



**Board for Judicial Administration (BJA) Meeting**  
**Friday, November 17, 2023, 9:00 a.m. – 12:00 p.m.**  
Videoconference

**MEETING MINUTES**

**BJA Members Present:**

Chief Justice Steven González, Chair  
Judge Alicia Burton, Chair  
Judge Sam Chung  
Judge Kristin Ferrera  
Judge John Hart  
Judge Mary Logan  
Judge David Mann  
Terra Nevitt  
Judge Rebecca Pennell  
Judge Rebecca Robertson  
Dawn Marie Rubio (CMC Co-Chair)  
Judge Karl Williams

**CMC Members Present:**

Michelle Cook (CMC Co-Chair)  
Timothy Fitzgerald  
LaTrisha Kinlow  
Erin Lennon  
Ashley Lipford  
Fona Sugg  
Tristen Worthen

**Guests Present:**

Linnea Anderson  
Sunita Anjilvel  
Esperanza Borboa  
Elena Becker

RaShelle Davis  
Suzanne Elsner  
Tracy Foster  
Judge Jeff Goodwin  
Justice Barbara Madsen  
Commissioner Barbara McInville  
Sophia Byrd McSherry  
Judge Kevin Ringus  
Kristi Schorn  
Judge Scott Stewart

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

Nicole Ack  
Scott Ahlf  
Vonnie Diseth  
Jeanne Englert  
TJ Grace  
Brittany Gregory  
Jennefer Johnson  
Kyle Landry  
Penny Larsen  
Heather Ligtenberg  
Joslyn Nelson  
Stephanie Oyler  
Chris Stanley  
Caroline Tawes  
Dawn Williams

Call to Order

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

The Supreme Court justices voted unanimously at the last *en banc* to create a *Blake* Implementation Task Force to address implementation issues in the wake of *Blake*. Justice Yu will be the chair and will be reaching out for additional members.

The Supreme Court asked the Washington State Bar Association (WSBA) to respond to the American Bar Association public defender caseload standards recommendations. The WSBA will have a response in March 2024. Anyone interested in providing input for the WSBA report may contact Terra Nevitt.

#### Judicial Information System Committee (JISC )

Justice Madsen, Chair of the JISC, and Vonnie Diseth presented an overview of the JISC. Last year the Judicial Information System (JIS) account had a \$7 million deficit, and there were many vacancies in the AOC technology groups. This has been a rebuilding year. Justice Madsen thanked Christopher Stanley for his efforts on behalf of JIS funding.

Vonnie Diseth reviewed the JIS governance process, the membership, and responsibilities. She also reviewed the major information technology project (IT) accomplishments and current JISC priorities, and shared the 2024 supplemental Budget request for IT projects.

Materials were included in the meeting packet.

#### CLJ-CMS Project Update

Tacoma Municipal Court went live on October 23, 2023, with the new statewide case management system. The implementation went well. The Courts of Limited Jurisdiction Case Management System (CLJ-CMS) team is continuing to work with the next pilot courts: Pierce District Court and Fircrest/Ruston Municipal Court.

Materials were included in the meeting packet.

#### Court Management Council (CMC)

##### Overview and update

Michelle Cook reviewed the formation, purpose, and membership of the CMC. She also reviewed the CMC race equity statement.

Dawn Marie Rubio described the recent CMC activities, including creating a GR 34 eLearning module; developing and updating the Court Administrator Model Job Description and adding required training; and hosting three statewide forums on staff recruitment and retention and publishing a summary document from those Forums. Next year, the CMC plans to host a succession planning forum and focus on an initiative on enhancing respect for courts and court administration.

Materials were included in the meeting packet.

#### Court Manager of the Year Award

The Court Manager of the Year was presented to Kristi Schorn, Issaquah Municipal Court Administrator. Judge Scott Stewart reviewed her accomplishments, her work with implementing technology solutions, and her activities within in her court and across the state during the pandemic.

#### CMC Association Updates

##### Supreme Court

Ashley Lipford acknowledged Erin Lennon and Judge Michael Diaz as recipients of a 2023 Innovating Justice Award. She discussed the credit card payment portal project that will allow credit cards to be used for payments in appellate courts. The project is near implementation. Tracy Foster has been hired as the Supreme Court Bailiff, and will be working with the BJA Court Security Task Force. In January, the Supreme Court began performing security screening for the courtroom for the first time. Of interest to the Supreme Court is a bill to improve communications between the Supreme Court Bailiff and the State Patrol, allowing the Bailiff access to records. The Supreme Court has purchased security equipment and has

requested funds to update existing security equipment, and has requested formation of a work group to advise on barriers to pro se and indigent defendants in the appellate process. Ashley Lipford was recently hired as the first Supreme Court Administrator, and she will be leading efforts on equity and security in the Court. The Supreme Court has formed a Racial Equity Subcommittee and has held several training sessions for court staff, and has also completed the National Center for State Courts court assessment survey. Funding has been secured for the Extern Stipend Program for extern law students. The Supreme Court continues to accommodate attorneys who participate remotely, and has recently purchased new audio equipment for the courtroom. The Supreme Court is still in its temporary location and plans to move back to the Temple of Justice in August.

#### Court of Appeals (COA)

Tristen Worthen indicated that each Division of the Court of Appeals welcomed a new appointee to the bench. The May 2023 OnBase system upgrade went well. COA Divisions I and III are holding traveling courts, and Division II plans to travel in the spring of 2024.

#### Association of Washington Superior Court Administrators (AWSCA)

Michelle Cook shared that the AWSCA website is being revamped, and will have training and learning opportunities for court staff and judges. Courts are struggling with access to justice issues due to budget constraints, especially with interpreters. There are too few interpreters, and many are accustomed to appearing remotely which may create an access to justice issue. The AWSCA is trying to think of ways to encourage people to become interpreters and ways to stabilize interpreter payments. The pool for minor guardianship attorneys has shrunk, sometimes as a result of pay, and the AWSCA is discussing possible solutions. Many AWSCA members attended the Superior Court Judges and Administrators Conference this year.

#### Washington State Association of County Clerks (WSACC)

Tim Fitzgerald reported that WSACC is working with the AOC on HB 1169 requirements, with a report due on December 1, 2023. The WSACC is also working with AOC on the *Blake* refund bureau. Tim Fitzgerald thanked Dawn Marie Rubio and her team for their work on the refund bureau. The *Blake* portal and refund process is working well. The WSACC is also working on access to justice best practices including a language line, signs, protection orders, and translations.

#### Washington Association of Juvenile Court Administrators (WAJCA)

Linnea Anderson reaffirmed WAJCA's commitment to helping youth and families transform challenges into opportunities. Linnea Anderson also shared their commitment to diversity, equity, and inclusion. WAJCA is promoting innovation with child welfare issues, advocating for neglected children, advocating for policy and legislation and creating a court system to eliminate disparities. They continue to advocate for access to high quality services to youth. Linnea Anderson thanked the JISC for having Juvenile Court Assessment Tool support as a priority. WAJCA members serve on 44 partnership teams around state.

#### District and Municipal Court Management Association (DMCMA)

LaTricia Kinlow reported that on October 27, 2023, the Courts of Limited Jurisdiction (CLJ) associations, including the District and Municipal Judges' Association, the DMCMA, and the Misdemeanor Probation Association, came together for a summit regarding concerns about CLJ activities and how to work together. There were good conversations, and they discussed possible solutions and the importance of collaborating as associations.

### Court Security – Large Group Discussion

The BJA Court Security Task Force has been reinstated due to an increase in activity, tensions, and communications to courts, including attacks on judicial officers and their families. There is a need to keep courthouses safe for court staff and the public.

Suzanne Elsner (Marysville Municipal Court) is the co-chair of the Task Force with Judge Sean O'Donnell (King County Superior Court). The Task Force included three questions in the meeting packet for group discussion. The responses to these questions will help direct the work of the Task Force.

1. *What vulnerabilities do you believe should be prioritized and addressed to enhance the overall security of judges and staff?*
  - New judges need to be trained on security issues, and they need assistance creating a safe environment at home and in the office. Entrances and exits to courthouses and parking need to be secure. This requires funding.
  - There are ways to hide property records online. A lot of work is required to remove personal information online. There is no way to remove all information, but location data should be removed. There are agencies that do that kind of work, and funding for that should not be a personal expense for judges. Social media can be used to indicate judges' locations.
  - There could be a session at the Judicial College where judges learn to remove personal information from online sources.
  - Training is needed for judges and court staff. There needs to be education on the elements of a threat, how to recognize escalation, and prioritizing reporting to authorities and how to do that.
  - It is important that owners of courthouse buildings recognize the seriousness of security threats. Let them know what is needed to make judges and court staff feel secure.
  - Law enforcement analyzed a threat to a courthouse and presented the information to the Board of County Commissioners. At certain courthouse events a law enforcement presence may be required. Remind the County Commissioners that court customers need to feel safe as an access to justice issue.
  - Voter registration information is available on the Secretary of State website. To have it removed, one must have received a threat and be part of the Secretary of State Confidentiality program. This could be addressed through legislation to make it easier to remove information.
  - Legislation enabled some residential addresses to be removed from Public Disclosure Commission information. This needs to be done across all media.
  - It is important to include courthouse staff in these efforts. They are usually more accessible than judges.
  - Attorneys also have concerns about threats and harassment. They are required to have addresses published where they can be reached. There could be a collaboration on a legislative fix.
  - Guardians *ad Litem* also receive threats and complaints and need to be protected.
  - At the federal level there is a recognition of security issues, and there have been recent discussions about legislation on federal judicial security and a threat intelligence center that may be able to be replicated for state judicial officers.

2. *How do judges and staff perceive their readiness to handle threats, both physically and online? Where can additional training bridge gaps?*
  - Some offices do annual active shooter training and go through evacuation plans regularly. Other occupants in courthouse buildings should be asked to participate as well.
  - Larger courts may be less prepared than other courts as it is harder to get all staff together. There should be an emphasis on training at court manager and judicial conferences.
  - Even with training, safe rooms, and new secure doors and locks, staff are still concerned. Part of their concern is about remembering what to do in a stressful situation.
  
3. *How do negative press and strained law enforcement relations impact judges' and staff security? How can we navigate these factors effectively?*
  - It is difficult when our justice partners make comments to the media that makes the courts look bad. We need to remind our partners and elected officials of their ethical duties and possible results from their comments, and provide advice on how to respond in this situation.
  - There were recent comments on bail and judges basing decisions on how much room was available in the jail. There could be a discussion with the judges, attorneys, and media with information and training on why judges can't respond to the media when other partners can.
  - Should the Fire Brigade be invited to a BJA meeting or a Court Security Task Force meeting to discuss their role in communicating with the press and what information judges may provide?
  - Justice Stephens and the Bench Bar Press Committee put together a court media training in May that provided good information. That training could be combined with a security training.
  - Courts need to learn to have conversations with the media. The media may have trouble getting courts to talk to them.
  - Additional training is needed; sometimes speaking with the media doesn't help. Media partners as a group need to be educated; perhaps at a summit with court officers and staff.
  - These concerns could be brought up at the Interbranch Advisory Committee.

#### BJA Task Forces and Work Groups

##### Alternatives to Incarceration Task Force

The Task Force is working to narrow their focus to efforts that support pretrial services and other alternatives. The Supreme Court's annual symposium sponsored by the Minority and Justice Commission will be focused on sentencing and is scheduled for June 12, 2024.

##### Electronic Monitoring and Victim Notification Technology (EMVNT) Work Group

This Work Group was newly formed from requirements in HB 1715. Joslyn Nelson has been hired to staff the Work Group.

HB 1715 is a mandate to the BJA. The core mission of the Work Group is to promote the use of technology to protect crime survivors, especially domestic violence survivors, and it is tasked

with developing policy. The kickoff meeting was November 9, 2023. The Work Group will be reaching out for more members. They plan to use the first two months to establish the membership and deliverables, then will conduct research and gather information for six months, then will review counties' existing procedures and practices. The last phase will be implementation. They hope to create model policies for EMVNT, protocols for implementation of orders, and identify and incorporate any additional requirements. Their deadline for policy development is June 2024. The Legislature allotted \$2 million to implement the technology at the local level.

EMVNT is an active GPS monitoring device primarily used in domestic violence situations, whereby the defendant wears a GPS electronic monitoring device and the victim has a mobile application that provides an alert in real time if the defendant is nearby. Victims have an option to participate in the program.

Anyone with comments, concerns, or interested in the work group can contact Joslyn Nelson or Jeanne Englert.

#### Remote Proceedings Work Group

Work Group members are working on bench card products and will have drafts in early January 2024. There will be an update at the February BJA meeting. The slate of Remote Proceedings rule proposals will be published in January 2024 for comment.

#### Standing Committee Reports

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

The 2024 Supplemental Budget has been submitted. Chris Stanley is addressing questions from legislative staff, and he and Brittany Gregory are scheduling meetings with legislators to advocate for policy and budget requests.

Revenue collections have come in \$55 million less than the original \$300–400 million forecast. Economic growth is slowing to a more normal pace but expected to remain steady in Washington state.

##### Court Education Committee (CEC)

The CEC has completed decisions on budget allocations. There are ongoing discussions on implementing strategic plans.

##### Legislative Committee (LC)

Assembly Days are coming up soon. Several Legislative leaders are running for state offices and AOC will be working with new representatives. Not all BJA proposed bills have sponsors yet.

Information on the 2024 BJA Request Legislation was included in the meeting materials.

Chief Justice González reminded members the next Interbranch Advisory Committee meeting will be in person on December 8, 2023. Remote attendance is an option.

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

Judge Rebecca Robertson is stepping down as the chair of the Policy and Planning Committee. Judge Carolyn Jewett will be finishing her term, which ends in June 2024. Penny Larsen thanked Judge Robertson for her service.

The PPC is continuing to work on their equity analysis project and the workplace anti-harassment survey, and will be looking at court staff wellness.

Motions for Judge Jewett filling Judge Robertson's vacant chair position, the PPC amended charter, and a motion for the Court Security Task Force chair and membership were deferred due to lack of quorum. The vote for the motions will be held electronically.

#### BJA Documents

BJA activities and goals were included in the meeting materials. Also included was information on the highlights and accomplishments of the BJA Task Forces.

Chief Justice González thanked BJA for their support of the Office of Public Defense (OPD) funding request.

#### September 15, 2023 Minutes

**It was moved by Chief Justice Gonzalez and seconded by Judge Pennell to approve the October 20, 2023, meeting minutes. The motion carried unanimously.**

#### Information Sharing

Jeanne Englert asked for volunteers to assist in reviewing the BJA mission and principal policy goals. Volunteers included Chief Justice González, Dawn Marie Rubio, Judge Burton, Judge Chung, and Judge Logan. Jeanne Englert will also contact Sophia Byrd McSherry of the OPD.

Judge Logan was asked by the Center for Justice Innovation to bring individualized, person-centered justice information to the Republic of Kyrgstan in Central Asia. She emphasized her gratitude for the support for innovative justice in Washington.

Judge Chung announced that Paul Crisalli was sworn in as a judge in the King County Superior Court this week.

Terra Nevitt announced the WSBA Board of Governors approved new strategic priorities: member well-being; assessment of technology-related opportunities and threats; improving the experience of belonging among professionals; and continuing to support practice and access to justice in rural areas.

Chief Justice González discussed the National Judicial College course, *The Anti-Racist Courtroom, Theory and Practice*.

Chief Justice González thanked the BJA members, Judge Burton, and Jeanne Englert.

#### Adjourn

The meeting was adjourned at 11:43 a.m.

**Recap of Motions from the November 17, 2023 Meeting**

| <b>Motion Summary</b>                          | <b>Status</b> |
|--|---------------|
| Approve the October 20, 2023, meeting minutes. | Passed        |

**Action Items from the November 17, 2023 Meeting**

| <b>Action Item</b>  | <b>Status</b> |
|---|---------------|
| The Remote Proceedings Work Group will have draft bench chards at the February BJA meeting.   |               |
| Motions for Judge Jewett filling Judge Robertson’s vacant chair position, the PPC amended charter, and a motion for the Court Security Task Force chair and membership were deferred due to lack of quorum. The vote for the motions will be held electronically. |               |
| <u>October 20, 2023, BJA Meeting Minutes</u> <ul style="list-style-type: none"> <li>• Post the minutes online</li> <li>• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials.</li> </ul>   | Done<br>Done  |