



Board for Judicial Administration (BJA) Meeting
Friday, October 15, 2021, 9:00 a.m. – 12:00 p.m.
Videoconference

MEETING MINUTES

BJA Members Present:

Chief Justice Steven González, Chair
Judge Tam Bui, Member Chair
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
Brian Tollefson
Judge Michael Scott
Judge Charles Short
Judge Paul Thompson

Guests Present:

Kim Allen
Jim Bamberger
Esperanza Borboa
Audra Ferguson-Allen
Chris Gaddis
Rob Gauss
Eric Johnson
Melissa Johnson
Lindsay Knowles
Robert Mead
David Reynolds
Judge Kevin Ringus
Juliana Roe
Kris Thompson
Justice Mary Yu

Administrative Office of the Courts (AOC) Staff Present:

Nicole Ack
Crissy Anderson
Judith Anderson
Phil Brady
Jeanne Englert
Heidi Green
Brittany Gregory
Patty Lally
Kyle Landry
Penny Larsen
Dirk Marler
Stephanie Oyler
Christopher Stanley
Caroline Tawes

Call to Order

Chief Justice González called the meeting to order at 9:01 a.m.

Call to Order

Chief Justice González welcomed the participants and introduced new BJA member, Washington State Bar Association President Brian Tollefson. Chief Justice González also introduced the new AOC Court Security Resource Coordinator Kyle Landry.

Interbranch Coordination and Communications

Chief Justice González, Dawn Marie Rubio, Brittany Gregory and staff from Governor Inslee's office held their quarterly meeting with Governor Inslee. Chief Justice González and others are following up with the Department of Health regarding how judges and other staff in trial courts will be prioritized for the COVID-19 vaccine booster shots. The executive branch has been updated on judicial branch budget requests and the challenges of backlogs in courts. We are keeping communications open. Senator Pedersen developed a bill proposal to codify meetings among the branches. Chief Justice González has provided feedback to Senator Pedersen that we can have open communication without a statute.

Presentation: BJA Public Trust and Confidence (PTC)

Justice Yu thanked Heather Ligtenberg and Nicole Ack for their support of the PTC, acknowledged a great partnership with TVW, and thanked Rob Mead for his assistance in coordinating the Legislative Scholars program, where participation has increased.

It has been difficult getting teachers wanting to engage at this point in the Judges in the Classroom program. She thanked Rob Mead for his work supplementing lesson plans. Justice Yu asked BJA members to help spread the word on PTC resources including inviting judges into classrooms to speak. The PTC is drafting a charter that will go to BJA for approval.

Information on the PTC is on the website, <https://www.courts.wa.gov/education/>. Justice Yu thanked Commissioner Leo for his work on the PTC.

Racial Justice Consortium

The Racial Justice Consortium has been tasked to undertake a yearlong, statewide conversation on how we might possibly undo or change our beliefs and practices that contribute to racism.

Patty Lally, Senior Court Program Analyst and Racial Justice Consortium Racial Equity Practitioner at AOC, gave an update on the Consortium. The goal is to look for practical strategies to reach out to stakeholders and do the work required to build racial equity. The working mission for the Consortium is "ensuring fairness, equity, and justice in every instance, in every courthouse." The Consortium hopes to have a clear action plan by winter 2022. Patty Lally shared a video, and the link to the video will be distributed by Jeanne Englert.

Justice Yu said the Consortium needs the support and backing of judges to be behind initiatives and culture changes for the changes to be successful.

Chief Justice González thanked Justice Yu and Patty Lally for their work.

BJA Task Forces

Court Recovery Task Force (CRTF)

The link to the *Midterm Highlights Report September 2021* is in the materials. Jeanne Englert gave an update on the work of the CRTF committees. Work is focusing on the Court Rules project, and which orders will be going away and which ones will continue post-pandemic. This will be discussed at the CRTF meeting on Monday, October 18, 2021.

Court Security Task Force

The Task Force is in the process of developing an advocacy campaign for the 2022 budget request of \$4.6 million for court security screeners and equipment. They are working on talking points and a fact sheet that will be shared with BJA members. Judge Robertson and Task Force members are meeting with legislators to ask for their support for the budget package.

Presentation: Coordinating *Blake* Funding Efforts

Chris Stanley is helping to coordinate the *Blake* information and messages throughout the state. He asked BJA members to help reach out to associations to advocate for additional *Blake* funds.

Eric Johnson, Executive Director, and Juliana Roe, Policy Director, of the Washington State Association of Counties expressed their commitment to work with the Legislature to make sure resources are available to courts for *Blake* implementation. The costs of vacating, resentencing, and reimbursement will be higher than initially anticipated. They are working with partners on supplement budget requests to make sure there is a comprehensive request. Eric Johnson thanked Chris Stanley for his work and is looking forward to working with the associations.

AOC update

AOC currently has 290 staff. With new programs funded during the last legislative session, there will be an increase of about 40 staff, many of whom are part of AOC's response in assisting courts' work to improve access to justice. Cynthia Delostrinos has been hired as the new manager of the Office of Court Innovation (OCI). The OCI will expand to include an equity researcher, a behavioral health team, and an equity and access team to focus on and support courts work with unrepresented litigants. The family and youth justice programs have been expanded. HB 1320, reform of protection orders, will require increased education staff and staff to modify JIS. Funding was provided to expand the Web Services staff support, expand legal services for the trial courts, and to continue the implementation of the Courts of Limited Jurisdiction Case Management System. Additional funding will be needed to support AOC infrastructure.

Judicial Retirement Plan

Phil Brady, Contracts Manager at AOC, reported on updates and changes to the judicial retirement plan. Updates were necessary to maintain federal compliance with tax implications. Most changes will not affect benefits.

It was moved by Chief Justice González and seconded by Justice Montoya-Lewis to approve the amendment and restatement of the Judicial Retirement Plan as proposed by the AOC. The motion carried unanimously.

Standing Committee Report

Policy and Planning Committee (PPC):

The PPC is working on the adequate funding plan update. There will be a report on the survey findings in November. They are also working on recruiting an at-large committee member and are asking for applications. The Committee continues to work on the 2021–22 work plan for key policies and funding and the next round of strategic initiatives proposals.

Budget and Funding Committee (BFC):

Judge Logan discussed the unusually large supplemental budget requests submitted by AOC.

Chris Stanley provided an update on the state of the economy. Chris Stanley, Dawn Marie Rubio, and Brittany Gregory will meet with the chairs of the Senate Ways and Means Committee and the House Appropriations Committee to provide an overview of the Supplemental Budget Request.

A link to the budget request document was shared.

Court Education Committee (CEC):

The CEC report was included in the meeting materials. The Annual Judicial Conference was held virtually in September. Over 200 judicial officers attended, and all programming was recorded and is available on Inside Courts. The evaluations were positive.

Judge Bui discussed recent and upcoming webinars. CEC will review the June 2017 education strategic plan at the next CEC meeting on October 29.

The CEC received a question about whether individuals appointed for a limited time to serve as pro tem judges or commissioners are required to attend Judicial College. The CEC Executive Committee considered the training, experience, logistics, and political implications of the request and recommended that individuals should have a hardship waiver with the caveat that if appointments are retained past December 2022 they would have to attend the 2023 Judicial College. The CEC will send a letter to Supreme Court regarding waiving the attendance at the 2022 Judicial College for the term-limited pro tems and term-limited commissioners.

After a discussion, the BJA members were asked to comment.

Legislative Committee:

Brittany Gregory summarized the new legislative proposals for the 2022 legislative session. The proposals were provided in the meeting materials.

It was moved by Chief Justice González and seconded by Judge Scott to approve the legislative agenda. The motion carried unanimously.

Feedback and comments may be sent to Brittany Gregory.

Small Group Discussions

The members were divided into small groups to review and discuss collaboration on the Gender and Justice Commission recommendations included in the meeting packet to identify priorities.

The following questions were discussed:

- 1) What two recommendations should BJA prioritize first?
- 2) What can BJA do to move these recommendations forward?
- 3) What can courts do?

The groups varied in their priorities. Chief Justice González asked the note takers in each group to send their notes to Jeanne Englert.

September 17, 2021 Meeting Minutes

It was moved by Chief Justice González and seconded by Judge Bui to approve the September 17, 2021 Meeting Minutes. The motion carried unanimously.

Information Sharing

Judge Bui mentioned the class at the National Judicial College on mindfulness and encouraged everyone to take care of themselves during challenging times so that everyone can continue to do the great work that you all are doing.

Judge Pennell said the Court of Appeals retreat last week went well. They discussed race equity, how to motivate each other, and how to deal with difficult conversations.

Chief Justice González mentioned a presentation from the Washington State Bar Association (WSBA) regarding ongoing litigation nationwide and its impact on the

WSBA. He would like the WSBA to create its own report on appropriate changes for the WSBA.

Brian Tollefson discussed the impact on bar associations and first amendment challenges.

Other

There being no further business, the meeting was adjourned at 12:00 p.m.

Recap of Motions from the October 15, 2021 Meeting

Motion Summary	Status
Approve the amendment and restatement of the Judicial Retirement Plan as proposed by the AOC.	Passed
Approve the legislative agenda.	Passed
Approve the September 17, 2021 Meeting Minutes.	Passed

Action Items from the October 15, 2021 Meeting

Action Item	Status
The PTC is drafting a charter that will go to BJA for approval.	
The CEC will send a letter to Supreme Court regarding waiving the attendance at the 2022 Judicial College for the term-limited pro tems and term-limited commissioners.	Done
<u>September 17, 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