

# **BOARD FOR JUDICIAL ADMINISTRATION**



**WASHINGTON  
COURTS**

## **MEETING PACKET**

**FRIDAY, MAY 21, 2021  
9:00 A.M.**

**VIDEOCONFERENCE**

# Board for Judicial Administration Membership

2020–2021



## **VOTING MEMBERS:**

**Chief Justice Steven González**, Chair  
Washington State Supreme Court

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

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

**Judge David Estudillo**, President  
Superior Court Judges' Association  
Grant 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

**Judge Marilyn Haan\***  
Superior Court Judges' Association  
Cowlitz County Superior Court

**Judge Dan Johnson**  
District and Municipal Court Judges' Association  
Lincoln County District Court

**Judge David Kurtz**  
Superior Court Judges' Association  
Snohomish County Superior Court

**Judge 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 Rebecca Robertson**  
District and Municipal Court Judges' Association  
Federal Way Municipal Court

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

**Justice Debra Stephens**  
Washington State Supreme Court

**Judge M. Scott Wolfram**  
Superior Court Judges' Association  
Walla Walla Superior Court

## **NON-VOTING MEMBERS:**

**Judge Marlin Appelwick**,  
Presiding Chief Judge  
Court of Appeals, Division I

**Judge Jennifer Forbes**, President-Elect  
Superior Court Judges' Association  
Kitsap County Superior Court

**Terra Nevitt**, Interim Executive Director  
Washington State Bar Association

**Dawn Marie Rubio**  
State Court Administrator

**Kyle Sciuchetti**, President  
Washington State Bar Association

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

\*Outgoing/incoming member position, one vote



## Board for Judicial Administration (BJA)

Friday, May 21, 2021 (9 a.m. – noon)

Zoom Meeting

### DRAFT AGENDA

<p><b>1. Call to Order</b> <b>Welcome and Introductions</b></p>	<p>Chief Justice Steven González Judge Gregory Gonzales</p>	<p>9:00 a.m.</p>
<p><b>2. Presentation:</b> Court level presentations Supreme Court Court of Appeals Superior Court Judges' Association District and Municipals Courts Judges' Association</p>	<p>Chief Justice Steven González Judge Marlin Appelwick Judge David Estudillo Judge Michelle Gehlsen</p>	<p>9:05 Tab 1</p>
<p><b>3. BJA Task Forces</b> Court Recovery</p> <p>Court Security Action: Motion to extend the Task Force through June 2022</p>	<p>Chief Justice Steven González / Judge Judith Ramseyer/Jeanne Englert</p> <p>Judge Rebecca Robertson/Penny Larsen</p>	<p>9:40 Tab 2</p>
<p><b>4. Presentation:</b> Court orders and rules process Information sharing</p>	<p>Justice Charles Johnson Justice Debra Stephens</p>	<p>9:50</p>
<p><b>5. Presentation:</b> Access to Justice Board Information sharing</p>	<p>Esperanza Borboa</p>	<p>10:15 Tab 3</p>
<p><b>Break</b></p>		<p>10:30</p>
<p><b>6. Innovating Justice Award</b></p>		<p>10:40</p>
<p><b>7. Standing Committee Reports</b></p> <p>Budget and Funding Committee</p> <p>Court Education Committee</p> <p>Legislative Committee</p>	<p>Judge Mary Logan/Ramsey Radwan</p> <p>Judge Gregory Gonzales/Judith Anderson</p> <p>Judge Kevin Ringus</p>	<p>10:55 Tab 4</p>

Policy and Planning Committee	Judge Michael Scott/Penny Larsen	
<b>8. Judicial Leadership Summit</b> Discussion on priorities to share and agenda	Chief Justice Steven González	11:15 Tab 5
<b>9. March 19, 2021 Meeting Minutes</b> Action: Motion to Approve the Minutes of the March 19, 2021 Meeting	Chief Justice Steven González	11:30 Tab 6
<b>10. 2021-2022 Meeting Schedule</b> Action: Motion to approve next year's schedule	Chief Justice Steven González	11:35 Tab 7
<b>11. Information Sharing</b>	Chief Justice Steven González Judge Gregory Gonzales	11:40 Tab 8
<b>12. Adjourn</b>		12:00
Persons who require accommodations should notify Jeanne Englert at 360-705-5207 or <a href="mailto:jeanne.englert@courts.wa.gov">jeanne.englert@courts.wa.gov</a> 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 17 – 9:00 – 12:00 Zoom**

**October 15 – 9:00 – 12:00 TBD**

**November 19 – 9:00 – 12:00 TBD**



The DMCJA faces unprecedented challenges that compel us to rethink how we operate. Issues such as the Coronavirus (COVID-19) public health emergency, compounded with the longstanding, chronic issue of systemic racism, require us to respond with creativity and cooperation to meet these challenges. The DMCJA has demonstrated that it can be nimble and responsive to a pandemic. We must apply this rigor to dismantling systemic racism in our justice system. Given these challenging circumstances, our 2021-2022 DMCJA Priorities have become even more essential to create a fairer justice system.

1. Identifying and Eliminating Systemic Racism in our Justice System

Direct and systematic racism has created individual and community trauma. A fair justice system must earn people's trust and confidence in order to properly function. We must do better, especially since we are the courts in which most people interact. Action is required. Empty platitudes will solve nothing. This crisis will not be fixed overnight but will require a recommitment by each judge every day. To that end, DMCJA is committed to recruiting more judges of color who will more accurately reflect the diversity in our communities across the state. We have added a new DMCJA Board position to ensure that more diverse perspectives would be considered. We have made a financial commitment to the Washington State Racial Justice Consortium, whose mission is: "to identify actions and structural changes that could help end racism and the devaluing of Black lives within the state judicial system." The DMCJA President is a member of this Consortium. The DMCJA will also seek to improve data and utilize more effective research to better identify where systematic racism exists within our justice system and then address those inequities with best practice solutions.

Each and every day, on or off the bench, we must begin with the following premise: as community leaders, we judicial officers must at all times model the standards of fairness, impartiality, integrity and competence. We must continue to denounce words or behavior that violate our professional obligations to the public we serve.

2. Adequate Court Funding

The Courts of Limited Jurisdiction (CLJ) cannot provide services or justice without appropriate funding. We need to educate the public, from the voters to the legislators, regarding the effect that funding has on our ability to serve the constitutionally protected interests of the public. We should assess the mandated services the court provides and question how we are expected to provide these services in an environment of shrinking budgets. Major projects that need adequate funding are listed below:

a. JIS/Case Management

The Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Project is rapidly progressing. In late 2020, the AOC signed a contract with Tyler Technologies to replace our Judicial Information System (JIS) with a suite of products designed to modernize our case management capabilities and significantly increase court and probation efficiencies. These products include: Odyssey Case Manager (Odyssey), Odyssey File and Serve (OFS) and Tyler Supervision.

Based on the recommendation of Gartner, an industry leading technology consulting firm, the Project Steering Committee (PSC) agreed to roll out OFS, the electronic filing (eFiling) solution, immediately since statewide implementation of Odyssey is expected to take five years. OFS implementation will be completed by the end of 2021. This will allow all JIS courts to take advantage of modern eFiling and document service capabilities, begin the transition to "paper-on-demand", and allow document viewing through the Judicial Access Browser (JABS).

The Project Team hosted several OFS introduction webinars for courts and attorneys, is working with select pilot courts, and will continue to work with courts as they implement eFiling, which is essential to meet the increasing need for information sharing. The PSC also endorsed and published the statewide rollout schedule for the new case management and probation systems – Odyssey and Tyler Supervision. The DMCJA is committed to the full and

complete sharing of information among courts and implementation of modern case management efficiencies; therefore, our association continues to support the CLJ-CMS Project and considers it a top priority.

b. Courthouse Security

The safety of all who visit our courthouses remains a top priority for the DMCJA. Without adequate security, the safety of all patrons is in needless jeopardy, including:

- Members of the public summonsed for jury duty, traffic infractions, civil matters, and criminal cases
- Every party involved in domestic violence cases, including alleged victims and witnesses who appear to participate with domestic violence criminal cases, and/or protection, stalking, and anti-harassment orders
- Courthouse staff who are required to work every day in a building where disputes are resolved and where some of those involved in those disputes will present a risk for violence

General Rule (GR) 36, *Trial Court Security Rule*, as well as Minimum Court Standards, became effective on September 1, 2017. Judge Rebecca Robertson, Federal Way Municipal Court, and Judge David Steiner, formerly King County District Court, prepared a GR 36 implementation guideline for DMCJA members that was disseminated to the association on August 1, 2017. Further, the DMCJA Long Range Planning Committee supports educating the association membership about pursuing federal grants related to courthouse security.

i. Courthouse Security Task Force

The DMCJA will actively participate with the Board for Judicial Administration (BJA) Court Security Task Force, with Judge Rebecca Robertson currently serving as Co-Chair. DMCJA representatives will ensure that district and municipal court security issues are included in any and all reports and materials created by this initiative.

c. Access to Justice

Access to justice is critical to the citizens of Washington State. Access includes: quality interpreter services, courtroom and court staff accessibility, technological related access, and the facilitation of services for self-represented litigants. Several issues related to interpreters should be highlighted, including ADA/foreign language interpreters, the quality of interpretation options and access to interpreters. In our digitized world, members of the public should also have the option of using technology to access the courts. The DMCJA has supported the efforts of the BJA Court System Education Funding Task Force and BJA Interpreter Services Funding Task Force. Both task forces have obtained requested funds for court interpreter services and online court education, respectively. The DMCJA should continue to track pilot initiatives, such as Tukwila Municipal Court's robot, *Sheldon*, which is used to provide remote interpreter services.

i. Use of Modern Technology

The DMCJA continues to encourage courts to employ technology such as Zoom or other similar platforms to improve attendance at hearings, for defendants in criminal matters both in custody and out of custody, as well as plaintiffs and defendants engaged in civil matters. For those who face challenges of transportation, child care, work schedules and other limitations, remote or virtual hearings increase and improve access to justice.

3. Foster Development of Therapeutic Courts

The purpose of this priority is to address pressing issues facing our court community, such as mental health, homelessness, veteran needs, and drug addiction. The Board is concerned about consistent management of defendants with mental health diagnosis. Defendant who do not qualify for restoration under RCW 10.77, but nevertheless need housing and similar social services, should be able to get the assistance they require in all Washington State courts.

4. Educate Justice Partners

To accomplish the goals of our member courts and the DMCJA as a whole, we must educate the executive and legislative branches of both local and state government. Through such education, the other branches of government will learn of our accomplishments and needs. The Public Outreach Committee is tasked with developing materials that will assist both urban and rural court judges in educating local governmental agencies and the public. We may likely find that topics of importance to the judiciary may be just as important to cities, counties, and the state. These topics include, but are not limited to security concerns, court funding, the separation of powers, court administration, access to justice and access to court records and court information. Committee members suggested several ways to begin educating our justice partners, including creating reference materials for judges to obtain in a centralized repository on the Inside Courts web site. Initially, this repository will contain documents for use in contacting and informing local legislators, council members, and partner organizations of our accomplishments and needs. The DMCJA Public Outreach Committee will serve as a resource for judges, assisting in planning events such as State of the Court addresses, and providing information on local programs, funding opportunities, and community partners. Such partners may include: Association of Washington Cities (AWC), Washington Association of Prosecuting Attorneys (WAPA), Washington State Association of Municipal Attorneys (WSAMA), Washington State Association of Counties (WSAC), risk management agencies, city and county councils, local school districts, and civic and social clubs. Our members have done some amazing work in their communities and it is time for the public and governmental entities to learn about our courts and judges.

a. Public Outreach Committee

The DMCJA Public Outreach Committee has determined that its charges are (1) to educate justice partners on the accomplishments and challenges of district and municipal courts, and (2) to provide resource materials to assist DMCJA members when communicating with local governmental entities and stakeholders. This Committee will continue to partner with the Council on Independent Courts to educate justice partners.

b. Reduce the Impact of Court Imposed Financial Obligations

Addressing the impact of court imposed financial obligations on the indigent must continue to be a priority. The Legal Financial Obligations (LFO) calculator is an example of a new program that has helped. Individual courts are using other innovative methods to address the issue, such as relicensing programs and waiving all discretionary financial obligations. EHM, Alcohol Monitoring, and Abusive Partner Intervention Programs are examples of pretrial and post-conviction services indigent defendants often are required to pay without any assistance. Surveys and success stories from across the state should be collected and used to develop recommendations for courts to obtain funding to eliminate the disparate impact on the indigent. This could be an opportunity to talk with budget decision makers on ways to improve public safety in our community. Concerns have also been raised regarding laws requiring district and municipal courts to be involved in LFO collection. *State v. Blazina*, legislative proposals, and court funding issues should continue to be considered to address the courts' involvement in the collection of LFOs.

5. Preserving the Independence of the Courts of Limited Jurisdictions

The purpose of this priority is to ensure that justice is dispensed fairly throughout the state for all criminal defendants. The DMCJA thinks the court system is bifurcated and administrative court funding should be consistently applied throughout the state to allow all courts to maintain their independence from the executive and legislative branches of government. Judges should not be in jeopardy of losing their positions based upon the exercise of judicial independence. In order to reach this goal, the DMCJA Board created the Judicial Independence Fire Brigade Committee in May 2017. The Workgroup on Judicial Independence, a subgroup of the Fire Brigade Committee, which has changed its name to the Council on Independent Courts ("CIC"), has proposed suggested amendments to General Rule (GR) 29 and assists judges experiencing judicial independence related issues. In 2019, the DMCJA membership voted for the CIC to become a standing committee. The DMCJA needs to work to maintain the quality and consistency of justice across all courts of limited jurisdiction. We must continue to work to remove statutory disparities between district and municipal courts and monitor regional courts initiatives.



## 6. Member Engagement

The DMCJA fulfills its statutory obligations through its committees. Therefore, the Board should actively encourage its members to participate in committee work and governance of our organization. Currently, 76 members volunteer for committees of which 46 participate on 2 or more committees and 20 participate on 3 or more committees. 158 members are currently not serving on any committees.

Some past examples of encouraging member involvement include: performing skits related to membership involvement during the Annual Spring Conference, sponsoring a break out session about the association during Judicial College, and highlighting members who have served on committees. Going forward in our new digital environment, there are a number of ways of actively encouraging more member participation. One, informing the members that most if not all of our committee work is being conducted over zoom which allows for less travel, fewer pro tem judges, and easier access to committee meetings. Two, having a separate section at the Judicial College regarding member engagement where we can learn more about our newest judges and their background, interests and assist in mentorship. It is also beneficial for the DMCJA to have a succession plan and active mentoring opportunities as judges leave the bench and new judges are elected or appointed. And finally, a survey to the entire membership to learn areas of legal expertise and interests both on and off the bench would allow for a concentrated and targeted inquiry to judges in order to facilitate participate on certain committees based on their strengths and interests.

## 7. Continuity of Operations

The DMCJA recognizes that access to justice exists only when courts are operational. Each court, regardless of size and location, must plan for continuity of operations in response to a spectrum of contingencies including pandemic, personnel, technology, site, or logistical disruptions or threats. Disruptions can affect court staff, vendors, and/or the public at large. They can occur at the courthouse or off-site; can be natural or man-made disasters; and can be short-term or long-term in duration.

The DMCJA will work with the Washington Administrative Office of the Courts (AOC) and individual district and municipal courts to ensure that all court leaders have the education and ability to identify resources to help their courts prepare robust and complete plans to help them continue operations through potential threats and disruptions.

# TAB 2

## **The Court Recovery Task Force BJA Report May 21, 2021**

The [Court Recovery Task Force](#) has twelve committees, two which have met their goals and no longer meet.

### **Appellate Courts Committee**

- SB 5225 bill that address APA adjudicative appeals and LUPA appeals was passed.
- Several informational sessions are being developed to share the changes with judges and attorneys.

### **Child Welfare Committee**

- Created a prioritized list of goals to address the day-to-day operational changes necessary to deal with and recover from the on-going pandemic and to bring about radical system changes to improve access and improve racial equity outcomes.
- Working on several activities.

### **Criminal Matters Subcommittees**

#### **Juvenile Criminal/Civil**

- Identified goals and activities that address probation, truancy, diversions, detention, and community services.
- Drafted two possible RCW changes to diversion and fingerprinting.

#### **Therapeutic Courts**

- Developed marketing materials around therapeutic courts that can be found [here](#).

#### **Adult Criminal**

- Developed and implemented several surveys to obtain feedback on COVID impacts from defendants and jurors. They can be found [here](#).
- They are continuing to identifying remote contact/hearing challenges and successes, especially as it pertains to language access considerations in the jail.

### **Family Law Committee**

- Exploring the barriers some litigants may have using digital signatures.
- Exploring feasibility of Informal Family Law Trials. Reviewing rules and contacting court administrators to learn about litigant experiences of informal family law trials.

### **General Civil Litigation Committee**

- Drafting language for use in court orders presuming the use of remote depositions and electronic service of process (other than initial service of process).
- Monitoring the extent of the civil litigation backlog and following jurisdictions where fully remote trials are already being carried out.

### **Lessons Learned Committee**

- Developed and implemented a court user survey specifically for unrepresented litigants. It can be found [here](#).

### **Technology Committee**

- Drafting for publication a detailed list of objectives and guidelines for courts to use in adopting and implementing the use of technology in court proceedings based on [Access to Justice](#) and [NCSC Guiding Principles](#).



May 21, 2021

**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:** Extend the task force for one year.

The Court Security Task Force Co-Chairs recommend a motion for the BJA to extend the Court Security Task Force from June 30, 2021, to June 30, 2022. The task force will evaluate the expenditure of funds received in the 2021-2023 capital budget to determine if courts will need additional funding in the 2023-2025 biennium to meet the minimum standards listed in GR 36, Trial Court Security.

With the persistent efforts of DMJCA and SCJA judges and lobbyists, an allocation of \$750,000 was included in the 2021-2023 capital budget for courthouse security. The AOC is gathering information on funding flexibility and to determine how funds will be distributed. More details will be shared the BJA and courts in the next few weeks as information becomes available.

# TAB 3

## A CALL & COMMITMENT TO ACTION

The Washington State Access to Justice Board has not done enough in the battle against racism against Black communities and other communities of color. Racism, discrimination, and intolerance of any kind is unacceptable. The “twin pandemics” of COVID-19 and violent racism have laid bare deadly, toxic racial disparities that exist across all of our systems, including the justice systems. As the Washington State Supreme Court recently acknowledged, “[o]ur systems remain affected by the vestiges of slavery: Jim Crow laws that were never dismantled and racist court decisions that were never disavowed.”<sup>1</sup>

In order to meet our charge to expand access to our civil legal justice system, the Access to Justice Board must actively resist racism against Black, Indigenous, and People of Color (BIPOC). This includes dismantling structures that advantage white people at the cost of dehumanizing BIPOC and resisting habits and practices that uphold white privilege. We must squarely address barriers that continue to prevent communities of color from accessing meaningful relief within the civil justice system. We must also examine ways that our legal systems often overlap and reverberate in ways that amplify harm for communities of color. As long as institutional racism exists, our legal system will be just that – a legal system and not a justice system.

We join the chorus of voices being heard not only across our state, not only across our country, but indeed throughout the world to take active steps to confront racism. To ensure we do more than simply say words, we, the members of the Access to Justice Board, commit to taking the following collective steps:

1. As a convener for the Alliance for Equal Justice, within 60 days from the adoption of this Statement we will convene Alliance for Equal Justice members, alongside racial justice movement leaders and representatives of communities who are most harmed by racism within the civil justice system and intersecting legal systems, to create and adopt an Alliance-wide Action Plan for combatting racism.
2. As a catalyst for change within the civil justice system, we will take our lead from Black, Indigenous and People of Color as we deepen our understanding about the ways the law and justice systems lead to harm and as we generate and recommend strategies for changes to policies and practices.
3. As leaders within our communities, we will educate ourselves, policy makers, and our stakeholders about the role that civil legal aid can play in ending systemic racism.

<sup>1</sup> Open letter from the Washington Supreme Court to Members of the Judiciary and the Legal Community, dated June 4, 2020.

4. As a Board that seeks to live our stated values, we will continue to engage in our own learning and examine our own practices to ensure that we are not perpetuating anti-Blackness or racism within our operations and decision-making.

Access to Justice Board members will also be taking a series of individual steps, unless prohibited from doing so because of professional ethical considerations, e.g., the canons of judicial conduct. Examples of our individual commitments, which we encourage our partners to consider as well, include:

1. Additional donations, over and above what we would normally give, to the Campaign for Equal Justice or the Endowment for Equal Justice;
2. Donations to local or national organizations that are fighting racism such as the Equal Justice Initiative, the American Civil Liberties Union, the Southern Poverty Law Center, the Lawyers Committee for Civil Rights under the Law, Movement for Black Lives, or similar organizations;
3. Personally contacting one or more local county or city representatives urging them to take action to address policies that further systemic racism, e.g., the use of chokeholds; and
4. Personally contacting one or more of our congressional representatives, urging them to take action to address policies that further systemic racism, e.g., allowing surplus military equipment to be used by civilian police departments, the need for civilian review boards, a national database of law enforcement officers who have been found to have engaged in discriminatory practices.

Through our [State Plan for the Coordinated Delivery of Civil Legal Aid](#), our adoption of the Washington Race Equity & Justice Initiative's [Acknowledgments & Commitments](#), and our guiding principles, the ATJ Board has made, and will continue to make, race equity a central tenet for all the work that it does.

We, the members of the ATJ Board conclude this call to action by making this statement: Black Lives Matter.

## Access to Justice Board Priorities 2020-2022

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**Priority:** Work with stateside partners to actively promote and secure state funding to achieve greater access to civil legal aid and stimulate new and effective innovations

**Implementation Goal:** Collaborate with the Office of Civil Legal Aid, the Equal Justice Coalition, the Legal Foundation of Washington, the Washington State Bar Association and others to coordinate and leverage support for increased state funding for civil legal aid.

**Priority:** Address the civil legal needs of people without lawful immigration status

**Implementation Goal:** Work with the Delivery Systems Committee and Alliance providers to identify unique civil legal problems affecting individuals without lawful immigration status. Such areas could include, as examples only:

- Access to housing
- Employment discrimination and wage theft
- Access to healthcare
- Access to education
- Detention conditions
- Accessing courthouses and other facilities to apply for benefits or participate in proceedings

**Implementation Goal:** Work with relevant Alliance members and community-based organizations to develop strategies to help educate individuals concerning their civil legal rights and how to vindicate those rights.

**Implementation Goal:** Work with the Equal Justice Coalition, Legal Foundation of Washington, and other Alliance members to identify funding sources in light of certain restrictions on the use of civil legal aid funds for individuals without lawful immigration status.

**Implementation Goal:** Monitor and support efforts to lift restrictions on civil legal aid funding for individuals without lawful immigration status.



Priority: Promote systemic and internal race-equity practices, working toward a vision that race or color does not determine the availability and quality of services, fairness of outcomes, or opportunities for communities and individuals.

**Implementation Goal:** Engage more directly with Alliance partners and community partners outside of the Alliance concerning race-equity work (e.g. a preference for one-to-one contact rather than surveys, and follow up seeking out comments, criticisms, and suggestions on what we can do better)

**Implementation Goal:** Provide tools for board members to do their own individual, personal race-equity work and reflection, recognizing that organizational change comes in part from individual change.

**Implementation Goal:** Develop and implement a plan for:

- Reviewing existing policies through a race-equity lens and changing those existing policies if necessary.
- Reviewing new policies through a race-equity lens; and
- Reviewing best practices for establishing and engaging community partners in genuine, open dialogue on race equity and encouraging their feedback on the Board’s work and its potential impact.

**Implementation Goal:** Continue efforts to conduct a race equity self-audit to identify practices and impede diverse recruitment and retention of board members, staff, and volunteers, and develop strategies to eliminate those practices.

**Implementation Goal:** Continue to increase the visibility of activities and successes in advancing race equity that are supported by Alliance organizations and the greater legal community and community partners (e.g. through the public praise for stakeholders engaging in this work).

Priority: Support and uplift partnerships among legal aid providers and with justice-related and community-based organizations.

**Implementation Goal:** To better understand gaps and duplication in client services, work with the Delivery System Committee to move forward their goal to map Washington’s civil legal aid network. Support may include, as examples only:

- Providing funding, defining outcomes, and developing accountability measures for a facilitator to collect data and generate written and visual images of the map of civil legal aid services that are currently available.
- Convening local, regional, and statewide gatherings of legal aid providers, client communities, client service providers, and other to collect information about legal aid that is currently available.
- To evaluate what can and should be done to bring about meaningful change to our state legal system with a focus on race equity, consider establishing a community-legal workgroup consisting of

individual representing different races, areas of service, and geographic locations (e.g. legal service providers, educators, faith, and labor leaders).

**Implementation Goal:** To strengthen connections between justice-related partners and the Alliance, assign liaisons to coordinate and identify possible areas for collaboration with Supreme Court commissions and boards, the Washington State Bar Association, and other institutions. An example of collaboration is the recent work concerning the presence of immigration law enforcement in or around courthouses in Washington.

**Implementation Goal:** Expand the Access to Justice Conference to include more input from community partners in planning and outreach in an effort to build strong, ongoing working relationships that go beyond the conference.

**Implementation Goal:** Develop a plan to host regional forums, inviting community members to share their concerns related to civil legal problems.

## Priority: Support work designed to assist unrepresented litigants.

**Implementation Goal:** Identify potential legal and non-legal partners inside and outside of the Alliance already doing this work.

- At least one board member should serve as a representative on the Superior Court Judges Association Unrepresented Litigants Ad Hoc Workgroup.
- Identify opportunities to work with partners, including identifying areas which partners are not working in, to avoid overlap and fill gaps.

**Implementation Goal:** Once partners, overlap, and gaps have been assessed, consider creating a committee on unrepresented litigants to:

- Identify the need, i.e., how many unrepresented litigants are the courts seeing?
- Identify particularly vulnerable types of unrepresented litigants, e.g., litigants experiencing a disability, and strategies to address their unique needs.
- Identify and prioritize areas of law where unrepresented litigants need help, e.g., family law.
- Identify and develop tools to assist unrepresented litigants, e.g., technology and training, and identify where those tools most need to be deployed.

**Implementation Goal:** The potential new committee will gather data from the Administrative Office of the Courts concerning the time to trial for civil cases in Washington's 39 counties and make recommendations. For example:

- How many counties had a ratio of active pending cases to cases resolved of greater than 1.0 in 2018? I.e., how many counties had more civil cases pending at the end of 2018 than resolved?
- For counties that had ratios greater than 1.0 in a given year, how many civil trials did the county conduct that year?
- How are lengthy civil time-to-trial delays affecting low-income litigants?

- If low-income civil litigants in under-resourced, over-burdened counties are not getting trial dates, what are they doing instead to vindicate their rights, if anything?

## Priority: Promote, support and lead collaborative efforts to bridge the civil-criminal divide.

**Implementation Goal:** Task a group, staffed by JustLead Washington, with developing a working paper that lays out – from the perspectives of those engaged with these many systems – the dysfunction of the current systems and structures and how they operate to perpetuate a lack of access and systemically drive unjust outcomes. Some possible tasks, as examples only:

- Identify the need, i.e., how collaboration and partnership can help?
- Identify impacted populations and find existing programs that serve them.
- Identify best practices and current collaborative work that can be easily replicated statewide.
- Identify legal and non-legal partners within and outside of the Alliance that can help in collaborative work.
- Identify and develop collaborative tools and programs that can help address the challenge.
- Identify funding sources to help address the needs.
- Take the results of this small workgroup and consider convening a larger implementation group.

**Implementation Goal:** Work with Alliance providers, the Superior Court Judges Association, the District and Municipal Court Judges Association, the Washington Association of Prosecuting Attorneys, the Office of Public Defense, the Washington Association of Criminal Defense Lawyers, the Washington Defender Association, the WSBA Council on Public Defense, and others to educate stakeholders concerning the needs of individuals with overlapping civil-criminal legal problems, through the presentation of CLE, CJE, and other programming.

**Implementation Goal:** Work with therapeutic courts to encourage best practices with respect to defendants with overlapping civil-criminal needs.

## Priority: Support efforts to ensure the effective and appropriate use of technology in the justice system and within the Alliance for Equal Justice in order to provide meaningful and equitable access to justice.

**Implementation Goal:** In cooperation with the Technology Committee, work with partners to implement self-help technology solutions in locations where clients need them, e.g., courthouses.

**Implementation Goal:** Monitor implementation of the updated Access to Justice Technology Principles and other uses of technology in the justice system.

**Implementation Goal:** Support ongoing efforts like the development of technology for automated family law forms, ATJ Tech Fellows, and other work which promotes the intersection of technology and justice for communities that experience poverty and injustice.

**Implementation Goal:** Support the Tech Justice Summit.

Priority: Reevaluate organizational identity to develop stronger mission, vision and value statements that align with the current priorities.

**Implementation Goal:** Starting with the results from the 2019 survey, work with JustLead Washington to clearly define and articulate the Board's role within the Alliance. Examples of questions to answer:

- If the ATJ Board was dissolved tomorrow, what would the impact be?
- Starting with the Board's mission, identify exactly what the Board is required to do.
- Identify what the Board's authority is to carry out its required tasks.
- Identify required tasks where the Board lacks authority, if any.
- Identify areas, if any, where the Board is acting beyond the tasks required by its mission.

**Implementation Goal:** Develop a communication plan to reach out to stakeholders to share the updated identity.

**Implementation Goal:** Create an ongoing feedback mechanism to determine if and how the Board is carrying out its unique role within the Alliance.

# TAB 4

<b>Administrative Office of the Courts – State General Fund Requests</b>				
<b>Title</b>	<b>FTE</b>	<b>Amount Requested</b>	<b>Conference Proposal</b>	<b>Funding Flag</b>
<b>Judicial Needs Development</b>	<b>1.5</b>	<b>\$620,000</b>	<b>\$0</b>	<b>N/A</b>
Funding is provided to develop a judicial needs weighted caseload study.				
<b>Equity Research</b>	<b>1.0</b>	<b>\$301,000</b>	<b>\$301,000</b>	<b>Ongoing</b>
Funding is provided to fund a research associate to focus on research related to historically marginalized groups.				
<b>Behavioral Health Needs in the Court</b>	<b>4.0</b>	<b>\$1,071,000</b>	<b>\$1,071,000</b>	<b>Custom</b>
Funding is provided to develop a statewide court Behavioral Health Response Team.				
<b>New Judge Position – King County</b>	<b>1.0</b>	<b>\$318,000</b>	<b>\$331,000</b>	<b>Ongoing</b>
Funding is provided to add a 54 <sup>th</sup> judge to King County Superior Court.				
<b>Trial Court Legal Services</b>	<b>3.0</b>	<b>\$769,000</b>	<b>\$769,000</b>	<b>Custom</b>
Funding is provided for additional legal staff who will provide legal research, legal materials and training to judicial officers.				
<b>Court Equity and Access Team</b>	<b>5.0</b>	<b>\$1,518,000</b>	<b>\$1,518,000</b>	<b>Custom</b>
Funding is provided to develop a statewide Court Equity and Access Team who will ensure equal access to civil justice.				
<b>The LFO Calculator</b>	<b>0.0</b>	<b>\$61,000</b>	<b>\$61,000</b>	<b>Ongoing</b>
Funding is provided to continue support of the Legal Financial Obligations (LFO) Calculator.				
<b>Web Services Support</b>	<b>1.0</b>	<b>\$319,000</b>	<b>\$319,000</b>	<b>Ongoing</b>
Funding is provided for additional Web Services staff support.				
<b>Trial Court Funding Language Access</b>	<b>0.0</b>	<b>\$2,726,000</b>	<b>\$2,726,000</b>	<b>Ongoing</b>
Funding is provided to expand the state Interpreter Reimbursement Program.				
<b>Trial Court Security-CAPITAL Budget</b>	<b>1.0</b>	<b>\$0</b>	<b>\$750,000</b>	<b>One Time</b>
Provide reimbursement for security equipment to select courts.				
<b>SB 5160 Landlord Tenant Relations</b>	<b>2.0</b>	<b>\$0</b>	<b>\$9,010,000</b>	<b>Custom</b>
Funding is provided for implementation of SB 5160-eviction resolution programs.				

<b>SB 5226 License Suspensions – Traffic Infrac.</b>	<b>0.0</b>	<b>\$0</b>	<b>\$44,000</b>	<b>One Time</b>
Funding is provided for implementation of SB 5226-suspension of licenses for traffic infractions.				
<b>SB 5331 Early Childhood Court Program</b>	<b>2.1</b>	<b>\$0</b>	<b>\$629,000</b>	<b>Ongoing</b>
Funding is provided for implementation of SB 5331-early childhood court program.				
<b>New Judge – Pierce County</b>	<b>1.0</b>	<b>\$318,000</b>	<b>\$331,000</b>	<b>Ongoing</b>
Funding is provided for the ongoing costs of a Pierce County Superior Court judge position.				
<b>New Judge – Thurston County</b>	<b>0.8</b>	<b>\$0</b>	<b>\$275,000</b>	<b>Ongoing</b>
Funding is provided for the ongoing costs of a Thurston County Superior Court judge position.				
<b>Temple of Justice Staff Relocation Costs</b>	<b>0.0</b>	<b>\$0</b>	<b>\$660,000</b>	<b>One Time</b>
Funding is provided for staffing relocation costs while the Temple of Justice is renovated.				
<b>Uniform Guardianship Act</b>	<b>0.0</b>	<b>\$0</b>	<b>\$8,000,000</b>	<b>Ongoing</b>
Funding is provided to reimburse courts for costs incurred fulfilling attorney and court visitor needs created by the UGA.				
<b>Thurston County Impact Fee</b>	<b>0.0</b>	<b>\$2,188,000</b>	<b>\$2,188,000</b>	<b>Ongoing</b>
Funding is provided for ongoing reimbursement to Thurston County courts for the fiscal impact of state costs.				
<b>Truancy Funding</b>	<b>0.0</b>	<b>\$0</b>	<b>-\$2,798,000</b>	<b>Ongoing</b>
Transfers pass-through funding provided to school districts for the Becca program from the AOC to the OSPI.				
<b>Blake LFO Aid Pool</b>	<b>0.0</b>	<b>\$0</b>	<b>\$23,500,000</b>	<b>One Time</b>
Funding is provided to refund LFOs paid by defendants whose convictions or sentences were affected by the State v Blake decision.				
<b>Blake Decision Court Expenses</b>	<b>0.0</b>	<b>\$0</b>	<b>\$44,500,000</b>	<b>One Time</b>
Funding is provided to assist counties with costs related to the State v Blake decision.				
<b>Civil Protection Orders</b>	<b>5.4</b>	<b>\$0</b>	<b>\$2,531,000</b>	<b>Custom</b>
Funding is provided to implement ESSB 1320-civil protection orders.				
<b>Counsel Youth Dependency</b>	<b>0.5</b>	<b>\$0</b>	<b>\$128,000</b>	<b>Ongoing</b>
Funding is provided to implement SSB 1219-appoint of counsel for youth in dependency court proceedings.				

<b>Electronic Demo Juror Survey</b>	<b>0.0</b>	<b>\$0</b>	<b>\$300,000</b>	<b>One Time</b>
Funding is provided for courts to conduct an electronic demographic survey for jurors who begin a jury term.				
<b>Home Monitoring</b>	<b>0.0</b>	<b>\$0</b>	<b>\$300,000</b>	<b>One Time</b>
Funding is provided for the Center for Court Research to study electronic home monitoring programs.				
<b>Senate Bill 5476</b>	<b>0.0</b>	<b>\$0</b>	<b>\$4,500,000</b>	<b>One Time</b>
ESB5476 contains an appropriation for the costs to operate municipal and district therapeutic courts.				

<b>Total 2021-2023 SGF</b>	<b>27.8</b>	<b>\$10,209,000</b>	<b>\$101,944,000</b>
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<b>Administrative Office of the Courts – JIS Requests</b>				
<b>Title</b>	<b>FTE</b>	<b>JIS Account</b>	<b>Conference Proposal</b>	
<b>Appellate Court (AC-ECMS)</b>	<b>5.0</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>	<b>Custom</b>
Funding is provided to establish permanent staffing for the Appellate Court Information Systems.				
<b>CLJ-CMS</b>	<b>34.0</b>	<b>\$16,835,000</b>	<b>\$16,835,000</b>	<b>Custom</b>
Funding is provided to continue the implementation of the Courts of Limited Jurisdiction (CLJ) CMS.				
<b>External Equipment Replacement</b>	<b>0.0</b>	<b>\$252,000</b>	<b>\$252,000</b>	<b>Custom</b>
Funding is provided to replace aged computer equipment at the trial courts and county clerks offices.				
<b>INH-EDR Future Integrations</b>	<b>0.0</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>One Time</b>
Funding is provided for the Information Networking Hub – Enterprise Data Repository (INH-EDR).				
<b>Internal Equipment Replacement</b>	<b>0.0</b>	<b>\$2,503,000</b>	<b>\$2,503,000</b>	<b>One Time</b>
Funding is provided to replace end of life equipment and to improve performance of heavily used JIS services.				
<b>Juvenile Court Portfolio Enhancements</b>	<b>3.5</b>	<b>\$1,032,000</b>	<b>\$1,032,000</b>	<b>Ongoing</b>
Funding is provided to expand AOC staff to sustain support for and enhance the juvenile court application Portfolio.				

<b>Total Information Tech. Requests-JISC Acct.</b>	<b>42.5</b>	<b>\$23,122,000</b>	<b>\$23,122,000</b>
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**Total Administrative Office of the Courts  
2021 – 2023 Biennial Budget Request**

Title	FTE	Amount	Conference Proposal
Total State General Fund Requests	27.8	\$10,209,000	\$101,944,000
Total Info. Tech. Requests (JIS Acct.)	42.5	\$23,122,000	\$23,122,000
Total All Requests	70.3	\$33,331,000	\$125,066,000

<b>JUDICIAL BRANCH BUDGET DEVELOPMENT TIMELINE 2022 Supplemental Budget</b>	
<b>May 2021</b>	
<ul style="list-style-type: none"> <li>• Present 2022 supplemental budget schedule to BJA May 21, 2021.</li> <li>• Distribute 2022 supplemental budget instructions-May 2021.</li> </ul>	
<b>June - July 2021</b>	
<ul style="list-style-type: none"> <li>• Present 2022 supplemental budget schedule to JISC June 25, 2021.</li> <li>• 2022 supplemental budget requests <b><u>that impact AOC due July 9, 2021.</u></b></li> <li>• BJA Budget and Funding Committee (BFC) meeting(s) TBD. BFC will make priority recommendations to BJA on those state general fund budget requests that flow through the AOC.</li> <li>• Supreme Court Budget Committee meeting(s)-TBD.</li> </ul>	
<b>August - September 2021</b>	
<ul style="list-style-type: none"> <li>• 2022 supplemental budget requests <b><u>that do not impact AOC due August 1, 2021.</u></b></li> <li>• 2022 JIS supplemental budget request list reviewed and approved at the August 27, 2021 JISC meeting.</li> <li>• <b><u>All</u></b> final decision packages <b><u>due September 1, 2021.</u></b></li> <li>• 2022 state general fund budget requests that flow through the AOC presented at the September 17, 2021 BJA meeting.</li> <li>• Present 2022 supplemental budget to Supreme Court for final approval-TBD.</li> </ul>	
<b>October 2021</b>	
<ul style="list-style-type: none"> <li>• Final branch supplemental budget request forwarded to the legislature.</li> </ul>	

May 2, 2021

**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 LMS contract was awarded to SumTotal and the final contract is being developed with the start date for configuration in early May.

Since the last report, the Education team have completed the following webinars:

- *Silence=Acceptance (4)*, sponsored by the DMCMA and Minority and Justice Commission;
- *Meaningful Communication in Complicated Times: Effective Language Access in Virtual and Socially-Distanced Courtrooms (Part 1 and Part 2)*, sponsored by the SCJA and the Interpreter Commission;
- *Rural Court Race & Justice Webinar*, sponsored by the SCJA; and
- *Best Practices - Recruiting and Training Pro Tems*, sponsored by the DMCJA.

The following spring programs were completed:

- *Virtual Appellate Judges' Spring Program in March. Thirty-nine attended the three-day program.*
- *Virtual County Clerks' Spring Program in March. Forty-four attended the one-day program.*
- *Virtual Superior Court Judges' and Administrators Spring Program in April. One hundred ninety-one attended the week-long program. District Court Judges were invited to attend any portion of the program. CEC has been encouraging groups to coordinate and share educational opportunities.*

In addition, the team launched the 2021 Search and Seizure 4-week hybrid program (April 29-May 27, 2021). Forty-one have registered.

Education also uploaded the BJA Remote Jury Trials Workgroup's *ZOOM Remote Jury Trials* which is now available on Inside Courts.

## **Work in Progress**

The CEC is currently reviewing the SCJA request to modify GR26 to include mandatory credits in the area of diversity, equity and inclusion.

Work continues on developing a self-paced *Institute for New Court Employees* and a self-paced program *For Those Who Escort Jurors*.

Configuration will begin on the new LMS as soon as contract is signed.

Development of the education and training is being outlined by the taskforce and the CEC. Priorities include on-demand education and training for new judges, administrators, county clerks and line-staff, along with education and training specifically designed for rural courts.



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May 12, 2021

TO: Washington Courts – BJA Legislative Committee  
FROM: Devon Connor-Green, Legislative & Regulatory Consultant  
RE: 2021 End-of-Session Legislative Summary

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### Looking back over the 2021 Legislative Session

Ending what is sure to be remembered as an unprecedented legislative session, lawmakers adjourned at 6:10PM on Sunday, April 25, completing their business on time and even in the daylight. This virtual session faced unique challenges because of the pandemic, but it exceeded expectations, at least for the majority party.

Prior to the start of session, majority Democrats developed guidelines to focus the workload in a virtual session. They instructed their members to introduce no more than 7 bills, and advised that bills would be more likely to advance if they had a clear path in the other chamber and fit into the following categories: address COVID-19 challenges; improve racial equity and police accountability; advance economic recovery; and address climate change. These guidelines were largely successful.

By the first day of session, legislators had pre-filed **286** proposals (bills, resolutions, etc.), compared to **301** prefiled for the 2019 one-hundred and five-day session. As of the February 26, committee cutoff, legislators had introduced **1,177** proposals (627 in the House and 550 in the Senate). By the end of the 2021 session, only **340** bills passed the legislature. By contrast, past sessions have seen about 1200 bills introduced each year, with roughly 430 of those bills passing the legislature. Of course, all bills that did not pass this session remain alive for next session and new bills will be introduced during the 2022 legislative session.

**Operating Budget.** What had been a dire economic crisis only 14 months ago, has turned into an unexpected robust state economy with the help of significant federal funding and new revenues. The final budget was based on the Economic and Revenue Forecast Council’s March forecast, which showed the state’s tax collections were rebounding strongly. The Council has projected an additional \$1.3 billion in tax revenue this biennium and an additional \$1.9 billion increase forecasted for the 2021-23 budget cycle. The increase in projected revenues leaves the state with a net surplus of nearly \$3 billion - including reserves - at the end of the biennium. This puts Washington state nearly back on track with pre-pandemic economic growth, though the job market struggles in sectors hit hard by COVID closures.

The House and Senate passed the final \$59 billion operating budget (ESSB 5092) the final day of session. The budget includes \$10 billion in federal funding, with \$1 billion of that set aside in the Washington Rescue Plan Transition Account (WRPTA). The funds from WRPTA can be used for responding to the impacts of the COVID-19 pandemic including those related to education, human services, health care, and the economy. Legislators left \$500 million in the Budget Stabilization Account (aka, the Rainy Day Fund). In addition, the federal Coronavirus Aid, Relief, and Economic

Security (CARES) Act, signed into law on March 27, 2020, appropriated approximately \$2.95 billion to state and local governments in Washington state to help fund the response to the COVID-19 outbreak. Overall, the budget makes significant expenditures in programs designed for economic recovery and to bolster public health efforts.

**Other Budgets.** The legislature approved a significant capital budget that included about \$150 million in Federal ARP funds. Many local projects were funded. The legislature also approved a current revenue transportation budget. It is anticipated that the legislature may return before next year to enact a transportation budget with enhanced revenues.

**Capital Gains Tax.** One of the goals of some legislators was to enact a more equitable tax system. In their view, they took the first step in doing so by enacting a capital gains tax. SB 5096 applies to all voluntary sale of capital assets except qualified family businesses, all residential and other real property, retirement accounts and commercial fishing privileges. A 7% tax is applied after a \$250,000 deduction. It is likely that this tax will be challenged in court as an income tax. The first \$500 million in proceeds from the tax will be spent on early learning and childcare. The remainder of funds generated will be deposited in the common school construction fund.

## Court Budget Priorities

A number of the courts' priority budget issues were addressed by legislators during the budget negotiations, including:

### JSTA Backfill Request:

The Legislature approved the supplemental budget request by AOC, OCLA and OPD for \$1.9 million to offset a fund deficit in the Judicial Stabilization and Trust Account (JSTA). The legislature created the account in 2009 and associated surcharges are used as a backfill mechanism for substantial state general fund budget reductions in the AOC, OCLA, and OPD budgets. The current deficit is the result of decreased civil filings over the last several years.

Without the supplemental funding:

- AOC would not have been able to contribute to district court and eligible elected municipal court judges' salaries as identified in RCW 43.08.250
- OPD would not have been able to cover costs of constitutionally / statutorily mandated programs such as the parents' representation and appellate programs
- OCLA would have lost five contract attorneys who provide critically needed legal assistance to low-income clients.

Joint efforts by AOC, OCLA and OPD successfully elevated this issue to budget writers and legislative leadership.

### 2021 - 2023 Biennium:

The 2021-2023 Operating Budget approved funds for the AOC's State General Fund priorities, including:

- **New Judge Position - King County:** Funding was approved to add a 54th judge to the King County Superior Court. The position was authorized January 1, 2021. AOC requires funding to pay the state share of salaries and benefits. (\$331,000).
- **New Judge Position - Pierce County:** Funding was approved for the ongoing costs of a Pierce County Superior Court judge position. (\$331,000).
- **Trial Court Funding Language Access:** Funding was approved to expand the state Interpreter Reimbursement Program to help additional courts, increase funds to courts now receiving assistance, and provide additional testing and training for qualified interpreters. (\$2,726,000).
- **LFO Calculator:** Funding was approved 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 LFOs. Funding will go to continued maintenance and online hosting of the calculator. (\$61,000).

- **Responding Behavioral Health Needs in the Court:** Funding was approved to develop a statewide court Behavioral Health Response Team to facilitate the development and implementation of a statewide response to individuals involved in the justice system who have behavioral health needs and assist with therapeutic courts' evaluation efforts. (\$1,071,000).
- **Web Services Support:** Funding was approved for additional Web Services staff support, necessary to serve the increasing demand from multiple internal and external stakeholders. (\$319,000).
- **Court Equity and Access Team:** Funding was approved to develop a statewide Court Equity Access Team. This team will provide leadership and corresponding professional expertise and capacity to pursue and provide infrastructure and support for court system policy, planning, programming, and data collection and evaluation for critical services to ensure equal access to civil justice, especially for unrepresented court users, low income, and those who come from historically marginalized backgrounds. (\$1,518,000).
- **SB 5160 Landlord Tenant Relations:** Funding was approved for implementation of SB 5160's eviction resolution programs in partnership with Resolution Washington (Dispute Resolution Centers). (\$9,010,000).
- **Uniform Guardianship Act:** Funding was approved to reimburse courts for costs incurred fulfilling attorney and court visitor needs created by the UGA. (\$8,000,000).
- **Thurston County Impact Fee:** Funding was approved for ongoing reimbursement to Thurston County courts for the fiscal impact of state costs. (\$2,188,000).
- **Blake LFO Aid Pool:** Funding was approved to refund LFOs paid by defendants whose convictions or sentences were affected by the State v. Blake decision. (\$23,500,000).
- **Blake Decision Court Expenses:** Funding was approved to assist counties with costs related to the State v. Blake decision. (\$44,500,000).

#### Judicial Information System Requests:

Legislators also approved several AOC requests related to the Judicial Information System (JIS):

- **Appellate Court Systems Operations and Maintenance (AC-ECMS):** Funding was approved to establish permanent staffing for the Appellate Court Information System and web pages. This includes: court records, data systems, e-filing, inmate e-filing, calendars, and court brief and opinion uploads. (\$2,000,000).
- **CLJ-CMS:** Funding was approved to continue the implementation of the new Commercial-Off-The-Shelf Case Management System (CMS) for the Courts of Limited Jurisdiction (CLJ) and probation offices. This will be the continuation of the replacement of the legacy Courts of Limited Jurisdiction Case Management System known as DISCIS. This is a multi-year, multi-million dollar effort. During the 2021 - 2023 biennium, the project will focus on implementing electronic filing for all District and Municipal Courts and probation departments statewide. (\$16,835,000).
- **Internal Equipment Replacement:** Funding was approved to replace end of life equipment and improve performance of heavily used JIS services. (\$2,503,000).
- **Juvenile Court Portfolio Enhancements:** Funding was approved to expand AOC staff to sustain support for and enhance the juvenile court application portfolio. (\$1,032,000).

#### **Review of policy bills with potential court / AOC impact**

Although only a minority of bills introduced during a particular legislative session are enacted into law, they all must be reviewed for potential impact on the business and operations of the court, AOC programs and services, and the Judicial Information System. The hard work of analyzing and monitoring legislation is done each year by a team of people from the Administrative Office of the Courts (AOC) and the courts. Each week, they review literally hundreds of bills to identify the specific ways legislation could impact the judicial system, and to help track priority bills that are moving through the committee process and floor votes. By the end of session, AOC and BJA had prepared and reviewed well over 100 judicial impact notes.

## Legislative Actions by the Governor

Bills that were delivered to the governor more than five calendar days before the Legislature adjourns had five calendar days to be acted on. Bills that were delivered fewer than five calendar days before the Legislature adjourns, have 20 calendar days to be acted on by the governor. (Sundays are not counted as calendar days, but Saturdays and state holidays are counted.) At that point, the governor may decide to sign it, veto part of it, or veto all of it. If the governor vetoes part or all of it, the Legislature may vote to override the veto with a two-thirds vote of both houses, which rarely happens. If the governor does not act on a bill after the allotted number of days, it is as if it was signed.

## AOC/BJA Request Legislation

### [SHB 1532](#) **Concerning Court Filing Fees**

↔ **Status: Passed by the Legislature. Delivered to the Governor on April 22.**

*Summary:* Eliminates the expiration date for surcharges on superior court and district court filing fees that are deposited into the Judicial Stabilization Trust Account. The bill includes an emergency clause and takes effect July 1, 2021.

*Legislative History:*

SHB 1532 passed House on April 5, by a vote of 63–35. The bill passed the Senate with no further amendments on April 15, by a vote of 37–11, with 1 excused. The Senate rejected a floor amendment offered by Sen. Padden that would have added a new sunset date July 1, 2023. The bill was delivered to the Governor on April 22.

[Final Bill](#)

[Final Bill Report](#)

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### [HB 1167](#) **Thurston County 9th District Judge**

↔ **Status: SIGNED BY THE GOVERNOR**

*Summary:* Thurston County currently has eight superior court judges. The bill would create an additional superior court position for Thurston County on November 1, 2021. Requires the county legislative authority to document their approval and agreement to pay for the position to be effective.

*Legislative History:* [HB 1167](#) passed the House on March 3, by a vote of 97-0, 1 excused. It passed the Senate on April 7, by a vote of 48–1. The bill was signed into law by the Governor on April 15.

*Session Law:* Chapter 63, 2021 Laws

[Final Bill Report](#)

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### No Bill **Single Judge Court bill**

# ↔ **Work will continued over the interim.**

*Summary:* Concerning continuity of judicial operations in single judge courts

*Legislative History:* Rep. Dye contacted AOC in March and requested time during the interim to work with policy staff on the language of the bill. Look for a bill to drop in 2022.



## High Priority / Court Impact

[E2SHB  
1320](#)

**Modernizing, harmonizing, and improving the efficacy and accessibility of laws concerning civil protection orders**

↔ **Status: Passed by the Legislature. Delivered to the Governor on April 22.**

Summary of the bill as passed by the Legislature:

- Consolidates and harmonizes laws governing domestic violence protection orders, sexual assault protection orders, stalking protection orders, anti-harassment protection orders, vulnerable adult protection orders, and extreme risk protection orders under a new chapter governing all protection orders.
- Amends provisions of law addressing the recognition and enforcement of Canadian domestic violence protection orders.
- Revises laws governing orders to surrender and prohibit weapons, revocation of concealed pistol licenses, unlawful possession of firearms, and domestic violence no-contact orders.
- Establishes responsibilities of school districts with respect to students who are subject to protection orders.
- Repeals existing chapters and provisions governing protection orders and makes conforming and technical changes to numerous provisions of law.
- E2SHB 1320 contains a null and void clause requiring specific funding be provided in the operating budget. ESSB 5092 includes a budget proviso for \$1,782,000 of the general fund—state appropriation for fiscal year 2022 and \$749,000 of the general fund—state appropriation for fiscal year 2023.

Legislative History:

E2SHB 1320 passed the House on March 1, by a vote of 53-44, 1 excused. The bill passed the Senate as amended on April 10, by a vote of 27-20, with 2 excused. The House concurred in the Senate amendments on April 14, and the bill was delivered to the Governor on April 22.

[Final Bill](#)

[Final Bill Report](#)

↔ AOC/BJA Assessment:

- Sections 13, 16, 65 and 66 (Implementation deadline extensions): 13 - July 2022; 16 - June 30, 2024; 65&66 - July 2023.
- Section 14(1)(a) (E-filing): Allows flexibility for differing case management systems across the state. Providing for electronic submission of documents achieves the bill's objective of remote and efficient filing, and allows independent Clerks of Court latitude to manage these filings within the characteristics of their unique systems.

## Concerning the suspension of licenses for traffic infractions

↔ **Status:** Passed by the Legislature. Delivered to the Governor on April 26.

### Summary of bill as passed by the Legislature:

- Failure to pay a traffic infraction will no longer result in the suspension or revocation of a person's driver's license.
- The infraction for must give the person the option to admit responsibility, but attest that they do not have the current ability to pay the penalty in full.
- The person must be informed of how to submit evidence of inability to pay. They must also be notified that failure to enter a payment plan may result in collection action, including garnishment of wages or other assets.
- The time period for a person to respond to a traffic infraction is increased from 15 days to 30 days from the date of the infraction.
- Requires the court to enter into a payment plan when a person requests to do so if the person does not have the ability to pay the monetary obligation in full and certain other conditions are met.
- If a person who fails to make a payment under a payment plan, the court may require a person to appear for a hearing and provide evidence of ability to pay. Failure to appear at a hearing may result in license suspension.
- Mandates driver's license suspension for 60 days and establishes a period of probation for one year when a person commits a moving violations on three or more separate occasions within one year or on four or more separate occasions within two years. Any additional violation during the probation period will result in an additional 30-day suspension.
- Authorizes the Department of Licensing to administratively reinstate the driver's license of a person whose license was suspended prior to the effective date of the act.
- Creates a new account called the driver's licensing technology support account within the Highway Safety Fund. The account must be used only to support IT systems used by DOL to communicate with the judicial information system, and manage driving records and implement court orders.
- Increases the total amount owed in assessments for a traffic infraction by \$6 and adds a \$1 fee for all original and renewal driver's licenses and identicards.
- The bill takes effect on January 1, 2023.

### Legislative History:

[ESSB 5226](#) passed the Senate on March 8 by a vote of 33-16. The bill was voted out with amendments in the House Committee on Transportation on April 2. The House passed the committee striking amendment with no further amendments on April 10, by a vote of 80-17, with 1 excused. The Senate concurred in the House amendments on April 15. The bill was signed by the Governor on April 26.

### Final Bill

### Final Bill Report

↔ AOC/BJA Assessment: ESSB 5226 would require amendments to several statewide court rules (IRLJ) to align this new substantive law with judicial branch procedures. It would require substantial changes to the Notice of Infraction (NOI) form, and would fund DOL programs directly by dedicated assessments on infractions. The courts have additional concerns with the implementation timeline, and AOC asked for the effective date to be adjusted to give the courts time to make the necessary changes.

**Outcome:** The final bill pushes the implementation date back to January 1, 2023.

## Implementation Deadline Issues

[ESHB  
1113](#)

### Concerning school attendance

⇔ **Status: SIGNED BY THE GOVERNOR**

Summary:

- Requires school districts to file a truancy petition with the juvenile court after a student's seventh unexcused absence within a month and not later than a student's 15th unexcused absence in the year.
- Changes the name of the "Truancy Board" to "Community Engagement Board".

Legislative History:

[ESHB 1113](#) passed the House March 3, by a vote of 77-20, 1 excused. The bill passed the Senate with no further amendments on April 9, by a vote of 36–13. The bill was signed into law by the Governor on April 26. Effective dates:

Session Law: Chapter 119, 2021 Laws

[Bill Report](#)

⇔ AOC/BJA Assessment: We have been working with OSPI on problematic implementation dates. Current agreement is to go ahead with the emergency effective date and forms will be left as they are. The forms will indicate that they have not yet been updated with current law, and school districts will be allowed to make necessary modifications.

Outcome: Under the final bill:

- Sections 1-6 are subject to an emergency clause and take effect immediately.
- Sections 5-6 expire August 1, 2021.
- Sections 7-15 take effect August 1, 2021.

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[2SHB  
1219](#)

### Concerning the appointment of counsel for youth in dependency court proceedings

⇔ **Status: Passed by the Legislature. Delivered to the Governor on April 26.**

Summary of 2SHB 1219:

- Phases in the mandatory appointment of counsel in dependency proceedings for children age 8 and over, beginning July 2022.
- Counsel for children in dependency proceedings are to be appointed on a phased-in county-by-county basis over a six-year period beginning July 1, 2022, with full statewide implementation by January 1, 2027, subject to the availability of funds appropriated.
- Creates the Statewide Children's Legal Representation Program within the Office of Civil Legal Aid (OCLA), responsible for the development of a six year, phase-in implementation for mandatory appointment of counsel for children in dependency proceedings.
- The Supreme Court's Commission on Children in Foster Care is requested to convene a Children's Representation work group to review, develop, and update the standards of practice, caseload limits, and training guides by March 31, 2022. (*Note: this date was pushed back at AOC's request from the original date of December 31, 2021.*)
- The Washington State Center for Court Research must convene stakeholders to identify:
  - relevant outcome measures and data collection methods to effectively assess the number of youths for whom attorneys are appointed by the phase-in schedule; and
  - the short and long- term impact of standards-based legal representation on case outcomes.
  - A report must be submitted to the appropriate committees of the Legislature and the Governor outlining the outcome measures identified by November 30, 2022.

- The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

Legislative History:

[2SHB 1219](#) passed the House on March 2 by a vote of 85 to 12, 1 excused. The bill passed the Senate with committee amendments on April 10, by a vote of 40–7, with 2 excused. The House concurred in the Senate amendments on April 14. The House vote on final passage was 84-13, 1 excused. The final bill was delivered to the Governor on April 22.

[Final Bill](#)

[Final Bill Report](#)

↔ [AOC/BJA Assessment](#): We worked with the sponsor and stakeholders to make two small fixes:

1. Clarifying that WSCCR is part of AOC; and
2. Addressing the implementation timeline.

**Outcome:** We were able to reach a compromise to move the effective date back to March 31, 2022, in order to give AOC more time to update attorney training guidelines and complete other tasks. The amendment reflecting these changes was adopted by the Senate Committee on Human Services, Reentry / Rehabilitation on March 19.

[E2SHB 1227](#)

**Protecting the rights of families responding to allegations of abuse or neglect of a child**

↔ **Status:** Passed by the Legislature. Delivered to the Governor on April 22.

Summary of E2SHB 1227 as passed by the Legislature:

- Requires hospitals, law enforcement, and courts to find that the removal or detention of a child is necessary to prevent imminent physical harm due to child abuse or neglect before authorizing removal or detention of the child.
- Requires the Department of Children, Youth, and Families to make continuing efforts to place children with relatives and requires such placement unless there is no relative capable of ensuring the basic safety of the child.
- Requires the court to release a child to a parent unless the court finds reasonable cause to believe that removal of the child is necessary to prevent imminent physical harm and that the evidence show a causal relationship between the conditions in the home and imminent physical harm to the child.

Legislative History:

[ESHB 1227](#) passed the House on March 4, by a vote of 89–9. The bill passed the Senate with committee amendments on April 7, by a vote of 48–1. The House concurred in the Senate amendments on April 15, with a final vote 87–9, with 2 excused. The bill was delivered to the Governor on April 22.

[Final Bill](#)

[Bill Report](#)

↔ [AOC/BJA Assessment](#): We worked with the sponsor on an amendment pushing the effective date back to July 1, 2023.

**Outcome:** The changes were adopted by striking amendment on the Senate floor on April 7.

## Separation of Powers

[SHB 1411](#)

**Expanding health care workforce eligibility for persons with prior involvement with the criminal justice system**  
⇒ **Status: Passed by the Legislature. Delivered to the Governor on April 26.**

*Summary of SHB 1411:*

- Prohibits the Department of Social and Health Services (Department) from automatically disqualifying a person who has a criminal record containing certain crimes from having unsupervised access to, working with, or providing care to vulnerable adults or children.
- Establishes a work group to identify an informed choice process to allow older adults and people with disabilities to hire an individual with a criminal record that would otherwise disqualify the person from providing paid home care services.
- Authorizes the Department to exercise its discretion regarding whether to permit or prohibit a person with a certificate of restoration of opportunity to have unsupervised access to children, vulnerable adults, or individuals with mental illness or developmental disabilities.

*Legislative History:* [SHB 1411](#) passed the House on March 1, by a vote of 58-39, 1 excused. The bill passed the Senate with amendments on April 10, by a vote of 29-19, with 2 excused. The House concurred in the Senate amendments on April 20, with a final vote of 58-40. The bill was delivered to the Governor on April 26.

[Final Bill](#)

[Bill Report](#)

⇒ **AOC/BJA Assessment:** As originally drafted, HB 1411 included problematic language that limited the admissibility of evidence.

**Outcome:** We worked with the sponsor and stakeholders to develop acceptable language. SHB 1411 includes an updated provision indicating that the Department is immune under the Administrative Procedures Act.

[2SSB 5062](#)

**Concerning the management, oversight, and use of data**

⇒ **Status: Passed the Senate, but failed to reach a floor vote in the House.**

(Died  
Late in  
Process)

*Summary of Second Substitute Bill:*

- Establishes consumer personal data rights of access, correction, deletion, data portability and opt-out of the processing of personal data for specified purposes.
- Defines obligations for controllers and processors of personal data who are legal entities that meet specified thresholds. Identifies controller responsibilities, including transparency, purpose specification, data minimization, security, and nondiscrimination.
- Exempts state and local government, tribes, air carriers, employment-related data, certain nonprofit organizations, and data sets subject to regulation by specified federal and state laws.
- Provides that violations are enforceable by the Attorney General under the Consumer Protection Act and subject to civil penalties.

*Legislative History:* 2SSB 5062 passed the Senate by a vote of 48–1. The bill passed the House Committee on Appropriations with amendments on April 1. It was placed on the House second reading calendar on April 8, but failed to pass before session ended on April 25.

⇒ **AOC/BJA Assessment:** Initial language in Section 102(2)(a) granted exemptions to state agencies, legislative agencies, local governments, and tribes.

**Outcome:** We were successful in working with the sponsor to amend the exemption section to add the judiciary to the list of exemptions.

## Internal Court Process / Rules

[SHB  
1424](#)

### Concerning consumer protection with respect to the sale of dogs and cats

⇔ **Status:** SIGNED BY THE GOVERNOR

Summary:

The original bill included the following penalty provision: “A retail pet store that violates this section is subject to a class 1 civil infraction under RCW 7.80.120, for its first violation. Second and subsequent violations by a retail pet store are subject to a monetary penalty of \$500.”

Legislative History: The House committee approved an amendment stripping out the bulk of the bill language, including the penalty provision. [SHB 1424](#) passed the House on March 7, by a vote of 68-30. The bill passed the Senate on April 5, with no further amendments. The bill was signed into law by the Governor on April 16, and goes into effect on July 25, 2021.

Session Law: Chapter 76, 2021 Laws

[Bill Report](#)

⇔ AOC/BJA Assessment: We initially had several concerns with HB 1424:

1. The infraction was directed to a business, not a person, which would conflict with CrRLJ 2.1;
2. First and second violations were included in same subsection of bill; and
3. There was an enforcement issue around banning sales after a third violation, as courts have no enforcement mechanism once payment has been provided.

**Outcome:** The Substitute bill offered in the House policy committee removed all of the problematic language.

[2SHB  
1460](#)

### Closing the digital divide by establishing excise taxes on telecommunications services to fund the expansion of the universal service programs in Washington

(DEAD)

⇔ **Status:** Failed to reach a floor vote in the House before the first cut-off.

Summary of 2SHB 1460: Creates the Digital Equity Access Account for appropriations and expenditures related to programs under the act, including for the purposes of providing assistance in the adoption of information and communication technologies for low-income and underserved populations, and grants to local governments, institutions of higher education, or other entities who have entered into an agreement with a local government, to fund the development of a digital equity plan for a discrete geographic region of the state.

Legislative History:

[2SHB 1460](#) passed the House Committee on Appropriations on Feb. 22. It was referred to Rules and later placed on second reading. It did not receive a floor vote by the mid-session cutoff. It was returned to the Rules Committee for second reading on March 10.

[House Bill Report](#) on SHB 1460.

⇔ AOC/BJA Assessment: The infraction was directed to a business, not a person in conflict with CrRLJ 2.1. Sponsor worked with us to update / remove problematic sections.

**Outcome:** Concerning sections were all removed.

[E2SHB 1477](#)

## National 988 system to enhance and expand behavioral health crisis response & suicide prevention services

⇨ **Status:** Passed by the Legislature. Delivered to the Governor on April 26.

Summary of E2SHB 1477:

- Directs the Department of Health to designate crisis hotline centers that meet standards related to technology and the ability to identify and deploy community crisis resources for persons experiencing a behavioral health crisis.
- Establishes the Crisis Response Improvement Strategy Committee to develop a comprehensive assessment of the behavioral health crisis services system and a recommended vision for an integrated crisis network throughout Washington.
- Requires that health plans and medical assistance programs provide coverage for next day appointments for enrollees experiencing urgent, symptomatic behavioral health conditions, beginning in 2023.
- Establishes the Statewide 988 Behavioral Health Crisis Response Line Tax on phone lines to fund the crisis hotline centers and response services.
- Makes several appropriations to increase capacity for the existing crisis call centers and begin implementation of the crisis call center hub system and supporting technology.

Legislative History: E2SHB 1477 passed the House on March 17 by a vote of 78–18, with 2 excused. The bill passed the Senate with amendments on April 19, by a vote of 27–22. The House refused to concur in the Senate amendments and the bill went to a conference committee. The conference committee report was adopted by both the House and Senate on April 24. The bill was delivered to the Governor on April 26.

[Final Bill](#)

[Bill Report](#)

⇨ AOC/BJA Assessment: The infraction was directed to a business, not a person in conflict with CrRLJ 2.1.

**Outcome:** Provided feedback to sponsor and stakeholders. This group felt comfortable moving forward with the language as is, despite the caution from AOC analysts.

[E2SHB 5071](#)

## Creating transition teams to assist specified persons under civil commitment

⇨ **Status:** Passed by the Legislature. Delivered to the Governor on April 26.

Summary of E2SHB 5071:

- Requires the appointment of a transition team to facilitate the success of certain civil commitment patients upon release to the community following the dismissal of criminal charges.
- Extends certain minimum requirements for less restrictive alternative treatment to persons committed pursuant to criminal insanity laws which are established in law for other committed persons.
- Requires behavioral health administrative services organizations to collect information related to less restrictive alternative treatment and provide notifications.

Legislative History: [E2SHB 5071](#) passed the Senate on March 1, by a vote of 49-0. The bill passed the House with amendments on April 11, by a vote of 70–20. The Senate concurred in the House amendments, by a vote on final passage of 48–0. The bill was delivered to the Governor on April 26.

[Final Bill](#)

[Final Bill Report](#)

⇨ AOC/BJA Assessment: Section 15(2) refers to the superior court sharing outcome with local BH administrative services organizations. Superior courts have no mechanism to send these orders. Usually, the clerk is directed to send the orders. This is similar to other requirements to forward orders/information in firearms / protection orders / mental health commitment cases.

**Outcome:** Bill sponsor amended bill to read that hearing outcomes are to be shared by county clerks, instead of the courts.

[ESSB 5115](#)

## Establishing health emergency labor standards

↔ **Status: Passed by the Legislature. Delivered to the Governor on April 26.**

### Summary:

- Creates an occupational disease presumption for frontline employees during a public health emergency for the purposes of workers' compensation.
- Requires employers to notify L&I when a certain percentage of their workforce becomes infected during a public health emergency.
- Requires employers to provide written notice to employees on the premises and their union of potential exposure to the infectious or contagious disease during a public health emergency.
- Prohibits discrimination against an employee who is high risk for seeking accommodation that protects them from the disease or using all available leave options if no accommodation is reasonable.

Legislative History: [ESSB 5115](#) passed the Senate on February 23, by a vote of 48-1. The bill the House with amendments on April 5. The vote on final passage was 68–30. The Senate concurred in the House amendments on April 14. The bill was delivered to the Governor on April 26.

[Final Bill](#)

[Final Bill Report](#)

↔ AOC/BJA Assessment: Initially, section 7(e) stated that Civil Rule 23 does not apply to actions brought under this section of the law. This posed a conflict with court rules.

**Outcome:** The problematic language was removed in the substitute bill.

[ESSB 5119](#)

## Concerning individuals in custody

↔ **Status: SIGNED BY THE GOVERNOR**

### Summary:

- Requires the Department of Corrections to convene an unexpected fatality review team to conduct an unexpected fatality review when an incarcerated individual dies unexpectedly or a case is identified by the Office of Corrections Ombuds for review. Also requires a city or county department of corrections or chief law enforcement officer responsible for the operation of a jail to convene an unexpected fatality review team to conduct a review when an individual confined in the jail dies unexpectedly.
- Jurisdiction of the DOC does not include persons under DOC supervision.
- The operating budget includes a budget proviso for \$79,000 of the general fund—state appropriation for fiscal year 2022 and \$76,000 of the general fund—state appropriation for fiscal year 2023 are provided solely for the implementation of ESSB 5119.

### Legislative History:

[ESSB 5119](#) passed the Senate with a floor amendment on February 25, by a vote of 48-0. The bill passed the House with no further amendments on April 7, by a vote of 89–8, with 1 excused. The bill was signed by the Governor on April 26, and goes into effect July 25, 2021.

Session Law: Chapter 139, 2021 Laws

[Final Bill Report](#)

↔ AOC/BJA Assessment: Initially, the bill contained language limiting / dictating admissibility of evidence. We worked with the sponsor to reach a compromise.

**Outcome:** The final bill allows an unexpected fatality review to be discoverable in a civil or administrative proceeding, but prevents the review from being admitted into evidence or otherwise used in a civil or administrative proceeding.



## Vacating certain convictions

↔ **Status:** Passed by the Legislature. Delivered to the Governor on April 26.

### Summary:

- Current law permits a sentence court to vacate a person's record of conviction under certain conditions. If the court vacates the record of conviction, the offense is no longer included in the person's criminal history and the person may state that he or she has never been convicted of that crime, including when responding to questions pertaining to licensing, employment, and housing applications.
- The bill authorizes a person convicted of a misdemeanor, gross misdemeanor, or class B or C felony offense-- or a prosecutor exercising discretion--to apply to vacate a qualifying conviction where the person committed the offense as a result of being the victim of sex trafficking, prostitution, commercial sexual abuse of a minor, domestic violence, or sexual assault. However, a person's conviction may *not* be vacated if:
  - 1) the person has any pending criminal charges other than prostitution offenses;
  - 2) the person has been convicted of a subsequent offense within three years prior to applying for vacation if the underlying offense is a misdemeanor or gross misdemeanor, within five years if the underlying offense is a class C felony, or within 10 years if the underlying offense is a class B felony;
  - 3) the conviction is for a class B or C felony and is a violent offense, a crime against persons, a driving under the influence (DUI) offense, or the crime of Promoting Prostitution in the 1st or 2nd degree; or
  - 4) the conviction is for a misdemeanor or gross misdemeanor and is a DUI offense, a sex offense other than Failure to Register, or the crime of Patronizing a Prostitute.

### Legislative History:

[ESSB 5180](#) passed the Senate on February 24, by a vote of 48-0. The bill passed the House with a committee amendment on April 6, by a vote of 93-5. The Senate concurred in the House amendments on April 14, with a vote on final passage of 45-3, with 1 excused. The bill was delivered to the Governor on April 26.

### Final Bill

### Bill Report

↔ AOC/BJA Assessment: Initially, the bill contained language concerning the sealing of affidavits. This language was identified as in conflict with court rules, specifically, GR 15.

**Outcome:** The sponsor was willing to remove this sealing provision.

## The following bills are dead for now, but could be back in 2022:

[HB](#)  
[1174](#)  
DEAD

### Relating to the uniform electronic recordation of custodial interrogations act

#### Summary:

- Reenacting and amending RCW 9.73.030; adding a new chapter to Title 10 RCW
- Except under the exception outlined in sections 5 through 10 of the act, a custodial interrogation, including the giving of any required warning, advice of the rights of the individual being questioned, and the waiver of any rights by the individual, must be recorded electronically in its entirety if the interrogation subject is a juvenile or if the interrogation relates to a felony crime. A custodial interrogation at a place of detention must be recorded by both audio and video means. (This does not apply to a spontaneous statement made outside the course of a custodial interrogation or a statement made in response to a question asked routinely during the processing of the arrest of an individual.)
- Consent is not required
- Provides a requirement that notice be given of intent to introduce a statement made during custodial interrogation to which the act applies, but which was not recorded. The prosecution must give required notice not later than the time specified by the local rules governing discovery, shall serve the defendant with written notice of that intent and any exception to the electronic recording statute on which the prosecution intends to rely.
- Procedural remedies are outlined in Sec. 13.
  - 1) Unless the court finds that an exception in sections 5 through 10 of this act applies, the court shall consider the failure to record electronically all or part of a custodial interrogation to which section 3 of this act applies in determining whether a statement made during the interrogation is admissible, including whether it was voluntarily made.
  - 2) If the court admits into evidence a statement made during a custodial interrogation that was not recorded electronically in compliance with section 3 of this act, the court, on request of the defendant, shall give a cautionary instruction to the jury.
- In any pretrial or post trial proceeding, an electronic recording of a custodial interrogation is self-authenticating if it is accompanied by a certificate of authenticity sworn under oath or affirmation by an appropriate law enforcement officer. This does not limit the right of an individual to challenge the authenticity of an electronic recording of a custodial interrogation under law of this state other than this chapter.
- Requires law enforcement agencies to establish and enforce procedures ensuring that the electronic recordings are identified, accessible, and preserved throughout the length of any resulting sentence.

Status: [HB 1174](#) was referred on January 13 to the House Committee on Public Safety. No further action. No Bill Report

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[SHB](#)  
[1283](#)  
DEAD

### An act relating to including the open carry or display of weapons within the offense of criminal mischief

#### Summary of Substitute Bill:

Prohibits acting with three or more other persons and openly carrying, exhibiting, displaying, or drawing any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.

Status: SHB 1283 passed the House Committee on Civil Rights & Justice on February 10, and was referred to the Rules Committee. No further action was taken. [House Bill Report](#)

[HB  
1344](#)  
DEAD

## Allowing qualifying persons serving long sentences committed prior to reaching 25 years of age to seek review for possible release from incarceration.

### Summary:

- Allows a person incarcerated for an offense committed under age 25 to petition the Indeterminate Sentence Review Board (ISRB) for release after serving 15 years, with some exceptions, and requires the ISRB to release the person unless he or she is likely to commit new crimes.
- Eliminates the sentence of life without the possibility of release for Aggravated Murder in the first degree committed between the ages of 16 and 25. Requires a sentence of 25 years to life, with review for release by the ISRB after serving 25 years, for any person who commits the offense between the age of 16 and 25, and requires the ISRB to release a person after he or she serves the minimum term unless he or she is likely to commit new crimes.

Status: [HB 1344](#) had a public hearing in the House Committee on Public Safety 2/9. The bill was scheduled for an executive session on 2/15, but no action was taken. See: [House Bill Analysis](#)

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[2SHB  
1412](#)  
DEAD

## Concerning legal financial obligations

### Summary of Second Substitute Bill:

- Allows a court to not impose interest on restitution after inquiring into and considering specified factors and input of the victim, and revises standards for waiver of accrued interest on restitution and non-restitution obligations.
- Revises the time periods in which judgments for restitution and non-restitution legal financial obligations may be enforced.
- Establishes standards for the waiver or reduction of the crime victim penalty assessment, DNA database fee, and criminal filing fee.
- Provides a new definition of “indigent” for purposes of a number of LFO provisions, including:
  - 1) A court may not order an offender to pay costs if the offender is indigent.
  - 2) An offender may petition for remission of costs where manifest hardship exists, and manifest hardship is presumed where the offender is indigent.
  - 3) Noncompliance with LFO-payment obligations is not willful, and therefore not subject to sanction, if the offender lacks the ability to pay, and an offender who is indigent is presumed to lack the ability to pay.
  - 4) The court may not impose the criminal filing fee on an offender who is indigent.
  - 5) The court must allow an indigent offender to pay LFOs in designated installments or within designated periods

Status: [2SHB 1412](#) passed the House Appropriations Committee 2/22. The bill was referred to Rules 2 Review, but did not receive a floor vote prior to the mid-session cut-off. [House Bill Report](#)

⇒ AOC/BJA Assessment: Minimal clean-up language was escalated to the sponsor. The accepted amendment clarified that courts were not required to refund or reimburse amounts previously paid towards legal financial obligations or interest on legal financial obligations.

[HB](#) **Concerning jury demographics**

[1542](#)

DEAD

*Summary:*

- Racial and ethnic minority populations are underrepresented in many jurisdictions' jury pools relative to their population within the jurisdiction.
- The 2019 jury diversity task force interim report recommends the state should continuously monitor 1juror demographics to track changes over time across the state so 1that programs designed to improve jury diversity can be evaluated. HB 1542 would implement the task force's recommendation.

*Status:* [HB 1542](#) was referred to House Civil Rights & Judiciary. No further action was taken.  
No Bill Report

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[SSB](#) **Creating a developmentally appropriate response to youth who commit sexual offenses**

[5123](#)

DEAD

*Summary of the First Substitute: (The bill as referred to committee not considered)*

- Clarifies the definition of adult.
- Amends the sex offender registration requirement for certain individuals with sex offenses committed under the age of 18.
- Extinguishes the legal obligation to register for individuals who do not have the duty to register.
- The duty to register applies to any individual who committed a sex offense when they were under the age of 18 if that individual:
  - 1) committed a class A or class B sex offense at the age of 16 or 17;
  - 2) committed a sex offense and are under 18 with a prior sex offense conviction or had deferred disposition for a sex offense;
  - 3) is convicted of an offense in adult court;
  - 4) has an out-of-state, tribal, or federal conviction; or
  - 5) committed a kidnapping offense
- The First Substitute alters the waiting period prior to relieving the duty to register for offenses committed under the age of 18.

*Status:*

[SSB 5123](#) passed the Senate Committee on Humans Services, Reentry & Rehabilitation on Feb. 5 and was referred to Senate Rules. The bill was placed on second reading on March 5, but did not receive a floor vote. Senate Rules placed the bills in "X" file on March 17, indicating it would move no further this session.  
See: [Senate Bill Report](#)

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[SB](#) **Creating the whole Washington health trust**

[5204](#)

DEAD

*Summary:*

- Relates to health care financing and development of the whole Washington health trust to ensure all Washington residents can enroll in nonprofit health insurance coverage providing an essential set of health benefits, including medical, dental, vision, and prescription drug benefits
- All Washington state residents would be eligible for the program.

*Status:* SB 5205 was referred to Senate Health & Long Term Care. No further action was taken. No Bill Report

## Relating to the uniform pretrial release and detention act

### Summary:

- Preliminary court proceedings for the pretrial release or detention of an accused are largely governed by court rules. The bill would establish the uniform pretrial release and detention act.
- This act does not distinguish between adults and juveniles. There is governing authority under the Juvenile Justice Act of 1977 and the juvenile court rules for the pretrial detention and release of juveniles in the juvenile court system. This act does not amend that statutory authority for juveniles who go before a juvenile court.
- A police officer who arrests an individual without a warrant shall detain the individual in a detention or custodial facility until the individual's first post-arrest appearance only upon probable cause to believe that the individual:
  - 1) committed a crime against another individual;
  - 2) committed a crime for which a statute provides that a police officer shall arrest and take into custody;
  - 3) will commit a violent crime, including misdemeanors and gross misdemeanors that are not defined as violent offenses or will seek to intimidate witnesses, or interfere with administration of justice; or
  - 4) is unlikely to respond to legal process based upon the totality of circumstances, including but not limited to the individual's mental condition or impairment, length of residence in the community, criminal history including the existence of pending charges, the existence of arrest warrants for the individual, any pending criminal charges, the willingness of responsible members of the community to assist the individual in appearing for required hearing, and any other factors indicating the individual's ties to the community.
- 5) An individual arrested without a warrant may be administratively booked for the purpose of photographing and fingerprinting upon probable cause to believe the individual has committed a gross misdemeanor or felony
- For any individual detained after arrest, the court shall hold a release hearing within 48 hours after the arrest. The release hearing may be continued to a later time by the court only on motion of the arrested individual, or in extraordinary circumstances, for not more than 48 hours. An arrested individual has a right to be heard and a right to counsel at a release hearing. If the individual is unable to obtain counsel for the hearing, an authorized public defense services agency or provider shall provide counsel.
- At a release hearing, the court shall determine by clear and convincing evidence whether the arrested individual poses a risk that the individual is likely to:
  - 1) abscond;
  - 2) not appear;
  - 3) obstruct justice;
  - 4) violate an order of protection; or
  - 5) there is substantial risk the arrested individual will commit a violent crime.
- If the individual does not pose a risk, then the court shall issue an order of pretrial release on recognizance. The order must state when and where the individual must appear and the possible consequences of violating the order or committing an offense while the charge is pending.
- If the court determines an arrested individual poses a relevant risk, the court shall determine whether pretrial release with conditions is appropriate. The court may determine that practical assistance or voluntary support services are available and sufficient to address the risk.
- If practical assistance or a voluntary support service is not sufficient to address a risk, the court shall impose the least restrictive conditions reasonably necessary to satisfactorily address the risk and issue an order of pretrial release. The bill outlines restrictive conditions.
- The court shall state in a record the reasons the restrictive conditions imposed are the least restrictive reasonably necessary to satisfactorily address the relevant risk.
- The court may not impose a restrictive condition that requires initial payment of a fee in a sum greater than the arrested individual is able to pay from personal financial resources within 24 hours after the condition is imposed. If the individual is unable to pay the fee or recurring fee, the court shall waive or modify the fee, or waive or modify the restrictive condition that requires payment of the fee, to the extent necessary to release the individual.

- Before imposing a secured or unsecured bond the court shall consider the arrested individual's personal financial resources and obligations, including income, assets, expenses, liabilities, and dependents. The court may not impose a secured appearance bond as a restrictive condition unless the court determines by clear and convincing evidence that the arrested individual is likely to abscond, not appear, obstruct justice, or violate an order of protection.
- The court may issue an order to detain the arrested individual temporarily until a detention hearing, or may impose a financial condition of release in an amount greater than the individual is able to pay from personal financial resources within 24 hours after the condition is imposed, only if the individual is charged with an offense with a penalty of life in prison, or a class A or B felony, and the court determines by clear and convincing evidence that:
  - 1) it is likely the individual will abscond, obstruct justice, violate an order of protection, or there is substantial risk the arrested individual will commit a violent crime and that no less restrictive condition is sufficient to satisfactorily address the relevant risk;
  - 2) the individual has violated a condition of an order of pretrial release for a pending criminal charge; or
  - 3) it is likely the individual will not appear, and no less restrictive condition is sufficient to satisfactorily address the relevant risk. When imposing a detention order, the court shall state its reasons in a record, including why no less restrictive conditions are sufficient.
- Subsequent to a temporary pretrial detention order at a release hearing, the court shall hold a detention hearing to consider continued detention of the individual pending trial. The hearing must be held within three days, not including any intermediate Saturday, Sunday, or legal holiday, after issuance of the order.
- The detained individual has a right to counsel, and if indigent, a public defense services agency or provider shall provide counsel. At a detention hearing, the detained individual has a right to:
  - 1) review evidence to be introduced by the prosecuting attorney before it is introduced at the hearing;
  - 2) present evidence, call witnesses, and provide information;
  - 3) testify; and
  - 4) cross-examine witnesses.

*Status:* [SB 5307](#) had a public hearing on February 1, in the Senate Committee on Law & Justice. No further action was taken. See: [Senate Bill Report](#)

### For more information

If you have any questions regarding the bills discussed in this summary, please feel free to contact me at the email below. You can also find detailed information about a bill on the legislature's website by visiting <https://app.leg.wa.gov/billinfo/> and entering the 4-digit bill number.

Devon Connor-Green  
[dsconnor.green@protonmail.com](mailto:dsconnor.green@protonmail.com)

May 21, 2021

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

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**Committee Work Plan Update:**

**Adequate Funding Project**

The adequate funding work group has approved the final draft of the Adequate Funding Survey, an integral part of the work assigned to the PPC from the 2019 Judicial Leadership Summit. The survey provides the opportunity for Presiding Judges and Court Administrators to tell us about their top funding needs and priorities, their experiences and needs for support with budget requests at the local level, and opinions on exploring alternate funding structures.

The PPC intends to present a report with survey findings and recommendations for BJA consideration at an upcoming 2021 BJA meeting.

**Recruiting an At-Large PPC Member**

As part of the efforts to increase BJA membership diversity, the PPC has decided to recruit for the addition of an at-large member to the committee. The PPC is identifying posting sites, creating an application and developing selection criteria and processes to begin recruitment this summer.

**Review of 2021 work plan**

The PPC is reviewing accomplishments and ongoing work from the 2020-2021 program year. In addition the committee will be discussing ideas for future work and possible revisions to the PPC charter.







# Board for Judicial Administration Judicial Leadership Summit 2021: Interbranch and Legislative Relations

Zoom Meeting - Friday, June 18, 2021 (9:00 a.m. – 12:30 p.m.)

<b>1. Welcome and Introductions</b>	Chief Justice Steve González	9:00 – 9:05
<b>2. Branch Presentations</b> Judicial Branch Legislative Branch Executive Branch	Chief Justice Steve González Senator Jamie Pedersen Kathryn Leathers	9:05 – 10:00
<i>Break</i>		10:00 – 10:10
<b>Small Group Discussions</b> <i>Participants will discuss the following questions in small groups, document highlights, and share ideas.</i> <ol style="list-style-type: none"> <li>1. Funding           <ul style="list-style-type: none"> <li>• What would be helpful to communicate about judicial branch funding and the process?</li> <li>• What is the best way to garner support for funding needs?</li> </ul> </li> <li>2. Policy Considerations           <ul style="list-style-type: none"> <li>• How do we better communicate policy and funding considerations and information with legislators, especially new legislators, prior to session?</li> <li>• What are best approach/strategies for working through these considerations?</li> <li>• How do the branches better communicate policy decisions and implementation challenges and needs?</li> <li>• How do we efficiently move forward necessary policy and operational changes that may need additional funding?</li> </ul> </li> <li>3. What would an interbranch group that can address relations and policy and funding needs look like?           <ul style="list-style-type: none"> <li>• What are the goals and activities of the group?</li> <li>• How often and when would it meet?</li> <li>• Who is on it?</li> <li>• Who will facilitate this group? (chair, logistics)</li> <li>• What else should be considered?</li> </ul> </li> </ol>	Judge Gregory Gonzales	10:10 – 11:10
<i>Break</i>		11:10 – 11:20
<b>4. Action Planning</b> Small group discussions reporting and next steps	Chief Justice Steve González	11:20 – 12:15
<b>5. Closing Remarks</b>	Chief Justice Steve González	12:15 – 12:30





**Board for Judicial Administration (BJA) Meeting**  
**Friday, March 19, 2021, 9:00 a.m. – 12:30 p.m.**  
 Videoconference

**DRAFT MEETING MINUTES**

**BJA Members Present:**

Chief Justice Steven González  
 Judge Greg Gonzales, Member Chair  
 Judge David Estudillo  
 Judge Michelle Gehlsen  
 Judge Rebecca Glasgow  
 Judge Dan Johnson  
 Judge David Kurtz  
 Judge Mary Logan  
 Judge David Mann  
 Judge Bradley Maxa  
 Judge Rebecca Pennell  
 Judge Judith Ramseyer  
 Judge Rebecca Robertson  
 Dawn Marie Rubio  
 Judge Michael Scott  
 Judge Charles Short  
 Justice Debra Stephens

**Guests Present:**

Jim Bamberger  
 Barbara Carr  
 Timothy Fitzgerald  
 Robert Mead  
 Justice Raquel Montoya-Lewis  
 Senator Jamie Pedersen  
 Judge Kevin Ringus  
 Judge Cindy Smith

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

Kathryn Akeah  
 Crissy Anderson  
 Judith Anderson  
 Jeanne Englert  
 Penny Larsen  
 Dirk Marler  
 Stephanie Oyler  
 Ramsey Radwan  
 Caroline Tawes  
 Andrea Valdez

Call to Order

Chief Justice González called the meeting to order at 9:02 a.m.

Tribal State Court Consortium (TSCC) Presentation

Judge Cindy Smith, co-chair of the Tribal State Court Consortium (TSCC), presented a history and overview of the TSCC work.

TSCC goals include building relationships throughout state between Tribal and state courts, and partnering in administering justice in the state.

There was a discussion on the importance of state courts being able to see protection orders issued in Tribal Courts. Chief Justice González suggested forming a workgroup to come up with recommendations for solutions. Suggestions for membership in the

workgroup included a technical advisor from the AOC, court administrators from both the superior courts and courts of limited jurisdiction, and representatives from the county clerks, the Gender and Justice Commission, and the Northwest Justice Project. Justice Montoya-Lewis, Judge Logan, Judge Smith, and Dawn Marie Rubio will develop a proposed list of members.

### Court Recovery Task Force (CRTF)

This is the end of the first year of the CRTF. The CRTF is compiling responses to the COVID-19 crisis regarding what has worked well and what has not worked well. At the June BJA meeting there will be a discussion on how the CRTF synthesizes the information that has been gathered and how to make that information available to the justice system.

There are currently three surveys being prepared. A survey for jurors will be ready early next week. Surveys for unrepresented litigants and for defendants are being translated and will be ready soon. The surveys will be available via paper copies and QR codes.

### Court Security Task Force

Judge O'Donnell and members of the SCJA Legislative Committee met with Representative Tharinger to discuss the Court Security Task Force funding package. Task Force judges and administrators will participate in a security training conducted by a third party vendor via a scholarship from the BJA Education Committee to evaluate whether this is training the Task Force can recommend to the courts or consider for future funding.

### Small group discussions

The meeting participants were divided into five breakout rooms to discuss the following questions from the agenda:

What are you doing now that is ONLY authorized by emergency orders and the Supreme Court that you want to keep doing?

How is your organization, association, or court preparing for operations post-COVID?

Discussion notes from each breakout team will be e-mailed to Jeanne Englert and distributed in a separate document. Highlights from the breakout discussions include:

- Some court rules might need to be reviewed. There should be additional capability to appear remotely such as kiosks, libraries, and community centers, all with a variety of software that could connect with the courts.

- Jury selection via Zoom seems to promote greater diversity and participation. There are concerns about the digital divide that need to be considered.
- Remote judicial education is going very well. The Court of Appeals has found that remote oral arguments reduce costs and work well. Remote meetings promote participation.
- Many courts hope to keep remote options including remote appearances, e-signatures, and e-submissions with options for local variances. There is still an urgent need for increased court staff and judicial officers and off-site facilities with technical support and security.
- Remote hearings and remote oral arguments are going forward. Some judges don't want remote hearings. There may be a need for two separate calendars, one remote and one in person.

### Standing Committee Report

**Budget and Funding Committee (BFC):** The March 17 Economic Recovery Council updated the budget forecast with an increase of \$1.3 billion this year, and a \$1.9 billion increase for the biennium. This brings the forecast back to where it was in February 2020. BJA funding requests are expected to move forward. The Senate Operating Budget will be released March 26.

Washington will receive \$7.1 billion in federal funding, and \$1.7 billion of that is flexible funding. Chief Justice González, representatives from the Superior Court Judges' Association and the District and Municipal Court Judges' Association, Dawn Marie Rubio, and Ramsey Radwan will communicate that the judicial branch needs to participate in discussions on the distribution of the flexible funding.

There are still CARES funds to be distributed. Funds may be used on backlog issues, including facility rental, pro tempore, and staff costs and some technical costs. Funds will be issued in two-month increments. About \$2 million is left in the CARES package that may be distributed through the end of 2021.

**Court Ed Committee (CEC):** The new Learning Management System selection process will be in the demonstration phase the last two weeks of March. A vendor will be chosen after completion of the demonstrations. Spring programs start next week with the Court of Appeals and County Clerks programs. All spring programs will be virtual. The Annual Conference will be held in person September 12–14, 2021.

**Legislative Committee (LC):** The total number of bills introduced this year is 1,477. HB 1167, the BJA request for a ninth judge in Thurston County Superior Court, has moved from the Senate Law and Justice Committee to the Senate Ways and Means Committee. Devon Connor-Green, the Interim Legislative Liaison, is doing a good job. Interviews to hire a new AOC Legislative Liaison are set for April.

**Policy & Planning Committee (PPC):** This Committee continues to focus on the adequate funding project. They will report at the June BJA meeting on a survey to presiding judges and court administrators. The Committee also continues to focus on BJA Board diversity. They are reviewing the Committee charter and are discussing recruiting an at-large member from the community or a retired judge.

### Judicial Leadership Summit

Jeanne Englert will send BJA voting and non-voting members an invitation to hold 9:00 a.m. to 2:00 p.m. on June 18, 2021 for the Judicial Leadership Summit. Ideas for the Summit include small group breakout sessions and discussions on a funding implementation plan, creating a better relationship with the Legislative Branch, how to deal with the courts' case backlog, rule changes necessary to emerge from pandemic, and the relationship between Tribal and state courts, especially regarding protection orders. Several Legislators will be invited to the Summit.

There will be further discussions on the Summit format and topics.

### February 19, 2021 Meeting Minutes

**It was moved by Judge Scott and seconded by Judge Gehlsen to approve the February 19, 2021, BJA meeting minutes. The motion carried unanimously.**

### Information Sharing

The Supreme Court has finished the last oral argument of the winter term. The one-year anniversary of the pandemic and of emergency court orders issued by the Supreme Court was noted.

The Appellate Conference will be held next week.

Fencing and restricted traffic around the capitol campus prevented the Law Library from continuing to offer curbside service. The public is now allowed back on campus on foot and circulation will begin again. The Law Library has continued to offer service to courts, attorneys, and self-represented litigants around the state.

The County Clerks spring conference will be held soon with a presentation from Tribal Courts. Lessons learned during the pandemic will be discussed.

Today is Judge Maxa's last BJA meeting. The new Court of Appeals Presiding Chief Judge will be Judge Marlin Appelwick. Chief Justice González and Judge Mann thanked Judge Maxa for his work.

The Court of Appeals is discussing distribution of the COVID-19 vaccine and the challenge of vaccine hesitancy and equitable distribution.

Dirk Marler stated he is grateful and proud of AOC staff who have stepped up and done good work under difficult circumstances over the past year.

Interbranch Relations

Senator Jamie Pedersen discussed how the Judicial Branch as a whole could benefit from a structure that creates opportunity for ongoing communication with the Legislature, especially on budget issues. Senator Pedersen would appreciate an opportunity to facilitate a process for more regular and better communication between the two branches.

Senator Pederson plans to participate in the June 18 Judicial Leadership Summit, and discussed other legislators who could be invited.

Other

There being no further business, the meeting was adjourned at 11:55 a.m.

**Recap of Motions from the March 19, 2021 Meeting**

<b>Motion Summary</b>	<b>Status</b>
Approve the February 19, 2021, BJA meeting minutes.	Passed

**Action Items from the March 19, 2021 Meeting**

<b>Action Item</b>	<b>Status</b>
A workgroup will be formed to come up with proposals for building relationships throughout state between Tribal and state courts. Justice Montoya-Lewis, Judge Logan, Judge Smith, and Dawn Marie Rubio will develop a proposed list of members.	
At the June BJA meeting there will be a discussion on how the CRTF synthesizes the information that has been gathered and how to make that information available to the justice system.	
The Policy & Planning Committee will report at the June BJA meeting on a survey to Presiding Judges and court administrators	
<u>February 19, 2021, BJA Meeting Minutes</u> <ul style="list-style-type: none"> <li>• Post the minutes online.</li> <li>• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials.</li> </ul>	Done Done

# TAB 7



**Board for Judicial Administration  
2021-2022 Meeting Schedule**

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

<b>Date</b>	<b>Location</b>
September 17, 2021	Zoom
October 15, 2021	TBD
November 19, 2021	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  
2022 Meeting Schedule**

<b>Date</b>	<b>Location</b>
February 18	TBD
March 18	TBD
May 20	TBD
June 17	TBD
September 16	TBD
October 21	TBD
November 18	TBD

**TAB 8**

## Outgoing BJA and Committee Members 2020-21

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

### **Board for Judicial Administration**

Judge Doug Federspiel  
Judge Michelle Gehlsen  
Judge Gregory Gonzales  
Judge David Kurtz  
Judge Bradley Maxa  
Judge Judith Ramseyer  
Justice Debra Stephens

### **Court Education Committee**

Judge Gregory Gonzales, chair  
Justice Susan Owens

### **Legislative Committee**

Judge Jennifer Forbes  
Judge Michelle Gehlsen  
Judge Greg Gonzales  
Judge Bradley Maxa  
Judge Judith Ramseyer  
Chief Justice Debra Stephens

### **Policy and Planning Committee**

Judge David Estudillo  
Patti Kohler  
Judge David Kurtz  
Judge Michael Scott as chair  
Judge Charles Short

### **Budget and Funding Committee**

Judge Doug Federspiel