



**Board for Judicial Administration (BJA) Meeting**  
**Friday, September 16, 2022, 9:00 a.m. – 12:00 p.m.**  
Videoconference

**DRAFT MEETING MINUTES**

**BJA Members Present:**

Chief Justice Steven González, Chair  
Judge Tam Bui, Member Chair  
Judge Alicia Burton  
Judge Samuel Chung  
Judge George Fearing  
Judge Jennifer Forbes  
Judge Marilyn Haan  
Judge Dan Johnson  
Commissioner Rick Leo  
Judge Mary Logan  
Judge David Mann  
Terra Nevitt  
Judge Rebecca Pennell  
Dawn Marie Rubio  
Judge Michael Scott  
Judge Jeff Smith  
Brian Tollefson

**Guests Present:**

Ellen Attebery  
Jim Bamberger  
Esperanza Borbora  
Ashley Callan  
Judge Angelle Gerl  
Judge Fred Gillings  
Robert Mead  
Judge Sean O'Donnell  
Tammie Ownbey  
Tori Peterson  
Judge Judith Ramseyer  
Judge Kevin Ringus  
Adrienne Stuart  
Gabriel Villarreal  
Justice Mary Yu

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

Nicole Ack  
Crissy Anderson  
Judith Anderson  
Jeanne Englert  
Heidi Green  
Brittany Gregory  
Sondra Hahn  
Kyle Landry  
Penny Larsen  
Heather Ligtenberg  
Carl McCurley  
Dirk Marler  
Allison Lee Muller  
Stephanie Oyler  
Haily Perkins  
Christopher Stanley  
Caroline Tawes

### Call to Order

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

### BJA Member Orientation

Judge Bui referred members to the *BJA Member Guide* and discussed the BJA goals, participation of the members, and other information contained in the *Member Guide*.

### Small Group Discussions

Participants were asked to discuss the following questions and give a brief report, sharing one or two highlights.

1. What is one thing we can do to improve morale and well-being with staff?
  - Raising staff pay, recognition of staff work and perseverance during the pandemic; communicating with staff on a regular basis, especially communicating a sense of purpose to staff;
  - Encourage a fun and healthy environment; consider flex time; courts struggle with funding and communicating about this issue with local commissioners and cities; we need to find a way to help courts create a better public image of courts and make sure they are adequately funded. If courts were adequately funded, staff could have better pay;
  - Create a sense of belonging and teamwork; support each other.
2. What can we do to recruit and retain staff?
  - Make sure people feel valued and have updated job descriptions; equitable pay; recruiting people of color; compensate staff if they have additional skills;
  - Create sense of warmth and teamwork; offer competitive pay.
3. What is one way in which I can help promote the Board's goals this year?
  - Contact legislators regarding funding needs; be active in workgroups; enlist others who can be helpful; reach out to the community to raise public trust and confidence; raise the threshold of accountability by going to community events;
  - Communication between parts of BJA is essential to reach goals;
  - BJA must speak with one voice.

If participants have additional discussion points they can send that information to Jeanne Englert.

### BJA Bylaws

The Court of Appeals requested a change to the BJA bylaws. The bylaws have not been reviewed for four years, and Jeanne Englert requested volunteers from each court level to meet with her once or twice to review the bylaws.

Volunteers were Chief Justice González, Judge David Mann, Judge Jennifer Forbes, and Commissioner Rick Leo.

Presentation: Public Trust and Confidence Committee (PTC)

Justice Yu reviewed the work and mission of the PTC. New governing documents for the PTC were created, in part, to provide a process for a change in leadership. The proposed new charter was included in the meeting materials.

**It was moved by Chief Justice González and seconded by Commissioner Leo to approve the Public Trust and Confidence Committee charter and name change. The motion carried unanimously.**

The new title of the Committee will be the Public Engagement and Education Committee (PEEC).

BJA Task Forces and Work Groups

Alternatives to Incarceration Task Force

The Alternatives to Incarceration Task Force kickoff meeting is this afternoon. A report on the Task Force was included in the meeting materials. The meetings will be streamed live via TVW.

Court Security Task Force

The Task Force has been meeting this summer. They have prepared a proposal with a change in focus to presenting a shared cost model with courts. Task Force members have been meeting with county commissioners and will continue to do that. Many counties agree on the model but don't think they have funds. Chief Justice González thanked Judge O'Donnell for his work.

Remote Proceedings Work Group

Judge Gerl and Judge Rogers are co-chairs of this Work Group. They are currently putting together a membership list. Several Work Group members attended the Conference of Chief Justices/Conference of State Court Administrators summit on remote proceedings and have discussed what other courts are doing with remote proceedings. The Work Group plans to meet in October.

Other Business

Supreme Court Emergency Orders

Governor Jay Inslee has announced plans to lift the statewide COVID emergency orders in October. The question now is when the Supreme Court will be lifting the emergency court orders. There may be interim orders and court rules that allow some orders to continue to avoid interrupting the work of the courts. Some provisions of the orders will go through the court rule-making process so everyone can make comments. The orders are listed on the courts' public web site, and Chief Justice González

encouraged everyone to review the orders and to let him know which ones should be continued so they can be included in an interim order.

#### Public Records Exemptions Accountability Committee (Sunshine Committee)

Chief Justice González received a communication from the Public Records Exemptions Accountability Committee (Sunshine Committee) requesting input from the BJA on whether complaints to the Commission on Judicial Conduct (CJC) against judicial officers should remain confidential. The BJA discussed the importance of an independent entity reviewing complaints of judicial misconduct, and decided to defer to the CJC director and members.

#### Interbranch Advisory Committee

Chief Justice González reviewed the membership, history, and function of the Interbranch Advisory Committee. The next meeting is September 26, 2022 and will be streamed live on TVW. Chief Justice González introduced the new Interbranch Advisory Committee coordinator, Adrienne Stuart. Anyone with questions can contact Adrienne Stuart.

#### Standing Committee Reports

##### Budget and Funding Committee (BFC)

The BFC met to review the budget packages and are advancing all 21 packages to the full BJA membership.

Chris Stanley reviewed the 2023–25 biennial budget submittals from the judicial branch included in the meeting materials. Indirect rate calculations to fund back office staff at AOC were included in the 2023–25 budget packet for the first time.

The BJA members thanked Chris Stanley for his work.

**It was moved by Commissioner Leo and seconded by Judge Forbes to approve the 2023–25 biennial budget requests. The motion carried unanimously.**

##### Court Education Committee (CEC)

The CEC report was included in the meeting materials. The CEC completed an interim venue checklist to guide planning for conferences and activities. The CEC also updated its charter. There was additional text that was struck in section VII, number 1 and a misspelling in section VII, number 4.

**It was moved by Chief Justice González and seconded by Judge Forbes to approve the Court Education Committee charter with the noted corrections. The motion carried unanimously.**

Judge Bui noted that Judith Anderson will receive the 2022 Karen Thorson Award from the National Association of State Judicial Educators (NASJE) to recognize an educator who has made a significant contribution to judicial branch education.

#### Legislative Committee (LC)

The LC met over the summer to review and analyze the 2023 legislative proposals. Brittany Gregory reviewed the proposals and asked the BJA to endorse three of the proposals and support one. The BJA members were asked to endorse the jury diversity package proposal; the eliminating reporting requirements for RCW 9.73.120 proposal; and the additional judge for Snohomish County District Court proposal. The BJA members were asked to support the fourth proposal, the Superior Court pro tempore compensation proposal.

There was a discussion on whether BJA should endorse rather than just support the fourth proposal. Judge Forbes proposed adding the fourth proposal to the endorsed proposals.

**It was moved by Judge Forbes and seconded by Chief Justice Gonzalez to approve the first three BJA legislative proposals. The motion carried with one abstention.**

**It was moved by Chief Justice González and seconded by Judge Mann to approve support of but not endorse the fourth BJA legislative proposal as proposed. The motion failed with three in favor, five opposed, and one abstention.**

**It was moved by Judge Forbes and seconded by Commissioner Leo to approve endorsement of the fourth BJA legislative proposal. The motion passed unanimously.**

There are a few other proposals that are not ready for legislation. A work group will be formed to examine these proposals.

#### Policy and Planning Committee (PPC)

The PPC worked on strategic initiatives at their last meeting. Their focus now is on how to proceed with the Adequate Funding Work Group. Members of the Gender and Justice Commission will attend the October PPC meeting to discuss recommendations from the *Gender and Justice Report*.

#### May 20, 2022 Meeting Minutes

**It was moved by Chief Justice González and seconded by Judge Forbes to approve the May 20, 2022, meeting minutes. The motion carried unanimously.**

Information Sharing

- Judge Pennell reported that the Court of Appeals will return to traveling sessions.
- Judge Forbes pointed out that the Salary Commission efforts are moving forward. She thanked Brittany Gregory and her team and AOC communications staff for the report included in the meeting materials.
- Chief Justice González reported that the Supreme Court has begun in-person oral arguments, which will be held in the Cherberg Building. The Supreme Court will be resuming the traveling court on October 5, 2022. Chief Justice González introduced new law clerk Gabriel Villarreal.
- Judge Mann has been joined in Division I by new judges Janet Chung, Ian Birk, and Michael Diaz. Judge Mann just completed a nine-day training at the National Judicial College with the Environmental Law Institute and is putting together a package on educational materials.
- Judge Scott said that King County Superior Court is now able to use one courtroom for each trial due to improvements in public health conditions.
- Terra Nevitt announced next Thursday there will be a virtual presentation of the Washington Bar Association APEX awards. The award of merit has been renamed the Chief Justice Mary Fairhurst Award of Merit.
- Judge Bui said she is teaching civics in schools this year and it is going well.

Chief Justice González thanked the participants.

Adjourn

The meeting adjourned at 11:46 a.m.

**Recap of Motions from the September 16, 2022 Meeting**

| <b>Motion Summary</b>  | <b>Status</b> |
|--|---------------|
| <b>Approve the Public Trust and Confidence Committee charter and name change.</b>          | Passed        |
| <b>Approve the 2023–25 biennial budget requests.</b>                                       | Passed        |
| <b>Approve the Court Education Committee charter with the noted corrections.</b>           | Passed        |
| <b>Approve the first three BJA legislative proposals.</b>                                  | Passed        |
| <b>Approve support of but not endorse the fourth BJA legislative proposal as proposed.</b> | Failed        |
| <b>Approve endorsement of the fourth BJA legislative proposal.</b>                         | Passed        |
| <b>Approve the May 20, 2022 meeting minutes.</b>   | Passed        |

**Action Items from the September 16, 2022 Meeting**

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| <b>Action Item</b>  | <b>Status</b> |
|---|---------------|
| <u>May 20 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<br>Done  |