



**Board for Judicial Administration (BJA) Meeting**  
**Friday, February 16, 2024, 9:00. – 11:00 a.m.**  
Videoconference

## MEETING MINUTES

### **BJA Members Present:**

Chief Justice Steven González, Chair  
Judge Alicia Burton, Chair  
Judge Tam Bui  
Judge Sam Chung  
Judge Rebecca Glasgow  
Judge Marilyn Haan  
Judge Mary Logan  
Judge David Mann  
Raquel Montoya-Lewis  
Judge Rebecca Pennell  
Judge Rebecca Robertson  
Judge Diana Ruff  
Dawn Marie Rubio  
Judge Jeff Smith  
Judge Karl Williams

### **Guests Present:**

Jim Bamberger  
Ashley Callan  
Elena Becker  
Melissa Beaton  
Judge Carolyn Jewett  
Annalise Martucci  
LaTricia Kinlow  
Sara Robbins  
Judge David Whedbee  
Judge G. Helen Whitener

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

Nicole Ack  
Scott Ahlf  
Carolyn Cole  
Cynthia Delostrinos  
Jeanne Englert  
Heidi Green  
Scott Hillstrom  
Kyle Landry  
Penny Larsen  
Bob Lichtenberg  
Joslyn Nelson  
Stephanie Oyler  
Chris Stanley  
Caroline Tawes  
Andrea Valdez  
Jonathan Whitby

### Call to Order

Judge Burton called the meeting to order at 9:02 a.m. She introduced Judge Glasgow, who will be replacing Judge Crusier on the BJA.

### Small Group Discussions

**BJA Goal - Court Wellness:** The BJA will explore ways to support, partner, and coordinate opportunities to address court, judicial officers, and court personnel education and wellness needs.

BJA wants to discuss court wellness and hear ideas on how to address court wellness at BJA. How can BJA support a work/life balance, address burnout, and make court personnel feel valued? At an organizational level, do we have training and retention? At the community level,

do we have process in place for safety and do we create welcoming environment? Where can BJA fill in what is missing?

Participants were asked to discuss at least one of the following questions and report back to the meeting. Discussion notes may be e-mailed to Jeanne Englert.

1) *What are you currently seeing or experiencing that could negatively impact your court wellness at each of the following levels?*

- *Individual level*
  - *Court Level*
  - *Community level*
- Individuals coming in to court who are escalating, and this impacts staff as well as other agencies.
  - There is a societal acceptance of confrontation.
  - What constitutes harassment in the courtroom?
  - There is a shortage of judges, lack of breaks, self-care, and paid time off.
  - There is a lack of recognition of secondary trauma, and people are becoming more confrontational.
  - There is a high workload and too many meetings competing for time. The ease of zoom meetings makes it too easy to set up a meeting.
  - Themes are a shortage of judges, a societal movement towards more confrontation online and in person, and conflicting ideas on enforcement of laws (harassment, bombs, etc.)
  - Civility in courtrooms has decreased, not only between litigants but also civility towards the court. Is part of the problem that we have so many new judges? We need to set an example about how to disagree without personal attacks.
  - Some feel courts are being attacked; there is a lack of respect for courts and they lash out. We have noticed a lack of respect by legislators towards the bench.
  - We need to be clear what we are talking about in terms of civility.
  - Should we have a culture of allowing for vacations? Peter Jaffe works with the National Council of Juvenile and Family Court Judges on second-hand trauma and how to address it.
  - Dealing with second-hand trauma needs to be addressed.
  - Online learning has displaced people being together. What about in-person social opportunities?
  - There is a lack of support for trial courts on controlled substances. Many people who come into court struggle with shelter issues and the courts need support to help with that. The high volume is stressful for courts. There is frustration about the backup in state labs which interferes with intervention and testing.
  - There is not enough support from the cities to provide medically assisted treatments for fentanyl addiction.
  - The Judicial Assistance Services Program (JASP) is working well. JASP has a goal to become more proactive and talk about what we can do and how we can support each other. Judge Logan is developing a Take 10 program so that trainings can be short and not contribute to the problem of more screen time and less time for actual breaks and lunch.

- 2) *What educational opportunities and conversations around wellness during the past year have been most helpful? What areas do we need to focus more on or haven't addressed?*
- Court personnel don't have enough time to engage in wellness programs.
  - Sharing in the challenges of the job with peers, and the isolation judges can feel in work is aggravated by the move to remote work.
  - Having discussions around secondary trauma. Looking at how attorneys are affected by trauma.
  - Recognizing burnout and vicarious trauma, and knowing we need more, but not knowing what else is needed.
  - Is there enough security in courthouses? Security for judges, court staff, and the public needs to be addressed. There needs to be security in social media for court personnel and their families. We need to talk about this, educate staff, and help them deal with this. There is a federal judicial and security privacy act that we could work with.
- 3) *What practical tools and resources should we develop or offer that would be helpful for your court's wellness at each of the following levels?*
- *Individual level*
  - *Court Level*
  - *Community level*
- This is an access to justice question. If a judge isn't well, the public won't get the judge they deserve. Are there ways to promote these ideas?

Judge Burton said the BJA will continue these discussions and possibly come up with a plan to support the judiciary.

#### Standing Committee Reports

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

One of the Legislature's chambers is expected to publish its budget on Sunday night, and the other chamber will publish Monday morning. Both chambers are having public hearings at 4:00 p.m. on Monday.

Most of the judicial branch priorities are likely to be funded. Christopher Stanley thanked the BJA and the BFC for prioritizing our requests which helped the requests be successful. He is cautiously optimistic. The Legislative session ends on March 7, and we will likely see a final budget on March 5 or 6. Christopher Stanley will keep everyone informed via e-mail.

##### Court Education Committee (CEC)

The CEC met on February 14. An issue that continues to be discussed is how to include tribal judicial officers in education. There are questions about funding for tribal judicial officers. There have been a few Attorney General opinions that might be relevant to the question, and the DMCJA has explored this issue. Judge Smith will send Scott Ahlf that information to assist in his research. Stephanie Oyler may also have some documents.

Judge Pennell asked if there should be a budget request to fund tribal officers' attendance at education events.

The CEC report was included in the meeting materials.

#### Legislative Committee (LC)

All but one of the BJA bill proposals is advancing. HB 2006, concerning court interpreters, stalled in the House. Feedback on the bill indicated there were no concerns about policy, however, there were several questions about funding. This bill will be submitted again next year.

The LC report was included in the meeting materials

#### Policy and Action Committee (PAC)

Judge Carolyn Jewett is the new PAC chair, replacing Judge Rebecca Robertson. The PAC is discussing an equity analysis and creating an equity impact tool for the PAC to use. The next step will be to obtain more input from experts and feedback on how it would work. They also discussed the survey on workplace harassment policies and a possible partnership with the Washington Counties Risk Pool on training. Penny Larsen will be attending a few trainings and will report at the next meeting.

The PAC report was included in the meeting materials

#### Presentation: Court Equity & Access Program 5-Year Strategic Plan and Disability Justice Task Force

##### Equity & Access

Carolyn Cole, Equity Program lead at AOC, presented on the AOC Court Equity and Access Program. The program was established in 2021 to help courts serve the growing needs of self-represented persons (SRPs) in Washington and address the needs of court users from communities that have been historically marginalized and oppressed in the United States with the least access to justice. The program is in the process of creating a draft of a strategic plan and would like comments and feedback. A draft of the Strategic Plan will be circulated for external review in the next couple of weeks. Carolyn Cole reviewed the strategic priorities, mission, vision, and milestones.

##### Washington Supreme Court Disability Justice Task Force (DJTF)

Justice G. Helen Whitener is a co-chair of the Supreme Court DJTF. With BJA and stakeholder support, in 2023 the Legislature funded a two-year study of access to justice issues affecting individuals with disabilities. The DJTF will create a study steering committee. The study will include litigants, attorneys, staff, and all court users and will examine where there are gaps in GR 33 compliance. The study will provide data that will reflect uneven landscape of GR 33 compliance and help create ADA transition plans. Where and how courts are or are not complying with GR 33 will be determined through audits.

Judge Whedbee, co-chair of the Supreme Court DJTF, would like to report to the BJA in six months on preliminary findings and a pilot program. The next steps will be to transition from the steering committee to reorganize to the DJTF. Members will be recruited from all court levels.

Justice Whitener thanked Judge Whedbee, Carolyn Cole, and the BJA. Justice Whitener and Judge Whedbee will provide an update on the project in a few months

The presentation was included in the meeting materials.

BJA Task Forces and Work Groups

Alternatives to Incarceration Task Force

The Task Force report was included in the meeting materials. There will be a verbal report at the March BJA meeting.

Remote Proceedings Work Group

The Work Group report was included in the meeting materials.

Electronic Monitoring and Victim Notification Technology (EMVNT) Work Group

The Work Group report was included in the meeting materials.

BJA Mission and Principal Policy Goals Update

The group decided to develop a process to consider more strategically these two items and will share a brief update at the May BJA meeting. Workgroup members want to develop a process for seeking input, to be intentional and thoughtful, considering recent conversations and realities of the work, and most importantly centering equity in our work. The principal policy goals should be user-centered. We need to hear from people who are compelled to seek access to the courts and those most impacted by courts.

Interbranch Advisory Committee

The next Interbranch Advisory Committee meeting will be held at the Kitsap County Superior Court. Chief Justice González is interested in finding other places to meet and inviting the local community to the meeting. At the next meeting there will be a focus on court education, security, the lack of public defenders, and the view of the judicial branch by lawmakers.

Motions

**It was moved by Chief Justice González and seconded by Judge Robertson to approve the November 17, 2023, meeting minutes as written. The motion carried with three abstentions.**

**It was moved by Chief Justice González and seconded by Judge Bui to approve the Public Engagement and Education Committee (PEEC) members. The motion carried unanimously.**

Adjourn

The meeting was adjourned at 10:37 a.m.

**Recap of Motions from the February 16, 2024 Meeting**

<b>Motion Summary</b>	<b>Status</b>
Approve the November 17, 2023 meeting minutes.	passed
Approve the PEEC Members	passed

**Action Items from the February 16, 2024 Meeting**

<b>Action Item</b>	<b>Status</b>
Penny Larsen will be attending a couple of trainings on workplace harassment policies and will report at the next meeting.	
Judge Whedbee would like to report to the BJA in six months on preliminary findings and a pilot program of the Disability and Justice Task Force study.	
There will be an update on the BJA Mission and Principal Policy Goals at the May BJA meeting.	
<u>November 17, 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 Done