



Board for Judicial Administration (BJA) Meeting
Friday, September 17, 2021, 9:00 a.m. – 12:00 p.m.
Videoconference

MEETING MINUTES

BJA Members Present:

Chief Justice Steven González
Judge Tam Bui, Member Chair
Judge David Estudillo
Judge Jennifer Forbes
Judge Rebecca Glasgow
Judge Marilyn Haan
Judge Dan Johnson
Judge Mary Logan
Judge David Mann
Terra Nevitt
Commissioner Rick Leo
Justice Raquel Montoya-Lewis
Judge Rebecca Pennell
Judge Rebecca Robertson
Dawn Marie Rubio
Kyle Sciuchetti
Judge Michael Scott
Judge Charles Short
Judge Paul Thompson

Guests Present:

Kim Allen
Jim Bamberger
Esperanza Borboa
Timothy Fitzgerald
Chris Gaddis
Justice Sheryl Gordon McCloud
Robert Mead
Dennis Rabidou
Dr. Dana Raigrodski
Sierra Rotakhina
Judge Kevin Ringus

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

Kelley Amburgey-Richardson
Crissy Anderson
Judith Anderson
Jeanne Englert
Heidi Green
Brittany Gregory
Penny Larsen
Dirk Marler
Stephanie Oyler
Christopher Stanley
Caroline Tawes

Call to Order

Chief Justice González called the meeting to order at 9:00.

Presentation: Gender and Justice Commission's Gender Justice Report

Justice Gordon McCloud discussed the 2021 Gender Justice Study that was published September 16, 2021. Justice Gordon McCloud reviewed the focus and findings of the study, and how the study's five goals tie into the BJA goals to recover from the COVID pandemic, advocate for consistent funding for courts, and improve court security. Assisting in the presentation was report co-chair Dr. Dana Raigrodski, Kelley Amburgey-Richardson, and Sierra Rotakhina.

BJA Member Orientation

Small group discussion

The groups were asked to answer the following questions and briefly report back to the larger Board.

- What is one thing I can do to improve morale and well-being in the judicial branch?
- What is one way in which I can help promote the Board's goals this year?

A summary of the small group discussions included:

1. What is one thing I can do to improve morale and well-being in the judicial branch?

Ideas included reaching out to other staff and doing things socially; working on maintaining a work/life balance; working on communication and making sure the right people are at the table when making decisions; communicating outside of video meetings; make connections with others; decision making that is more transparent.

2. What is one way in which I can help promote the Board's goals this year?

Ideas included bringing a legislator to the court to show what happens in courts; implement the recommendations from the Judicial Leadership Summit; recognize common goals; increase communication; address security both in and outside the courthouse.

Participants were asked to send additional comments to the BJA organizers by e-mail.

BJA Task Forces

Court Recovery Task Force (CRTF)

The CRTF is assessing court issues and responses compiled by the Supreme Court to determine if court rules need to be changed.

Court Security

The Court Security Task Force received \$750,000 in grant pool funding for security equipment for priority sites. AOC is hiring a grant pool funds administrator. The next step will be to request \$4.6 million in the Supplemental Budget for equipment, audits, and labor to operate the equipment.

It was moved by Judge Robertson and seconded by Judge Mann to amend and readopt the BJA Resolution in Support of Court Security with the amended language "WHEREAS increases in security incidents and heightened threats in courthouses warrant urgent action to improve safety measures..." The motion carried unanimously.

There was a session at the Annual Conference on security. Information from the Annual Conference will be available on Inside Courts by the end of September. Tips were shared to address contact information on the internet including:

Joindeleteme.com to disassociate one's name with an address; Google may be contacted to blur an image of a home; and real estate sites such as Redfin, Zillow, Estantly, and Realtor may be contacted with a request to delete images of a home. Anyone may look up their name, address, and phone number on Google or other search site to find out what information is available to the public.

Standing Committee Report

Budget and Funding Committee (BFC):

The Supplemental Budget is normally submitted to fill funding gaps. Additional funding is available this year, and the Supplemental Budget request is \$30 million.

Christopher Stanley, Chief Financial & Management Officer at AOC, introduced himself and shared the three priority categories for decision package requests: secure the judicial branch, right-size staffing and salaries; and maintain IT infrastructure of the judicial branch. The state forecast has been exceeded by \$80 million, and this presents an opportunity to ask for what we need. The budget requests are defensible and appropriate. Christopher Stanley will be meeting with legislators in the next month. The requests in each category were reviewed.

It was moved by Judge Short and seconded by Justice González to adopt, prioritize, and vote on the supplemental budget requests as presented. The motion carried unanimously with one abstention.

Court Ed Committee (CEC):

Judge Bui reviewed the CEC information included in the meeting materials. The 2022 Judicial College will be virtual. The CEC will review strategy planning and what court education will look like in the future.

Proposed changes to GR 26 were included in the meeting materials. Credits would be required from programs that focus on equity, diversity, and inclusion principles. The amendments are supported by the Superior Court Judges' Association (SCJA), the District and Municipal Court Judges' Association (DMCJA), and other entities.

It was moved by Judge Bui and seconded by Judge Haan to approve the proposed changes to GR 26 and GR 26 standards. The motion carried unanimously.

Legislative Committee (LC):

The LC report was included in the meeting materials. Brittany Gregory, AOC Associate Director of Judicial and Legislative Relations, introduced herself. The 2022 Legislative session will run from January 10–March 11, 2022. It is unclear if the session will be

held in person or virtually. The focus will be on fixing some of the larger bills from the 2021 session, addressing court backlogs, and the Uniform Guardian Act (UGA). Brittany Gregory reviewed the bill proposals received by the LC. The BJA legislative agenda will be submitted for a vote at the October meeting.

The single judge court bill was not finalized last year. Brittany Gregory is working with the sponsor and stakeholders on the bill language and a new draft will be shared with the BJA in October.

Policy & Planning Committee (PPC):

The PPC report was included in the meeting materials. The PPC continues to work on the adequate funding project and recruiting an at-large member. The PPC plans to send a survey to gather information on courts' 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. Survey results will be presented at the October or November BJA meeting.

It was moved by Judge Robertson and seconded by Judge Scott to allow the Guardianship and Civil Legal Needs resolutions to expire. The motion carried unanimously.

Judicial Leadership Summit

Chief Justice González received a draft of legislation from Senator Pedersen resulting from the discussions at the Judicial Leadership Summit.

Sen. Pedersen drafted a bill to establish an interbranch coordinating committee. Brittany Gregory made some edits to the original bill draft that were included in the meeting materials. Chief Justice González asked the BJA members how they felt about establishing this kind of committee, what they thought about the proposed changes in the bill, and if there were other options. BJA members were asked to either suggest changes to the draft or agree there needs to be regular communication with legislators but that a statute is not needed.

Members supported the idea of promoting communication, but had mixed feelings about making the committee a statutory requirement. Members supported the amendments.

Chief Justice González will have a conversation with Sen. Pedersen about the amendments and will report back to the BJA.

May 21, 2021 Minutes

It was moved by Justice González and seconded by Judge Bui to approve the May 21, 2021, BJA meeting minutes. The motion carried unanimously.

Information Sharing

The Court of Appeals Div. III held its first in-person Oral arguments, which went well. The Court of Appeals will have a retreat next month.

Dawn Marie Rubio thanked the voting members for supporting the work of the AOC. Cynthia Delostrinos has been hired as the manager of the Office of Court Innovations at AOC, which will contain the Supreme Court Commissions and the Washington State Center for Court Research and build the Family and Youth Justice, Behavioral Health, and Equity and Access programs.

Terra Nevitt announced this is Kyle Sciuchetti's last meeting and thanked him for his work. The next Washington State Bar Association (WSBA) president will be Brian Tollefson. The winter Bar exam in February will be in person. Following the Supreme Court order, the WSBA Board of Governors adopted a vaccine mandate for employees and for volunteers doing in-person work. Terra Nevitt and Kyle Sciuchetti are conducting an annual listening tour, and Kyle Sciuchetti discussed information from the tour.

All three divisions of the Court of Appeals have adopted a vaccine mandate. Division I started live oral arguments on Wednesday, and participants were required to be vaccinated.

This is Tim Fitzgerald's last BJA meeting. He thanked the BJA for allowing clerks to participate and introduced Kim Allen as new president of the Washington State Association of County Clerks. Chief Justice González thanked him for his service.

Kim Allen introduced herself and thanked the Chief Justice for allowing clerks to participate. Clerks are working with the courts on the right to counsel for the Eviction Resolution Pilot Program; they are working with the counties on processing *Blake* reimbursements; they are working with the new protection order work; and were involved in reviewing the GJC study.

Commissioner Leo announced today is Constitution Day.

Judge Short reminded members that the Therapeutic Courts funding applications are due September 28, and the survey of vaccine mandates are due September 24. A webinar on Domestic Violence – Moral Reconciliation Therapy (DV-MRT) is available on Inside Courts. A symposium series of webinars on DV is coming in October. Judge Short announced the death of Judge Eric Lucas, who played a large part in developing the DV webinar series.

Chief Justice González thanked the staff who organize and run the BJA meetings.

The SCJA is focusing on the Eviction Resolution Pilot Project (ERPP). All counties but one have adopted the program and are working with service providers in the counties and with the Office of Civil Legal Aid.

Chief Justice González thanked Judge Estudillo and congratulated him on his appointment to the Federal Court.

Dirk Marler confirmed that the AOC received \$1.1 million from the Washington Traffic Safety Commission to automate a process that will improve the exchange of data between trial courts, county clerks and the Department of Licensing.

Other

There being no further business, the meeting was adjourned at 12:01 p.m.

Recap of Motions from the September 17, 2021 Meeting

Motion Summary	Status
Amend and readopt the BJA Resolution in Support of Court Security with amended language “WHEREAS increases in security incidents and heightened threats in courthouses warrant urgent action to improve safety measures...”	Passed
Adopt, prioritize, and vote on the supplemental budget requests	Passed
Approve the proposed changes to GR26 and GR26 standards.	Passed
Allow the Guardianship and Civil Legal Needs resolutions to expire.	Passed
Approve the May 21, 2021, BJA meeting minutes.	Passed

Action Items from the September 17, 2021 Meeting

Action Item	Status
The single judge court bill was not finalized last year. A new draft will be shared with BJA in October.	
The PPC sent a survey to gather information on courts’ 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. Survey results will be presented at the October or November BJA meeting.	

Action Item	Status
Chief Justice González will have a conversation with Sen. Pedersen about the amendments made to the bill to establish an interbranch coordinating committee and will report back to the BJA.	
<u>May 21, 2021, BJA Meeting Minutes</u> <ul style="list-style-type: none">• Post the minutes online• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials.	Done Done