

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, FEBRUARY 16, 2024
9:00 A.M.**

VIDEOCONFERENCE

Board for Judicial Administration Membership

2023–2024



VOTING MEMBERS:

Chief Justice Steven González, Chair
Washington State Supreme Court

Judge Alicia Burton, Member Chair
Superior Court Judges' Association
Pierce County Superior Court

Judge Tam T. Bui
District and Municipal Court Judges' Association
Snohomish County District Court

Judge Samuel Chung, President
Superior Court Judges' Association
King County Superior Court

Judge Rebecca Glasgow
Court of Appeals, Division II

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

Judge John Hart
District and Municipal Court Judges' Association
Whitman 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 Diana N. Ruff
Superior Court Judges' Association
Benton/Franklin Superior Court

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

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

NON-VOTING MEMBERS:

Judge Kristin Ferrera, President-Elect
Superior Court Judges' Association
Chelan County Superior Court

Hunter Abell, President
Washington State Bar Association

Judge Karl Williams, President-Elect
District and Municipal Court Judges' Association
Pierce County District Court

Terra Nevitt, Executive Director
Washington State Bar Association

Dawn Marie Rubio
State Court Administrator

The **Mission** of the Board for Judicial Administration is to provide leadership and develop policy to enhance the judiciary's ability to serve as an equal, independent, and responsible branch of government.

The **Vision** of the Board for Judicial Administration is to be the voice of the Washington State courts.



Board for Judicial Administration (BJA)

February 16, 2024 (9 a.m. – 11:00 a.m.)

(Please note shortened meeting time)

Zoom Meeting

AGENDA

<p>1. Call to Order Welcome and Introductions</p>	<p>Chief Justice Steven González Judge Alicia Burton</p>	<p>9:00 a.m.</p>
<p>2. Small Group Discussions</p> <p>Please pick at least one question to discuss in your group. Assign a notetaker and send comments to Jeanne.englert@courts.wa.gov</p> <p>BJA Goal - Court Wellness: BJA will explore ways to support, partner, and coordinate opportunities to address court, judicial officers, and court personnel education and wellness needs.</p> <p>1) What are you currently seeing or experiencing that could negatively impact your court wellness at each of the following levels?</p> <ul style="list-style-type: none"> • Individual level • Court Level • Community level <p>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?</p> <p>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?</p> <ul style="list-style-type: none"> • Individual level • Court Level • Community level 	<p>Chief Justice Steven González</p>	<p>9:05</p>

<p>3. Standing Committee Reports</p> <p>Budget and Funding Committee</p> <p>Court Education Committee</p> <p>Legislative Committee See report in packet, no verbal report out</p> <p>Policy and Action Committee</p>	<p>Judge Mary Logan/ Chris Stanley</p> <p>Judge Rebecca Pennell/Scott Hillstrom</p> <p>Judge Michael Scott/ Brittany Gregory</p> <p>Judge Carolyn Jewett/ Penny Larsen</p>	<p>9:30 Tab 1</p>
<p>4. Presentation: Court Equity & Access Program 5-Year Strategic Plan and Disability Justice Task Force</p>	<p>Carolyn Cole Justice Helen Whitener Judge David Whedbee</p>	<p>10:00 Tab 2</p>
<p>5. BJA Task Forces and Work Groups</p> <p>Alternatives to Incarceration</p> <p>Remote Proceedings</p> <p>Electronic Monitoring with Victim Notification Technology</p>	<p>See reports in packet. No verbal report outs</p>	<p>10:30 Tab 3</p>
<p>6. BJA Mission and Principal Policy Goals Update</p>	<p>Judge Alicia Burton</p>	<p>10:35</p>
<p>7. Interbranch Advisory Committee Information sharing December 8 Meeting Recording and Materials</p>	<p>Chief Justice Steven González</p>	<p>10:40</p>
<p>8. Motions Approve November 17, 2023 Minutes Approve PEEC Committee members</p>	<p>Chief Justice Steven González</p>	<p>10:45 Tab 4</p>
<p>9. Information Sharing</p>	<p>Chief Justice Steven González</p>	<p>10:50</p>
<p>10. Adjourn</p>		<p>11:00</p>

Persons who require accommodations should notify Jeanne Englert at 360-705-5207 or jeanne.englert@courts.wa.gov 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.

Next meetings:

March 15, 2024 – 9:00 – 12:00 - Zoom

May 17, 2024 – 9:00 – 12:00 - Zoom

June 21, 2024 – 9:00 – 12:00 - Zoom



February 16, 2024

Court Education Committee Report

- Last CEC Meeting: January 12, 2024, 9am-11:30am
- Meetings have focused on updating the CEC policy document
 - Separate policy from procedure, process, guidelines
 - Align more closely with the BJA Charter
 - Fill in gaps to address new opportunities (e.g., such as online learning)
 - Consolidate policies that were spread amongst multiple documents
- Judicial College concluded (January 28 - February 1, Seattle)
- Appellate Spring Program is up next (March 24-27, Walla Walla)
- Education programs have been operating within CEC approved budget allocations
- Next CEC Meeting: February 14, 12:15pm-1:00pm



February 16, 2024

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

2024 Legislative Session

The 2024 legislative session has reached the halfway mark, and bills have to be voted out of their house of origin by 5pm on Tuesday, February 13.

Wednesday, February 21 is the last day for bills to be voted out of their policy committees in the opposite chamber, unless the bill is in the House fiscal committees, Senate Ways & Means Committee, or Transportation committees.

Monday, February 26 is the last day for bills to be voted out of the House fiscal committees, Senate Ways & Means Committee, or Transportation committees in the opposite chamber.

Friday, March 1 is the last day for bills to be considered in the opposite chamber.

Thursday, March 7 is the last day of the regular session.

BJA Request Legislation This Session

All BJA request legislation has passed out its policy and fiscal committees. The most up-to-date versions of those bills are included in the meeting materials.

- **[HB 1992/SB 5827](#) - Adding an additional superior court judge in Whatcom County**

 - **Summary:** Requests an additional superior court judge for Whatcom County to work on the water rights adjudication that will be filed by the Department of Ecology in spring 2024.
 - HB 1992 has been referred to the House Rules Committee.
 - SB 5827 has been referred to the Senate Rules Committee.

- **[HB 1993/SB 5828](#) - Concerning water rights adjudication commissioners and referees**

 - **Summary:** Creates a superior court commissioner position in Whatcom County. This position was already funded in the 2023-2025 biennium budget and the

commissioner will work on the water rights adjudication proceedings filed by the Department of Ecology. It would also authorize the court's use of a referee in a water adjudication without party consent or application.

- HB 1993 died in its policy committee.
- SB 5828 has been referred to the Senate Rules Committee.
- **[HB 2006](#)- Concerning court interpreters**
 - **Summary:** Changes Washington statute to be compliant with the Department of Justice policy interpretations of Title VI; updates statutory language to align with operations conducted by AOCs Court Interpreter Credentialing program.
 - HB 2006 was placed on second reading by the House Rules Committee.
- **[HB 2034](#)/[SB 5833](#)- Requiring counties and cities to provide the Administrative Office of the Courts with notice of court reorganizations**
 - **Summary:** Requires counties and cities to provide one-year written notice to the Administrative Office of the Courts (AOC) with changes to court technology services and/or vendors. This notification is in addition to the notice that they provide to the party with which they are terminating service. Also requires cities to provide six months written notice to AOC for the establishment or termination of a municipal court.
 - HB 2034 has been referred to House Rules Committee.
 - SB 5833 died in its policy committee.
- **[HB 2056](#)/[SB 5848](#)- Concerning information sharing and limited investigative authority of Supreme Court bailiffs**
 - **Summary:** Creates limited investigative authority for the Supreme Court bailiffs, so that they can access criminal history and non-conviction data to properly assess security threats and communicate with law enforcement.
 - HB 2056 has been referred to House Rules Committee.
 - SB 5848 died in its policy committee.
- **[SB 5836](#)- Adding an additional superior court judge in Clark County**
 - **Summary:** Requests an additional superior court judicial position in Clark County Superior Court
 - SB 5836 has been referred to the Senate Rules Committee.

Other Legislation of Interest This Session

The focus this legislative session has been on bills addressing the attorney shortage and increasing resources for the Office of Public Defense ([HB 1911](#)/[SB 5914](#), [SB 5780](#), [SB 5781](#), [SB 5916](#)); increasing support for parents and children going through the dependency process ([HB 2383](#), [HB 2447](#), [SB 6068](#), [SB 6109](#)); and discussing and restricting the use of artificial intelligence ([HB 1951](#), [HB 1934](#)/[SB 5838](#), [SB 6073](#)). There have also been several bills about sentencing reform for juveniles as in previous sessions.

Bills that the BJA have taken a public position on include:

- **[SB 5780](#)- Expanding training opportunities for public defense**
 - **Summary:** Requires the Office of Public Defense (OPD) to administer a law student rural defense program and the Criminal Justice Training Commission (CJTC) to administer a law student rural prosecution program, placing law students or recent law school graduates as interns with experienced public defenders or prosecutors in underserved areas and rural areas of the state, and expand the capacity of its Criminal Defense Training Academy program to train practitioners who are new to public defense, and CJTC to provide trial skills training for practitioners who are new to prosecution.
 - BJA Legislative Committee voted to support.
 - SB 5780 has been referred to the Senate Rules Committee.
- **[SB 6063](#)- Modifying the definition of persistent offender**
 - **Summary:** Requires resentencing hearings for persistent offenders with an underlying conviction for a most serious offense committed prior to the person turning 18 years old, and modifies the definition of persistent offender by excluding convictions for a most serious offense that occurred when the person was under the age of 18.
 - BJA Legislative Committee voted to support.
 - SB 6063 placed on second reading by Senate Rules Committee.
- **[SB 6073](#)- Concerning the use of artificial intelligence language learning models in official court filings**
 - **Summary:** Requires any party to disclose the use of generative artificial intelligence when conducting legal research or drafting documents for court filing.
 - BJA Legislative Committee voted to oppose.
 - SB 6073 died in its policy committee.
- **[SB 6146](#)- Concerning tribal warrants**
 - **Summary:** Creates processes for state law enforcement officers and places of detention to deliver fugitives to requesting Indian tribes and enforce tribal arrest warrants.
 - BJA Legislative Committee voted to support.
 - SB 6146 has been referred to the Senate Rules Committee.

BJA Legislative Committee Next Activities

The BJA Legislative Committee will continue to engage with legislators regarding pending legislation and the advancement of any BJA request legislation.

November 17, 2023

TO: Board for Judicial Administration (BJA) Members
FROM: Judge Carolyn Jewett, Chair, Policy and Action Committee
RE: (PAC) REPORT OF POLICY AND ACTION COMMITTEE

The committee met on November 17, 2023 and discussed two active projects.

Equity Analysis Challenges and Next Steps

The PAC discussed challenges with equity questions and guidelines:

- Collecting Data: How to gather information?
- Unavailable Data: What if data is missing?
- Addressing missing voices: How to get input from court users and stakeholders?
- Using Data: How will the BJA use the information collected in these analyses?
- Next Steps:
 - Learn from others experienced in this field.
 - Conduct pilot projects to document the challenges and develop a process.

Penny Larsen will consult with AOC subject matter experts for the next PAC meeting.

Workplace Anti-Harassment Project & BJA Court Wellness Goal & Training

The PAC members briefly reviewed the preliminary survey data. The discussion focused on training issues and possibilities, within the context of the BJA court wellness goal.

- Harassment support and prevention benefits everyone, aiming to improve workplace culture.
- Possible Washington Counties Risk Pool partnership
 - Custom course for judges and court staff, focusing on unique workplace issues.
Separate groups for comfort and relevance.

Penny Larsen will attend related trainings and present information for the next PAC meeting.

TAB 2

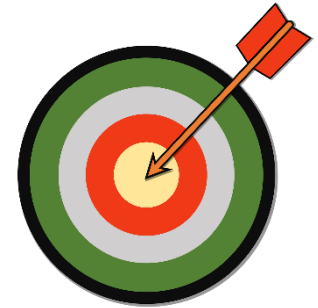


AOC Court Equity & Access Program 5-Year Strategic Plan Update

Carolyn Cole, Esq., CDE, Court Equity & Access Program Lead

February 16, 2024

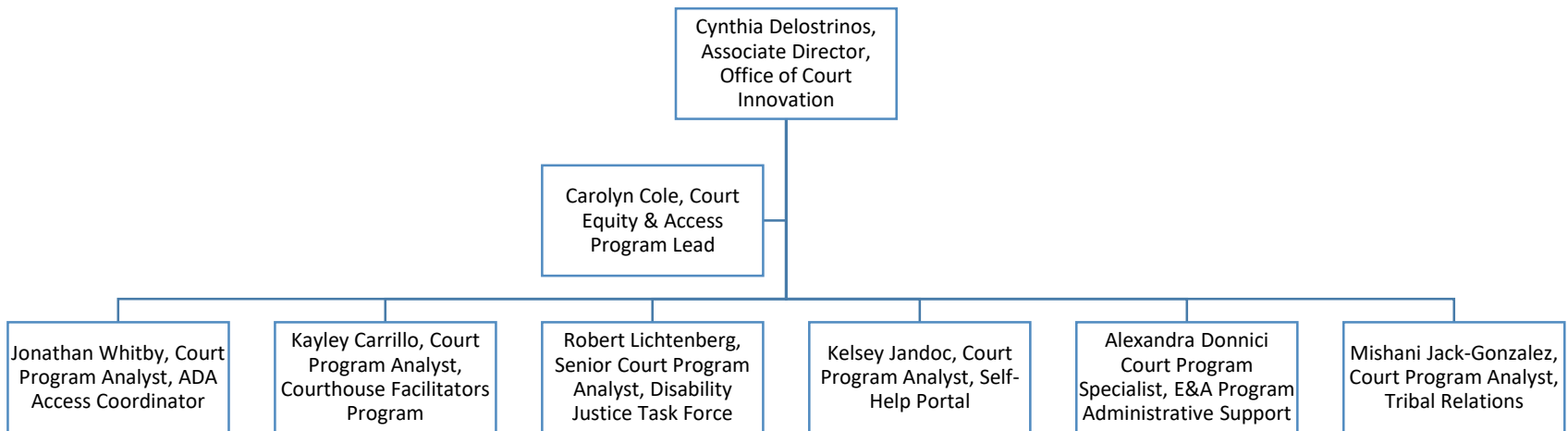
Presentation Objectives



- Learn more about:
 - Our team, mission, and vision
 - Our 5-Year Strategic Plan draft and comment period
- Ask questions and provide feedback

Our Team

email: equityandaccess@courts.wa.gov



History and Purpose

Established by AOC in 2021 through a successfully funded decision package in order 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.

Environmental Scan

Recommended areas of focus:

- Promoting greater online access to information for court users;
- Improving in-person and online access to the courts for people with disabilities;
- Collecting more robust data related to civil cases to enable evaluation; and
- Developing and providing support, training, resources, and opportunities for collaboration with courts.

Mission and Vision



Mission: To make “justice for all” a reality in Washington state courts.

Vision: Every person has an equitable opportunity to access the courts. Fairness, justice, inclusion, and belonging are experienced in the courts and through the work of AOC.

Our Strategic Priorities

1. Increasing access to justice for all, with a specific focus on self-represented persons (SRPs) statewide.
2. Supporting the creation of a Washington Supreme Court Disability Justice Commission and identifying AOC's disability justice work.
3. Building strong partnerships, trust, and communication with state courts, tribal courts, judicial branch agencies, legal aid organizations, other justice system partners, and communities.
4. Building E&A Program capacity, policies, processes, and procedures.
5. Building robust technical assistance, education, research, and data resources within the program.
6. Establishing ourselves as courageous champions of equity and access in the courts.

2024 – 2029 Major Milestones (DRAFT)

2026:

- Self-Help Portal Version 1.0 launched
- Court Equity and Access Data Strategic Action Plan developed with WSCCR
- AOC's Statewide Action Plan to Support SRPs is developed and adopted
- Courthouse Facilitator Model Policy Manual completed

2027:

- Technical Assistance Life-Cycle process developed and integrated
- Equity & Access Community of Practice for Courts project plan completed

2028:

- Literature reviews completed
- Educational resources for top 15 equity and access topics available on AOC Education Portal

2029:

- AOC's Statewide Action Plan fully implemented decreasing disparities and inequities for SRPs
- Court Equity and Access Best Practices Toolkit developed
- Strong partnerships and trust and awareness about our program

2024/2025:

- ADA Access Coordinator and Senior Web Developer hired
- E&A Program website launched
- **DJTF Study and Symposium completed**
- Preliminary Court ADA Toolkit developed
- Tribal community member court user needs survey completed in partnership with TSCC
- GR 27 proposed updates completed

Partner Comment Period



- **When: February 12 – 26, 2024 (tentative)**
- **Who:** Key partners/stakeholders – groups and organizations that are named in the Strategic Plan draft or most directly impacted.
- **How:** We will coordinate with your staff to share the Strategic Plan draft and collect your comments.

Washington Supreme Court Disability Justice Task Force

Updates

Justice Helen G. Whitener, Co-Chair
Judge David Whedbee, Co-Chair

Disability Justice Workgroup

- Created by Washington Supreme Court in 2022 to address access to justice for and by individuals with disabilities.
- Received funding from the Legislature in 2023 for a two-year comprehensive study of access to justice issues affecting individuals with disabilities.
- Critical focus of study is the accessibility audit seeking to determine the current state of court compliance with the ADA and Supreme Court GR 33.

Disability Justice Study

- UW Dept. of Rehabilitation Medicine research professionals are consulting on research standards, design, and methods.
- NW ADA Center is consulting on the logistics of conducting court site and program audits.
- State Law Librarian will conduct literature reviews and legal case analysis around issues identified for study and a team of research professionals will assist in compiling the information for the various topical areas of the Study.
- Ultimate goal is to create a Disability Justice Commission to provide standards and best practices guidance to courts and continue the work of identifying and removing barriers for court users with disabilities using ADA Transition Plans each court will need to create and implement.

Disability Justice Study Next Steps

- Communicate with Washington courts regarding this study, the role of AOC's ADA Program, and the importance of a representative sample of courts voluntarily participating in the accessibility audit.
- By end of March 2024, AOC will clarify what the accessibility audit process will entail and share this information with the courts when soliciting volunteers.
- AOC and Disability Justice Workgroup welcome feedback from BJA (now and in the future) on how best to encourage court participation in the accessibility audits.

Thank you for your support!

Questions?

Carolyn Cole
Court Equity & Access Program Lead
carolyn.cole@courts.wa.gov

Robert Lichtenberg
Senior Court Program Analyst
Supreme Court Disability Justice Task Force
Robert.Lichtenberg@courts.wa.gov

TAB 3



February 16, 2024

RE: Alternatives to Incarceration Task Force Report

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 court's resources and the person's ability to pay.

The Task Force met in November and January. All meetings are TVW livestreamed and recorded.

The Task Force workgroups identified possible policy and funding recommendations that will be further defined and then prioritized by the Task Force in March.

Legal Authority – identified and currently analyzing judicial authority questions for alternative options/use. The work group is prioritizing final policy, education, and best practices recommendations.

Community Mapping - explored community-based tools/mapping to better help local jurisdictions/communities identify points of entry into the system, barriers and opportunities to alternatives, and community-based resources (traditional or non-traditional) that can prevent entering the system and/or incarceration. This group is working on final recommendations which may include a resource person and resources (resource hub/program) to connect individuals to community resources at the start of the process, especially focused on pre-trial.

Assessment and Information – implemented several surveys and gathered information on alternative use across the State. They have identified several possible recommendations which may include funding or policy that would bridge the gap for those that are considered indigent pretrial and/or post-conviction and a general increase in overall funding for pretrial services.

The **Education Work Group** starts in February/March to identify and possibly implement training opportunities to address some of the education needs and issues identified through Task Force efforts.



February 16, 2024

TO: Board for Judicial Administration (BJA) Members

FR: Judge Angelle Gerl and Judge Jim Rogers
Co-Chairs, BJA Remote Proceedings Work Group

RE: REPORT OF THE REMOTE PROCEEDINGS WORK GROUP

Court Rules Project

The slate of court rules proposed by the Work Group is posted on the website for public comment. One comment has submitted on CR 30. The Work Group will monitor the comments and await direction from the Washington Supreme Court Rules Committee, if further assistance from the Work Group is needed.

The Work Group Co-Chairs submitted an article titled “Slate of Rules Proposed to Allow for Remote Appearances in Trial Courts” to the Washington State Bar News. The article explains how the Superior and CLJ subgroups approached court rule project and is scheduled for publication in the March edition.

Remote Proceedings Best Practices Guidelines Project

The subgroup met in November and in January to discuss options for content and delivery. Members brought forth issues in remote proceedings to address in the guidelines and they evaluated sample formats. The goal is to share relevant information that is not duplicative in a user-friendly format. For the first project, several judges are developing a basic bench card for judicial officers with checklists on technology preparation and troubleshooting, and addressing conduct and demeanor in the virtual courtroom.



February 6, 2024

RE: BJA Electronic Monitoring and Victim Notification Technology Workgroup

The EMVNT Workgroup has conducted a total of 12 meetings since December. These include subcommittee and the overarching workgroup meetings. Additionally, two subcommittees were established to further explore civil protection orders and policy considerations related to EMVNT, and to develop best practices and protocols. Guest speakers and a vendor panel discussion at the various meetings addressed questions about EMVNT in practice, and technology considerations, equipment, and monitoring needs.



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

DRAFT 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

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

CMC Members Present:

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

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

Guests Present:

Linnea Anderson
 Sunita Anjilvel
 Esperanza Borboa
 Elena Becker

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.

Vonnice 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

Motion Summary	Status
Approve the October 20, 2023, meeting minutes.	Passed

Action Items from the November 17, 2023 Meeting

Action Item	Status
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"> • Post the minutes online • Send minutes to the Supreme Court for inclusion in the En Banc meeting materials. 	Done Done

**Board for Judicial Administration
2024 Public Engagement & Education Committee Members**

Members are appointed for two-year terms with the option to renew once, and an extension to a third two-year term is allowable at the discretion of the Chair.

Chair
Judge Kathryn C. Loring San Juan County Superior Court (Representing the Superior Court Judges' Association, SCJA) Term: January 1, 2019, to December 31, 2024
Members
Ms. Esperanza Borboa Eastside Legal Assistance Program (Representing the Public) Term: January 1, 2021 to December 31, 2024
Honorable Renea Campbell Klickitat County Clerk (Representing the Washington State Association of County Clerks, WSACC) January 1, 2020, to December 31, 2024
Ms. Erika Evans Federal Attorney (Representing the Public) Term: January 1, 2021, to December 31, 2024
Ms. Jennifer Garber Guerrero Stoel Rives LLP (Representing Washington State Bar Association) Term: January 1, 2019, to December 31, 2024

Ms. Patricia Gutierrez
King County District Court Coordinator

(Representing District and Municipal Court
Management Association, DMCMA)
Term: January 1, 2020, to December 31, 2024

Mr. Shad Hail
Lewis County Juvenile Court Administrator

(Representing Washington Association of Juvenile
Court Administrators, WAJCA)
Term: January 1, 2023, to December 31, 2024

Judge Cecily Hazelrigg
Court of Appeals, Division I

(Representing Court of Appeals, COA)
Term: January 1, 2019, to December 31, 2024

Ms. Fé LopezGaetke
Public Defender Association
Director of Engagement and Development

(Representing the Public)
Term: January 1, 2020, to December 31, 2024

Mr. Rob Mead
Washington State Law Library
Temple of Justice

(Representing State Law Library)
Term: Permanent Ex-Officio

Judge Jessica K. Ness
Monroe Municipal Court

(Representing District and Municipal Court Judges'
Association, DMCJA)
Term: January 1, 2021, to December 31, 2024

Justice Susan Owens
Washington State Supreme Court
Temple of Justice

(Representing the Washington State Supreme Court)
Term: January 1, 2023, to March 31, 2025

Ms. Renee Radcliff Sinclair
TVW, President and CEO

(Representing TVW)
Term: Permanent ex Officio

Judge Paul Sander
Kittitas County District Court

(Representing District and Municipal Court Judges'
Association, DMCJA)
January 24, 2024, to December 31, 2024

Ms. Rachel Taylor
Walla Walla Superior Court Administrator

(Representing Association of Washington Superior
Court Administrators, AWSCA)
Term: January 1, 2022, to December 31, 2024

(Representing the Public)
Term: January 1, 2023, to December 31, 2024

(Affinity bar association representative and/or
Judicial Institute alum representative)
Term: January 1, 2023, to December 31, 2024

AOC Staff

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