



**Board for Judicial Administration (BJA) Meeting**  
**Friday, February 18, 2022, 9:00 a.m. – 12:00 p.m.**  
Videoconference

**MEETING MINUTES**

**BJA Members Present:**

Chief Justice Steven González, Chair  
Judge Rachelle Anderson  
Judge Jennifer Forbes  
Judge Rebecca Glasgow  
Judge Dan Johnson  
Judge Mary Logan  
Judge David Mann  
Terra Nevitt  
Judge Rebecca Pennell  
Judge Rebecca Robertson  
Dawn Marie Rubio  
Judge Charles Short  
Brian Tollefson

**Guests Present:**

Ellen Attebery  
Esperanza Borboa  
Derek Byrne  
Judge John Chun  
Linda Myhre Enlow  
LaTricia Kinlow  
Robert Mead

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

Nicole Ack  
Crissy Anderson  
Judith Anderson  
Tessa Clements  
Cynthia Delostrinos  
Jeanne Englert  
Heidi Green  
Brittany Gregory  
Kyle Landry  
Penny Larsen  
Heather Lichtenberg  
Dirk Marler  
Carl McCurley  
Stephanie Oyler  
Cherif Sidiali  
Christopher Stanley  
Caroline Tawes

Call to Order

Chief Justice González called the meeting to order at 9:01 and welcomed the participants.

Interbranch Advisory Committee

A bill creating an Interbranch Advisory Committee was introduced by Senator Pedersen. The bill would create a formal committee with members from all three government branches to discuss mutual concerns. The Judicial Branch would staff the committee,

and issue a report after two years on whether the committee should continue. The bill is likely to pass.

#### Court Management Council (CMC) Model Court Administrator Job Description

With direction from the BJA, the CMC approved a Model Court Administrator Job Description in 2003. The role of court administrators has changed substantially since 2003. The District and Municipal Court Management Association (DMCMA) recognized a need to edit the Model Job Description, and brought a draft to the CMC to develop a final proposal. The Model Job Description is intended to be used as starting document to hire a qualified court administrator. The Model Job Description aligns with the National Association for Court Management (NACM) core competencies.

**It was moved by Judge Mann and seconded by Chief Justice González to approve the new Model Court Administrator Job Description as provided in the meeting materials. The motion carried unanimously.**

#### Policy and Planning Committee Adequate Funding Survey

Judge Robertson thanked Penny Larsen for her work on the Adequate Funding Survey. Penny Larsen reviewed the survey results included in the meeting materials. The survey report will be posted on Inside Courts, and Penny Larsen will send notification when the report is posted.

#### Small Group Discussion

Participants were divided into small groups and asked to consider one or more of the following questions:

1. In the survey findings presented today, the top three ranked program funding priorities were Therapeutic Courts, Interpreters, and Court Facilitators.
  - What other program(s) would your group prioritize next for funding?
  - Would you recommend funding requests be directed to the state or local level?
2. One of the 2022 BJA goals is advocacy for consistent, adequate funding that is not fee based.
  - What funding sources or strategies could be explored to replace fee-based funding?
3. Members of the BJA and the court community often note that Washington Courts are chronically underfunded. List the most glaring examples of inadequate court funding and if possible, the measures your group would suggest to resolve the inadequacies.

The groups summarized their discussions.

Group 1: This group discussed how to fund court resources such as technology. Funding from the state general fund would be easier than local funding. Why aren't courts receiving local funding? Local funding sources need more education on why funding is needed. One solution might be a local interbranch advisory committee to

discuss common goals. Other examples of inadequate funding include personnel for security, disparity among pretrial services across state, and technology. The group suggested creative funding ideas, like reaching out to companies like Microsoft for donations.

Group 2: This group discussed therapeutic courts and rural courts that don't have the volume to support therapeutic courts. One idea was to create a regional court funding requirement. There needs to be a technical fix for information in JABS coming from courts that are not part of the statewide case management systems. The Legislature should be convinced that state funding is needed for security. There is a significant need for education around state funding for courts and why it is necessary. This group also discussed why there was a low response rate to the survey from rural courts. More responses are needed from rural courts so we can address their needs. There might need to be a rural courts committee on DMCJA.

Group 3: This group discussed stable funding. Federal courts don't charge fees because the federal government funds those courts. The courts could be compared, and local courts could model those courts that aren't fee-based. They discussed local versus state funding and suggested looking at justice by geography and services offered. The interbranch advisory committee could be used to discuss state and local funding.

Group 4: This group discussed a self-help and portal program that should be state funded. Security should be state funded, at least in the beginning. Funding sources were discussed. It is important to get the message out to the state about prioritizing funding. Are there unsuccessful programs that are currently being funded? Court staff and court reporters are underfunded.

Group 5: Discussion included court security and personnel; a rise in *pro se* litigants and how courts should support them; support to judges such as law clerks and a judge team for support; and meeting an increase in requirements for court administrators with appropriate salaries.

#### BJA Task Forces

##### Court Recovery (CRTF)

Five CRTF committees have met their goals and concluded their activities. Several rule proposals have been submitted to the Supreme Court Rules Committee. The CRTF charter goes through June 2022. Members will identify items that still need to be addressed and continue to work toward a final report.

##### Court Security Task Force

This Task Force is continuing to work. They have updated their stakeholder contact list and legislative toolkit. Security Task Force staff have developed a one-page list of court security incidents and have met with 15 legislators. Victim advocates have agreed to testify before the legislature on security needs.

### Standing Committee Reports

#### Budget and Funding Committee (BFC)

The judicial branch approach to the biennial budget request is broader this year. Included in the meeting materials was a schedule for the 2023–25 Biennial Budget process. Also included was a template for a concept paper for Judicial Branch budget requests.

The Legislative budgets are expected to be published on February 21, and Christopher Stanley will send an e-mail with budget information.

#### Court Education Committee (CEC)

Over 70 new judicial officers attended the Judicial College in January, including a judge from Japan and several tribal judges. A new court education professional was hired at the AOC to focus on self-administered, online programs for judicial officers and programs related to protection orders. The CEC sponsored the *Situational Awareness and Personal Safety* webinar, with over 300 attendees. The webinar is now posted on Inside Courts.

Most spring conferences will be virtual. The CEC will meet to discuss in-person trainings.

#### Legislative Committee (LC)

The LC report was included in the meeting materials.

#### Legislative Session Update

There are three weeks remaining in the Legislative session. Brittany Gregory gave an update on the status of BJA request legislation. Additional information was included in the meeting materials. Brittany Gregory received a lot of positive feedback on BJA bills, and gave an update on several trailer bills from last year's legislation. Brittany Gregory will be soliciting proposals for next year's Legislative session in late March.

#### Policy and Planning Committee (PPC)

The next PPC meeting is today, and members will review the feedback from the small group discussions. Members plan to discuss funding projects, create a work plan, and review the PPC charter. A report was included in the meeting materials.

#### WSCCR Presentation: Why Courts Should Adopt Learning Organization Practices

Dr. Carl McCurley of AOC's Washington State Center for Court Research shared information on how courts can use data for local court improvement. Improved access to data will help courts answer questions about who is coming to the courts and how the courts can respond. Dr. McCurley asked meeting participants to respond to three questions about this project: What topic areas should be the top priority for implementation; if you were before the court, what would be your priority for data for

justice; and aside from funding, what is the biggest challenge to data for justice effectiveness?

#### Statewide Updates:

##### Court emergency orders and court rules

A list of emergency orders and rules was included in the meeting materials. Chief Justice González wants to review the terms of each and whether expiration dates are included in the order or rule. The language on ending date varies with each order, and Chief Justice González will look closely at each order. He encouraged participants to contact him if an order pertains to their work, and courts should consult with their local health department. Courts are not bound by Governor Inslee's March 21 mandate.

##### Department of Health (DOH) Guidance Updates

Due to a favorable trend in health metrics from the DOH, Governor Inslee announced moving toward a less restrictive mask mandate on March 21. Local governments are still allowed to enact their own mask requirements. More guidance will be circulated to courts when AOC receives it. Dawn Marie Rubio said there is a difference between isolation and quarantine depending on whether someone has received a booster vaccination. Courts should keep this in mind when considering when to bring back employees.

The Washington State Bar Association (WSBA) Board of Governors passed a vaccination policy for members of the Board and volunteers in July of 2021. The policy has not been updated and will be revisited at their March meeting. Policy decisions for employees and people taking the bar exam will be made by the WSBA Executive Director.

#### November 19, 2021 Meeting Minutes

**It was moved by Chief Justice González and seconded by Judge Glasgow to approve the minutes of the November 19, 2021 Meeting. The motion carried unanimously.**

#### Information Sharing

A list of new judicial officers was included in the meeting materials. Chief Justice González welcomed the new judicial officers and encouraged others to welcome new judges, especially those in their county.

New AOC staff Cherif Sidiali, Kyle Landry, and Tessa Clements introduced themselves.

The Court of Appeals Division I is going through a strategic practices review. Judge Appelwick is retiring at the end of March, and Judge Chun has been nominated to the United States District Court.

Judge Glasgow welcomed Judge Price to the Court of Appeals Division II. They are working with the other Court of Appeals divisions on strategic planning.

The Superior Court Judges' Association (SCJA) is focused on the legislative session and planning ahead for next year. There will be a long range planning session in May or June, and the SCJA is also preparing to work with the Washington Citizens' Commission on Salaries for Elected Officials. Judge Forbes will be the new SCJA president beginning in May.

The District and Municipal Court Judges' Association (DMCJA) spring conference will be held remotely June 6–10. The DMCJA is also busy with the legislative session. Priorities include security funding as well as funding for therapeutic courts, a DMCJA policy analyst, and eFiling. The DMCJA is working with the AOC's Office of Court Innovation on an analysis of several courts looking at equity and domestic violence issues.

The Access to Justice Board is in the process of recruiting three new board members. An application will be published next week.

The Minority and Justice Commission released its *Judges of Color Directory*. The [Directory](#) link will be sent to the BJA listserv.

Other

The next BJA meeting will be March 18. There being no further business, the meeting was adjourned at 11:47 a.m.

**Recap of Motions from the February 18, 2022 Meeting**

<b>Motion Summary</b>	<b>Status</b>
Approve the new Model Court Administrator Job Description as provided in the meeting materials.	Passed
Approve the minutes of the November 19, 2021 Meeting.	Passed

**Action Items from the February 18, 2022 Meeting**

<b>Action Item</b>	<b>Status</b>
The link to the Minority and Justice Commission <i>Judges of Color Directory</i> will be sent to the BJA listserv.	
<u>November 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