\$438,000	\$0
Legal Financial Obligation Postage	Program Expansion	No BJA participation	\$51,760	\$52,000	\$0
Juvenile Court Quality Assurance	Program Expansion	No BJA participation	\$729,000	\$729,000	\$0
Total			\$7,628,751	\$3,657,000	\$265,000

TAB 4



November 20, 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

Dr. Scott Hillstrom presented a high-level overview of what a Learning Management System (LMS) is, and what it can and cannot do during the October 30, 2020 CEC meeting. The AOC is working on a timeline of events, milestones, and decision points in moving forward with the review, recommendation, and purchase of an LMS. The CEC will continue to work with the Education Team to determine priorities and future deadlines. With a portion of the unencumbered CEC budget, the committee approved implementing a scholarship program for judicial officers, administrators, county clerks, and line-staff. This is in addition to the already active Institute for Court Management (ICM) Certified Court Manager (CCM) certification courses.

Online education continues to be developed and delivered, as well as providing assistance to other groups within the AOC by the Education Team.

The Education Team's Faculty Development program started October 28 and concluded November 6, 2020. The Education Team modified their four-day, in-person program into six 90-minute sections. It was a highly interactive and engaging program. The Faculty Development program concludes the week of November 16, 2020, with participants giving their own online presentation utilizing the tips and techniques and practice given within the six sections.

Washington Association of Juvenile Court Administrators held their two-day *Strategic Positioning* program with Dr. Hicks. Their Association followed up with a workshop to begin taking the concepts learned during the program and working on a strategic positioning plan. This effort is supported by Ms. Judith Anderson, Court Education Services, and Ms. Sondra Hahn, Office of Judicial & Legislative Relations.

The CLJ-CMS Project, led by Ms. Angie Autry and supported by Ms. Pam Dittman, hosted their last *Thursdays with DMCMA*, which focused on change management and preparing for the new CLJ-CMS system. The District and Municipal Court Managers are planning another webinar on equality and fairness in the courts called *Silence = Acceptance*, along with their 2021 online education.

Mr. Phil Zitzelman, Court Education Professional, assisted Ms. Crissy Anderson, Office of Judicial & Legislative Relations, in hosting a *Courthouse Facilitators* webinar.

The Superior Court Judges' Association's Education Committee completed their two-part webinar focusing on the *Uniform Guardianship Act: Minor Guardianships*.

Educators assisted in the planning of the SCJA *Racial Justice Ethics Panel* program, sponsored by the SCJA Ethics & Racial Justice Committee.

Educators are working with the 40+ faculty for the 2021 Judicial College to convert their in-person programs into an online modality. Educators are making sure that sound online adult education principles are being utilized as well as ensuring that the content is meaningful and practical for the new judicial officers. When moving to an online format, there is an added need to rehearse and help faculty utilize ZOOM's interactive tools.

Educators worked with both the SCJA Education Committee and the DMCJA Education Committee to design and implement their respective retreats. Both committees met to focus on their 2021 education schedules.

Work in Progress

LMS timeline, milestones, and decision points.

Purchasing of a learning management system.

Developing a short-term and long-term vision of court education that includes in-person and online educational opportunities for the court system personnel.



November 20, 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 Legislative Committee convenes weekly calls to discuss pending legislation. During the legislative interim, the Legislative Committee convenes as necessary to review and prepare legislative proposals and develop strategies for any upcoming legislative sessions.

On October 26, 2020, the Legislative Committee met to develop legislative engagement strategies for the 2021 legislative session, including for the BJA-request legislation related to single-judge courts. The Committee also shared information regarding court-level specific legislative priorities for the upcoming session and discussed branch-wide focus on racial injustice.

In early November, the Administrative Office of the Courts (AOC) received information that on November 13, 2020, the Thurston County Board of County Commissioners might approve a county budget that funds a ninth superior court judge. So, consistent with the position authorized by the BJA in September, the Committee began working with Thurston County Superior Court and the Code Reviser's Office on a bill draft to adjust the statutory number of superior court judges in Thurston County. The bill draft will reflect an effective date for the added position that is consistent with when the local funding will be available.

Several committees of the legislature convened virtually in September and are expected to do so again in late November/early December. In September, a panel composed of Chief Justice Debra Stephens, Ms. Dawn Marie Rubio, and Judges Michelle Gehlsen and Judith Ramseyer presented to the House Civil Rights and Judiciary Committee regarding COVID-19 Impacts on Washington Courts. The panelists addressed challenges and innovations among courts in Washington as well as how the legislature can support the recovery of courts. The Senate Law and Justice Committee intends to feature the same topic on its agenda for November 30, 2020.

Legislative Committee Next Activities

The Legislative Committee and the AOC staff who support it will continue to prepare for the 2021 legislative session and the introduction of BJA-request legislation regarding single-judge courts and potentially a ninth superior court judge in Thurston County.

November 20, 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

Committee Work Plan Update:

Adequate Funding Project

To assist the committee in evaluating the efficacy of current funding streams, AOC comptroller, Sam Knutson attended our meeting to talk about how the Trial Court Improvement Account (TCIA) works for courts. We learned that cities/counties can, and some have, reduced the courts' base budget by the amount of funding they received through the TCIA. However, for many courts the TCIA provides funding for new programs, needed equipment, and services. We do not know how many funding entities have supplanted funds, so this will be a question on the Adequate Funding Survey in the spring of 2021.

To assist the committee in learning how we can use existing system data to tell the story of funding needs, Carl McCurley presented examples of reports on juvenile courts and judicial caseloads. The Court Business Information supervisor at AOC is creating a grid of all the kinds of data available in JIS at the individual and court levels. The PPC/Adequate Funding Work Group will decide how to direct a study of funding needs that will complement the Adequate Funding Survey data.

At the February meeting, the work group will begin designing the Adequate Funding Survey with the expertise of the court administrators on the committee to ensure we are asking the right questions in a way that will be easiest for respondents to answer. The PPC intends to present a comprehensive report with findings and recommendations for BJA consideration by June 2020.

Increasing BJA membership diversity

In addition to the recommendations presented to the BJA at the October 2020 meeting, more work will need to be done by Penny Larsen and Jeanne Englert to look at the timing of recruit efforts for new members to the BJA. Because BJA members serve one or two (4) year terms, turnover is infrequent for the few BJA positions that are not pre-assigned by virtue of association position. One option is to recruit members for BJA committees as a stepping stone onto the BJA.

TAB 5

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

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

Nominee Name: Judge David A. Larson

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

Term Begin Date: January 1, 2021

Term End Date: December 31, 2022

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

If yes, how many terms have been served and dates of terms: 1 Term (starting January 1, 2019 and ending December 31, 2020)

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

Judge David Larson, Federal Way Municipal Court, is currently serving his first term as a member of the BJA Public Trust & Confidence (PTC) Committee. In addition, Judge Larson is currently serving on the Civic Learning Council, the District and Municipal Court Judges' Association (DMCJA) Legislative Committee, and the DMCJA Therapeutic Courts Committee. Judge Larson has also served on numerous other committees as a DMCJA representative, and he brings a wealth of knowledge to this position. The DMCJA President is pleased Judge Larson wants to serve a second term on the PTC Committee and believes he will continue to be a stellar DMCJA representative on this Committee. Thank you for your consideration.

Please send completed form to:

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

Committee: Public Trust and Confidence Committee

Nominee: Melissa Beaton

Nominee Title: Skagit County Clerk

Nominee Address: 205 W Kincaid, Rm 103
Mount Vernon, WA 98273

Nominee Email: mbeaton@co.skagit.wa.us

Nominee Phone: 360-416-1801

Nominated by: WSACC
(i.e. SCJA, DMCJA, etc.)

Term Begin Date: 1/01/2021

Term End Date: 12/31/2022

Has the nominee served on the PTC Committee in the past? Yes _____ No X

If yes, please indicate how many terms and dates:

Additional information you would like the BJA to be aware of regarding the nominee: Melissa Beaton is an active member of the Washington State Association of County Clerks. Ms. Beaton was elected in 2019. She is a relatively newer clerk and she is anxious to participate on this committee.

Please send completed form to:

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

Committee: **Public Trust and Confidence Committee**

Nominee: **Erika Evans**

Nominee Title: Tukwila Municipal Court Pro Tempore Judge and Assistant City Attorney

Nominee Address:

Nominee Email: judgeerikae@gmail.com

Nominee Phone: 253-254-9689

Nominated by: Justice Mary Yu, Washington State Supreme Court
(i.e. SCJA, DMCJA, etc.)

Term Begin Date: January 1, 2021

Term End Date: December 31, 2022

Has the nominee served on the PTC Committee in the past? Yes_____ No__X__

If yes, please indicate how many terms and dates:

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

Ms. Evans has been nominated for a Public Member position

Please send completed form to:

Heather Ligtenberg
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
Heather.Ligtenberg@courts.wa.gov

Committee: **Public Trust and Confidence Committee**

Nominee:

Judge Cecily Hazelrigg

Nominee Title:

Judge - Court of Appeals, Div. 1

Nominee Address:

One Union Square, 600 University St., Seattle, WA 98101-1176

Nominee Email:

Cecily.Hazelrigg@courts.wa.gov

Nominated by:

Court of Appeals (Bradley Maxa, Presiding Judge)

Term Begin Date:

January 1, 2021

Term End Date:

December 31, 2022

Has the nominee served on the PTC Committee in the past?

Yes X No_____

If yes, please indicate how many terms and dates:

One term (January 1, 2019-December 31, 2020)

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

Please send completed form to:

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

Nomination Form for BJA Committee Appointment Two-Year Appointment

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

Nominee Name: Judge Kathryn Loring

Nominated By: Judge Judith Ramseyer, SCJA President
(i.e. SCJA, DMCJA, BCE, etc.)

Term Begin Date: Jan 1, 2021

Term End Date: Dec 31, 2022

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

If yes, how many terms have been served and dates of terms: One term previously from 1/1/2019 – 12/31/2020

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

Please send completed form to:

Caroline Tawes
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
Caroline.Tawes@courts.wa.gov

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

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

Nominee Name: Judge Jessica K. Ness

Nominated By: Judge Michelle Gehlsen, DMCJA President
(i.e. SCJA, DMCJA, etc.)

Term Begin Date: January 1, 2021

Term End Date: December 31, 2022

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

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

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

Judge Jessica Ness, Monroe Municipal Court, believes that improving public trust and confidence in the judiciary is key to success both inside and outside of the courtroom, and she is dedicated to serving her community. While on the bench, she listens to attorneys, victims, family members of the accused, and defendants to render fair and impartial decisions. In her community, she participates in numerous opportunities to talk with business leaders, students, and community members about the justice system. Judge Ness is eager to serve on the on the Public Trust and Confidence Committee, and she has a flexible schedule which will allow her the time needed to attend the Committee's meetings. The DMCJA President is pleased Judge Ness is interested in serving and believes she will be a stellar DMCJA Representative on this Committee. Thank you for your consideration.

Please send completed form to:

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

TAB 6



Board for Judicial Administration (BJA) Meeting
Friday, October 16, 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 David Estudillo
Judge Doug Federspiel
Judge Michelle Gehlsen
Judge Rebecca Glasgow
Justice Steven González
Judge Dan Johnson
Judge David Kurtz
Judge Mary Logan
Judge David Mann
Judge Bradley Maxa
Terra Nevitt
Judge Rebecca Pennell
Judge Judith Ramseyer
Judge Rebecca Robertson
Dawn Marie Rubio
Kyle Sciuchetti
Judge Charles Short

Guests Present:

Jim Bamberger
Esperanza Borboa
Barbara Carr
Timothy Fitzgerald
Patti Kohler
Sophia Byrd McSherry
Robert Mead
Judge Kevin Ringus
Justice Mary Yu

Administrative Office of the Courts

(AOC) Staff Present:

Nicole Ack
Crissy Anderson
Judith Anderson
Jeanne Englert
Sondra Hahn
Penny Larsen
Dirk Marler
Ramsey Radwan
Caroline Tawes
Frank Thomas

Call to Order

Chief Justice Stephens called the meeting to order at 9:03 a.m.

Information Sharing

Chief Justice Stephens introduced Nicole Ack, new Court Program Analyst at AOC and staff for the Public Trust and Confidence Committee.

Jim Bamberger continues to implement emergency civil legal aid projects, including the Eviction Resolution pilot program in six counties.

Rich Johnson has announced his retirement from his position as Court Administrator/ Clerk of the Court of Appeals Division I effective March 31, 2021.

The Court of Appeals Division I began in-person oral arguments in July, which were live streamed on TVW. Their courtroom and procedures have been redesigned.

Federal Way Municipal Court just finished their fourth jury trial since the pandemic began.

The Court Recovery Task Force has sent out surveys. The responses will be compiled and shared.

The WSBA is working on its long-range plans. The WSBA was able to offer the summer bar exam. They are preparing for the February exam in Tacoma and Spokane.

The WSBA is recruiting for a member-at-large for the Board of Governors. The deadline is October 30.

Spokane Municipal Court received a Department of Justice grant to expand their Community Court to the East Central neighborhood.

The Court of Appeals judges held a virtual retreat last week.

Sophia Byrd McSherry will be the acting director of the Office of Public Defense.

Judge Pennell said oral arguments via Zoom are well-received and have increased access to justice.

The Office of Justice Programs awarded AOC \$1,750,000 for the Family Drug Courts Expansion Program.

The AOC plans to request more CARES funding. Dawn Marie Rubio encourages courts to submit an applications for costs associated with COVID-19.

Dirk Marler thanked the education staff for their work on contract negotiations arising from canceled programs this year. He discussed the CLJ-CMS efforts.

Presentation: Minority and Justice Commission

Justice Yu reviewed the Minority and Justice Commission (MJC) initiatives included in the meeting materials.

The MJC is working with judges and professional associations in response to the Supreme Court letter on race. The MJC is offering to build a consortium of associations to help collaborate on this work and avoid duplication of efforts.

Justice Yu thanked MJC co-chair Justice G. Helen Whitener, and Chief Justice Stephens thanked the MJC for their work.

Presentation: Public Trust and Confidence Committee

The Public Trust and Confidence Committee (PTC) is continuing the Judges in the Classroom program. There was a large number of participants in this program before the pandemic, and the PTC is working on a virtual version of the program.

Chris Gaddis, Pierce County Superior Court, is working on the Jury Diversity Project.

The Legislative Scholars Program was virtual this year and a large number of teachers attended.

Task Force Reports

Court Recovery Task Force (CRTF): The bulk of this Task Force work has been distributed among smaller committees with members from the CRTF as well as the community and topic area specialists.

The Lessons Learned Committee has sent a survey to all court administrators asking about changes in space, accommodations, and technology due to the pandemic. Responses will be compiled and distributed. This information will create a baseline of practices. The Committee is currently working on surveys for court users.

At the October 9 meeting, the CRTF voted to endorse a proposal from the Appellate Committee that will allow Administrative Procedures Act (APA) and Land Use Petition Act (LUPA) appeals to go directly to the Court of Appeals. There is a meeting with the BJA Legislative Committee next week.

Other CRTF committees are developing resources, guidelines, and checklists. The Washington Courts COVID web site is being updated.

The BJA plans to implement an award for justice system innovations in response to COVID-19. Nominations will be ongoing, and a schedule will be announced.

The CRTF discussed the August Summit responses. There will be more outreach from the CRTF, including inviting Tribal Courts representatives.

The CRTF will be sending out surveys on Therapeutic Courts and court security.

The materials from the Summit and CRTF meetings are posted on the web site. Those interested in the video presentation from the Summit may access a request form and agreement on the BJA web site.

Court Security Task Force: The Task Force submitted a motion to withdraw the court security funding decision package from consideration. They plan to submit it again later.

There was a discussion to either move the motion to the November BJA meeting or incorporate ties to the pandemic into the decision package to make more funding options available. This decision package was the top priority in the Budget and Funding Committee recommendations.

After a discussion, the motion was withdrawn and the Court Security Task Force budget package decision will be moved to the November BJA meeting. Chief Justice Stephens requested feedback from the BJA members. This will also be added to the October 26 Legislative Committee agenda.

Court System Education Funding Task Force:

The Education Task Force submitted a final report in the materials and recommended the Task Force be dissolved since it successfully secured online training funding.

It was moved by Judge Federspiel and seconded by Judge Gonzales to dissolve the Court System Education Funding Task Force. The motion carried unanimously.

Budget and Funding Committee 2021–2023 Biennial Budget Requests

To develop the priority recommendations, the BFC took into account the pandemic and the impact on the state budget. Judge Logan reviewed the top 10 priority recommendations. Updated information was sent to the BJA members prior to this meeting.

Ramsey Radwan discussed the revenue forecast and potential budget reductions in the executive branch. He suggested the BJA members wait until the November BJA meeting to set 2021–23 budget request priorities.

Standing Committee Reports

Court Education Committee (CEC): A summary was included in the meeting materials.

Dr. Scott Hillstrom has been hired as the Distance Learning Program Coordinator. Judith Anderson said the education team at AOC have done a great job of responding to the pandemic and resulting conference cancellations. The Judicial College will be online this year, and an online faculty development program has been created.

Legislative Committee (LC): The LC report was included in the meeting materials. Their next meeting is October 26 and they will discuss strategies for working with the Legislature.

Policy and Planning Committee (PPC): Recommendations from the PPC on increasing BJA membership diversity were included in the meeting materials. The PPC would like to formalize the expectation that BJA members personally reach out to a variety of candidates for BJA membership by including this expectation in the BJA member responsibilities. Penny Larsen suggested taking time each year in a BJA meeting to discuss the diversity recommendations, and asked for comments on the recruitment flyer developed by the PPC.

Judge Federspiel would like to see demographics on the Washington State Bar Association, Washington state, and the judiciary to aid in this discussion. Penny Larsen could add profiles of the BJA members.

September 18, 2020 Meeting Minutes

It was moved by Judge Ramseyer and seconded by Justice González to approve the September 18, 2020, BJA meeting minutes. The motion carried unanimously.

Other

The next BJA meeting will be on November 20, 2020. As this will be a joint meeting with the Court Management Council and there will be a large number of agenda items, this may be a longer meeting.

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

Recap of Motions from the October 16, 2020 Meeting

Motion Summary	Status
Dissolve the Court System Education Funding Task Force.	Passed
Approve the September 18, 2020, BJA meeting minutes.	Passed

Action Items from the October 16, 2020 Meeting

Action Item	Status
The Court Security Task Force budget package decision will be moved to the November BJA meeting. Chief Justice Stephens requested feedback from the BJA members	

Action Item	Status
<u>September 18, 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