

# **BOARD FOR JUDICIAL ADMINISTRATION**



**WASHINGTON  
COURTS**

## **MEETING PACKET**

**FRIDAY, September 16, 2022  
9:00 A.M.**

**VIDEOCONFERENCE**

# Board for Judicial Administration Membership

## ***VOTING MEMBERS:***

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

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

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**Judge Alicia Burton**  
Superior Court Judges' Association  
Pierce County Superior Court

**Judge Anne Cruser**  
Court of Appeals, Division II

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

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

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

**Commissioner Rick Leo**, President  
District and Municipal Court Judges' Association  
Snohomish County District Court

**Judge Mary Logan**  
District and Municipal Court Judges' Association  
Spokane Municipal Court

**Judge David Mann**  
Court of Appeals, Division I

**Justice Raquel Montoya-Lewis**  
Washington State Supreme Court

**Judge Rebecca Pennell**  
Court of Appeals, Division III

**Judge Rebecca Robertson**  
District and Municipal Court Judges' Association  
King County District Court

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

**Judge Jacqueline Shea-Brown**  
Superior Court Judges' Association  
Benton/Franklin Superior Court

## ***NON-VOTING MEMBERS:***

**Judge Sam Chung**, President-Elect  
Superior Court Judges' Association  
King County Superior Court

**Judge George Fearing**  
Presiding Chief Judge  
Court of Appeals, Division III

**Judge Jeffrey Smith, President-Elect**  
District and Municipal Court Judges' Association  
Spokane County District Court

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

**Dawn Marie Rubio**  
State Court Administrator

**Brian Tolleson**, President  
Washington State Bar Association



**Board for Judicial Administration (BJA)**  
**Friday, September 16, 2022 (9 a.m. – noon)**

Zoom Meeting

**AGENDA**

<p><b>1. Call to Order</b></p> <p><b>Welcome</b></p> <p><b>Land Acknowledgement</b></p>	<p>Chief Justice Steven González          Judge Tam Bui</p> <p>Judge Tam Bui</p>	<p>9:00 a.m.</p>
<p><b>2. BJA Member Orientation</b></p> <p><b>BJA Member Overview</b>  <a href="#">Member Guide</a></p> <p><b>Small group discussions</b>          Answer the following questions and briefly report back to the larger Board.</p> <ul style="list-style-type: none"> <li>• What is one thing we can do to improve morale and well-being with staff?</li> <li>• What can we do to recruit and retain staff?</li> <li>• What is one way in which I can help promote the Board’s goals this year?</li> </ul>	<p>Judge Tam Bui</p>	<p>9:05</p>
<p><b>3. Presentation: Public Trust and Confidence</b>          Information Sharing          Motion: Approve Charter and name change</p>	<p>Justice Mary Yu          Nicole Ack</p>	<p>9:30          Tab 1</p>
<p><b>4. BJA Task Forces and Work Groups</b></p> <p>Alternatives to Incarceration</p> <p>Court Security</p> <p>Remote Proceedings</p>	<p>Judge Katie Loring/Jeanne Englert</p> <p>Judge Rebecca Robertson/ Penny Larsen</p> <p>Penny Larsen</p>	<p>9:50          Tab 2</p>
<p><b>5. Interbranch Advisory Committee</b>          Information sharing  <a href="#">June 17 Meeting</a> recording</p>	<p>Chief Justice Steven González</p>	<p>10:10</p>

<b>Break</b>		10:15–10:25
<b>6. Standing Committee Reports</b>  Budget and Funding Committee Motion: Approve budget requests  Court Education Committee Motion: Approve charter changes  Legislative Committee Motion: Approve legislative agenda  Policy and Planning Committee	Judge Mary Logan/ Chris Stanley  Judge Tam Bui/Judith Anderson  Judge Michael Scott/ Brittany Gregory  Judge Rebecca Robertson/ Penny Larsen	10:25-11:45 Tab 3
<b>7. Motion: Approve May 20, 2022 Minutes</b>	Chief Justice Steven González	11:45 Tab 4
<b>8. Information Sharing</b>  Salary Commission Report in packet	Judge Tam Bui	11:45 Tab 5
<b>9. 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.		
<b>Next meetings: <i>Location TBD if not listed</i></b>  <b>October 21, 2022 – 9:00 – 12:00 - Zoom</b> <b>November 18, 2022 – 9:00 – 12:00 Joint BJA and CMC Meeting - Zoom</b> <b>February 17, 2023 – 9:00 – 12:00</b> <b>March 17, 2023 – 9:00 – 12:00</b> <b>May 19, 2023 – 9:00 – 12:00</b> <b>June 16, 2023 – 9:00 – 12:00</b>		

# TAB 1



## **Board for Judicial Administration (BJA)**

### **Public Trust and Confidence Committee Charter**

#### **PUBLIC TRUST AND CONFIDENCE COMMITTEE**

**I. Title:**

Public Engagement and Education Committee (PEEC)

**II. Authority:**

Board for Judicial Administration (BJA) Rule 1

**III. Purpose:**

The purpose of the PEEC is to empower the public and improve the Washington courts through authentic engagement and education.

**IV. Mission:**

The Public Engagement and Education Committee (PEEC), a volunteer committee appointed by the Board of Judicial Administration, engages and educates the public to foster a relationship based on accountability, collaboration, and understanding. The Committee's work is informed by acknowledging the historical, institutional, and structural disempowerment of Black, Indigenous, People of Color, and other marginalized communities within the Washington courts in the pursuit of access to justice, as discussed in the [Washington State Supreme Court's June 4, 2020 open letter](#).

**V. Goals:**

Through collaboration with judicial, legal, and community groups and organizations, PEEC will identify issues negatively impacting public confidence in the Washington courts and will:

- Be a resource and partner to judicial, legal, and community groups to support and/or improve the public's confidence in the Washington courts;
- Identify recommendations for reforming the Washington courts and share them with relevant entities;

- Identify and/or create tools and resources to educate and assist Washington court staff at all levels in response to the issues identified;
- Identify and/or create tools and resources to engage with and educate the public in response to the issues identified; and
- Monitor, evaluate, and update the tools and resources created to be responsive to the needs of the community and the gaps in confidence in the Washington courts.

## **VI. Membership:**

The PEEC shall include the following members, including an alternate for each member. However, the committee will only pay any committee-related expenses for one representative.

- One judicial officer from the Superior Court Judges Association
- One District Court judicial officer
- One Municipal Court judicial officer
- One Court of Appeals judicial officer
- One Supreme Court Justice
- One representative from the Association of Washington Superior Court Administrators
- One representative from the Washington Association of Juvenile Court Administrators
- One representative from District and Municipal Court Management Association
- One representative from the Washington State Bar Association
- One representative from the Washington State Association of County Clerks<sup>1</sup>
- Up to four public/community representatives from different geographic regions within the state (Eastern, Western and Central Washington)
- Affinity bar association representative and/or Judicial Institute alum representative
- Education-focused staff member from the Administrative Office of the Courts (AOC)
- State Law Librarian
- TVW representative

Nominaton process: Nominations for organizational-based membership shall be made by that organization. Nominations for public/community representatives may be made by any existing PEEC member, or by the committee as a whole. Members are encouraged to reach out to diverse community organizations, such as x,y,z organizations, in seeking candidates for nomination. Alternates shall be

<sup>1</sup> The PEEC acknowledges that we currently have two members from the Washington State Association of County Clerks. Both members shall continue to serve. However, when the current two-year term of the longer-serving Clerk ends, that position shall not be renewed.

nominated either by the organization/institution, or if for a public/community member, by that member themselves.

Final membership will be approved by the BJA.

Membership will be for a two-year term, renewable once, and an extension to a third two-year term is allowable at the discretion of the Chair. However, the State Law Librarian, the TVW representative and the AOC positions will have no term limits. These term limits become effective on January 1 following adoption of this Charter. In addition, members who have exhausted their terms may elect to become non-voting emeritus members. Emeritus members are welcome at all meetings but must pay any travel costs associated with attendance.

The PEEC strongly encourages each entity below to strive for diversity, including geographical and other factors, in its nominations, including for its alternates. Attendance at a majority of the PEEC meetings during the first 2-year term is necessary to qualify a member for a second two-year term, unless a waiver is granted by the Chair. Non-members may participate in the work of the PEEC, including on its committees.

**VII. Chair:**

The PEEC Chair will be appointed by the BJA and may be any member of the PEEC, regardless of judicial status. A Chair shall have served a minimum of one year as a member of the PEEC prior to appointment as Chair. A Chair shall serve for a two-year term, which may be renewed for a second two-year term. Terms as Chair may extend a member's total term limit, but six years shall be the maximum total term.

**VIII. Meetings & Voting:**

The PEEC shall consider accessibility and sustainability in determining the format and venue for its meetings, including given the geographic diversity of the membership.

Each member is entitled to one vote. Members present shall be a quorum. Majority vote shall decide all issues. Emeritus members are not entitled to vote. The PEEC may establish internal rules as necessary for operational efficiency.

**IX. Support:**

AOC shall provide the PEEC project management and administrative support. The BJA shall provide funding support, in an amount to be determined.



# TAB 2



September 16, 2022

**RE: Alternatives to Incarceration Task Force Report**

The Task force is chaired by Judge Kathryn Loring and Judge Kyle Mott and staffed by Jeanne Englert.

Members from diverse organizations and courts across the state have been recruited for the Task Force. The kick off meeting is September 16, 2022, 1-3 pm.

The goal of this strategic initiative is for pre-trial and post-sentencing incarceration alternatives to be uniformly available to courts throughout the state regardless of the person's ability to pay.

The main activities which will be further refined and implemented are:

- 1) Assess the different incarceration alternative practices across the state and assess the ability of those accused of crimes to access those services equitably across the state and identify barriers to achieving this.
- 2) Gather information on any policies or efforts addressing this issue at a statewide level.
- 3) Identify promising practices and develop recommendations for incarceration alternatives.
- 4) Identify costs of implementing electronic home monitoring and other incarceration alternatives across all jurisdictions.
- 5) Pursue legislative and other funding opportunities to make incarceration alternatives equally available to all courts and their constituents across the state as applicable.
- 6) Develop and implement communication and advocacy strategies to promote funding needs.

September 16, 2022

**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

The Court Security Task Force met on May 23, 2022 to further refine next steps after the 2022 legislative session. Members discussed the draft advocacy plan for participation of courts and local legislators and ideas on funding strategies. A proposed shared cost model was discussed, however the proportions of shared costs were not finalized. Kyle Landry presented models to categorize the economic status of jurisdictions

Kyle Landry and Penny Larsen reported on the rural courts they contacted that have received some funding in 2021. Most of the courts need more funding, especially for court security officers. The courts indicated they would be willing to contact their local Boards of County Commissioners (BOCCs) to coordinate meetings with the Task Force Co-Chairs, Brittany Gregory and Chris Stanley. Penny Larsen drafted templates for the courts to use to engage their BOCCs. Judge Lech Radzinski coordinated getting the Task Force on the agenda of the regional meeting for Okanogan, Stevens, Ferry and Pend Oreille counties on July 13, 2022. The meeting was positive however, none of the commissioners felt that their counties could contribute to a shared cost model for funding court security. More meetings with rural courts and their local funding entities will be scheduled early this Fall.

The Task Force were invited to submit a decision package for the 2023-2025 biennium. The draft was submitted to State Court Administrator, Dawn Marie Rubio on July 14. More refinement of the shared cost model will be developed after meetings with other rural courts have taken place.



September 16, 2022

**RE: Remote Proceedings Work Group Report**

The Work Group is chaired by Judges Angelle Gerl James Rogers and staffed by Penny Larsen.

Members from organizations and courts across the state have been recruited for the Work Group and the first meeting is being planned.

The goal of this strategic initiative is to develop guidance to courts for conducting remote and hybrid proceedings and promote standardization of best practices in order to increase access and efficiency throughout the state.

The main activities which will be further refined and implemented are:

- 1) Conduct an assessment of the remote participation practices currently used by state trial courts, an assessment of what technology the courts possess, and the desired needs for the future of trial courts.
- 2) Draft guidance and best practices for the use of remote participation and video technology.
- 3) Examine current court rules and emergency orders and what new rules may be needed for proposed guidelines.
- 4) Explore technology funding and trainings options and resources.
- 5) Provide ongoing reports to the BJA on our efforts.

# TAB 3

# Blue Sheet: Administrative Office of the Courts (AOC)

Compiled: August 23, 2022

## Non-Information Technology-related Decision Packages (prioritized)

				TOTAL REQUEST:	37.4	\$59,568,800
Agency	Level	Code	Title	Summary	FTE	Amt Requested
AOC	PL	A1	Launch Small and Rural Court Security Matching Grant Program	The Administrative Office of the Courts, on behalf of the Court Security Task Force and the District and Municipal Court Judges Association, requests \$5 million in General Fund-State funding to distribute through matching grants to small and rural courts for the purpose of securing their court facilities. This will allow these courts to purchase the basic security equipment and services that they need in order to provide safe access to justice to the communities of Washington State.	1.0	\$5,000,000
AOC	PL	A2	Continue Funding for Therapeutic Courts	The Administrative Office of the Courts, on behalf of district and municipal courts, requests 3.5 FTEs and \$21.0 million per biennium in ongoing funding to equitably distribute and cover costs in the more than 50 new and existing therapeutic courts in Washington State courts of limited jurisdiction (CLJs). Following the Supreme Court decision in State v. Blake, the Legislature reclassified drug possession in Washington State from a felony to a misdemeanor, resulting in increased possession cases in CLJs. Therapeutic courts directly address the needs of individuals struggling with substance use disorder, mental health issues, and poverty. Although therapeutic courts have existed in CLJs for many years and consistently demonstrate positive impacts on participants' lives, there is recent increased interest from the Legislature, courts, and citizens in establishing and maintaining therapeutic courts. There is a need for both startup costs associated with new programs and maintaining existing programs, and therapeutic courts will be best served by a source of ongoing funds.	2.5	\$21,952,800
AOC	PL	A3	Continue Family Treatment Court Team	<p>The Administrative Office of the Courts (AOC) requests 4.4 FTEs and \$1.9 million in ongoing state funding to establish a sustainable Family Treatment Court (FTC) Team to continue the successful FTC quality improvement efforts and expand the statewide team approach to improve outcomes and increase equity for all families in dependency court. With a three-year federal grant, AOC created a statewide FTC Team that provides coordinated training, technical assistance and data support that has improved local practice and built capacity for ongoing evaluation. The federal grant expires in 2023 and due to a change in grant requirements, the FTC will not qualify for continued funding.</p> <p>Half of the children in dependency court have a parent with a Substance Use Disorder (SUD). Research shows that Family Treatment Courts (FTCs) improve parents' treatment results and increase family reunification. Twenty Washington communities, many in rural areas, operate FTCs, and statewide coordination has proven extremely effective, making considerable progress on the grant goals and generating excitement and kudos from courts, attorneys, DCYF, providers and parents with lived experience in the child welfare system.</p>	4.4	\$1,878,600

# Blue Sheet: Administrative Office of the Courts (AOC)

Compiled: August 23, 2022

## Non-Information Technology-related Decision Packages (prioritized)

Agency	Level	Code	Title	Summary	FTE	Amt Requested
AOC	PL	A4	Stabilize and Improve Best Interests Model in Dependency Cases	The Administrative Office of the Courts, on behalf of Juvenile Court Administrators, requests \$8.7M in ongoing General Fund-State funding in order to stabilize funding for and improve the model of best interests representation efforts in dependency cases. This includes an inflationary adjustment for county-level CASA/Child Advocate programs to cover increased costs of recruiting and managing volunteer Guardians ad Litem, additional funding for centralized technical assistance to advise these local programs on implementing best interests representation models, the addition of a central statewide Diversity, Equity, and Inclusion Program Officer to advise local programs, and a comprehensive study by the Washington State Center for Court Research on the impacts of volunteer guardians ad litem on dependency cases.		\$8,719,000
AOC	PL	A5	Expand and Evaluate Self-Help Centers	The Administrative Office of the Courts requests 1.0 FTE and \$2.5 million in one-time state funding to extend two pilot self-help centers through the 2023-25 biennium and perform an evaluation on the success of the program. Washington has a significant and growing number of unrepresented litigants attempting to use the trial courts. These litigants often encounter challenges in using a court system that was designed for professional attorneys to navigate. Self-help centers are a common service offered by many other states to assist unrepresented litigants with legal information in civil matters.	1.0	\$2,467,600
AOC	PL	A6	Increase Capacity for Judicial Education	The Administrative Office of the Courts, requests \$1.2 million per biennium in ongoing state funding to support the timely development of needed judicial training by education professionals and technology experts, and provide courts with bench coverage so that judicial training does not come at the expense of a court's caseload. The criminal justice system is in the midst of major reform in many areas of law and court operations. Recent legal reforms include: Uniform Guardianship Act, Civil Protection Order Act, and Landlord-Tenant Relations. And remote technologies adopted during the pandemic have created new ways for court users to access justice—prompting courts to reimagine how court services will be delivered post-pandemic. Judicial officers at all court levels are in urgent need of training to accurately and effectively apply these reforms.	-	\$1,256,000
AOC	PL	A7	Enhance Online Court System Education	The Administrative Office of the Courts requests 4.0 FTEs and \$1.3 million in ongoing state funding to enhance the availability of timely and effective education and training for Washington's court system personnel by growing the library of programs available in the new WACOURTS Education Portal. Justice requires judicial officers, clerks, court administrators, and court personnel to be educated on current case law and best practices in court operations. The most efficient means of providing consistent quality education and training for personnel across our diverse state is by expanding online programming through the WACOURTS Education Portal. This request will expand the library from approximately 20 to about 100 programs in the Portal along with dozens of recordings and job aids.	4.0	\$1,297,600

# Blue Sheet: Administrative Office of the Courts (AOC)

Compiled: August 23, 2022

## Non-Information Technology-related Decision Packages (prioritized)

Agency	Level	Code	Title	Summary	FTE	Amt Requested
AOC	PL	A8	Launch FAIR Court Assessment	<p>The Administrative Office of the Courts requests \$500,000 in one-time general and state funding to increase support to Washington's courts of limited jurisdiction (CLJs), which serve diverse communities in a wide variety of subject matters. It is important to assess a CLJ's ability to ensure all communities are treated with respect and dignity; racial disparities are addressed; and low-income individuals have the tools they need to navigate the justice system. A proven way to achieve this objective is through the FAIR Court Project in partnership with the Center for Court Innovation.</p> <p>The FAIR Court Project uses anonymous observers to assess how well procedural justice practices are incorporated throughout a courthouse. This proposal will fund observations of 12-15 CLJs, with detailed recommendations for each court to address any barriers to procedural justice found during the observations.</p>	-	\$500,000
AOC	PL	A9	Translate Pattern Court Forms	<p>The Administrative Office of the Courts requests \$150,000 in ongoing state funding to translate court forms. Unrepresented litigants heavily rely on state pattern forms to navigate the court system. Washington State's pattern forms library is around 725 forms. Court forms help people request filing fee waivers, file family law cases, get Protection Orders, and set up guardianship or conservatorships. Many forms are statutorily required, like the protection order, dependency, and most family Law forms. However, current funding is sufficient to translate only about 9% of that forms library into other languages and there is no funding to update the current translations at this time.</p>	-	\$150,000
AOC	PL	B1	Continue Funding for the Blake Implementation Team	<p>The Administrative Office of the Courts requests 10 FTEs and \$3.3 million in ongoing general and state funding to continue the implementation efforts surrounding the State v. Blake Supreme Court decision of February 2021.</p> <p>The enacted 2022 Supplemental Budget provided \$2.3 million in funding to accomplish two major tasks: 1) In collaboration with local court staff, prepare comprehensive lists of all cases impacted by the State v. Blake decision going back to 1971; and 2) Establish a centralized process for refunding legal financial obligations. Unfortunately, this funding was only provided for one year while the work required is a multi-year project. AOC is requesting ongoing funding to complete the work in an efficient and effective manner.</p>	10.0	\$3,254,400
AOC	PL	B2	Fully Support Language Access Plan Program	<p>The Administrative Office of the Courts requests 2.0 FTEs and \$589,200 in ongoing funding to fully implement meaningful language access throughout Washington State courts. This proposal will improve the courts' response to Limited English Proficient and deaf and hard of hearing individuals by supporting courts through technical assistance, resource development, education, coordination of peer learning, and timely reimbursement for courts to enhance language access for all Washingtonians.</p>	2.0	\$589,200



# Blue Sheet: Administrative Office of the Courts (AOC)

Compiled: August 23, 2022

## Non-Information Technology-related Decision Packages (prioritized)

Agency	Level	Code	Title	Summary	FTE	Amt Requested
AOC	PL	B3	Implement Title 26 Guardian ad Litem Training Program	<p>The Administrative Office of the Courts (AOC) requests 2.0 FTEs and \$962,100 in ongoing state funding to create a Title 26 Guardian ad Litem Training Program. Dedicated AOC staff would facilitate the mandatory initial Title 26 GAL training across the state several times per year, assist courts in developing local rules requiring ongoing GAL training, facilitate continuing education for existing GALs and ensure the curriculum is updated following each legislative session.</p> <p>Across the state there is an urgent need for more, well-trained Title 26 Guardians ad Litem (GALs). The Administrative Office of the Courts is statutorily required to develop the Title 26 (domestic relations) GAL training curriculum under RCW 2.56.030(15). However, Washington does not have a statewide training program for delivery of the curriculum and must rely on local entities and jurisdictions to organize trainings in order to have qualified GALs.</p>	2.0	\$962,100
AOC	PL	B4	Pilot Pretrial Service Program	<p>The Administrative Office of the Courts, on behalf of Superior Courts, requests 1.0 FTEs and \$4.9 million in one-time funding for five programs in courts without pretrial services, to pilot a combination of evidence-based and promising programs. An estimated 6,500 individuals are held in pretrial detention every day, including on non-violent or misdemeanor offenses. Many of these individuals could be released with a low risk to public safety and high likelihood to return to court if robust pretrial services were available. Full funding for pretrial services statewide has been recommended by the Pretrial Reform Task Force, and the Washington State Auditor's Office similarly found that full funding for pretrial services would be less costly to taxpayers than pretrial detention .</p>	1.0	\$4,853,200
AOC	PL	B5	Engage Volunteers with the Guardian Monitoring Program	<p>The Administrative Office of the Courts (AOC) requests \$170,000 to adequately fund and support the Guardian Monitoring Program's (GMP) ongoing volunteer activities. In 2021, (AOC) launched the GMP to support local jurisdictions' guardianship efforts. An essential component of the GMP is the engagement of its volunteers: guardian liaisons, volunteer auditors and volunteer researchers. These volunteer positions represent approximately 75% of GMP staffing required to meet GMP objectives as they improve the tracking of guardianship cases, improve communication between guardianship parties and courts, and improve the detection of abuse, neglect and exploitation of persons subject to guardianship. GMP's reliance on volunteers will require an investment of resources to recruit, train, support and retain approximately 100 volunteers and will help ensure future sustainability for the GMP.</p>	-	\$170,000
AOC	PL	B6	Increase Capacity for Public Guardianship Services	<p>The Administrative Office of the Courts requests \$1.4 million in ongoing funding to respond to the high demand for public guardianship services which reduce public costs over time while reinforcing legislative intent to protect the liberty and autonomy of all people in Washington, recognizing that some vulnerable adults cannot exercise their rights without the help of a guardian/conservator. The Office of Public Guardianship (OPG) contracts with certified professional guardians and conservators/agencies to provide professional guardianship/conservatorship services to indigent individuals. OPG is approaching capacity and without additional funding will have to stop accepting new clients.</p>	-	\$1,372,000

# Blue Sheet: Administrative Office of the Courts (AOC)

Compiled: August 23, 2022

## Non-Information Technology-related Decision Packages (prioritized)

Agency	Level	Code	Title	Summary	FTE	Amt Requested
AOC	PL	B7	Fund Water Rights Adjudication	The Administrative Office of the Courts requests 2.0 FTEs and \$1.8 million in ongoing state funding to support court activities related to adjudications filed by the Department of Ecology to resolve water rights in Water Resources Inventory Areas 1 (Nooksack) and 58 (Lake Roosevelt and Middle Tributaries). A general adjudication of surface and groundwater rights will determine who has a legal right to use water and the volume of each right	2.0	\$1,827,900
AOC	PL	C1	Fully Fund Judicial Need Estimation	The Administrative Office of the Courts requests 1.0 FTE and \$537,600 in ongoing state funding to meet the trial courts' need for actionable, current information about how many judges they need to handle current and future workloads. The funding will allow us to implement an approach to measuring judicial workload that will have more detail and better validity than Washington's current approach. Carrying out the work of the trial courts requires appropriate staffing which, in turn, requires the capacity to accurately describe the need for judicial time both on- and off-bench. This nationally-adopted approach has a long track record of providing results useful to courts.	1.0	\$537,600
AOC	PL	C2	Implement Data for Justice	The Administrative Office of the Courts (AOC) requests 4.5 FTEs and \$1.57 million in ongoing state funding to empower Washington's courts to use data for implementing equitable and effective justice in Washington. The courts and justice system have been called upon to confront the role they play in perpetuating systemic injustice. Part of the problem is that courts often lack access to information and data that can show them where and how to improve in their delivery of justice. The AOC proposes a "Data for Justice" initiative to expand research support at the Office of Court Innovation and the Washington State Center for Court Research for Washington's courts to collect and analyze data, report performance measures, educate on approaches to and impact of using data, and train those working in our court system to use data for implementing equitable change.	4.5	\$1,574,400
AOC	PL	C3	Jury Diversity (Research Race and Gender Bias in Juries)	The Administrative Office of the Courts requests 1.0 FTE and \$403,200 in ongoing funding to continue current juror data collection efforts, expand research on juries, and provide technical assistance to courts in the process. Recent studies in Washington have shown that jury pools throughout Washington are not demographically reflective of their communities. There has been a push in the legislature and from the courts to address the issue of jury diversity.  The first step to implementing change is data collection: tracking and identifying where issues are occurring, and then taking steps to address it. This effort will help Washington state track and make progress on increasing jury diversity across the state.	1.0	\$403,200
AOC	PL	C4	PLACEHOLDER: Examine Disability Bias in the Justice System	The Administrative Office of the Courts, on behalf of the Disability Justice Task Force (Task Force), requests 1.0 FTEs and \$803,000 in order to study access to justice for people with disabilities. The Task Force, created by the Supreme Court in January 2022, envisions a statewide court system where people with disabilities have access to justice that not only meets legal compliance, but also ensures dignity, equity, and full participation in the legal system and the profession through the implementation of consistent best practices and other reforms. The Task Force proposes to conduct a 2-year comprehensive needs-analysis to determine the nature and extent of the deficiencies in physical and programmatic access to state court services and programs, and to develop solutions to address disability discrimination and marginalization in our justice system.	1.0	\$803,200

# Blue Sheet: Administrative Office of the Courts (AOC)

Compiled: August 23, 2022

Non-Information Technology-related Decision Packages (prioritized)

Agency	Level	Code	Title	Summary	FTE	Amt Requested
AOC	PL	C5	PLACEHOLDER: Addressing Barriers to Appellate Access			
<b>TOTAL</b>					<b>37.4</b>	<b>\$59,568,800</b>

# Administrative Office of the Courts

## 2023-25 Biennial Budget

Non-IT Decision Package Requests: \$59.6 million

### Support Trial Courts

1. Launch Small and Rural Court Security Matching Grant Program
2. Continue Funding for Therapeutic Courts
3. Continue Family Treatment Court Team
4. Stabilize and Improve Best Interests Model in Dependency Cases
5. Expand & Evaluate Self-Help Centers
6. Increase Capacity for Judicial Education
7. Enhance Online Court System Education
8. Launch FAIR Court Assessment
9. Translate Pattern Court Forms

\$43.2 million

### Right-Size Staffing & Program Operations

1. Continue Funding for the Blake Implementation Team
2. Fully Support Language Access Program
3. Implement Title 26 Guardian ad Litem Training Program
4. Pilot Pretrial Services
5. Engage Volunteers in Guardianship Monitoring
6. Increase Capacity for Public Guardianship Services
7. Fund Water Rights Adjudication

\$13 million

### Collect & Examine Data for Justice

1. Fully Fund Judicial Need Estimation
2. Implement Data for Justice
3. Research Race and Gender Bias in Juries
4. Examine Disability Bias in the Justice System
5. PLACEHOLDER: Address Barriers to Appellate Access

\$3.3 million





# Budget Briefing to the Board for Judicial Administration

**Christopher Stanley, CGFM – Chief Financial and Management Officer, AOC**  
September 16, 2022

# Budget Outlook & Forecast



	<i>In billions</i>
Projected Ending Balance, June 30, 2023:	\$1.774
Add Rescue Plan Account:	\$2.1
Add Rainy Day Fund:	\$0.661
<b>Official Resources Available Total:</b>	<b>\$4.535</b>

Where does it go?

- State Employee Compensation & Vendor Rate Increases
- Education Budget (McCleary Obligation)
- Caseload Changes

***Updated Revenue Forecast Coming September 21***





# Non-IT Decision Packages

**Christopher Stanley, CGFM – Chief Financial and Management Officer, AOC**  
September 16, 2022

# New for 2023-25: Indirect Rate



## Indirect Rate Calculation for FY23

FY21 Indirect & Overhead Costs	=	\$12,329,939	=	24.73%
FY21 Direct Salary & Benefits Cost		\$49,851,747		

### How is the Indirect Rate Applied?

(Salaries + Benefits)\*Indirect Rate = Overhead Cost

*Example from the Family Treatment Court Team Request:*

$(\$403,100 + \$128,600) * 0.2473 = \$131,489$



# Administrative Office of the Courts

## 2023-25 Biennial Budget

Non-IT Decision Package Requests: \$59.6 million



### Support Trial Courts

1. Launch Small & Rural Court Security Matching Grant Program
2. Continue Funding for Therapeutic Courts
3. Continue Family Treatment Court Team
4. Stabilize & Improve Best Interests Model in Dependency Cases
5. Expand & Evaluate Self-Help Centers
6. Increase Capacity for Judicial Education
7. Enhance Online Court System Education
8. Launch FAIR Court Assessment
9. Translate Pattern Court Forms

\$43.2 million

### Right-Size Staffing & Program Operations

1. Continue Funding for the Blake Implementation Team
2. Fully Support Language Access Program
3. Implement Title 26 Guardian ad Litem Training Program
4. Pilot Pretrial Services
5. Engage Volunteers in Guardianship Monitoring
6. Increase Capacity for Public Guardianship Services
7. Fund Water Rights Adjudication

\$13 million

### Collect & Examine Data for Justice

1. Fully Fund Judicial Need Estimation
2. Implement Data for Justice
3. Research Race and Gender Bias in Juries
4. Examine Disability Bias in the Justice System
5. PLACEHOLDER: Address Barriers to Appellate Access

\$3.3 million

# Launch Small and Rural Court Security Matching Grant Program



The Administrative Office of the Courts, on behalf of the Court Security Task Force and the District and Municipal Court Judges Association, requests \$5 million in General Fund-State funding to distribute through matching grants to small and rural courts for the purpose of securing their court facilities. This will allow these courts to purchase the basic security equipment and services that they need in order to provide safe access to justice to the communities of Washington State.

Ongoing

\$5,000,000

# Continue Funding for Therapeutic Courts



The Administrative Office of the Courts, on behalf of district and municipal courts, requests 1.5 FTEs and \$19.8 million per biennium in ongoing funding to equitably distribute and cover costs in the more than 50 new and existing therapeutic courts in Washington State courts of limited jurisdiction (CLJs). Following the Supreme Court decision in *State v. Blake*, the Legislature reclassified drug possession in Washington State from a felony to a misdemeanor, resulting in increased possession cases in CLJs. Therapeutic courts directly address the needs of individuals struggling with substance use disorder, mental health issues, and poverty. Although therapeutic courts have existed in CLJs for many years and consistently demonstrate positive impacts on participants' lives, there is recent increased interest from the Legislature, courts, and citizens in establishing and maintaining therapeutic courts. There is a need for both startup costs associated with new programs and maintaining existing programs, and therapeutic courts will be best served by a source of ongoing funds.

Ongoing

\$21,953,000

# Continue Family Treatment Court Team



The Administrative Office of the Courts (AOC) requests 4.4 FTEs and \$1.9 million in ongoing state funding to establish a sustainable Family Treatment Court (FTC) Team to continue the successful FTC quality improvement efforts and expand the statewide team approach to improve outcomes and increase equity for all families in dependency court. With a three-year federal grant, AOC created a statewide FTC Team that provides coordinated training, technical assistance and data support that has improved local practice and built capacity for ongoing evaluation. The federal grant expires in 2023 and due to a change in grant requirements, the FTC will not qualify for continued funding.

Half of the children in dependency court have a parent with a Substance Use Disorder (SUD). Research shows that Family Treatment Courts (FTCs) improve parents' treatment results and increase family reunification. Twenty Washington communities, many in rural areas, operate FTCs, and statewide coordination has proven extremely effective, making considerable progress on the grant goals and generating excitement and kudos from courts, attorneys, DCYF, providers and parents with lived experience in the child welfare system.

Ongoing

\$1,878,000

# Stabilize and Improve Best Interests Model in Dependency Cases



The Administrative Office of the Courts, on behalf of Juvenile Court Administrators, requests \$8.7 million in ongoing General Fund-State funding in order to stabilize funding for and improve the model of best interests representation efforts in dependency cases. This includes an inflationary adjustment for county-level CASA/Child Advocate programs to cover increased costs of recruiting and managing volunteer Guardians ad Litem, additional funding for centralized technical assistance to advise these local programs on implementing best interests representation models, the addition of a central statewide Diversity, Equity, and Inclusion Program Officer to advise local programs, and a comprehensive study by the Washington State Center for Court Research on the impacts of volunteer guardians ad litem on dependency cases.

Ongoing

\$8,719,000

# Expand and Evaluate Self-Help Centers



The Administrative Office of the Courts requests 1.0 FTE and \$2.5 million in one-time state funding to extend two pilot self-help centers through the 2023-25 biennium and perform an evaluation on the success of the program. Washington has a significant and growing number of unrepresented litigants attempting to use the trial courts. These litigants often encounter challenges in using a court system that was designed for professional attorneys to navigate. Self-help centers are a common service offered by many other states to assist unrepresented litigants with legal information in civil matters.

One-Time

\$2,467,000

# Increase Capacity for Judicial Education



The Administrative Office of the Courts, requests \$1.2 million per biennium in ongoing state funding to support the timely development of needed judicial training by education professionals and technology experts, and provide courts with bench coverage so that judicial training does not come at the expense of a court's caseload. The criminal justice system is in the midst of major reform in many areas of law and court operations. Recent legal reforms include: Uniform Guardianship Act, Civil Protection Order Act, and Landlord-Tenant Relations. And remote technologies adopted during the pandemic have created new ways for court users to access justice—prompting courts to reimagine how court services will be delivered post-pandemic. Judicial officers at all court levels are in urgent need of training to accurately and effectively apply these reforms.

Ongoing

\$1,256,000

# Enhance Online Court System Education



The Administrative Office of the Courts requests 4.0 FTEs and \$1.3 million in ongoing state funding to enhance the availability of timely and effective education and training for Washington's court system personnel by growing the library of programs available in the new WACOURTS Education Portal. Justice requires judicial officers, clerks, court administrators, and court personnel to be educated on current case law and best practices in court operations. The most efficient means of providing consistent quality education and training for personnel across our diverse state is by expanding online programming through the WACOURTS Education Portal. This request will expand the library from approximately 20 to about 100 programs in the Portal along with dozens of recordings and job aids.

Ongoing

\$1,297,600



# Launch FAIR Court Assessment



The Administrative Office of the Courts requests \$500,000 in one-time General Fund-State funding to increase support to Washington’s courts of limited jurisdiction (CLJs), which serve diverse communities in a wide variety of subject matters. It is important to assess a CLJ’s ability to ensure all communities are treated with respect and dignity; racial disparities are addressed; and low-income individuals have the tools they need to navigate the justice system. A proven way to achieve this objective is through the FAIR Court Project in partnership with the Center for Court Innovation.

The FAIR Court Project uses anonymous observers to assess how well procedural justice practices are incorporated throughout a courthouse. This proposal will fund observations of 12-15 CLJs, with detailed recommendations for each court to address any barriers to procedural justice found during the observations.

One-Time

\$500,000

# Translate Pattern Court Forms



The Administrative Office of the Courts requests \$150,000 in ongoing state funding to translate court forms. Unrepresented litigants heavily rely on state pattern forms to navigate the court system. Washington State's pattern forms library is around 725 forms. Court forms help people request filing fee waivers, file family law cases, get Protection Orders, and set up guardianship or conservatorships. Many forms are statutorily required, like the protection order, dependency, and most family Law forms. However, current funding is sufficient to translate only about 9% of that forms library into other languages and there is no funding to update the current translations at this time.

Ongoing

\$150,000

# Continue Funding for the Blake Implementation Team



The Administrative Office of the Courts requests 10 FTEs and \$3.3 million in ongoing General Fund-State funding to continue the implementation efforts surrounding the State v. Blake Supreme Court decision of February 2021.

The enacted 2022 Supplemental Budget provided \$2.3 million in funding to accomplish two major tasks: 1) In collaboration with local court staff, prepare comprehensive lists of all cases impacted by the State v. Blake decision going back to 1971; and 2) Establish a centralized process for refunding legal financial obligations. Unfortunately, this funding was only provided for one year while the work required is a multiyear project. AOC is requesting ongoing funding to complete the work in an efficient and effective manner.

Ongoing

\$3,254,400

# Fully Support Language Access Plan Program



The Administrative Office of the Courts requests 2.0 FTEs and \$589,200 in ongoing funding to fully implement meaningful language access throughout Washington State courts. This proposal will improve the courts' response to Limited English Proficient and deaf and hard of hearing individuals by supporting courts through technical assistance, resource development, education, coordination of peer learning, and timely reimbursement for courts to enhance language access for all Washingtonians.

Ongoing

\$589,200

# Implement Title 26 Guardian ad Litem Training Program



The Administrative Office of the Courts (AOC) requests 2.0 FTEs and \$962,100 in ongoing state funding to create a Title 26 Guardian ad Litem Training Program. Dedicated AOC staff would facilitate the mandatory initial Title 26 GAL training across the state several times per year, assist courts in developing local rules requiring ongoing GAL training, facilitate continuing education for existing GALs and ensure the curriculum is updated following each legislative session. Across the state there is an urgent need for more, well-trained Title 26 Guardians ad Litem (GALs). The Administrative Office of the Courts is statutorily required to develop the Title 26 (domestic relations) GAL training curriculum under RCW 2.56.030(15). However, Washington does not have a statewide training program for delivery of the curriculum and must rely on local entities and jurisdictions to organize trainings in order to have qualified GALs.

Ongoing

\$962,100

# Pilot Pretrial Service Program



The Administrative Office of the Courts, on behalf of Superior Courts, requests 1.0 FTEs and \$4.9 million in one-time funding for five programs in courts without pretrial services, to pilot a combination of evidence-based and promising programs. An estimated 6,500 individuals are held in pretrial detention every day, including on non-violent or misdemeanor offenses. Many of these individuals could be released with a low risk to public safety and high likelihood to return to court if robust pretrial services were available. Full funding for pretrial services statewide has been recommended by the Pretrial Reform Task Force, and the Washington State Auditor's Office similarly found that full funding for pretrial services would be less costly to taxpayers than pretrial detention.

One-Time

\$4,853,200

# Engage Volunteers with the Guardian Monitoring Program



The Administrative Office of the Courts (AOC) requests \$170,000 to adequately fund and support the Guardian Monitoring Program's (GMP) ongoing volunteer activities. In 2021, (AOC) launched the GMP to support local jurisdictions' guardianship efforts. An essential component of the GMP is the engagement of its volunteers: guardian liaisons, volunteer auditors and volunteer researchers. These volunteer positions represent approximately 75% of GMP staffing required to meet GMP objectives as they improve the tracking of guardianship cases, improve communication between guardianship parties and courts, and improve the detection of abuse, neglect and exploitation of persons subject to guardianship. GMP's reliance on volunteers will require an investment of resources to recruit, train, support and retain approximately 100 volunteers and will help ensure future sustainability for the GMP.

One-Time

\$170,000

# Increase Capacity for Public Guardianship Services



The Administrative Office of the Courts requests \$1.4 million in ongoing funding to respond to the high demand for public guardianship services which reduce public costs over time while reinforcing legislative intent to protect the liberty and autonomy of all people in Washington, recognizing that some vulnerable adults cannot exercise their rights without the help of a guardian/conservator. The Office of Public Guardianship (OPG) contracts with certified professional guardians and conservators/agencies to provide professional guardianship/conservatorship services to indigent individuals. OPG is approaching capacity and without additional funding will have to stop accepting new clients.

Ongoing

\$1,372,000



# Fund Water Rights Adjudication costs for WRIA 1 and WRIA 58



The Administrative Office of the Courts requests 2.0 FTEs and \$1.8 million in ongoing state funding to support court activities related to adjudications filed by the Department of Ecology to resolve water rights in Water Resources Inventory Areas 1 (Nooksack) and 58 (Lake Roosevelt and Middle Tributaries). A general adjudication of surface and groundwater rights will determine who has a legal right to use water and the volume of each right.

Ongoing

\$1,827,900

# Fully Fund Judicial Need Estimation



The Administrative Office of the Courts requests 1.0 FTE and \$537,600 in ongoing state funding to meet the trial courts' need for actionable, current information about how many judges they need to handle current and future workloads. The funding will allow us to implement an approach to measuring judicial workload that will have more detail and better validity than Washington's current approach. Carrying out the work of the trial courts requires appropriate staffing which, in turn, requires the capacity to accurately describe the need for judicial time both on- and off-bench. This nationally-adopted approach has a long track record of providing results useful to courts.

Ongoing

\$537,600

# Implement Data for Justice



The Administrative Office of the Courts (AOC) requests 4.5 FTEs and \$1.57 million in ongoing state funding to empower Washington’s courts to use data for implementing equitable and effective justice in Washington. The courts and justice system have been called upon to confront the role they play in perpetuating systemic injustice. Part of the problem is that courts often lack access to information and data that can show them where and how to improve in their delivery of justice. The AOC proposes a “Data for Justice” initiative to expand research support at the Office of Court Innovation and the Washington State Center for Court Research for Washington’s courts to collect and analyze data, report performance measures, educate on approaches to and impact of using data, and train those working in our court system to use data for implementing equitable change.

Ongoing

\$1,574,400

# Jury Diversity (Research Race and Gender Bias in Juries)



The Administrative Office of the Courts requests 1.0 FTE and \$403,200 in ongoing funding to continue current juror data collection efforts, expand research on juries, and provide technical assistance to courts in the process. Recent studies in Washington have shown that jury pools throughout Washington are not demographically reflective of their communities. There has been a push in the legislature and from the courts to address the issue of jury diversity. The first step to implementing change is data collection: tracking and identifying where issues are occurring, and then taking steps to address it. This effort will help Washington state track and make progress on increasing jury diversity across the state.

Ongoing

\$403,200

# PLACEHOLDER: Examine Disability Bias in the Justice System



The Administrative Office of the Courts, on behalf of the Disability Justice Task Force (Task Force), requests 1.0 FTEs and \$803,000 in order to study access to justice for people with disabilities. The Task Force, created by the Supreme Court in January 2022, envisions a statewide court system where people with disabilities have access to justice that not only meets legal compliance, but also ensures dignity, equity, and full participation in the legal system and the profession through the implementation of consistent best practices and other reforms. The Task Force proposes to conduct a 2-year comprehensive needs-analysis to determine the nature and extent of the deficiencies in physical and programmatic access to state court services and programs, and to develop solutions to address disability discrimination and marginalization in our justice system.

One-Time

\$803,200

# PLACEHOLDER: Addressing Barriers to Appellate Access



TBD

\$





# Questions?

[Christopher.Stanley@courts.wa.gov](mailto:Christopher.Stanley@courts.wa.gov)  
360-357-2406

September 7, 2022

**TO:** Board for Judicial Administration Members

**FROM:** Judge Tam Bui, BJA Court Education Committee Chair  
Judge Douglas J. Fair, BJA Court Education Committee Co-Chair

**RE:** Court Education Committee Report

We are continuing to tackle the challenges of going back to in-person education in FY23 with limited funding and merging in-person with remote participation. The CEC has created an interim venue checklist emphasizing that venues need to support the educational needs (space, technical infrastructure), meet housing requirements, and be ADA compliant. The AOC Education Team has developed profiles of often-used venues which will help groups identify venues that support their size and educational needs.

The CEC reviewed their charter and updated sections, adding in the need for an Executive Committee. This has been submitted to the BJA for review.

Since our last report, the District and Municipal Court Management Association (DMCMA) and the District and Municipal Court Judges' Association (DMCJA) have completed their virtual spring programs. The 4-week Search and Seizure program was held and completed.

Due to all the spring programs being virtual, the unencumbered funds were used by the CEC to host two webinars, entitled *Sustaining Ourselves: Practical Tools*, and *U.S. Supreme Court's Year in Review*. The CEC also implemented a registration reimbursement program which reimbursed the registration fees of court personnel and/or teams to attend national programs in June, July and August of 2022. We also continued to allot additional funding to the FY22 Institute for Court Management (ICM) scholarships.

The CEC met with representatives from the Misdemeanant Probation Association and juvenile court probation and detention representatives to discuss supporting their education and training needs. We will continue our discussions with them regarding this possibility.



The Learning Management System (LMS) is active and we are now conducting targeted campaigns of specific groups to introduce them to the LMS and the courses available. Dr. Hillstrom has worked with the Education Team to separate out courses recorded at the 2021-2022 virtual spring programs and make them available within the LMS. A decision package to increase the productivity of eLearning development and design has moved forward.

The design and development of eLearning courses continue. *Procedural Justice* and *Coercive Control* under 1320, *Ethics* courses for judicial officers to replace the outdated tutorials that are no longer available on Inside Courts, *Sealing and Redacting Court Records*, *Courthouse Security and Safety*, and *Anger to Authenticity* are all in production.

### **Work in Progress**

Court Education Committee's Strategic Planning.

Drafting of ARLJ 14 Standards.



## Board for Judicial Administration (BJA)

### COURT EDUCATION STANDING COMMITTEE CHARTER

#### I. **Committee Title**

Court Education Committee (CEC)

#### II. **Authority**

Board for Judicial Administrative Rules (BJAR 3)

#### III. **Charge or Purpose**

The CEC will improve the quality of justice in Washington by fostering excellence in the courts through effective education. The CEC will promote sound adult education policy, develop education and curriculum standards for judicial officers and court system personnel, and promote coordination in education programs for all court levels and associations.

#### IV. **Policy**

The CEC will establish policy and standards regarding curriculum development, instructional design, and adult education processes for statewide judicial education, using the National Association of State Judicial Educator's *Principles and Standards of Judicial Branch Education* goals:

The goal of judicial branch education is to enhance the performance of the judicial system as a whole by continuously improving the personal and professional competence of all persons performing judicial branch functions.

- 1) Help judicial branch personnel acquire the knowledge and skills required to perform their judicial branch responsibilities fairly, correctly, and efficiently.
- 2) Help judicial branch personnel adhere to the highest standards of personal and official conduct.
- 3) Help judicial branch personnel become leaders in service to their communities.
- 4) Preserve the judicial system's fairness, integrity, and impartiality by eliminating bias and prejudice.
- 5) Promote effective court practices and procedures.
- 6) Improve the administration of justice.
- 7) Ensure access to the justice system.
- 8) Enhance public trust and confidence in the judicial branch.

## V. Expected Deliverables or Recommendations

The CEC shall have the following powers and duties:

1. To plan, implement, coordinate, or approve BJA funded education and training for courts throughout the state.
2. Assure adequate funding for education to meet the needs of courts throughout the state and all levels of the court.
3. Collect and preserve curricula, and establish policy and standards for periodic review and update of curricula.
4. Develop and promote instructional standards for education programs.
5. Establish educational priorities.
6. Implement and update Mandatory Continuing Judicial Education polices and standards.
7. Develop working relationships with the other BJA standing committees and task forces. (~~Policy and Planning, Legislative, and Budget and Finance~~).
8. Develop and implement standard curriculum for the Judicial College and District and Municipal Court Manager's Washington Court Administrator Academy per ARLJ 14.
9. Provide education for judges and administrators that focuses on the development of leadership skills and provide tools to be used in the daily management and administration of their courts.

## VI. Membership

Voting Members:

- Three BJA members with representation from each court level
- Education committee chair or a designee from the following:
  - Superior Court Judges' Association (SCJA)
  - District and Municipal Court Judges' Association (DMCJA)
  - Appellate courts
- Annual Conference Education Committee Chair or designee
- Education committee chair or a designee from each of the following:
  - Washington State Association of County Clerks (WSACC)
  - District and Municipal Court Management Association (DMCMA)
  - Association of Washington Superior Court Administrators (AWSCA)
  - Washington Association of Juvenile Court Administrators (WAJCA)
- Washington State Law School Dean

Appointments:

- BJA Members: Appointed by the BJA co-chairs
- Judicial Members: Trial court members appointed by their respective associations and appellate member appointed by the Chief Justice
- Annual Conference Chair: Annual Conference member appointed by Chief Justice
- Court Administrators and County Clerk Members: Administrative and County Clerk members appointed by their respective associations
- Washington State Law School Dean: CEC recruit and appoint

VII. Chair of CEC: CEC Committee Chair, Assistant Chair and Executive Committee

1. The Committee chair shall be selected from the three BJA representatives. CEC members will elect a chair from among the three BJA representatives. The chair shall serve for a term of two years.
2. The Assistant Chair shall be selected by the chair from the non BJA representatives for a term of two years. Co-chair of the CEC: CEC members will elect a co-chair from among the non BJA representatives. The co-chair shall serve for a term of two years.
3. The Chair, Assistant Chair, a non-judicial representative and the AOC Administrator or his/her designee shall constitute the Executive Committee.
4. The Executive Committee is authorized to make time-sensitive decisions without consultation or vote of the full CEC Committee. Executive Committee will immediately transmit the results of a decision to the CEC and decision memorialized in the following months' minutes.

VIII. ~~VII.~~ **Term Limits**

Staggered terms recommended (suggestion: staggered three-year terms for all members),

<b>Representing</b>	<b>Term/Duration</b>
BJA Member, Appellate Courts	<b>*First population of members will be staggered (3 year term)</b>
BJA Member, SCJA	*
BJA Member, DMCJA	*
Appellate Court Education Chair or Designee (1)	Term determined by Chief Justice
Superior Court Judges' Association Education Committee Chair or Designee (1)	Term determined by their association
District and Municipal Court Judges' Association Education Committee Chair or Designee (1)	Term determined by their association
Annual Conference Chair or Designee (1)	Term determined by Chief Justice
Association of Washington Superior Court Administrators Education Committee Chair or Designee (1)	Term determined by their association
District and Municipal Court Management Association Education Committee Chair or Designee (1)	Term determined by their association

Washington Association of Juvenile Court Administrators Education Committee Chair or Designee (1)	Term determined by their association
Washington State Association of County Clerks Education Committee Chair or Designee (1)	Term determined by their association
Washington State Law School Dean (1)	3-year term

**IX. VIII. Other Branch Committees Addressing the Same Topic**

The CEC identified the following organizations involved in education:

- Association education committees
- Annual Conference Committee
- Gender and Justice Commission
- Minority and Justice Commission
- Court Interpreter Commission
- Certified Professional Guardian Board
- Court Improvement Training Academy
- Commission on Children in Foster Care
- AOC's Judicial Information System Education

The CEC will establish or continue relationships with the above named entities.

**X. IX. Other Branch Committees to Partner With**

Foster continual relationships with the BJA Legislative, Budget and Funding and Policy and Planning Committees. The CEC will be in close contact with the other BJA standing committees in order to develop long-term strategies for the funding of education and the creation of policies and procedures that are aligned with the BJA strategies and mission statement.

**XI. X. Reporting Requirements**

The CEC will report at each regularly scheduled BJA meeting.

**XII. XI. Recommended Review Date**

Every two years from adoption of charter.

*Adopted: July 18, 2014*

*Attached Memorandum of Understanding with BCE signed*

*Amended: March 20, 2015*

*September 19, 2014*

*September 18, 2015*

*Approved by CEC on July 15, 2022*



September 16, 2022

**TO:** Board for Judicial Administration (BJA) Members  
**FROM:** Judge Michael Scott, BJA Legislative Committee Chair  
Brittany Gregory, AOC Associate Director, Judicial and Legislative Relations  
**RE:** BJA Legislative Committee Report and Action Items for the Board

During the regular and any special legislative session(s), the BJA Legislative Committee (Committee) convenes weekly calls to discuss pending legislation. During the legislative interim, the Committee convenes as necessary to review and prepare legislative proposals and develop strategies for upcoming sessions.

On March 23, 2022, the Committee solicited legislative proposals for the 2023 legislative session from all court levels and entities. The solicitation included information about the process, forms, and submission for proposals, requesting all applicable documentation to be submitted by June 20, 2022. The Committee received several proposals from judicial stakeholders and legislators. After discussing the proposals with the court-level representatives on the Committee, and soliciting feedback from the Committee at large, the Committee has decided to offer the proposals summarized below for consideration by the Board.

**Proposal #1: Jury Diversity Package**

The Jury Diversity Package contains four subproposals aimed at increasing jury diversity and juror response rate.

- Subproposal #1: Continues the 2021 MJC Jury Demographic Survey
- Subproposal #2: Establishes a pilot project to explore if free childcare would increase jury diversity and juror response rates
- Subproposal #3: Selects two counties for a pilot project to explore if increase juror pay would increase jury diversity and juror response rates
- Subproposal #4: Allows courts to email jury summons, in addition to sending a summons to physical address

**Proposal #2: Eliminating Reporting Requirements for RCW 9.73.120**

Eliminates requirement for judges to report wiretapping authorizations and Chief Justice's annual report to Governor and legislature on operation of RCW.

**Proposal #3: Additional Judicial Position for Snohomish County District Court**

Increases number of judges from 8 to 9 in Snohomish County District Court.

**Proposal #4: Superior Court Pro Tem Compensation**

Allowing retired judges who serve as superior court pro tems to be paid the same as private attorneys.

Based on all of the information reviewed, the Committee recommends the Board vote as follows:

**ACTION ITEM #1:** Adopt the following position regarding the Jury Diversity Package:

- 1) BJA supports the subproposals included in the Jury Diversity Package;
- 2) BJA will seek legislative sponsorship of the Jury Diversity Package as “*BJA-request legislation*”;
- 3) BJA will testify in support of Jury Diversity Package during the 2023 legislative session.

**ACTION ITEM #2:** Adopt the following position regarding eliminating the reporting requirements in RCW 9.73.120:

- 1) BJA supports eliminating the reporting requirements in RCW 9.73.120;
- 2) BJA will seek legislative sponsorship of “*BJA-request legislation*” to eliminate the reporting requirements in RCW 9.73.120;
- 3) BJA will testify in support of “*BJA-request legislation*” to eliminate the reporting requirement in RCW 9.73.120 during the 2023 legislative session.

**ACTION ITEM #3:** Adopt the following position regarding the addition of an additional judicial position for the Snohomish County District Court:

- 1) BJA supports the need for a ninth judge in Snohomish County District Court;
- 2) BJA will seek legislative sponsorship of “*BJA-request legislation*” to adjust the number of Snohomish County District Court judges from eight to nine after AOC receives documentation of an approved local budget with funding from the county;
- 3) BJA will testify in support of “*BJA-request legislation*” that proposes to adjust the statutorily-authorized number of Snohomish County District Court judges from eight to nine during the 2023 legislative session.

**ACTION ITEM #4:** Adopt the following position regarding the proposal to increase the salary of retired judges who serve as pro tems in superior court:

- 1) BJA supports increasing the salaries of retired judges who serve as superior court pro tems;
- 2) BJA will provide support, as needed, for legislation allowing retired judges who serve as superior court pro tems to be paid the same as private attorneys



### Legislative Committee Next Activities

Brittany will continue appropriate legislative and stakeholder engagement based on the Board's votes on the foregoing action items.

The Committee will form work groups to explore the possibility of "*BJA request-legislation*" allowing service of process through email and establishing statewide judicial positions for search warrants.



September 16, 2022

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

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**2022 Committee Work Plan Update:**

**BJA Strategic Initiative Charters**

The PPC met on June 17, 2022 to discuss the two strategic initiatives adopted at the May 2022 BJA meeting. First members discussed and finalized the charters and then developed recommendations on how to implement each initiative. Members decided that the Pretrial Services and Jail Reform Initiative is a long term and broad initiative that would be best implemented as a Task Force. The Remote Proceedings initiative needs a rapid response on a narrower set of activities that can be accomplished as a Work Group. The PPC sent a motion recommending to adopt both Charters to the BJA voting members via the BJA manager.

The motion requesting the BJA to approve both charters was adopted on June 28, 2022. Appointments for chairs for the Task Force and Work Group were received from the SCJA and DMCJA Presidents and member recruitments are near complete and work is beginning on both BJA initiatives.

Other work projects in progress:

**Workplace Harassment Recommendations from Gender and Justice Report**

The PPC presented a list of potential implementation actions to the Gender and Justice Committee and will invite the Chairs to an upcoming meeting to discuss next steps.

**Adequate Funding Work Group**

The PPC members unanimously decided to continue on with work on adequate funding. A revised scope and project plan will be discussed at the September 16 meeting. The survey report and presentation made to the BJA in February 2022 are available on the [PPC webpage](#).

# TAB 4



**Board for Judicial Administration (BJA) Meeting**  
**Friday, May 20, 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 Rachelle Anderson  
Judge Alicia Burton  
Judge Samuel Chung  
Judge George Fearing  
Judge Rebecca Glasgow  
Judge Marilyn Haan  
Judge Dan Johnson  
Commissioner Rick Leo  
Judge Mary Logan  
Judge David Mann  
Judge Rebecca Pennell  
Judge Rebecca Robertson  
Dawn Marie Rubio  
Judge Michael Scott  
Judge Charles Short  
Judge Paul Thompson

Justice Sheryl Gordon McCloud  
Melissa Johnson  
Erin Shea McCann  
Sophia Byrd McSherry  
Judge Sean O'Donnell  
Dave Reynolds  
Judge Kevin Ringus  
Judge Karl Williams  
Bailey Zydek

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

Judith Anderson  
Jeanne Englert  
Heidi Green  
Brittany Gregory  
Kyle Landry  
Penny Larsen  
Dirk Marler  
Stephanie Oyler  
Christopher Stanley  
Caroline Tawes

**Guests Present:**

Kimberly Allen  
Esperanza Borbora  
Giannina Ferrara  
Chris Gaddis

Call to Order

Judge Bui called the meeting to order at 9:01 a.m. and welcomed the participants.

Presentations: BJA Members

Supreme Court

Justice Gordon McCloud reviewed the highlights of the Appellate Education Conference. Justice Gordon McCloud asked for the BJA blessing to form a workgroup to address some of the procedural issues in appellate courts. A summary of the list was included in the meeting materials. Judge Tracy Staab will co-chair the workgroup with Justice Gordon McCloud. She asked the meeting participants to let her know how they would like to participate.

The Supreme Court is scheduled to move out of the Temple of Justice due to renovations and into a temporary space. The renovation project should take 18 months. Oral arguments in the fall will take place in a borrowed space on the Capitol campus. Chief Justice González thanked Kyle Landry for his help on this project.

The Supreme Court has passed new procedures for pro tempore judges, expanding the rules to include Superior Court judges. The first Superior Court judge, Judge Toynee, served yesterday.

Most of the Supreme Court emergency orders and court rules do not have an expiration date. Emergency orders and court rules regarding remote proceedings will not be lifted until there is a replacement rule on remote proceedings.

### Court of Appeals

Judge Fearing presented an overview of the Court of Appeals and requested comments and questions. Please contact him with suggestions on how to improve the service of the Court of Appeals and make operations more transparent and helpful to all levels of court.

### Superior Court Judges' Association (SCJA)

The SCJA held their spring conference. This will be Judge Anderson's last meeting as she becomes the Immediate Past President. Judge Jennifer Forbes will be the new President, and Judge Samuel Chung will be the new President-elect. Judge Shelly Szambelan will be the new Secretary, and Judge Ken Schubert will be the new Treasurer.

The SCJA will have an in-person long range planning meeting on June 3, 2022, at SeaTac where they will set priorities for the year and discuss upcoming legislation. They plan to conduct a series of get-togethers around the state to get to know legislators. The SCJA will be working on judicial education, the Uniform Guardianship Act, civil protection orders, and safety and security issues.

Judge Chung thanked Judge Anderson for stepping in as SCJA President when Judge Estudillo left.

### District and Municipals Courts Judges' Association (DMCJA)

This will be Judge Short's last meeting. Commissioner Rick Leo will become the DMCJA President. Last year the DMCJA focused on outreach, education, and collaboration. They are excited to continue collaborations with tribal and minority bar associations and law schools. They will continue to offer webinars. They had a successful legislative day involving legislators from across the state. The DMCJA had success funding 22 new therapeutic courts and two fulltime policy analysts. Melissa Johnson has been hired as the new DMCJA lobbyist.

Priorities for next year include identifying and eliminating systemic racism and improving access to justice. Projects include the statewide FAIR Court project. A concept paper

was submitted for funding this project, and AOC's Equity and Access program has made a commitment for funding. Other projects include a strategic initiative for funding court-ordered programs for indigent defendants and a statewide e-mail/text reminder system within the new case management system, for which they are seeking legislative funding. Courthouse security continues to be a priority. The DMCJA would also like to see grant writing assistance for trial courts and clerks.

Judge Short thanked AOC and other court level representatives for their help.

Chief Justice González and Judge Bui congratulated and thanked the SCJA and the DMCJA for their work during the pandemic.

### AOC

There has been significant growth at the AOC. There has been quite a bit of staff turnover, particularly in information technology, which has an impact on all projects. Turnover is often due to higher salaries in the executive branch. AOC has funded salary increases and is advertising positions at the higher rate, with the hope of receiving more and better applications.

AOC is slowly reopening the buildings to staff, with safety protocols in place, after over two years of operating with limited building access. All staff will be able to work on-site beginning June 1, 2022.

AOC has two significant responsibilities regarding distribution of funds associated with the *Blake* decision. AOC received funding of \$50 million to implement certain *Blake* measures including identifying cases that are impacted and working with local courts, and developing a direct reimbursement bureau for refunds. Funds will be available on July 1, 2022.

There are \$16.9 million to distribute across the judicial branch for backlog assistance, audio visual upgrades for courtrooms, a therapeutic court grants community coordinator, and victim notification grants.

AOC continues to move forward in five strategic areas: 1. shoring up existing funding and staffing statutory obligations at AOC; 2. expanding subject matter experts in areas like courthouse security, child welfare, behavioral health, equity and access, tribal relations, and case flow management; 3. enhancing the agility of AOC. Staff assigned to specific associations or commissions will become more available to work on ad hoc issues; 4. AOC staff development, including a mid-managers academy; 5. AOC is working to become a place of belonging and inclusion.

### BJA Task Forces

#### Court Recovery Task Force (CRTF)

The last CRTF meeting was May 9, 2022. A final report will be distributed in June. Chief Justice González thanked the members for their work.

### Court Security Task Force

The Task Force did not receive the funding requested from the Legislature this year. The Task Force members met on March 31, 2022, to discuss feedback from the legislators. The legislators wanted to know if local county commissioners can contribute funding to courthouse security. The Task Force is developing a shared cost funding model that includes local courts and commissioners, and will work with local legislators and commissioners to discuss funding issues and strategies. Judge O'Donnell thanked Brittany Gregory, Christopher Stanley, and the BJA for their support. Judge Bui thanked the Task Force chairs and members for their work.

### Interbranch Advisory Committee Meeting

Chief Justice González acknowledged Brittany Gregory's work on the Interbranch Advisory Committee. The first Interbranch Advisory Committee will be held on June 17, 2022, in place of the Judicial Leadership Summit. The Committee is the result of legislation by Senator Jamie Pedersen. Senator Pedersen and Chief Justice González will be the conveners. Other members are Senator Mike Padden, Kathryn Leathers, Commissioner Carolina Mejia, Judge Judith Ramseyer, Chris Gaddis, Representative Drew Hansen, Jeff Even, Sharon Swanson, Judge Kevin G. Ringus, LaTricia Kinlow, Representative Drew Stokesbary, Kim Allen, Judge Bill A. Bowman, Dawn Marie Rubio, and Michael Terasaki. Non-voting members will be Dennis Rabidou, Jim Bamberger, and Larry Jefferson.

The agenda is being developed. The meeting may be live streamed, but that is not confirmed. Chief Justice González or Brittany Gregory can answer questions about the Committee.

### Biennium Budget Requests

Included in the meeting materials were recommendations on the concept papers from the BJA Budget and Funding Committee. The concept papers were evaluated for which ones appear to be the most complete and able to advance, as well as which ones could be combined with other papers with similar interests. Some concept papers were earmarked not to advance.

Christopher Stanley said the concept papers are a new step in the budgeting process and will lead to better decision packages, and will also help the discussion on budget begin earlier in the year. Christopher Stanley reviewed the concept paper recommendations included in the meeting materials. Recommendations will be forwarded to the Supreme Court Budget Committee, then to the entire Supreme Court at the June en banc. After that, templates will be sent to build budget requests.

The participants discussed the concept paper recommendations, particularly the three listed under "more discussion needed."

**It was moved by Judge Short and seconded by Judge Anderson to adopt all recommendations for concept papers to advance to a decision package including the grant management concept paper, all recommendations for concept papers to not advance to a decision package, and to hold the three concept papers listed as “more discussion needed” for further discussion. The motion carried unanimously.**

**It was moved by Chief Justice Gonzalez and seconded by Judge Mann to include the Court of Appeals in the stipend for Supreme Court externs concept paper and to evaluate the proposal for trial courts. The motion carried unanimously.**

**It was moved by Chief Justice Gonzalez and seconded by Judge Pennell to hold in abeyance the concept papers requiring more discussion. The motion carried unanimously**

#### Standing Committee Reports

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

Christopher Stanley gave a sense of general economic forecast. With high inflation, Washington State is likely to have another budget surplus. Because the surplus will be based on inflation and increased sales tax revenue rather than economic growth, this may change how the Legislature spends the funds.

##### Court Education Committee (CEC)

The CEC report was included in the meeting materials. The CEC is working on strategic planning and positioning. Judge Bui thanked Judge Fair for his work as the co-chair and thanked Judith Anderson for her work.

There is a *U.S. Supreme Court Year in Review* webinar on June 23, 2022, from noon to 1:15 p.m. Kathleen Sullivan, of Quinn Emanuel Urquart & Sullivan LLP, is the faculty. Registration is available on Inside Courts and is open to all court levels.

##### Legislative Committee

The Legislative Committee is fielding proposals for the 2023 legislative session. The Committee report is in the meeting materials and includes a link to the *2022 Legislative Summary Report*. Judge Ringus thanked Judge Thompson for his work.

Brittany Gregory thanked Judge Ringus for his work as the chair. Proposals for the 2023 legislative session are being solicited and are due June 20, 2022.

##### Policy and Planning Committee (PPC)

The PPC has the ability to support two new strategic initiatives. Recommendations on the strategic initiatives were included in the meeting materials. Judge Robertson reviewed the four strategic initiatives that were submitted, and the participants discussed the initiatives.



**It was moved by Judge Short and seconded by Judge Haan to adopt strategic initiatives number one and number two recommended by the PPC as the new strategic initiatives from the BJA. The motion carried unanimously.**

BJA, in collaboration with CEC, will support legislative advocacy efforts around increased funding for the learning management system.

Motions

**March 18, 2022 Meeting Minutes**

The March 18, 2022 meeting minutes were adopted by consensus.

**2022–23 Meeting schedule**

**It was moved by Chief Justice Gonzalez and seconded by Judge Haan to adopt the 2022–23 meeting schedule. The motion carried unanimously.**

A survey completed by BJA members indicated most members wanted meetings in 2022–23 that included both in person and videoconference options, with a slight preference for videoconference meetings. There will be more discussions this summer on meeting format.

Information Sharing

Judge Bui thanked the outgoing members of the BJA listed in the meeting materials and welcomed new members.

Jeanne Englert announced the BJA Court Security Task Force and the CEC are sponsoring an active shooter training. Jeanne Englert, Penny Larsen, or Kyle Landry can answer questions. A reminder e-mail will be sent.

Other

There being no further business, the meeting was adjourned at 11:52 a.m.

**Recap of Motions from the May 20, 2022 Meeting**

<b>Motion Summary</b>	<b>Status</b>
Adopt all recommendations for concept papers to advance to a decision package including the grant management concept paper, all recommendations for concept papers to not advance to a decision package, and to hold the three concept papers listed as “more discussion needed” for further discussion.	Passed

<b>Motion Summary</b>	<b>Status</b>
Include the Court of Appeals in the stipend for Supreme Court externs concept paper and to evaluate the proposal for trial courts.	Passed
Hold in abeyance the concept papers requiring more discussion.	Passed
Adopt strategic initiatives number one and number two recommended by the PPC as the new strategic initiatives from the BJA.	Passed
Adopt the 2022–23 meeting schedule.	Passed

**Action Items from the May 20, 2022 Meeting**

<b>Action Item</b>	<b>Status</b>
<u>March 18 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

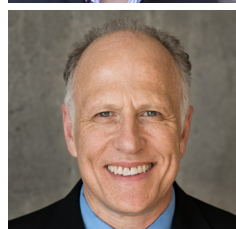
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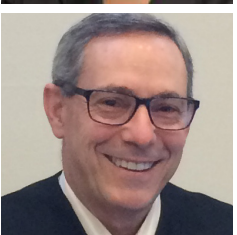
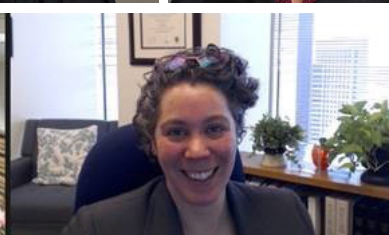
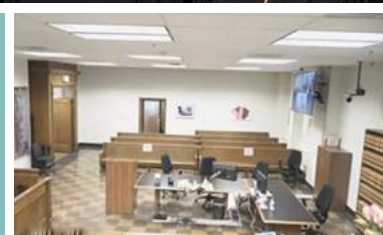
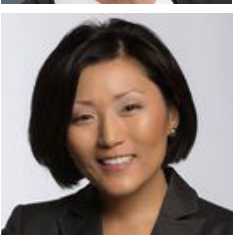
2022



# Washington Citizens' Commission on Salaries for Elected Officials



JUDICIAL PRESENTATION





AUGUST 2, 2022

## Members of the Washington Citizens' Commission on Salaries for Elected Officials:

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On behalf of the justices of the Washington Supreme Court, the judges of the Washington Court of Appeals, and the superior and district courts of Washington, thank you for the work you do to set appropriate salaries for elected officials in our state. We appreciate your thoughtful consideration of the information included in this report regarding judicial salaries and their impact on the people we serve.

Judicial salaries have lost ground over the past two years. Depending on the inflation rate between now and July 2023, **judges need a raise between 9% and 13% simply to offset inflation and maintain 2020 gains toward parity with federal court judge salaries.**

The pandemic has presented many challenges for our courts. We have worked to maintain and expand access to the courts, lowering the costs of coming to court for many. Continuing the conscientious administration of justice throughout this time has required innovation, flexibility, and additional resources. Although many of these changes have made court operations more complex and time-consuming, Washington's judicial officers remain committed to faithfully serving the public.

Judges are committed to equal justice. With the public divided on so many issues, and partisan politics sometimes limiting the effectiveness of the other branches of government, the judicial branch has an even greater responsibility to act in a way that brings our communities closer together. This vital role, coupled with the continued expansion of the range of issues coming before the bench, underscores the importance of recruiting and retaining a diverse judiciary with a broad range of perspectives, legal experience, and expertise.

Compensation is an important factor in ensuring that Washington's courtrooms are led by individuals who fully recognize the great privilege — and the great responsibility — that comes with service as a judge. The data in this report will demonstrate how Washington courts struggle to compete with the salaries and benefits offered in both federal courts and the private sector. As a state, we cannot allow these struggles to limit the attraction of new talent to the bench or the retention of more experienced jurists who serve as mentors for newer judges.

With inflation continuing to rise, judicial officials have experienced a substantial decline in the buying power of their salaries. The U.S. Department of Labor reports that consumer prices in the Western Region of the United States have climbed 8.8% over the past 12 months, the fastest rate of increase in four decades. Washingtonians are confronting more expensive food, energy, and housing. Previous salary adjustments from the Commission have been completely offset by inflation. Counting the 1.75% cost of living adjustment that went into effect July 1, 2022, salaries for judicial officers have risen 6.3% since 2020. During that same time period, inflation rose nearly 15%.

Your Commission has the opportunity to ensure that Washington state can continue to recruit and retain individuals with the required legal expertise and commitment to serve as effective judges; to reform and improve court operations to meet the changing needs of society; and to administer justice in a way that serves all segments of our communities.

We look forward to engaging with the Commission and answering any questions you may have as you deliberate on judicial salaries.

Sincerely,

**Debra L. Stephens**  
Associate Justice  
Washington Supreme Court

**Jennifer A. Forbes**  
Kitsap County Superior Court Judge  
President  
Superior Court Judges' Association

**Bill A. Bowman**  
Division I Judge  
Washington Court of Appeals

**Rick S. Leo**  
Snohomish County District Court Commissioner  
President  
District & Municipal Court Judges' Association

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## Executive Summary

This report provides a variety of data to aid the Commission in determining whether the salaries of Washington judges are commensurate with attracting and retaining the diversity and quality needed in our courtrooms.

The work of Washington’s judicial officers has expanded significantly in the wake of the pandemic. Yet, as this report will show, state judicial compensation lags in relation to their federal court counterparts, private sector legal positions, and state employee positions with similar levels of education, specialized expertise, and/or licensure requirements. This gap, exacerbated by inflation and increased housing costs, compromises the ability of courts to attract and retain the most qualified talent that our communities deserve.

It is imperative that compensation for state court judges be viewed in context with other judicial positions. While the caseload of Washington judges parallels or exceeds that of federal judges, Washington judges regularly take on numerous additional executive and administrative responsibilities for the operations of the judicial branch. Direct salary comparisons between state and federal judiciaries also fail to account for differences in state and federal retirement plans, which create an additional compensation imbalance.

Washington’s courts also compete with the private sector for legal talent. A majority of judges in Washington make wages similar to first-year or second-year associate attorneys at large law firms. If the state wishes to retain and recruit talented and experienced judicial officers, it must offer more competitive wages.

Finally, the Commission’s salary decisions must acknowledge the work of the court as it continues to change and grow. During the pandemic, judicial officers led the development of safety protocols and procurement of new court technology to conduct remote hearings and continue the administration of justice. Judicial officers also oversaw the creation of court programs to increase equity and access to the courts. To continue these innovations, we must recruit a diverse pool of legal talent from the public and private sector. State courts must offer wages that respect the expertise needed to handle a growing caseload and increased complexity of administratively managing a courtroom.

Improving the compensation of judges will help ensure that the courts are able to retain and recruit highly qualified judges, who represent the diverse landscape of Washington, and are best able to address the complex needs of our rapidly changing communities.



“I became a judge to help keep the promise that we are all entitled to justice.”

**CHIEF JUSTICE STEVEN GONZÁLEZ**  
WASHINGTON SUPREME COURT

# Overview of the Washington Judiciary and the Duties of Judges

Judges at each court level play critical and distinct roles in the administration of justice in our state. A judge's duties extend beyond the courtroom — judges routinely participate on statewide task forces and commissions, provide input to legislators and other government officials on court operations, and spearhead community initiatives to increase equity and access in the courts.



## Supreme Court

9 JUSTICES ELECTED TO SIX-YEAR TERMS

- Appeals from the Court of Appeals.
- Direct appeals when action of state officers is involved, the constitutionality of a statute is questioned, there are conflicting statutes or rules of law, or when the issue is of broad public interest.
- Final rule making body for other state courts.
- Administers state court system.
- Supervises attorney discipline statewide.



## Court of Appeals

22 JUDGES ELECTED TO SIX-YEAR TERMS  
(DIVISION I: SEATTLE (10 JUDGES);  
DIVISION II: TACOMA (7 JUDGES);  
DIVISION III: SPOKANE (5 JUDGES))

- Appeals from the lower courts except those in jurisdiction of the Supreme Court.
- Direct review of certain administrative agency decisions.
- Original jurisdiction over Personal Restraint Petitions



## Superior Courts

200 JUDGES ELECTED TO FOUR-YEAR TERMS  
IN 32 JUDICIAL DISTRICTS, EACH COMPOSED  
OF ONE OR MORE COUNTIES

### ORIGINAL JURISDICTION

- Civil actions involving more than \$100,000.
- Title or possession of real property; legality of a tax, assessment or toll; probate and domestic matters.
- Criminal cases amounting to felony.
- Criminal cases when jurisdiction is not otherwise provided for by law.
- All juvenile matters.
- Orders for protection from domestic violence.
- Appeals from the courts of limited jurisdiction heard *de novo* or appealed on the record for error of law.

### CONCURRENT JURISDICTION WITH COURTS OF LIMITED JURISDICTION

- Civil actions involving \$100,000 or less.



## Courts of Limited Jurisdiction

205 JUDGES; 204 ATTORNEYS AND 1 NON-ATTORNEY  
(118 DISTRICT COURT JUDGES INCLUDING 21  
PART-TIME DISTRICT COURT JUDGES, ELECTED TO  
FOUR-YEAR TERMS, AND 87 MUNICIPAL COURT JUDGES)

### ORIGINAL JURISDICTION

- Small claims up to \$10,000.
- All matters involving traffic, non-traffic, and parking infractions.
- Certain civil anti-harassment matters.
- Preliminary hearings of felonies.
- Temporary and full Ex Parte Orders for protection from domestic violence.
- Orders for change of names in non-domestic violence cases.

### CONCURRENT JURISDICTION WITH SUPERIOR COURTS

- Civil actions involving \$100,000 or less.
- Misdemeanor and gross misdemeanor actions with maximum fine of \$5,000 or less and/or jail sentence of 364 days or less in violation of state law, county, or municipal ordinance violations.



## Where Salaries Stand Today

The Commission’s stated objective, in regard to the judiciary, has been to provide adequate salaries to attract and retain competent judges.

Thanks to the Commission, salaries for Washington’s state court judges have increased over the last five years. At the same time, inflation has substantially reduced the buying power of those salaries, impacting Washington’s ability to recruit talented new judges in a highly competitive market.

While inflation impacts all Washingtonians, the effects of inflation have been more profound in the Puget Sound area, where the majority of judicial officers reside and serve. For example, the Seattle-area consumer price index for June 2022 showed overall prices rose 10.1% from the previous year: rent rose 6%, food 10.3%, and energy prices jumped 31.5% — largely the result of higher gasoline prices.

Housing costs have continued to rise statewide and have further intensified in the Puget Sound region. According to the University of Washington’s Runstad Department of Real Estate, statewide median home prices increased 95% during the past eight years, while the Puget Sound Regional Council reports a 112% increase in typical metro-area home values and a 61% increase in rent. Additional information about rising housing costs, and the continuing decline in housing affordability in Washington is provided in Appendix A.

When income does not increase with inflation, real income — the ability of consumers to purchase goods and services — decreases. As will be discussed in the next section, inflation contributes to the widening salary gap between federal and state judges, eroding recent gains toward salary parity.

Table 1 uses superior court judges’ salary data to demonstrate where state salaries stand when adjusted for inflation and pension deduction rate increases over time. Since the last general wage adjustment in 2019 and 2020, judges have lost over \$14,000 in real salary purchasing power, dropping from a high of \$134,081 in 2020 to \$120,021 in 2022. Continued inflation will further reduce the real purchasing power of salaries.



“What I enjoy most about being a judge is that I have the privilege of serving my fellow Washingtonians by resolving disputes for them in a peaceful and orderly manner so they can move on with their lives.”

**JUDGE BERNARD VELJACIC**  
COURT OF APPEALS, DIVISION II

**Table 1: Impact of Inflation on Judicial Salaries and Take-Home Pay**

YEAR	SUPERIOR COURT JUDGE SALARY AT YEAR END	SALARY COMMISSION INCREASE	INFLATION <sup>1</sup>	REAL DOLLAR VALUE OF SALARY <sup>2</sup>	PERS DEDUCTION RATE	SUPERIOR COURT SALARY TAKE-HOME PAY <sup>3</sup>	REAL DOLLAR VALUE OF TAKE-HOME PAY <sup>4</sup>
2002	\$121,972	2.30%	1.71%	\$121,972	0.65%	\$121,179	\$121,179
2003	\$121,972	0.00%	2.11%	\$119,450	1.18%	\$120,533	\$118,040
2004	\$124,411	2.00%	2.33%	\$119,061	1.18%	\$122,943	\$117,656
2005	\$128,143	3.00%	3.06%	\$118,995	2.25%	\$125,260	\$116,317
2006	\$131,988	3.00%	3.42%	\$118,513	3.50%	\$127,368	\$114,365
2007	\$140,979	6.81%	3.17%	\$122,692	6.25%	\$132,168	\$115,023
2008	\$148,832	5.57%	3.49%	\$125,153	7.88%	\$137,104	\$115,291
2009	\$148,832	0.00%	-0.38%	\$125,624	11.13%	\$132,267	\$111,642
2010	\$148,832	0.00%	1.09%	\$124,272	7.25%	\$138,042	\$115,262
2011	\$148,832	0.00%	2.84%	\$120,840	7.25%	\$138,042	\$112,079
2012	\$148,832	0.00%	2.15%	\$118,297	9.10%	\$135,288	\$107,532
2013	\$151,718	1.94%	1.48%	\$118,827	9.10%	\$137,912	\$108,014
2014	\$156,363	3.06%	1.86%	\$120,227	9.80%	\$141,039	\$108,444
2015	\$162,618	4.00%	1.17%	\$123,595	12.80%	\$141,803	\$107,775
2016	\$165,870	2.00%	1.93%	\$123,680	12.80%	\$144,639	\$107,849
2017	\$169,187	2.00%	2.84%	\$122,671	15.95%	\$142,202	\$103,105
2018	\$172,571	2.00%	3.35%	\$121,072	15.95%	\$145,046	\$101,761
2019	\$190,985	10.67%	2.69%	\$130,479	16.62%	\$159,243	\$108,793
2020	\$199,675	4.55%	1.74%	\$134,081	17.25%	\$165,231	\$110,952
2021	\$199,675	0.00%	4.52%	\$128,281	15.49%	\$168,754	\$108,416
2022	\$203,169	1.75%	8.75% <sup>5</sup>	\$120,021	13.40%	\$175,944	\$103,938

The highlighted section of Table 1 shows the decline in real purchasing power for judicial salaries due to inflation from 2019-present. To assist Commissioners in their deliberations, Appendix B offers hypothetical levels of year-end 2022 inflation rates alongside possible 2023 raises to show the salary levels needed to maintain the judiciary’s most recent general wage increases, adjusted for inflation.

1 Inflation is measured as the percentage change in the annual CPI-U West Region, Bureau of Labor Statistics.

2 Real or constant dollars are adjusted for inflation using the Consumer Price Index (CPI) benchmarked to 2002. The formula may be found in the BLS Fact Sheet Math Calculations to Better Utilize CPI Data at [www.bls.gov/cpi/factsheets/cpi-math-calculations.pdf](http://www.bls.gov/cpi/factsheets/cpi-math-calculations.pdf).

3 Take-home pay is measured as salary minus PERS deduction.

4 See Footnote 2.

5 The annual inflation rate for 2022 is estimated using the CPI-U, 12 months ending June 2022, West Region, Bureau of Labor Statistics.

# Comparing Washington Judicial Salaries

As judges' real salaries have declined, impacted by inflation, the gap between state and federal court judges' actual salaries has widened due to lower state cost of living adjustments. For example, in 2021 the salary gap between federal district court judges and state superior court judges was \$18,925 as shown in Table 2 below. In July 2022, the salary gap widened to \$20,231. Federal judges receive an automatic annual salary adjustment based on the Employment Cost Index. The next salary increase for federal judges, of 4.6%, will take effect in January 2023. This increase will further widen the salary gap to over \$30,000 between state superior court and federal district court judges, eroding prior gains toward parity, unless the Commission takes action.

**Table 2: State/Federal Judicial Salary Gap Widens**

	FEDERAL DISTRICT COURT	FED % CHG	STATE SUPERIOR COURT	STATE % CHG
2023	\$233,676 <sup>i</sup>	4.60%	?	?
2022	\$223,400	2.20%	\$203,169	1.75%
2021	\$218,600	1.02%	\$199,675	0.00%

<sup>i</sup> Projected salary effective January 2023 as shown in the President's preliminary FY 2023 budget.

The Commission's first mandate is to base salaries of elected officials on realistic standards. In 2004, a study prepared by Owen-Pottier Human Resource Consultants for the Commission addressed the issue:

*A reasonable course of action for the Commission to follow is to move toward a degree of parity with the federal bench over time. Such action can be justified in part by the fact that federal judges perform substantially similar work as our state judges but have significantly more job security since they are appointed for life, while state judges must run for reelection.*

The U.S. Supreme Court and appellate courts are similar in function to the Washington Supreme Court and Court of Appeals. The federal district courts are similar to Washington superior courts. These federal positions draw from the same pool of attorneys as state judicial offices. There are federal courts in several locations in Washington including Seattle, Tacoma, Bellingham, Vancouver, Spokane, Yakima, and Richland.

The American Bar Association (ABA) has adopted the following policy on the issue:

*Be it resolved that the American Bar Association recommends that salaries of justices of the highest courts of the states should be substantially equal to the salaries paid to judges of the United States court of appeals, and the salaries of the state trial judges of courts of general jurisdiction should substantially equal the salaries paid to judges of the United States district courts.*

The comparison to federal judicial salaries is not without its limitations. The ABA has also recognized that state court judges are called on to decide many more disputes than the judges of the federal courts. State court judges also have to work with fewer resources. A significant number of Washington judges have no administrative support, while all federal district court judges have a staff of three people, usually two law clerks and a secretary.

In Washington, judges participate in the Public Employees' Retirement System (PERS), which requires a significant contribution from our annual salaries. Judges also typically come onto the bench later in their careers, limiting the number of years these benefits actually accrue. Members of the Supreme Court, Court of Appeals, and superior courts currently have 13.4% of their income deducted from their paychecks for their pension, while district and municipal court judges currently have 15.9% deducted. Federal judges, on the other hand, do not contribute any portion of their salary toward their own retirement. Accordingly, a straight comparison of gross salaries does not convey an accurate story.

Another problem with the comparison is the lack of federal equivalent for Washington district court judges. In the past, the Commission has utilized federal magistrates to evaluate salaries for district court judges, but federal magistrates have a more limited scope. Federal magistrates primarily conduct preliminary proceedings, such as initial appearances and arraignments, whereas Washington district court judges preside over the entirety of civil and criminal cases under their jurisdiction.

Even with these limitations, we feel that federal judge salaries are still a good evaluation tool for the Commission. However, instead of comparing Washington district court judges to federal magistrates, **we recommend the Commission set Washington district court judges' salaries at 95% of Washington superior court judges' salaries.** Table 3 on page 10 provides an overview of how Washington judges' roles and responsibilities compare to their federal counterparts. Figure 1 on page 11 shows salary comparisons.



“Every day that I come to work I apply not only my intellect but also my compassion. I have the privilege of applying logical reasoning, and analytical decision-making skills to help people navigate the most difficult times in their lives.”

**JUDGE INDU THOMAS**  
THURSTON COUNTY SUPERIOR COURT

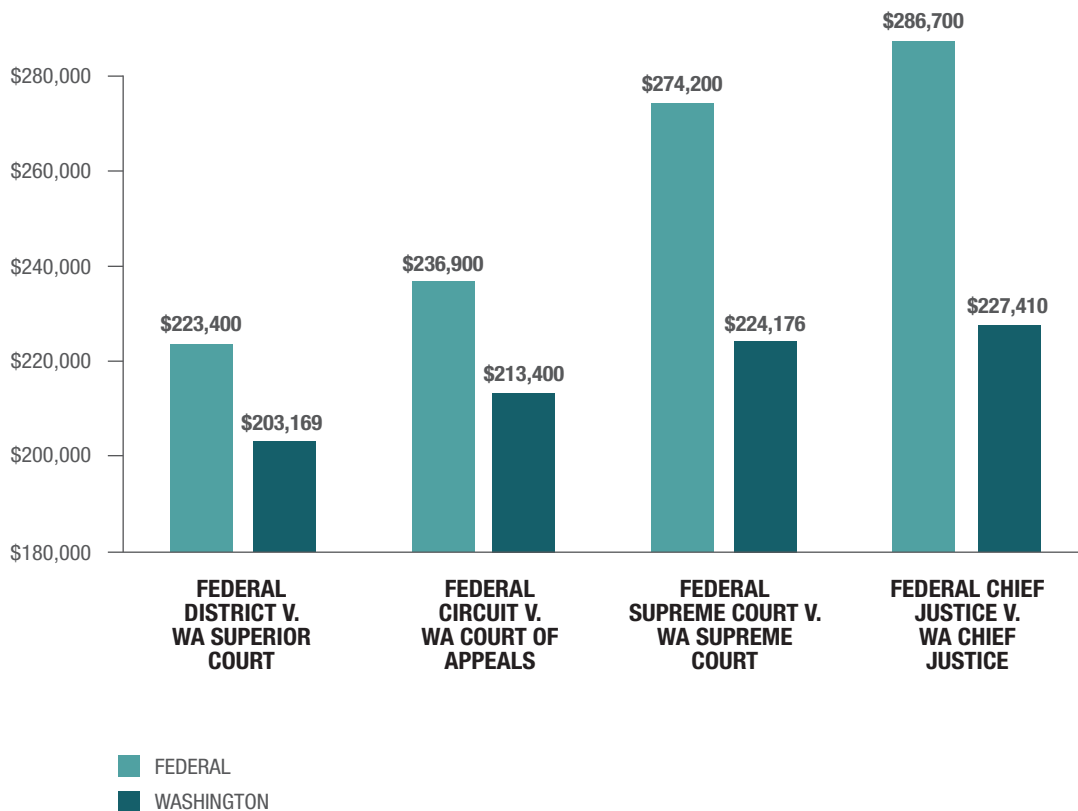
**Table 3: Federal and State Courts – Comparable Judicial Roles & Responsibilities**

Washington State Courts	Federal Court Equivalents
<p><b>SUPREME COURT</b></p> <ul style="list-style-type: none"> <li>• Highest court in the WA state judiciary</li> <li>• Jurisdiction over appeals from WA Court of Appeals, direct appeals from superior courts, and certified questions from federal courts; original jurisdiction over actions against state officers, personal restraint petitions, and certain other matters</li> <li>• Oversees administration of the WA court system and judicial branch commissions and offices</li> <li>• Oversees attorney admission and discipline</li> <li>• Elected statewide to 6-year terms</li> </ul>	<p><b>U.S. SUPREME COURT</b></p> <ul style="list-style-type: none"> <li>• Highest court in the U.S. federal judiciary</li> <li>• Appellate jurisdiction over all U.S. federal cases and state court cases that involve an issue of federal law</li> <li>• Original jurisdiction over a narrow range of cases affecting ambassadors, ministers, and consuls, and in which a state is a party</li> <li>• Lifetime tenure</li> </ul>
<p><b>COURT OF APPEALS</b></p> <ul style="list-style-type: none"> <li>• Jurisdiction over appeals from final judgments of the superior court, other orders that end litigation at the trial court level and administrative agency decisions; original jurisdiction over personal restraint petitions</li> <li>• Three divisions divided by geography to distribute appeals from WA superior courts</li> <li>• Elected to 6-year terms</li> </ul>	<p><b>FEDERAL COURT OF APPEALS</b></p> <ul style="list-style-type: none"> <li>• Jurisdiction over appeals taken from U.S. District Courts in each circuit's multi-state area</li> <li>• Ten Courts of Appeal hear cases from the multi-state area assigned to that circuit (i.e., the Ninth Circuit, geographically the largest circuit, includes AK, AZ, CA, HI, ID, MT, NV, OR, WA, and No. Mariana Is.)</li> <li>• Lifetime tenure</li> </ul>
<p><b>SUPERIOR COURT</b></p> <ul style="list-style-type: none"> <li>• Superior courts are trial courts of general jurisdiction. They have jurisdiction over civil matters exceeding \$100,000, criminal felony cases, estate and probate, guardianship, family law (including divorce and child custody), mental health commitment, child dependency and parental termination, and juvenile offender proceedings</li> <li>• Hears appeals of cases from district and municipal courts</li> <li>• Elected to 4-year terms</li> </ul>	<p><b>FEDERAL DISTRICT COURT</b></p> <ul style="list-style-type: none"> <li>• Federal district courts are courts of law, equity, and admiralty hearing specific civil and criminal cases</li> <li>• Unlike state courts, federal district courts are courts of limited jurisdiction, able only to hear cases that involve disputes between residents of different states where the amount in controversy exceeds \$75,000, issues of federal law, and federal crimes</li> <li>• Federal district courts have discretion to hear issues of civil state law if the claim is supplemental to a claim that confers federal jurisdiction</li> <li>• Lifetime tenure</li> </ul>
<p><b>DISTRICT COURT</b></p> <ul style="list-style-type: none"> <li>• District courts are trial courts of limited jurisdiction that hear traffic citations, misdemeanors and gross misdemeanors, civil cases with an amount in controversy less than \$100,000, small claim suits, and traffic infractions</li> <li>• Elected to 4-year terms</li> </ul>	<p><b>NO FEDERAL EQUIVALENT</b></p>

In addition to competing with the federal bench for legal talent, state courts must also compete with the private sector. Talented associates at the largest U.S. law firms with judicial clerkship experience (in other words, the attorneys most qualified to become the next generation of judges) already earn a wage comparable to a Washington state judge’s salary. See Appendix C.

Paying state employees competitive salaries ensures that Washingtonians receive high quality services from competent professionals. Hundreds of state employees in professional positions that require levels of education and experience similar to judges are paid competitive salaries. See state salary information in Appendix D. We realize the Salary Commission has not considered private sector salaries in their previous deliberations. However, in order for the state to recruit and retain legal talent needed to effectively serve an increasingly diverse and complex community, the state must offer a competitive wage commensurate with the skill and experience necessary to carry out the work of a judicial officer.

**Figure 1: Comparison Between Federal and Washington State Court Judge Annual Salaries (2022)**



## Court Innovation

Since the last salary increase in 2020, the workload of a Washington judge has expanded. Judges have directed efforts to improve equity and access. An example of this can be seen in the Racial Justice Consortium which was established in 2021 to identify actions and structural changes that could help end racism within the state judicial system. The Consortium is a place for judicial officers to explore and support new ideas for education, training, and identifying specific areas of change. Through the Consortium, the judicial branch has been able to transform judicial policies and practices.

Judicial officers have also broadened the types of programs available to court users. In 2021, the district and municipal courts established 21 new therapeutic court programs. These programs identify individuals before the courts with substance use disorders or other behavioral health needs and engage those individuals with community-based therapeutic interventions. Judicial officers have played an integral role in setting up these programs and establishing best practices and guidelines for service providers.

The court has also created programs aimed at assisting self-represented litigants with navigating the judicial system. In addition to conducting a survey of over 400 court staff statewide to learn what training is needed to better serve unrepresented litigants, judges



“Being a judge is a privilege. Every day I see people who are dealing with some of the worst events of their life. I try to help them through that process, and hopefully bring them through it feeling that they were heard. There are days where all I see are pain and suffering, but those days can be the most rewarding if I am able to bring just a bit of peace or closure to the lives of those who are seeking justice from the courts.”

**JUDGE JENNIFER FORBES**  
KITSAP COUNTY SUPERIOR COURT



have worked in coordination with the legislature and the Administrative Office of the Courts (AOC) to secure funding for two self-help center pilot programs — one on the east side of the state and the other on the west side.

In the beginning of the pandemic, courts grappled with how to adjust to a new virtual reality. Judges were forced to rethink how they administer justice. Modernizations were implemented to make remote court operations more efficient, but this added a new level of complexity to a judicial officer’s work. Remote court hearings take about one-third (34%) longer than in-person hearings<sup>6</sup>, and judges need to find a balance between efficiency and keeping individuals before the court safe.

In response, while judicial officers significantly expanded remote technology in courts throughout the state in order to keep urgent actions and cases moving forward, we also created new screening questions to identify vulnerable persons, instituted social distancing measures, and monitored the availability of N95 and KN95 masks and other personal protective equipment (PPE) to ensure that in-person proceedings could ensue safely.

Many of the changes adopted during the pandemic are not going away; in fact they are helping to create a roadmap to the courts of the future. Remote technology and other technological solutions have significantly increased access to the courts, especially for working persons, parents, youth, and low-income individuals. Washington judges are currently in the process of identifying best practices and institutionalizing the most promising of these processes, particularly those that lower costs for Washingtonians to come to court.<sup>7</sup>



“I became a judge and subsequently a Justice on the State Supreme Court because I believe my unique life experience as a woman of color from a working class background needed to be at the table where decisions about justice are made.”

**JUSTICE MARY YU**  
WASHINGTON SUPREME COURT

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6 National Center for State Courts (NCSC), “*The Use of Remote Hearings in Texas State Courts: The Impact on Judicial Workload*” 2021.

7 Board for Judicial Administration, Court Recovery Task Force “*Re-Imagining Our Courts: Pandemic Response and Recovery Lead Courts into the Future*” 2022.



## Increasing Vacancies and Turnover in the Judiciary

Since the last increase to judicial salaries, the judiciary has continued to experience significant turnover, especially in the superior courts. Over half of the superior court bench has turned over since 2016, and a quarter of superior court judges have been on the bench fewer than three years. The table below shows judicial vacancies since 2019.

**Table 4: Judicial Vacancies Since 2019**

	2019	2020	2021
Supreme Court	0	2	0
Court of Appeals	1	1	2
Superior Court	18	14	16
District Court	7	5	18



“The reason I wanted to be an appellate court judge, and what I like about it, is being able to give a party who lost in the trial court a meaningful opportunity to be heard about why they think the trial court decision is wrong. Sometimes that means reversing the trial court. When we do not reverse the trial court, though, my goal is to explain as clearly as possible, and without oversimplifying, why the trial court decision should stand. An appellant is entitled to that.”

**JUDGE LAUREL SIDDOWAY**  
COURT OF APPEALS, DIVISION III

As the state population ages, so too do our judges. More than half of all judges in Washington are nearing retirement (55 years old or older). Significant turnover in the judiciary will continue in the years to come, making recruitment and retention all the more important. The tables below show key age and turnover data for each level of court.

## Tables 5–8: Key Age and Turnover Data by Court

### SUPREME COURT

Total Justices	9
Average Age	64
Median Age	65
Average Years on Court	14
% Greater than 10 Years on Court	44%
% Greater than 15 Years on Court	33%
New Justices Since 1/1/16	2

### COURT OF APPEALS

Total Judges	22
Average Age	57
Median Age	57
Average Years on Court	10
% Greater than 10 Years on Court	18%
% Greater than 15 Years on Court	4%
New Judges Since 1/1/16	14

### SUPERIOR COURTS

Total Judges	200
Average Age	56
Median Age	55
Average Years on Court	7
% Greater than 10 Years on Court	19%
% Greater than 15 Years on Court	9%
New Judges Since 1/1/16	117

### DISTRICT COURTS

Total Judges	118
Average Age	57
Median Age	58
Average Years on Court	9
% Greater than 10 Years on Court	37%
% Greater than 15 Years on Court	20%
New Judges Since 1/1/16	57

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## Concluding Remarks

We deeply appreciate the time and effort that is spent setting the salaries of elected officials. We hope that with the information in this report, you will continue to endorse parity with federal judge salaries as an important and appropriate goal of the Commission.

Given the state's current economic growth, ongoing inflation concerns, and the need to recruit and retain top legal talent, we respectfully request a 9% to 13% salary increase for all elected judges in 2023. This will maintain the gains toward parity with the federal bench, in addition to any cost of living adjustments made when you set the salaries for all of Washington's elected officials.

If you have questions or need additional information please contact:

**Brittany Gregory**

Associate Director of Judicial and Legislative Relations

Administrative Office of the Courts

[Brittany.Gregory@courts.wa.gov](mailto:Brittany.Gregory@courts.wa.gov)

360-522-2911

Thank you for consideration of this request.



“Being a judge is the hardest job I’ve ever had, but it’s absolutely the most rewarding. I think most judges I know would say the same. We have the opportunity every day to put the rule of law into practice — not only in the way we explain the law and our decisions but, most importantly, in the way we treat people with respect and compassion.”

**JUSTICE DEBRA STEPHENS**  
WASHINGTON SUPREME COURT

# Appendices

## APPENDIX A

### Housing Affordability Index — 2022 Quarter 1 Results

The Housing Affordability Index (HAI) is calculated and maintained by the Washington Center for Real Estate Research (WCRER) at the University of Washington. It measures the ability of a middle-income family to make mortgage payments on a median price resale home. WCRER assumes the following terms: a median priced home of an area, a 20% down-payment, a 30-year fixed mortgage, and the purchaser with a median household income for the area. Critical to the notion of affordability, a household does not spend more than 25% of its income on principal and interest payments.

When the HAI is exactly 100, the household pays exactly 25% of its income to principal and interest. When the index lies above 100, a household will spend less than 25% of its income on mortgage principle and interest. **A HAI score of less than 100 indicates housing is not affordable at the assumed terms listed above.**

#### Housing Affordability Continues to Decline Making it Increasingly Difficult to Buy a Home

During the first quarter of 2022 (22Q1) in Washington state, the All-Buyer Housing Affordability Index (HAI) value has dropped to 86.3, a difference of:

- 4.8 points from 91.1 the previous quarter (21Q4).
- 16.9 points from 103.2 the same quarter of the previous year (21Q1)
- 19.8 points from 106.1 the same quarter three-years' previous (19Q1).



“When I walk into an elementary school classroom as part of the Judges in the Classroom Program and I can actually see our future dreaming about what they can be, I am grateful to be a judge.”

**COMMISSIONER RICK LEO**  
SNOHOMISH COUNTY DISTRICT COURT

## APPENDIX B

# How Does Inflation Impact Raises?

To assist in the Commission’s salary deliberations, we provide the following table with hypothetical inflation rates and raises. We again use the superior court to demonstrate possible 2023 raises for varying year-end 2022 inflation estimates. Raises needed to maintain the 2019 and 2020 general wage increases, as adjusted for inflation, range from 9% to 13%, and are highlighted.

ACTUAL SUPERIOR COURT JUDGE SALARY 2022	2022 ESTIMATED INFLATION RATE	REAL DOLLAR VALUE OF \$203,169 <sup>8</sup>	RAISE EFFECTIVE JULY 2023	ACTUAL SALARY AFTER RAISE	REAL DOLLAR SALARY AFTER RAISE <sup>9</sup>
\$203,169	6%	\$123,034	6.0%	\$215,359	\$130,416
\$203,169	6%	\$123,023	7.0%	\$217,391	\$131,646
\$203,169	6%	\$123,024	8.0%	\$219,423	\$132,877
\$203,169	6%	\$123,024	9.0%	\$221,454	\$134,107
\$203,169	6%	\$123,024	10.0%	\$223,486	\$135,337
\$203,169	7%	\$122,232	7.0%	\$217,391	\$130,789
\$203,169	7%	\$122,232	8.0%	\$219,423	\$132,011
\$203,169	7%	\$122,232	9.0%	\$221,454	\$133,233
\$203,169	7%	\$122,232	10.0%	\$223,486	\$134,456
\$203,169	7%	\$122,232	11.0%	\$225,518	\$135,678
\$203,169	8%	\$121,049	8.0%	\$219,423	\$130,733
\$203,169	8%	\$121,049	9.0%	\$221,454	\$131,944
\$203,169	8%	\$121,049	10.0%	\$223,486	\$133,154
\$203,169	8%	\$121,049	11.0%	\$225,518	\$134,365
\$203,169	8%	\$121,049	12.0%	\$227,549	\$135,575
\$203,169	9%	\$120,021	9.0%	\$221,454	\$130,823
\$203,169	9%	\$120,021	10.0%	\$223,486	\$132,023
\$203,169	9%	\$120,021	11.0%	\$225,518	\$133,223
\$203,169	9%	\$120,021	12.0%	\$227,549	\$134,423
\$203,169	9%	\$120,021	13.0%	\$229,581	\$135,623
\$203,169	10%	\$118,751	10.0%	\$223,486	\$130,626
\$203,169	10%	\$118,751	11.0%	\$225,518	\$131,814
\$203,169	10%	\$118,751	12.0%	\$227,549	\$133,001
\$203,169	10%	\$118,751	13.0%	\$229,581	\$134,189
\$203,169	10%	\$118,751	14.0%	\$231,613	\$135,376

8 Real dollars are benchmarked to 2002 and calculated using the Labor Department’s West Region Consumer Price Index for all years except 2022. The inflation rate for 2022 is estimated as shown.

9 See Footnote 8.

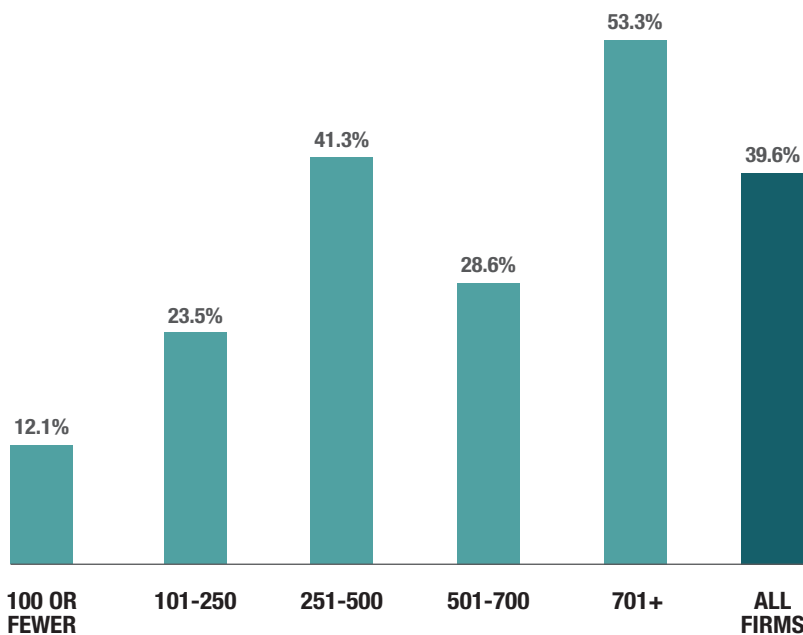
## APPENDIX C

# Private Sector Salary Data

Currently, salaries for judges who have decades of substantive legal experience are similar to salaries of first-year and second-year associates (attorneys) in large private law firms.

The 2021 National Association of Legal Professionals Associate Salary Survey shows that the overall median first-year associate base salary as of January 1, 2021 was \$165,000, up \$10,000 (6.5%) from 2019, with large firms reporting a median starting salary of \$190,000.

The chart below shows what percentage of law firms report a first-year associate salary of \$190,000 by firm size. 39.6% of law firms offer their first-year associates a starting salary of \$190,000, which is only \$13,000 less than a Washington superior court judge.



Note: Based on average salaries reported as of January 1, 2021.

Source: NALP 2021 Associate Salary Survey



“Being a judge has been a great professional experience but as rewarding is the opportunity to contribute to the community off the bench. Teaching civics, educating kids about what judges do and volunteering as a mentor has been some of the most gratifying work.”

**JUDGE BILL BOWMAN**  
COURT OF APPEALS, DIVISION I

## APPENDIX D

# Public Sector Salary Data

A review of 2021 salary data for Washington state employees shows hundreds of Washington state professional positions that require similar levels of education, specialized expertise, and/or licensure requirements to judges are paid competitive salaries; judges are not. This includes university professors, scientists, investment officers, and doctors. The table below provides some examples.

### Snapshot of Actual 2021 State Salaries Paid to Professionals<sup>10</sup>

#### ACADEMIC

Professor, University of Washington	up to \$583,300
Associate Dean, University of Washington	up to \$486,400
Research Scientist/Engineer, University of Washington	up to \$293,500
AVP for Alumni Relations, Western Washington University	\$224,100

#### FINANCE/BUSINESS

Senior Investment Officer, State Investment Board	up to \$445,300
Chief Operating Officer, Washington State University	\$313,300
Actuary, State Actuary	up to \$267,500
Public Relations & Marketing, Western Washington University	\$244,400

#### LEGAL/LEGISLATIVE

Speaker's Attorney, House of Representatives	\$267,000
Chief Clerk, House of Representatives	\$239,500

#### MEDICAL

Physician, Social and Health Services	up to \$496,700
Hospital Administrator, University of Washington	up to \$433,200
Associate Hospital Administrator, University of Washington	up to \$312,100
Diagnostic Medical Sonographer, University of Washington	\$228,000

#### TECHNOLOGY

Chief Information Officer, Washington State University	up to \$330,600
Chief Technology Officer, State Board for Commerce	up to \$326,500

<sup>10</sup> 2021 salaries greater than those paid to judges, as listed on the Washington State Employee Salaries Website, <http://fiscal.wa.gov/salaries.aspx>.

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Salaries for Elected Officials**



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