BOARD FOR JUDICIAL ADMINISTRATION

WASHINGTON
COURTS

MEETING PACKET

FRIDAY, APRIL 18, 2008
9:30 A.M.

AOC SEATAC OFFICE
SEATAC OFFICE CENTER
18000 INTERNATIONAL BOULEVARD, SUITE 1106
SEATAC, WASHINGTON

Board for Judicial Administration

April 18, 2008
9:30 a.m.
AOC SeaTac Office
Suite 1106, SeaTac Office Center

Agenda

1.	Call to Order	Chief Justice Gerry Alexander Judge Vickie Churchill	
2.	Welcome and Introductions	Chief Justice Gerry Alexander Judge Vickie Churchill	
	Action Items		
3.	March 21, 2008 Minutes **Action: Motion to approve the minutes of the March 21, 2008 meeting**	Chief Justice Gerry Alexander Judge Vickie Churchill	Tab 1
4.	Trial Court Operations Funding Committee Budget Request Priorities **Action: Motion to endorse the Trial Court Operations Funding Committee budget request priorities**	Mr. Jeff Hall	Tab 2
5.	BJA Endorsed Principal Policy Objectives of the Washington State Judicial Branch **Action: Review OCLA and OPD revisions to the objectives and revise if necessary.**	Mr. Jeff Hall	Tab 3
	Reports and Information		
6.	Courts of Limited Jurisdiction Legislation	Mr. Jeff Hall	Tab 4
7.	Gender and Justice STOP Grant Award Update	Judge Sara Derr	Tab 5
8.	BJA Long-range Planning Committee Taskforce Recommendation Reviews	Mr. Jeff Hall	Tab 6
9.	Draft Criteria of Family and Juvenile Court Improvement Plan	Ms. Regina McDougall Mr. Gil Austin	Tab 7
10.	Access to Justice Board	Mr. M. Wayne Blair	
11.	Washington State Bar Association	Ms. Paula Littlewood	
12.	Reports from the Courts Supreme Court Court of Appeals Superior Courts Courts of Limited Jurisdiction	 Chief Justice Gerry Alexander Judge C. C. Bridgewater Judge Vickie Churchill Judge Stephen Shelton	
13.	Other Business BJA Quarterly Financial Report Next meeting: May16 Beginning at 9:30 a.m. at the AOC SeaTac Office, Suite 1106, SeaTac Office Center	Chief Justice Gerry Alexander Judge Vickie Churchill Mr. Jeff Hall	

TAB 1

Board for Judicial Administration
March 21, 2008
AOC SeaTac Office
SeaTac, Washington

Members Present: Chief Justice Gerry Alexander, Chair; Judge Vickie Churchill, Member Chair; Judge Marlin Appelwick; Judge Rebecca Baker; Judge Leonard Costello; Judge Ronald Cox; Mr. Stan Bastian (by phone); Judge Susan Dubuisson; Judge Deborah Fleck; Ms. Paula Littlewood; Justice Barbara Madsen; Judge Richard McDermott; Judge Larry McKeeman; Judge Robert McSeveney; Judge Marilyn Paja; Judge Linda Portnoy; and Judge Stephen Shelton

Guests Present: Mr. Jim Bamberger, Mr. M. Wayne Blair, Ms. Roni Booth, Ms. Reiko Callner, Justice Mary Fairhurst, Representative Pat Lantz, Ms. Kathy Martin, Ms. Joanne Moore, and Ms. Stacy Rundle

Staff Present: Ms. Ashley DeMoss, Ms. Wendy Ferrell, Ms. Beth Flynn, Judge Doug Haake, Mr. Jeff Hall, Mr. Dirk Marler, Ms. Mellani McAleenan, Ms. Regina McDougall, Mr. Ramsey Radwan, and Mr. Chris Ruhl

Chief Justice Alexander called the meeting to order.

Judicial Retirement Account Investment Report

The Judicial Retirement Account (JRA) investment plan requires a yearly report from the Department of Retirement Systems (DRS) to the BJA. Mr. Radwan introduced Ms. Rundle, from DRS, who presented the annual plan update.

Ms. Rundle reported that the JRA plan was originally established to supplement the PERS plan. Under the direction of the Board for Judicial Administration (BJA), the Administrative Office of the Courts (AOC) is the plan administrator, DRS provides record-keeping services for the JRA, and the State Investment Board chooses plans to invest JRA funds in.

The "JRA Status Summary – Calendar Year 2006 & 2007 Comparison" was included in the meeting materials.

> **It was moved by Judge Baker and seconded by Judge Shelton to accept the report on the status of the JRA. The motion carried.**

Public Trust and Confidence Committee Report

Justice Fairhurst reported on the Public Trust and Confidence Committee's projects over the last year.

Judicial Independence Visual Aids: Justice Fairhurst stated that the Judicial Independence Visual Aids project is chaired by municipal court Judge Kevin Ringus and municipal court administrator Ms. Linda Baker. Representatives from the Court Management Council (CMC) and the County Clerks were also involved in the creation of these documents. The Committee received approval on the text from the BJA last year and hired a graphic designer to create three simple, easy-to-understand visual aids of the independent branches of government to help citizens understand the role of the courts in Washington. The Committee envisions them being adapted to posters and placed in juror rooms or used by people making presentations to local groups. The plan is to give a copy to every judge throughout the state with a link to the electronic copy along with a cover letter explaining the project and suggested uses for the visual aids. Justice Fairhurst mentioned that it is always nice for judges to have something they can hand to visitors which can be discussed and referenced after their visit. The Committee also discussed making the visual aids available through the Department of Printing so interested parties could order copies directly from that agency.

Judge Churchill pointed out where lines need to be added under the Regular County Government section of the Local Government Organization Charts document (from "Citizens" to "Superior Court" and from "Superior Court" to "Presiding Judge"). Justice Fairhurst said those corrections would be made.

Children's Activity Book: This project is chaired by King County Council Member Kathy Lambert and superior court administrator Ms. Delilah George as vice-chair. The project adapted the California Judicial Council's What's Happening in Court (an activity book for children who are going to court) for Washington State. The Committee spent a year revising language, Justice Bobbe Bridge has reviewed the draft, and the Committee is making final changes and edits.

The goal of the project is to have the activity book as an information source for children coming into the courts. It would be available online and could be printed as needed.

Justice Fairhurst requests approval of the concept and will bring the entire publication back to the BJA for approval once it is finalized.

Jury Summons: The subcommittee, chaired by Kitsap County Clerk David Peterson, developed a model jury summons using Kitsap County's summons as a starting point. If approved, the Committee will distribute the model jury summons to courts for their use. It is only a model and not mandatory. The Committee also developed additional questions to be asked of jurors at the time of trial because the summons is a public record and they only wanted qualification questions included on the summons.

Justice Madsen wondered about use of the word "confidential" on the model summons. Is it misleading since the summons is a public record?

Judge Paja mentioned that she noticed there is no provision in the dress code section of the model summons for an exception if needed. It seems to her there ought to be some method to ask for an exception and that should be included on the summons. Justice Fairhurst said she will take the suggestion back to the Committee.

Judge Churchill asked if there was some way to include a parking permit on the summons, without including the juror's name, because jurors would be less likely to leave it at home, which is often the case when the permit is separate from the summons.

Jury Service Exit Survey: This project is chaired by Mr. Charley Benedict. The work of the subcommittee consists of reviewing National Center for State Courts model exit questionnaires along with exit surveys currently being used throughout the state to develop the model exit survey.

Judge Dubuisson moved and Judge Appelwick seconded that the Public Trust and Confidence Committee Report be approved as presented.

Justice Fairhurst asked that the motion also include "with the understanding that the Committee will follow-up with suggestions to the Model Juror Summons and the Children's Activity Book and will bring both back for BJA approval."

Both Judge Dubuisson and Judge Appelwick accepted Justice Fairhurst's suggestion.

The motion carried.

Projects for 2008: The Committee will be taking on the following projects in the coming year: 1) Create a "Juror's Rights and Responsibilities" document. 2) Establish an Ad-Hoc Web Site Advisory Group to assist AOC in their Web site redesign. 3) Establish and promote best practices for judges in Washington regarding their pro se interactions to improve public trust and confidence. 4) Create a library of Public Trust and Confidence Committee projects.

Principal Policy Objectives of the Washington State Judicial Branch

Mr. Hall shared that one of the things Mr. Butch Stussy began working on as the State Court Administrator was to bring together the state judicial branch agency heads so the judicial branch could operate more cohesively at the state level.

The intent in drafting the Principal Policy Objectives of the Washington State Judicial Branch was to use them in the judicial branch budget process.

Judge McKeeman explained that he made a proposed revision to objective three to mirror the intent of the second paragraph of the document which states, "The judicial branch in Washington State is not structurally unified at the statewide level . . ." The proposed wording would allow for practices such as Justice Fairhurst's Public Trust and Confidence Committee jury summons and additional juror question models which could be used as best practices instead of mandates.

Judge McKeeman also added objective six regarding public access to information and deleted that information from objective three.

Judge Appelwick read the objectives document and thought it was a fine statement but questioned the necessity of it. Generally, when groups adopt statements, they are designed to ensure uniform business practices or are used by an external body as a measuring system. Judge Appelwick asked if it is necessary to formally adopt an objective statement.

Mr. Hall explained that the intent is to have a set of policy objectives the judicial branch can tie to their budget requests. It is really just to give the budget requests an overall context of where the judicial branch is going and why they are asking for those funds.

Chief Justice Alexander shared that the impetus for drafting the objectives partly arose from the meeting that he and Mr. Stussy had with the Governor last year which followed the Governor's comments regarding the judicial branch budget request. The upshot of the meeting was that the Governor wanted to be supportive of the judicial branch budget but she felt the judicial branch hadn't systemized the process for developing budgets. Chief Justice Alexander and Mr. Stussy felt it was appropriate to develop a policy statement to guide development and review of the judicial branch budgets by the Supreme Court's Budget Committee.

> **Judge Fleck moved and Judge Costello seconded to word objective three as follows: "Commitment to Effective Court Management. Washington courts will employ and maintain systems and practices that enhance effective court management." The motion carried.**

During the discussion of the motion, Judge Appelwick asked if the proposed language signals an intent to be subject to the public records act? Mr. Hall responded that it did not and Mr. Bamberger pointed out that the drafters intentionally omitted reference to the public records act, as it is not conceded that the act itself applies to judicial branch agencies and we did not wish to infer that it does.

Judge Shelton asked if the wording is consistent with the BJA Long-range planning effort and Mr. Hall responded that he believes the objectives help guide those plans.

It was moved by Judge Portnoy and seconded by Judge Baker to remove the slash in the second paragraph "...Ours is a local/state partnership..." and replace it with the word "and." The motion carried.

It was moved by Judge McSeveney and seconded by Judge Baker to endorse the objectives as submitted by Judge McKeeman with the revisions passed earlier by the BJA. The motion carried.

Legislative Wrap-Up

Legislation: Ms. McAleenan reported that the BJA request legislation (HB 2762, adding a new Cowlitz County Judge; and SSB 6322, definition of a weapon) passed this session.

SSB 6933 which changes the court rule for admissibility in sex cases has been signed by the Governor and the reauthorization of OPD (ESSB 6442) and the interpreter bill (2E2SHB 2176) have been delivered to the Governor. The Governor has until April 5 to sign bills or veto them (she can veto by section). Ms. McAleenan does not anticipate any problems with the Governor signing these particular bills.

Budget: Mr. Radwan stated that the budget, as passed, was okay. The family and juvenile court plan received some funding and an access coordinator was funded. The AOC had a number of maintenance items which were funded and the Court of Appeals was only funded one of two staff attorneys which were requested. The Law Library received 100% of their funding request. Overall, it was a fairly good legislative session for everybody.

February 15, 2008 Minutes

Ms. Callner suggested the following change in the wording of the February minutes under the Washington State Bar Report section: "The letter was sent to the director of the Commission on Judicial Conduct for input prior to distribution."

It was moved by Judge Appelwick and seconded by Judge Fleck to approve the February 15, 2008 BJA meeting minutes with the changes suggested by Ms. Callner. The motion carried.

Interpreter Funding

Mr. Hall shared that AOC requested that the Legislature move $190,000 in interpreter funding from this fiscal year to next fiscal year. The Legislature did not do that. The bad news is AOC is now over-committed in terms of next year (FY09) and staff are working to develop a revised distribution plan to address that. The good news is that AOC now has an additional $190,000 to spend before the end of this fiscal year.

Mr. Ruhl and Ms. Katrin Johnson have developed a plan to distribute the additional $190,000 in FY08 to courts that applied for FY08 interpreter funding but were not selected to receive it. Funds would be available to those courts to reimburse for interpreter services incurred starting on January 1, 2008. In return, they would ask the courts to provide the same interpreter data to AOC that other funding recipient courts are being required to provide.

Judge Appelwick asked if making reimbursement available for services starting on January 1 was sent through the auditor or OFM, and Mr. Hall replied that AOC internal sources state it is okay.

AOC staff will report during a future meeting on how they will deal with the FY09 shortfall.

Washington State Family and Juvenile Court Improvement Plan

Judge Fleck reported that HB 2822 was sparked by AOC staff, Ms. McDougall, and a workgroup headed by Judge Michael Trickey.

Work has begun on an implementation strategy and the bill will be implemented in phases. The first phase consists of courts submitting a Phase I Local Improvement Plan which will be due by August 1 (is now changed to July 15, 2007). This phase requires courts that are selected to identify a chief judge of family and juvenile court, meet the training requirement of 30 hours for each judicial officer assigned to family and juvenile court, and hire a case coordinator to evaluate and develop the Local Improvement Plan.

Phase II consists of the courts identifying the specific staffing, facility, case management or operational improvements that the Local Improvement Plan intends to accomplish, along with specifying which UFC principals are targeted. The Phase II due date is December 1.

Judge Trickey, Judge Fleck and Ms. McDougall will be presenting information about the plan during the SCJA Spring Conference.

The next step includes developing criteria to select courts for Phase I of the implementation and an oversight committee will be established to assist in the selection process.

Judge Churchill thanked the key team members: Ms. McDougall, Judge Trickey, Judge Fleck, Judge McKeeman, Judge Costello and Judge Godfrey. Each of these players was integral to the process.

Trial Court Operations Funding Committee

Mr. Hall explained that there are two items for action regarding the Trial Court Operations Funding Committee. The first is choosing the chair of the Committee and approving the committee membership. A list of committee members was included in the meeting materials. After conferring with Judge Churchill, and speaking with Judge Harold Clarke, Judge Clarke has agreed to serve as chair.

> **It was moved by Judge Shelton and seconded by Judge Dubuisson that the BJA approve the membership of the Trial Court Operations Funding Committee as submitted and appoint Judge Harold Clarke as the Chair of the Trial Court Operations Funding Committee. The motion carried.**

The second item of business is to establish the priorities of the Trial Court Operations Funding Committee.

> **It was moved by Judge Fleck and seconded by Justice Madsen that the BJA Trial Court Funding Operations Committee develop the following priorities: 1) Increase juror compensation. 2) Increase interpreter funding. 3) Move towards 50% state funding of district court judges and elected municipal court judges. The developed priorities will be presented to the BJA during their April meeting and any other suggested priorities can be submitted at that time. The motion carried.**

Access to Justice Board

Mr. Blair reported that the Access to Justice Board (ATJ) is pleased that 2SHB 2903 passed. The bill adds a disability access coordinator at AOC to assist courts. The ATJ Board's Impediments to Access to Justice Committee has been advocating for an AOC disability access coordinator since 2006.

In May 2007, Mr. Blair gave an update to the BJA regarding the ATJ Board state plan. One element of the plan is pro bono services. In each county, there is a volunteer legal services program and volunteers agree to provide pro bono aid. In February, the ATJ brought together leaders and coordinators of the county programs to figure out how to get each coordinator to work together. They came up with a pro bono back-up support center and will be moving ahead with that idea.

WSBA

Mr. Bastian reported that the Board of Governors (BOG) had their most recent meeting in Tacoma. During the meeting, the Governors approved conducting the bar exam in both Bellevue and Spokane starting in the summer of 2010.

Ms. Carla Lee was elected as the new governor-at-large representing the Washington Young Lawyer's Association. She is serving the remainder of Mr. Jason Vail's term because he moved to Chicago.

The WSBA will elect board members between now and June. In the past, they have had difficulty getting people to run for election. This year, Mr. Loren Etengoff from Vancouver is uncontested and the other four districts up for election all have contested races. There will be a very spirited election process this year.

Ms. Littlewood shared that the day before the BOG meetings, they meet with the local judges. One theme they hear is about the county commission and how they deal with funding coming in from the Legislature and the separation of powers issue.

The Carnegie Foundation issued a report regarding legal education and what should be taught in law schools to prepare future attorneys. The report indicated that law schools are doing well teaching theory but they need to be emphasizing skills training earlier. The report is located on the Carnegie Foundation Web site.

Reports from Courts

Supreme Court: Chief Justice Alexander announced that Mr. Hall is Interim State Court Administrator until the Court makes a decision on a permanent administrator. Justice Madsen reported that the Supreme Court Personnel Committee is working on hiring a new State Court Administrator. The Court and the Personnel Committee agreed that professional assistance with the Administrator recruitment was necessary so the Court hired Mr. Ted Ford Webb who has a very credible reputation in Washington. They informed Mr. Ford Webb that they wanted to fill the position quickly and in that effort, Mr. Ford Webb has hit the ground running. He has met with members of the Court as well as with judicial branch and AOC staff stakeholders. As of yesterday, Mr. Ford Webb said he has hopes that interviews will take place the week of April 14. The Committee plans to invite stakeholder participation but they aren't quite there yet in the process. Several great candidates have expressed interest so there is enthusiasm out there and that is good.

There was a request from the Court of Appeals to look at a Whistleblower policy for the judicial branch and a workgroup has been created to address that issue. Justice Susan Owens is the lead Supreme Court representative for the group.

The Supreme Court will hear oral arguments on May 6 at Highline Community College. The justices will also meet with students to further civic education.

The Gender and Justice Commission is in the process of making STOP grant awards. Justice Madsen will make a more complete report at a future BJA meeting.

Court of Appeals: Judge Cox reported that Judge Schultheis is recovering from heart surgery. Judge Cox's term as Presiding Chief Judge ends in early April and there will be a new COA representative on the BJA.

Superior Court Judges' Association: Judge Churchill thanked everyone for their hard work on the Washington State Juvenile and Family Court Improvement Plan. The SCJA is very fortunate to have so many members who are active in the Legislature.

District and Municipal Court Judges' Association: Judge Shelton stated he is pleased to have Ms. DeMoss as staff to the DMCJA. The DMCJA has had two resignations on their Board. Judge Haake was appointed to fill one of the positions on the DMCJA Board which will expire in June. He will not run for the position but will fill-in until a new Board member is elected. Judge Veronica Alicea-Galvan was appointed to fill the other Board position.

Recognition of Representative Pat Lantz

Chief Justice Alexander introduced Representative Lantz and stated he did not want her to leave the Legislature without expressing to her how much the BJA appreciates her service as the Chair of the House Judiciary Committee and as a state representative.

Chief Justice Alexander also acknowledged that Representative Lantz is the longest serving Chair of the House Judiciary Committee and she has been a great supporter of the justice system and judiciary and the Justice in Jeopardy Initiative.

In an expression of the BJA's thanks and appreciation, Chief Justice Alexander presented Representative Lantz with a Temple of Justice print signed by the BJA members.

Representative Lantz stated that she and the BJA have done amazing things together in the last few years and no one can do anything alone. Having the opportunity to work together on the fundamental foundation of civil society has been the all-time privilege of her life.

Judge Churchill thanked Representative Lantz for her effort on the judicial retirement bill. Judge Fleck expressed the appreciation of judges all across the state for Representative Lantz's assistance in improving the retirement benefit of judges around the state which assists in the recruitment and retention of highly capable judges.

There being no further business, the meeting was adjourned.

TAB 2

Projected Biennial Cost of Reaching State Payment of 1/2 of District Court and Qualified Municipal Court Judges

Over a Three Year Period

	Number of Judges	Total Salary	50% Salary	Current Distribution	Difference	3-Step Annual Increase
District Court Judges	98.5	$13,955,601	$6,977,800	$2,595,419	$4,382,381	$1,460,794
Municipal Court Judges	24.3	$3,116,415	$1,558,207	$579,581	$978,626	$326,209
					Total	**$1,787,003**

Year 1	$1,787,003
Year 2	$3,574,005
1st Biennia	**$5,361,008**
Year 1	$1,787,003
Year 2	$1,787,003
2nd Biennia	**$3,574,005**

Note: Actual biennial costs will be greater than presented due to salary increases established by the Salary Commission and increases in the number of District Court Judges and Qualified Municipal Court Judges.

Projected Biennial Cost of Reaching State Payment of 1/2 of District Court and Qualified Municipal Court Judges

Over a Six Year Period

	Number of Judges	Total Salary	50% Salary	Current Distribution	Difference	6-Step Annual Increase
District Court Judges	98.5	$13,955,601	$6,977,800	$2,595,419	$4,382,381	$730,397
Municipal Court Judges	24.3	$3,116,415	$1,558,207	$579,581	$978,626	$163,104
					Total	**$893,501**

Year 1	$893,501
Year 2	$1,787,003
1st Biennia	**$2,680,504**
Year 1	$893,501
Year 2	$1,787,003
2nd Biennia	**$2,680,504**
Year 1	$893,501
Year 2	$1,787,003
3rd Biennia	**$2,680,504**

Note: Actual biennial costs will be greater than presented due to salary increases established by the Salary Commission and increases in the number of District Court Judges and Qualified Municipal Court Judges.

Juror Pay Proposal

	State			Local			
	Jury Pay	Travel	Total	Jury Pay	Travel	Total	Total
Current							
Year 1	$0	$0	$0	$2,935,473	$3,112,187	$6,047,660	$6,047,660
Year 2	$0	$0	$0	$2,935,473	$3,112,187	$6,047,660	$6,047,660
Biennium	$0	$0	$0	$5,870,946	$6,224,374	$12,095,320	$12,095,320
Proposed: State pays $60 per day starting on the second day of service. Local governments pay $10 (or other current rate) for first day.							
Year 1	$9,148,260	$3,112,187	$12,260,447	$1,330,110	$0	$1,330,110	$13,590,557
Year 2	$9,148,260	$3,112,187	$12,260,447	$1,330,110	$0	$1,330,110	$13,590,557
Biennium	$18,296,520	$6,224,374	$24,520,894	$2,660,220	$0	$2,660,220	$27,181,114

BJA
April 18, 2008

FY09 - 11 Interpreter / LAP Budget Request					
	Direct Interpreter Services		LAP Implementation		LAP Staff
Maintenance Budget	1,560,000		340,000		0
New Budget	2,000,000		0		184,099
Total Budget	**3,560,000***		**340,000**		**184,099**

*The courts received $1.56 million in State funding for the current bienium. An additional $2 million will provide funding for approximately two-thirds of 50% of all estimated interpreter expenses statewide.

Biannual Foreign Language Interpreter Costs

Current Payment of Interpreting Expenses - FY08 and 09 State provides up to 50% reimbursement of interpreter costs in **selected courts**.		
State	**Local (estimated)**	**Total (estimated)**
1,560,000	9,533,980	11,093,980

Proposal A: Payment of Interpreter Expenses - FY10 and 11 State provides up to 50% reimbursement to additional courts, sufficient to pay aprroximately **one-third** of all interpreter costs statewide.		
State	**Local (estimated)**	**Total (estimated)**
3,560,000	7,533,980	11,093,980

Proposal B: Payment of Interpreting Expenses - FY10 and 11 State provides up to 50% reimbursement to all courts, sufficient to pay **one-half** of all interpreter costs statewide.		
State	**Local (estimated)**	**Total (estimated)**
5,546,990	5,546,990	11,093,980

Annual Estimated Limited English Proficient (LEP) Interpreter Costs

County	Estimated LEP Interpreter Costs	Estimated Total Population	Estimated LEP Population	LEP Population as % of Total	Reported Annual Interpreter Cost	Cost per LEP
Adams	48,356	18,700	2,418	12.9%		
Asotin	2,310	22,990	116	0.5%		
Benton-Franklin	227,271	240,460	15,151	6.3%	$263,677	17.40
Chelan	92,686	76,120	4,634	6.1%	$104,835	22.62
Clallam	19,965	73,480	1,331	1.8%		
Clark	178,497	430,650	17,850	4.1%	$234,935	13.16
Columbia	1,210	4,510	61	1.3%		
Cowlitz	34,551	105,490	2,303	2.2%		
Douglas	46,772	38,170	2,339	6.1%	$32,465	13.88
Ferry	770	8,140	39	0.5%		
Garfield	242	2,640	12	0.5%		
Grant	162,250	87,010	8,113	9.3%		
Grays Harbor	33,440	76,780	1,672	2.2%		
Island	56,122	83,600	2,806	3.4%		
Jefferson	6,578	30,360	329	1.1%	$1,638	4.98
King	1,841,400	1,989,130	184,140	9.3%		
Kitsap	101,563	264,440	10,156	3.8%	$94,545	9.31
Kittitas	20,042	40,260	1,002	2.5%		
Klickitat	12,188	21,450	609	2.8%		
Lewis	28,996	78,760	1,450	1.8%		
Lincoln	616	11,110	31	0.3%		
Mason	23,584	57,090	1,179	2.1%	$50,822	43.10
Okanogan	42,108	43,560	2,105	4.8%		
Pacific	15,378	23,430	769	3.3%		
Pend Oreille	1,078	13,420	54	0.4%		
Pierce	429,418	831,490	42,942	5.2%	$427,209	9.95
San Juan	2,552	17,050	128	0.7%		
Skagit	73,178	121,990	4,879	4.0%	$64,779	13.28
Skamania	1,870	11,330	94	0.8%		
Snohomish	377,597	721,380	37,760	5.2%	$361,915	9.58
Spokane	98,945	479,930	9,895	2.1%	$94,066	9.51
Stevens	5,104	45,320	255	0.6%		
Thurston	98,472	246,510	9,847	4.0%		
Wahkiakum	264	4,290	13	0.3%		
Walla Walla	60,522	63,250	3,026	4.8%		
Whatcom	78,293	198,880	5,220	2.6%		
Whitman	42,812	46,640	2,141	4.6%		
Yakima	355,493	252,230	23,700	9.4%		
Annual Total	**4,622,492**					

Increase by 20% (presumes courts prev. pd. $40/hr): **5,546,990**

Biannual estimated interpreter costs **11,093,980**

Rural - $20/LEP
Mixture - $15/LEP
Urban - $10/LEP

TAB 3

As Recommended by BJA for Adoption by the Supreme Court

PRINCIPAL POLICY OBJECTIVES OF THE WASHINGTON STATE JUDICIAL BRANCH

"The first duty of government is justice." -- Alexander Hamilton

"Justice in all cases shall be administered openly, and without unnecessary delay." Wash. Const. art. 1, sec. 10.

Washington State's judicial branch is a constitutionally separate, independent and co-equal branch of government. It is the duty of the judicial branch to protect rights and liberties, uphold and interpret the law, and resolve disputes peacefully through the open and fair administration of criminal and civil justice in the state.

The judicial branch in Washington State is not structurally unified at the statewide level. Ours is a local and state partnership where local courts, court managers and court personnel work in concert with statewide courts, judicial branch agencies and support systems.

The judicial branch maintains effective relations with the executive and legislative branches of state and local governments which are grounded in mutual respect for the constitutional prerogatives of each branch and constitutional separation of powers considerations.

The following represent the principal policy objectives of the Washington State Judicial Branch:

1. **Fair and Impartial Administration of Justice in All Civil and Criminal Cases.** Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional and statutory mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.

2. **Accessibility.** Washington courts, court facilities and court systems will be open and accessible to all regardless of cultural, linguistic, ability-based or other characteristics.

3. **Commitment to Effective Court Management.** Washington courts will employ and maintain systems and practices that enhance effective court management.

4. **Equal Access to Necessary Legal Resources.** Washington courts will provide meaningful access to all, ensuring that no litigant is denied justice due to the lack of counsel or the inability to understand legal proceedings.

5. **Appropriate Staffing and Support.** The courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.

6. **Public Access to Information.** Washington courts will ensure timely and appropriate access to public records, information and data.

Flynn, Beth

From: HALL, JEFF E.
Sent: Tuesday, April 15, 2008 8:20 AM
To: McAleenan, Mellani
Cc: Flynn, Beth
Subject: FW: Redraft of Policy Objectives

Mellani,

Please also include the following e-mail in the BJA materials for the discussion on the policy objectives. E-mail responses from the OPD Advisory Committee indicate they support the new amended language proposed by Jim and Joanne.

Thanks.

Jeff Hall
Interim State Court Administrator
Administrative Office of the Courts
(360) 357-2131
jeff.hall@courts.wa.gov

From: Joanne Moore [mailto:Joanne.Moore@opd.wa.gov]
Sent: Monday, April 14, 2008 4:42 PM
To: Sen. Debbie Regala; Judge Karen Seinfeld ; George Finkle; Andy Pascua ; HALL, JEFF E.; russ@aoki-sakamoto.com
Cc: Sophia Byrd McSherry; Bamberger, James (OCLA)
Subject: Redraft of Policy Objectives

Dear Advisory Committee Members Who Attended the April 11 Meeting,

I am writing to the Members who attended our recent meeting in follow-up to our discussion of the proposed Judicial Branch Principle Policy Objectives. As you know, we discussed these 5 principles, which will soon be considered by the BJA and then the Supreme Court. We were asked to forward our comments on the Policy Objectives.

At Thursday's meeting, the discussion focused on changes to #4. That Policy was seen as being different from the other Policies in that it expanded the right to counsel in civil cases. New language was suggested in to address this.

Late last week, the Office of Civil Legal Aid approved all language of all the Policies, including #4. Jim Bamberger, OCLA director, and I have worked on language that we think addresses the concerns of both OCLA and the OPD Advisory Committee members present at Thursday's meeting.

The original #4 language, with changes inserted by the OPD Advisory Committee at Thursday's meeting, reads as follows:

Equal Access to Necessary Legal Resources. Washington courts will provide ~~meaningful~~ access to all, ~~ensuring that no litigant is denied justice due to the lack of counsel or~~ including the ability to understand and meaningfully participate in the legal proceedings.

Jim's and my new proposed language:

Access to Necessary Representation. Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Indigent litigants with important interests at stake in civil judicial proceedings should have meaningful access to counsel.

Jim and I feel that the new language clearly states current rights and practices, and is specific to the issue of counsel. The first sentence summarizes the OPD areas of responsibility-- the right to effective representation for indigent criminal defendants and indigent persons who have statutory rights to counsel.

The second sentence summarizes the aspirational policy that poor litigants with important interests at stake 'should' have meaningful access to counsel.

Please let me know your thoughts by return email, or, if you want to talk about this over the phone, I will be in the office on Tuesday and most of Wednesday—360-352-1871. Thanks a lot, Joanne

P.S. the Symposium on Friday was terrific!! It was videoed by TVW and can be viewed at www.tvw.org if you have time.

Washington State Civil Legal Aid Oversight Committee

1206 Quince St. SE
Olympia, WA 98504
MS 41183
360-704-4135

Hon. Lesley Allan, Chair
Hon. Zulema Hinojos-Fall,
Vice-Chair
Rep. Jay Rodne
Rep. Patricia Lantz
Sen. Linda Evans-Parlette
Sen. Adam Kline
Carolyn Estrada
Hon. Paul A. Bastine (Ret.)
Hon. Erik Rohrer
Barbara C. Clark
Thomas A. Brown

April 14, 2008

Hon. Gerry Alexander, Chief Justice
Washington Supreme Court
Temple of Justice
415 12th Ave SW
PO Box 40929
Olympia, WA 98504-0929

Re: Draft Judicial Branch Policy Objectives

Dear Chief Justice Alexander:

At your request, the Civil Legal Aid Oversight Committee considered the draft Judicial Branch Policy Objectives under active consideration by the Supreme Court. The Oversight Committee supports the substance of these objectives and believes they will promote greater focus and coordination in the development and strategic implementation of important judicial branch policy initiatives. We therefore recommend their adoption.

Sincerely,

CIVIL LEGAL AID OVERSIGHT COMMITTEE

Judge Lesley Allan, Chair

C: Civil Legal Aid Oversight Committee
Jeff Hall, Interim Court Administrator
Jim Bamberger, Director, Office of Civil Legal Aid

TAB 4

Board for Judicial Administration

Regional Courts of Limited Jurisdiction
Policy Statement

Adopted November 18, 2005

Long term, the courts of limited jurisdiction in Washington State should be restructured as regional courts having a full range of judicial functions including jurisdiction over all applicable state laws, county and city ordinances, civil cases and small claims. Regional courts would be located in convenient locations serving both the public and other users such as law enforcement agencies, lawyers, and court personnel. Regional courts would operate full-time, with elected judges, and offer predictable recognized levels of service, including probation departments and be appropriately funded by state and local government. A regional structure for courts of limited jurisdiction will offer convenience by making courts open and accessible to the public, and coordinate services, staff, and administration and achieve economies of scale for all participating jurisdictions.

WASHINGTON COURTS
ADMINISTRATIVE OFFICE OF THE COURTS

Washington State Supreme Court Gender and Justice Commission

COMMISSION MEMBERS

Honorable Barbara A. Madsen, Chair
Washington State Supreme Court

Ms. Barbara L. Carr
Jefferson County Juvenile Court

Ms. Jeralita Costa
Indeterminate Sentence Review Board

Honorable Sara Derr
Spokane County District Court

Honorable Joan DuBuque
King County Superior Court

Ms. Lisa Hayes
Alliance for Justice

Ms. Grace Huang
WA State Coalition Against Domestic Violence

Honorable Cynthia Jordan
Coeur d'Alene Tribal Court

Honorable Michael Killian
Franklin County Clerk

Professor Natasha T. Martin
Seattle University School of Law

Honorable Craig Matheson
Benton and Franklin Superior Courts

Ms. Leslie W. Owen
Northwest Justice Project

Ms. Yvonne Pettus
Tacoma Municipal Court

Honorable James M. Riehl
Kitsap County District Court

Mr. Bernard Ryan
Retired, Attorney at Law

Honorable John Schultheis
Court of Appeals Division III

Honorable Jane M. Smith
Colville Tribal Court of Appeals

Mr. Daniel L. Thieme
Littler Mendelson

Honorable Linda G. Tompkins
Spokane County Superior Court

Honorable Chris Wickham
Thurston County Superior Court

Ms. Myra Downing, Coordinator
Administrative Office of the Courts

Report to the Board for Judicial Administration
May 2008

STOP Grant Recipients

The Gender and Justice Commission (Commission) under the auspices of the Board for Judicial Administration (BJA), administers the Federal Violence Against Women Office (VAWO) STOP (Services-Training-Officers-Prosecutors) Formula Grant to the Courts for court-related projects to address domestic violence, sexual assault, and stalking. These funds are provided through an Interagency Agreement (IAG) with the Office of Crime Victims Advocacy (OCVA) within the Community Trade and Economic Development Agency (CTED). Since 2001, $790,703 has been made available to fund court-related projects.

This year the Commission received $98,753. Nine local courts submitted proposals that totaled $175,940. Each proposal was reviewed and rated using a 1 – 3 scale based on the following criteria:

- Clarity of project statement
- Consistency of project with goals of improving the court's response to domestic violence, sexual assault, or stalking
- Achievability of objectives
- Clarity of work breakdown
- Clarity of resource requirements
- Clarity and realism of budget request
- Innovation of project and potential for replication
- Support from other departments, agencies, organizations, and/or individuals involved in the project
- Sustainability
- Coordinated community response .

Using this criteria, the following projects were selected for funding:

1. Asotin County District Court will hire a part time probation officer in a pilot project designed to focus on cases involving violence against women.

2. Lincoln County District Court will use its funds to purchase a FAX machine. The machine will be installed in the home of the judge so he can respond to requests for emergency protection orders in the evenings and on the weekend.

3. Sedro Woolley Municipal Court will purchase handheld security scanners to increase the safety and security within their courtrooms and courthouse. In addition, they will purchase informational materials regarding domestic violence. They will expand their outreach to domestic violence victims by purchasing educational videos in Spanish, Russian, and English.

4. Spokane County District Court will continue funding its pilot Mental Health Court projects, which provides court-based domestic violence advocacy for the victims of mentally-ill defendants.

5. Yakima County Superior Court requested assistance in hiring a Domestic Violence Coordinator who will, in conjunction with another Federal Grant received, facilitate the creation of a central database for domestic violence protection orders and a memorandum of understanding between all the involved agencies.

6. Funding was set aside to ensure the ability to send judges to education programs that will enhance knowledge and skills in addressing issues of domestic violence, stalking, and sexual assaults.

7. As in past years, STOP grant funds pay for Commission secretarial and administrative support and domestic violence related activities.

Beginning this year, the Commission is developing and implementing an evaluation plan for the STOP program to measure the effectiveness of projects funded by the grants. The Research Subcommittee is working with Dr. Tom George, AOC Research Center and Myra Downing, in conducting a literature search to identify existing evaluation models for grant programs, working with current grantees in identifying possible measures, and creating a training program that can be made available for the courts to learn more about conducting evaluations.

TAB 6

WASHINGTON
COURTS

BOARD FOR JUDICIAL ADMINISTRATION

March 11, 2008

Honorable Gerry L. Alexander, Co-Chair
Board for Judicial Administration
Washington State Supreme Court
PO Box 40929
Olympia, WA 98504-0929

Dear Chief Justice Alexander,

As part of the effort to update the Long-Range Plan for the Judiciary, the Board for Judicial Administration Long-Range Planning Committee (LRPC) has been reviewing recommendations made over the past 20 years by a variety of commissions, task forces, and committees. This review was undertaken in recognition of the fact that past long-range planning efforts have been relatively informal, and that much of the planning effort has actually been undertaken by these commissions and task forces.

The recommendations, 350 in all, have been sorted into categories based on whether they have been implemented, are being currently worked on, are known to have been officially rejected, or are as yet incomplete. We are seeking your assistance to determine the status of one or more of the recommendations that are in the "incomplete" category. The goal of the Long-Range Planning Committee in seeking your assistance is to determine whether or not a recommendation warrants renewed or continued inclusion in the Judiciary's long-range plan.

Therefore, please find attached a packet containing a separate page for each recommendation on which we seek your input. For convenience, a check-box response area is provided on each page with additional room for comment. We would greatly appreciate receiving your responses no later than Friday, April 25.

On behalf of the Committee, I thank you in advance for your time and effort. We look forward to receiving your thoughts and comments on these recommendations.

Sincerely,

Vickie I. Churchill

Judge Vickie I. Churchill, Chair
Board for Judicial Administration
Long-Range Planning Committee

cc: Jeff Hall, AOC

TEMPLE OF JUSTICE
415 12th Street West • PO Box 41174 • Olympia WA 98504-1174
360-357-2121 • 360-357-2127 • www.courts.wa.gov

Board for Judicial Administration
Long-Range Planning Committee

TASKFORCE RECOMMENDATION REVIEWS

Referral To: BOARD FOR JUDICIAL ADMINISTRATION

Recommendation for review:

The Supreme Court should establish a task force to recommend a uniform schedule of filing fees,* evaluate the practice of recovery of filing fees, and create a model contract defining court services.

DMCJA should draft legislation requiring that all contracts or agreements for court services be reduced to writing and filed with OAC.

*Fees for providing services to contracting courts.

Source: Wilson Report, 1997 (pages 153-156, # K 1 and # K 2. (LRP 308, 309))

Wilson Report Analysis:
Some cities contract for court services rather than forming their own municipal courts. Others contract only for specific services, e.g. jury trials. There is no standard contract, and some are simply informal oral agreements. Others are written, formal contracts involving considerable detail.

The amounts charged for any given service varies substantially throughout the state and sometimes even within the same county. The amounts charged are often negotiated between the county or city and the jurisdiction receiving the service. The court providing the service may not be a party to the negotiation process at all. Some of the courts providing court services charge on the basis of the specific service provided, and others do not charge for any services. The most common charge is based on a filing fee for each case type.

DMCJA Commentary (May 1999):
DMCJA will propose an amendment to RCW 3.50.100 and 3.50.060 requiring new courts to report their establishment to the Supreme Court. While not directly related to this specific Wilson report recommendation, the committee concurred with an observation contained in the conclusion of the report that "no one knows...how many courts of limited jurisdiction there are". One problem is the lack of a requirement that newly formed courts report their establishment to the Supreme Court or OAC. This recommendation is one step toward a solution for this problem.

Note:
CLJ court information is reported to AOC under ARLJ 12 (see attached). Compliance was approximately 70% in 2006.

DMCJA Commentary (September 1999):
DMCJA will draft a court rule requiring that contracts or agreements for court services between governmental entities be reduced to writing and filed with OAC.

BJA LRP Comment:
This was negotiated out of recent legislative proposals by the cities. Current agreements are filed with local auditors but not readily available. BJA should pursue legislation.

REVIEW RESPONSE:

☐ This recommendation should be included in the Judiciary's Long-Range Plan and

- ☐ Will be worked on by this group.
- ☐ Should be referred to the following group for action: _____.

☐ This recommendation is more properly addressed by the following group and should be re-referred for review: _____.

☐ This recommendation is no longer relevant, has been previously rejected or otherwise does not warrant further action or consideration.

☐ This recommendation has previously been acted upon and is completed.

COMMENTS:

ARLJ 12

REGISTRATION BY COURTS OF LIMITED JURISDICTION

(1) All courts of limited jurisdiction shall register with the Administrative Office of the Courts. The registration shall include the name of the court, address, telephone number and the names of judicial officers and the court clerk or administrator. The registration shall include the days of the week and the hours the court is open for business to the public. The official registration must be updated annually by each court on or before July 1 and also within 30 days from the date of any changes in the information previously supplied to the Administrative Office of the Courts.

(2) The failure of a court to register as required by this rule shall not affect in any way the power or authority of a court.

[Adopted effective September 1, 2002; amended effective November 8, 2005.]

Return by: April 25, 2008

Return to: Colleen Clark
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

Board for Judicial Administration
Long-Range Planning Committee

TASKFORCE RECOMMENDATION REVIEWS

Referral To: BOARD FOR JUDICIAL ADMINISTRATION

Recommendation for review:

All candidates for judicial office shall have been active members of the state bar and/or shall have served as a judicial officer for at least the stated time periods:
- Supreme Court and Court of Appeals – 10 years
- Superior Court – 7 years
- District Court – 5 years.

Source: Walsh Commission, 1996 (pages 4, 17 (LRP 71))

Walsh Commission Summary:
Currently, a person need only to have passed the bar and be a registered voter to qualify for most judicial positions in Washington; yet the qualities of a good judge—balance, sensitivity, judgment—develop only through experience.

Voters consistently testified to the Commission that judges should be experienced lawyers, and should meet minimum requirements for years of legal practice.

The recommended experience requirements are within the range of those in other states that have addressed this problem.

Note:
SB 5785 and SJR 8212 (2001 and 2002) adding sections to RCW Chapters 2.04 and 2.08 failed. (Admitted to practice of law in WA State: Supreme Court 15 yrs, Superior Court 5 years.) A constitutional amendment would be necessary.

REVIEW RESPONSE:

☐ This recommendation should be included in the Judiciary's Long-Range Plan and

- ☐ Will be worked on by this group.
- ☐ Should be referred to the following group for action: _____.

☐ This recommendation is more properly addressed by the following group and should be re-referred for review: _____.

☐ This recommendation is no longer relevant, has been previously rejected or otherwise does not warrant further action or consideration.

☐ This recommendation has previously been acted upon and is completed.

COMMENTS:

Return by: April 25, 2008

Return to: Colleen Clark
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

Board for Judicial Administration
Long-Range Planning Committee

TASKFORCE RECOMMENDATION REVIEWS

Referral To: BOARD FOR JUDICIAL ADMINISTRATION

Recommendation for review:

All candidates for judicial office shall have resided in the judicial district or county for the stated time periods immediately preceding candidacy:
- Supreme Court – 7 years in state
- Court of Appeals – 5 years in judicial district
- Superior Court – 5 years in judicial district
- District Court – 2 years in county.

Source: Walsh Commission, 1996 *(pages 4, 19 (LRP 72))*

Walsh Commission Summary:
Judges should know the communities they serve, and community members should have an opportunity to know their judges. A residency requirement establishes this connection.

Currently, judicial candidates have no significant residency requirement except to be registered voters.

The recommended residency requirements are within the range of those in other states that have addressed this problem.

Note:
See statutes on reverse.

REVIEW RESPONSE:

☐ This recommendation should be included in the Judiciary's Long-Range Plan and

- ☐ Will be worked on by this group.
- ☐ Should be referred to the following group for action: _____.

☐ This recommendation is more properly addressed by the following group and should be re-referred for review: _____.

☐ This recommendation is no longer relevant, has been previously rejected or otherwise does not warrant further action or consideration.

☐ This recommendation has previously been acted upon and is completed.

COMMENTS:

RCW 3.34.060 District judges—Eligibility and qualifications.
To be eligible to file a declaration of candidacy for and to serve as a district court judge, a person must:

(1) Be a registered voter of the district court district and electoral district, if any ...

RCW 3.50.057 Judges—Residency requirement.
A judge of a municipal court need not be a resident of the city in which the court is created, but must be a resident of the county in which the city is located.

RCW 2.08.060 Judges—Election
There shall be in each of the counties a superior court. Judges of the superior court shall be elected at the general election in November, 1952, and every four years thereafter.

RCW 2.24.010 Appointment of court commissioners—Qualifications—Term of office.
There may be appointed in each county or judicial district, by the judges of the superior court having jurisdiction therein, one or more court commissioners for said county or judicial district. Each such commissioner shall be a citizen of the United States and shall hold the office during the pleasure of the judges making the appointment.

Washington Constitution, Article IV

Section 5 Superior Court – Election of Judges, Terms, etc.
There shall be in each of the organized counties of this state a superior court for which at least one judge shall be elected by the qualified electors of the county at the general state election...

Section 17 Eligibility of Judges
No person shall be eligible to the office of judge of the supreme court, or judge of a superior court, unless he shall have been admitted to practice in the courts of record of this state, or of the Territory of Washington.

Note:
There is no residency requirement for superior court judges.

Return by: April 25, 2008

Return to: Colleen Clark
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

Board for Judicial Administration
Long-Range Planning Committee

TASKFORCE RECOMMENDATION REVIEWS

Referral To: BOARD FOR JUDICIAL ADMINISTRATION

Recommendation for review:

Courts should publish and post for public review, the amounts charged for all fees and costs.

Source: Wilson Report, 1997 (pages 85-87, # E-2 2. (LRP 263))

Wilson Report Analysis:
Improvement is needed regarding the provision of information to the public on the fees charged by the court and the procedures for obtaining waivers of the fees. Most fees and costs are set by Supreme Court Rule or statute. However, some are set by local courts or by local ordinance. Fees and costs set by local courts or local ordinance vary from court to court even within the same county. Generally, lists of costs and fees are not published.

BJA LRPC comment:
This affects all court levels.

REVIEW RESPONSE:

☐ This recommendation should be included in the Judiciary's Long-Range Plan and

- ☐ Will be worked on by this group.
- ☐ Should be referred to the following group for action: _____.

☐ This recommendation is more properly addressed by the following group and should be re-referred for review: _____.

☐ This recommendation is no longer relevant, has been previously rejected or otherwise does not warrant further action or consideration.

☐ This recommendation has previously been acted upon and is completed.

COMMENTS:

Return by: April 25, 2008

Return to: Colleen Clark
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

Board for Judicial Administration
Long-Range Planning Committee

TASKFORCE RECOMMENDATION REVIEWS

Referral To: BOARD FOR JUDICIAL ADMINISTRATION

Recommendation for review:

The Commission recommends that the Supreme Court require, and state and local legislative bodies fund, community supervision and probation services in the courts of limited jurisdiction, so that such services will be available in all courts for all defendants who need them.

Source: Commission on Washington Trial Courts, 1990 (pages 58-59 (LRP 35))

Commission on Washington Trial Courts Analysis:
Many misdemeanors are serious crimes involving defendants who post a risk to the community. Sentencing often involves imposition of conditions such as requiring the defendant to engage in treatment, to pay fines or restitution, or to become employed or stay in school, not to drive without a valid license and liability insurance, and the like.

At the present time, many courts of limited jurisdiction do not have community supervision or probation services for defendants convicted of misdemeanors. (Similarly, no probation services are available through the Department of Corrections which provides probation services for the superior courts for the many superior court felony cases disposed of by reduction to a gross misdemeanor, unless the county district courts provide probation services for those cases under contract.)

The lack of community supervision and probation services creates major burdens for the judges in courts of limited jurisdiction, either because the judge lacks information needed to sentence the offender, or, more commonly, because the judge lacks the necessary time and resources to ensure that each defendant complies with the terms of the sentence. The Commission views the situation as a major deficiency and endorses the availability of probation services.

Community supervision and probation services in courts of limited jurisdiction should be adequate, based on a weighted caseload system, and should include but not be limited to providing:

- Offender background investigations.
- Sentencing recommendations.
- Supervision of conditions of sentences.
- Increased collection of fines and fees.
- Intensive supervision for high risk offenders.

REVIEW RESPONSE:

☐ This recommendation should be included in the Judiciary's Long-Range Plan and

- ☐ Will be worked on by this group.
- ☐ Should be referred to the following group for action: _____.

☐ This recommendation is more properly addressed by the following group and should be re-referred for review: _____.

☐ This recommendation is no longer relevant, has been previously rejected or otherwise does not warrant further action or consideration.

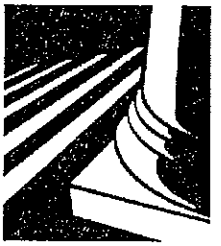
☐ This recommendation has previously been acted upon and is completed.

COMMENTS:

Return by: April 25, 2008

Return to: Colleen Clark
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

TAB 7



WASHINGTON
COURTS

WASHINGTON STATE

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

- Implementation Strategy
- Implementation Timeline
- SHB 2822
- Phase I Local Improvement Plan Funding Application and Criteria
- Phase II Local Improvement Plan Funding Application and Criteria

WASHINGTON STATE

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

Implementation Strategy of SSHB2822

The foundation of the Washington State Family and Juvenile Court Improvement Plan (WFJCIP) is to incrementally and fundamentally enhance family and juvenile court operations by laying the groundwork and funding court improvements. Phase I of the plan, FY 09, is to strategically fund specific requirements to encourage long-term commitment from the court leadership and court community at the local level. To that end, and, ensure the local improvements are consistent with the Unified Family Court (UFC) principles, the chief judge of family and juvenile court must:

1. Ensure the judicial officers hearing family and juvenile matters receive specialized training, and
2. Hire case coordinator staff to work with leadership to assess the court culture and existing resources so that Phase II of the plan can target gaps in services

One implementation challenge resulting from SSHB 2822 is that courts are to submit a Local Improvement Plan to access state funds, therefore requiring the targeted areas to be identified prior to a complete analysis of the current court operations. To rectify this challenge, the Local Improvement Plan will be divided in to two phases described below, with two deadlines. The purpose of dividing the Local Improvement Plan into two phases is to allow courts an opportunity to thoroughly analyze current local operations to determine where the gaps in service are, and develop a local Court Improvement Plan that makes significant improvements consistent with the goals of UFC.

Templates and criteria for each phase of the Local Improvement Plan are attached

Phase I Implementation

The first phase requires interested courts to submit a Phase I Local Improvement Plan, which includes the following:

(1) Identify the chief judge(s) for family and juvenile court cases,
(2) List judges who will meet the educational requirements in the funding cycle (FY 09),
(3) Include letters of support from other court or community groups, and
(4) Provide projected budget for case coordinator staff and education (FY 09)

Phase I of the plan is due to the AOC by July 15, 2008. AOC staff will work with the oversight committee to determine which court's Local Improvement Plans are accepted to receive state funding.

Phase II Implementation

The second phase of the WFJIP requires the court to identify the specific staffing, facility, case management or operational improvement(s) that the Local Improvement Plan intends to accomplish along with identifying which UFC principle(s) are targeted. Phase II of the Local Improvement Plan requires the court to

(1) Identify the case types that will be impacted (family, juvenile, or both),
(2) Explain what the local improvement is and how it will enhance the current court operation,
(3) List which UFC principle(s) the local improvement is targeted to meet,
(4) Breakdown the estimated cost for FY 10 and FY 11,
(5) Consider potential barriers to implementing the local improvement, and
(6) Include measurable outcomes for which data will be collected

Phase II of the plan is due to the AOC by December 1, 2008. AOC staff will work with the oversight committee to select the local improvements that will be funded within the state resources allocated by the WFJIP in the 2009-2011 biennium.

Implementation strategy.doc

WASHINGTON STATE
FAMILY AND JUVENILE COURT IMPROVEMENT PLAN
IMPLEMENTATION SCHEDULE FOR FY 09

April 2008
Amount of state funding confirmed at end of 2008 session

April through June 1st 2008
AOC coordinate education opportunities with associations at Spring Conferences or meetings

- BJA,
- SCJA,
- Superior Court Administrators,
- WAJCA

June 30th 2008
AOC will provide staffing and support in the following ways:

- Contact associations to populate oversight committee to convene by July
- Establish recommended set of criteria to select sites for state funds to BJA
- Draft Local Improvement Plan template and instructions
- Propose criteria to BJA (must approve according to SSHB 2822)
- Create model job description of case coordinators for chief judges/local leadership
- Work with JSD education and other educational institutions/workgroups (Children's Justice Conference, BECCA Conference) about opportunities for specialized education – compile a regularly updated electronic bulletin board to be sent to chief judges
- Develop process with AOC management services (Jan Moore) on distribution of funds
- Establish measurement criteria with Center for Court Research (Carl McCurley)

July 1st 2008
AOC hire .5 FTE program coordinator

July 15th 2008
Phase I Local Improvement Plans due to AOC

August 1st 2008
Sites selected by oversight committee.

August 15th 2008
Courts notified of approved Local Improvement Plans and for those selected, funds available to hire case coordinators and reimbursement for education.

September 1st 2008 through June 30th 2009
State funds available to implement phase I (hire case coordinators and reimburse for education)

December 1, 2008
Phase II Local Improvement Plan due to AOC

December 15th, 2008
AOC reports to Representative Kagi on (1) expenditures for FY 09 and (2) detailed Phase II Local Improvement Plan requests and amount needed to fund improvements.

May 15th 2009
Oversight committee meets with the Center for Court Research to review implementation approaches, distribution of state funds, improvements accomplished, improvements underway, etc.

N:\crtsrv\DATA\Rmmcd\SCJA\Family and Juvenile Court Improvement Plan\Plan Implementation Timeline.doc

CERTIFICATION OF ENROLLMENT

SECOND SUBSTITUTE HOUSE BILL 2822

Chapter 279, Laws of 2008

60th Legislature
2008 Regular Session

FAMILY AND JUVENILE COURT IMPROVEMENT PROGRAM

EFFECTIVE DATE: 06/12/08

Passed by the House March 12, 2008
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 11, 2008
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Approved March 31, 2008, 2:45 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 2822** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 1, 2008

Secretary of State
State of Washington

SECOND SUBSTITUTE HOUSE BILL 2822

AS AMENDED BY THE SENATE

Passed Legislature - 2008 Regular Session

State of Washington 60th Legislature 2008 Regular Session

By House Appropriations (originally sponsored by Representatives Kagi, Walsh, Lantz, Dickerson, Haler, Sullivan, Seaquist, and Kenney)

READ FIRST TIME 02/12/08.

AN ACT Relating to the family and juvenile court improvement program; amending RCW 2.56.030; adding new sections to chapter 2.56 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** A new section is added to chapter 2.56 RCW to read as follows:

Subject to the availability of funds appropriated therefor, the family and juvenile court improvement grant program is created.

(1) The purpose of the program is to assist superior courts in improving their family and juvenile court systems, especially in dependency cases, with the goals of:

(a) Assuring a stable and well-trained judiciary in family and juvenile law providing consistency of judicial officers hearing all of the proceedings in a case involving one family, especially in dependency cases; and

(b) Ensuring judicial accountability in implementing specific principles and practices for family and juvenile court.

(2) The administrator for the courts shall develop and administer the program subject to requirements in section 2 of this act. As part

(xi) Juvenile offenders;

(xii) Self-representation issues;

(xiii) Cultural competency;

(xiv) Roles of family and juvenile court judges and commissioners; and

(d) As part of the application for grant funds, submit a spending proposal detailing how the superior court would use the grant funds.

(2) Courts receiving grant money must use the funds to improve and support family and juvenile court operations based on standards developed by the administrator for the courts and approved by the board for judicial administration. The standards may allow courts to use the funds to:

(a) Pay for family and juvenile court training of commissioners and judges or pay for pro tem commissioners and judges to assist the court while the commissioners and judges receive training;

(b) Increase judicial and nonjudicial staff, including administrative staff to improve case coordination and referrals in family and juvenile cases, guardian ad litem volunteers or court-appointed special advocates, security, and other staff;

(c) Improve the court facility to better meet the needs of children and families;

(d) Improve referral and treatment options for court participants, including enhancing court facilitator programs and family treatment court and increasing the availability of alternative dispute resolution;

(e) Enhance existing family and children support services funded by the courts and expand access to social service programs for families and children ordered by the court; and

(f) Improve or support family and juvenile court operations in any other way deemed appropriate by the administrator for the courts.

(3) The administrator for the courts shall allocate available grant moneys based upon the needs of the court as expressed in their local improvement plan.

(4) Money received by the superior court under this program must be used to supplement, not supplant, any other local, state, and federal funds for the court.

(5) Upon receipt of grant funds, the superior court shall submit to the administrator for the courts a spending plan detailing the use of

of administering the program, the administrator for the courts shall define appropriate outcome measures, collect data, and gather information from courts receiving grants.

NEW SECTION. **Sec. 2.** A new section is added to chapter 2.56 RCW to read as follows:

(1) A superior court may apply for grants from the family and juvenile court improvement grant program by submitting a local improvement plan with the administrator for the courts. To be eligible for grant funds, a superior court's local improvement plan must meet the criteria developed by the administrator for the courts and approved by the board for judicial administration. The criteria must be consistent with the principles adopted for unified family courts. At a minimum, the criteria must require that the court's local improvement plan meet the following requirements:

(a) Commit to a chief judge assignment to the family and juvenile court for a minimum of two years;

(b) Implementation of the principle of one judicial team hearing all of the proceedings in a case involving one family, especially in dependency cases;

(c) Require court commissioners and judges assigned to family and juvenile court to receive a minimum of thirty hours specialized training in topics related to family and juvenile matters within six months of assuming duties in family and juvenile court. Where possible, courts should utilize local, statewide, and national training forums. A judicial officer's recorded educational history may be applied toward the thirty-hour requirement. The topics for training must include:

(i) Parentage;

(ii) Adoption;

(iii) Domestic relations;

(iv) Dependency and termination of parental rights;

(v) Child development;

(vi) The impact of child abuse and neglect;

(vii) Domestic violence;

(viii) Substance abuse;

(ix) Mental health;

(x) Juvenile status offenses;

(9) Submit annually, as of February 1st, to the chief justice, a report of the activities of the administrator's office for the preceding calendar year including activities related to courthouse security;

(10) Administer programs and standards for the training and education of judicial personnel;

(11) Examine the need for new superior court and district court judge positions under an objective workload analysis. The results of the objective workload analysis shall be reviewed by the board for judicial administration which shall make recommendations to the legislature. It is the intent of the legislature that an objective workload analysis become the basis for creating additional district and superior court positions, and recommendations should address that objective;

(12) Provide staff to the judicial retirement account plan under chapter 2.14 RCW;

(13) Attend to such other matters as may be assigned by the supreme court of this state;

(14) Within available funds, develop a curriculum for a general understanding of child development, placement, and treatment resources, as well as specific legal skills and knowledge of relevant statutes including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules, interviewing skills, and special needs of the abused or neglected child. This curriculum shall be completed and made available to all juvenile court judges, court personnel, and service providers and be updated yearly to reflect changes in statutes, court rules, or case law;

(15) Develop, in consultation with the entities set forth in RCW 2.56.150(3), a comprehensive statewide curriculum for persons who act as guardians ad litem under Title 13 or 26 RCW. The curriculum shall be made available July 1, 2008, and include specialty sections on child development, child sexual abuse, child physical abuse, child neglect, domestic violence, clinical and forensic investigative and interviewing techniques, family reconciliation and mediation services, and relevant statutory and legal requirements. The curriculum shall be made available to all superior court judges, court personnel, and all persons who act as guardians ad litem;

funds. At the end of the fiscal year, the superior court shall submit to the administrator for the courts a financial report comparing the spending plan to actual expenditures. The administrator for the courts shall compile the financial reports and submit them to the appropriate committees of the legislature.

Sec. 3. RCW 2.56.030 and 2007 c 496 s 302 are each amended to read as follows:

The administrator for the courts shall, under the supervision and direction of the chief justice:

(1) Examine the administrative methods and systems employed in the offices of the judges, clerks, stenographers, and employees of the courts and make recommendations, through the chief justice, for the improvement of the same;

(2) Examine the state of the dockets of the courts and determine the need for assistance by any court;

(3) Make recommendations to the chief justice relating to the assignment of judges where courts are in need of assistance and carry out the direction of the chief justice as to the assignments of judges to counties and districts where the courts are in need of assistance;

(4) Collect and compile statistical and other data and make reports of the business transacted by the courts and transmit the same to the chief justice to the end that proper action may be taken in respect thereto;

(5) Prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto;

(6) Collect statistical and other data and make reports relating to the expenditure of public moneys, state and local, for the maintenance and operation of the judicial system and the offices connected therewith;

(7) Obtain reports from clerks of courts in accordance with law or rules adopted by the supreme court of this state on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to supreme court of this state;

(8) Act as secretary of the judicial conference referred to in RCW 2.56.060;

(16) Develop a curriculum for a general understanding of crimes of malicious harassment, as well as specific legal skills and knowledge of RCW 9A.36.080, relevant cases, court rules, and the special needs of malicious harassment victims. This curriculum shall be made available to all superior court and court of appeals judges and to all justices of the supreme court;

(17) Develop, in consultation with the criminal justice training commission and the commissions established under chapters 43.113, 43.115, and 43.117 RCW, a curriculum for a general understanding of ethnic and cultural diversity and its implications for working with youth of color and their families. The curriculum shall be available to all superior court judges and court commissioners assigned to juvenile court, and other court personnel. Ethnic and cultural diversity training shall be provided annually so as to incorporate cultural sensitivity and awareness into the daily operation of juvenile courts statewide;

(18) Authorize the use of closed circuit television and other electronic equipment in judicial proceedings. The administrator shall promulgate necessary standards and procedures and shall provide technical assistance to courts as required;

(19) Develop a Washington family law handbook in accordance with RCW 2.56.180;

(20) Administer state funds for improving the operation of the courts and provide support for court coordinating councils, under the direction of the board for judicial administration;

(21) Administer the family and juvenile court improvement grant program;

(22)(a) Administer and distribute amounts appropriated from the equal justice subaccount under RCW 43.08.250(2) for district court judges' and qualifying elected municipal court judges' salary contributions. The administrator for the courts shall develop a distribution formula for these amounts that does not differentiate between district and elected municipal court judges.

(b) A city qualifies for state contribution of elected municipal court judges' salaries under (a) of this subsection if:

(i) The judge is serving in an elected position;

(ii) The city has established by ordinance that a full-time judge

is compensated at a rate equivalent to at least ninety-five percent, but not more than one hundred percent, of a district court judge salary or for a part-time judge on a pro rata basis the same equivalent; and

(iii) The city has certified to the office of the administrator for the courts that the conditions in (b)(i) and (ii) of this subsection have been met.

NEW SECTION. **Sec. 4.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2008, in the omnibus appropriations act, this act is null and void.

Passed by the House March 12, 2008.
Passed by the Senate March 11, 2008.
Approved by the Governor March 31, 2008.
Filed in Office of Secretary of State April 1, 2008.

WASHINGTON STATE

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

LOCAL IMPROVEMENT PLAN

PHASE I

Due July 15, 2008

WASHINGTON STATE
FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

CRITERIA

PHASE I FUNDING APPLICATION

In order to be eligible for Family and Juvenile Court Improvement [WFJCIP] grant funds, courts are required by statute and by the Board for Judicial Administration to meet the following criteria.

1] Commit to a chief judge(s) assignment to the family and juvenile court for a minimum of two years;

2] The chief judge(s) will ensure judicial officers who preside over family and juvenile court proceedings, comply with 30 hours of specialized education within 6 months of assuming their duties. [See Attachment A]

3] Hire Case Coordinator staff, whose efforts are devoted to assessing the needs, development and administration of the court's WFJCIP. [See Attachment B for model job description, salary information [TBD], and staff level based on number of judicial officers]

4] Courts applying for WFJCIP funds will submit, as part of the funding application for Phase I Local Improvement Plan, a proposed budget that assumes costs for education and case coordinator salary and benefits. WFJCIP funds must be used to supplement, not supplant, any other local, state and federal funds for the court.

5] Work in conjunction with the Administrative Office of the Courts [AOC] to collect data and gather information to evaluate appropriate outcomes from the court's WFJCIP.

WASHINGTON STATE

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN (FJCIP)

PHASE I: LOCAL IMPROVEMENT PLAN FUNDING APPLICATION

1. **COUNTY NAME** _____

If you are submitting a joint application with another superior court, please indicate the other county(ies) included in this application.

OTHER COUNTY NAME(S) _____

2.

CHIEF FAMILY AND JUVENILE COURT JUDGE(S) NAME(S) *Provide name of Chief Judge(s) in Family and Juvenile Court (2822/SECTION 2(1)(a))*	**TERM OF SERVICE** **(two-year minimum)** *in month/year format*

3. **JUDICIAL OFFICERS ASSIGNED TO FAMILY AND JUVENILE COURT**

A. *List name of judge who will preside over family and juvenile cases in your court.*

B. *List number of education hours they already have applicable to 30-hour requirement.*

C. *List number of education hours that are still needed to meet the 30-hour requirement.*

A. JUDICIAL OFFICER NAME	B. HOURS OF PAST TRAINING	C. HOURS NEEDED

EDUCATION TOPICS ELIGIBLE FOR REIMBURSEMENT (2822/SECTION 2(1)(c)):

- *Parentage*
- *Adoption*
- *Domestic Relations*
- *Dependency and Termination of Parental Rights*
- *Child Development*
- *Impact of Child Abuse and Neglect*
- *Domestic Violence*
- *Substance Abuse*
- *Mental Health*
- *Juvenile Status Offenses*
- *Juvenile Offenders*
- *Self-Represented Issues*
- *Cultural Competency*
- *Roles of Family and Juvenile Court Judges and Commissioners*

4. **PROVIDE ANTICIPATED BUDGET FOR FY 09 BROKEN OUT BY:**
Court must provide a proposed budget anticipating costs associated with case coordinator staff and judicial education reimbursement.

A. **CASE COORDINATOR STAFF COSTS** *Courts with four (4) judges or less are eligible to receive funding for .5 FTE case coordinator and courts with five (5) or more are eligible for 1 FTE funding in FY 09*

B. **JUDICIAL EDUCATION REIMBURSEMENT**

5. **ATTACHED ARE LETTERS OF SUPPORT FROM THE FOLLOWING COMMUNITY/COURT ORGANIZATIONS OR GROUPS**
Court must attach letters of support from agencies, groups, or organizations that are either in the community or court that support the Local Improvement Plan and/or UFC principles. The letters should indicate the readiness of the court, county, and/or community to implement improvements to court operations.

6. ***In signing the Local Improvement Plan, I commit that the improvement funds will be used to enhance local court operations related to family and juvenile court. The funds will not be used to supplant existing resources that are already spent on court operations from other local, state, or federal funding sources.***

_____
CHIEF JUVENILE JUDGE SIGNATURE

_____
CHIEF JUVENILE JUDGE SIGNATURE

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

CRITERIA FOR GRANT APPLICATION

ATTACHMENT A

Judicial Officer Educational History and Topics for Ongoing Education

Education for family and juvenile court judicial officers must be consistent with the principles adopted for unified family courts. These principles require specialized education for judicial officers in the areas of judicial leadership, child development, cultural awareness, child abuse and neglect, chemical dependency, domestic violence and mental illness.

The legislation enacting family and juvenile court improvement, Second Substitute House Bill 2822 (SSHB 2822), directs that judicial officers assigned to family and juvenile court must receive a minimum of 30 hours of specialized training in topics related to family and juvenile matters within 6 months of assuming duties in family and juvenile court. A judicial officer's recorded educational history may be applied to the 30 hour requirement.

SSHB 2822 provides that the topics for training must include:

Parentage
Adoption
Domestic relations
Dependency and termination of parental rights
Child development
The impact of child abuse and neglect
Domestic violence
Substance abuse
Mental health
Juvenile status offenders
Juvenile offenders
Self-representation issues
Cultural competency
Roles of family and juvenile court judges and commissioners

The enabling legislation states that courts should utilize local, statewide, and national training forums.

Additional information on specialized education for family and juvenile court judicial officers and educational resources is available in the appended document.

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

CRITERIA FOR GRANT APPLICATION

Appendix to Attachment A

Information on Specialized Education for Family and Juvenile Court Judicial Officers

Offering specialized education helps ensure that judicial officers are well prepared to undertake their judicial assignment in family and juvenile courts. For each court that makes the commitment to improve their family and juvenile court process, the chief judge must assure that the judicial officers who sit in family and juvenile court have satisfied thirty (30) hours of specialized education within six months of assuming his or her duties in family and juvenile court. A judicial officer's recorded educational history, in the specified subject areas in Attachment A and the topics below, will apply toward the thirty-hour (30) hour requirement. The chief judge/s of family and juvenile court will be responsible to maintain current educational records of judicial officers presiding over family and juvenile courts in order to maintain the court's eligibility for access to flexible state funds.

For courts committing to improving family and juvenile court processes, specific training is also required in the areas of:

- security as it relates to family and juvenile case dynamics
- chemical dependency, and

Judicial officers who sit in family and juvenile courts will need to learn multi-disciplinary skills in areas such as:

- psychology
- medicine
- social work
- science
- mediation, and
- family dynamics" *(Michael Town, National Center for Preventive Law)*.

Additional training or education relevant to UFC court administration is also an acceptable topic for specialized training.

Various training forums already exist to provide necessary education for judicial officers, while other avenues for training will require additional resources from Washington Superior Courts. Some of the former include:

1. Washington State Judicial College

The Judicial College focuses on topics and issues of concern to newly elected or appointed justices, judges, and commissioners. The program provides an opportunity for new judicial officers to acquire the knowledge and skills essential to performing their judicial responsibilities; to familiarize themselves with resources of particular interest to the bench; and to interact, discuss, and problem-solve among themselves and with the faculty.

2. National Judicial College

Established in 1963, the National Judicial College in Reno, Nevada, provides judicial education and professional development designed to give the judiciary practical tools needed to serve effectively on the bench. NJC offerings cover a wide range of topics in beginning, intermediate and advanced level studies.

3. Court Improvement Academy (A Partnership with the UW School of Law Children and Youth Advocacy Clinic)

The Court Improvement Academy is a newly created training program for judicial officers, lawyers, and other key constituencies handling dependency cases in Washington's juvenile courts, with the goal of improving decision-making and court systems affecting children and youth. It will operate in conjunction with the UW School of Nursing, School of Social Work, and Law School.

4. SCJA Spring Judicial Conferences

The annual SCJA Spring Judicial Conference offers a variety of education sessions focusing on family and juvenile law. In recent years, offerings have included disproportionality in juvenile justice, infant mental health, chronic child neglect, family law case and statutory updates, education success for foster children, and child development.

5. National Unified Family Court Specific Trainings

The National Center for State Courts, the National Council of Family and Juvenile Court Judges, the ABA and other entities regularly offer conferences and summits on UFC, and on issues related to families and children across the country. Washington sent a team to the Summit on UFC in May 2007.

6. National Council of Family and Juvenile Court Judges

The NCJFCJ regularly offers judicial education in national and regional conferences and smaller training sessions at NCJFC headquarters in Reno and throughout the country. A significant number of Washington judges have received advanced studies in domestic violence from NCJFCJ through its National Judicial Institute on Domestic Violence.

7. National Center for State Courts

The NCSC offers education and training in judicial leadership and court management, including case flow management, statistics and data, court performance measures, research and evaluation, and jury management.

8. Children's Justice Conference

The annual CJC is one of the country's largest multidisciplinary conferences focusing on child welfare issues, offering a wide variety of education sessions. A special judicial education track is offered, including judicial ethics in child welfare cases. National and regional experts are featured as speakers and presenters. The CJC is held in Seattle in early spring and has historically allowed attendees to earn ten (10) or more CJE credits each year. Approximately 40 judges and court commissioners attend the CJC annually.

9. GAL Trainings

Local and regional guardian ad litem trainings are offered regularly by courts statewide. Initial and continuing education on topics include child development, chemical dependency, mental illness, child abuse and neglect, domestic violence and cultural competency.

ATTACHMENT B

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

MODEL JOB DESCRIPTION FOR CASE MANAGEMENT COORDINATOR

The following Model Job Description for the Case Management Coordinator position to serve in courts implementing a Family and Juvenile Court Improvement Plan contains key components that generally describe the responsibility, work functions and desirable qualifications of a Case Management Coordinator.

DEFINTION

Responsible for analyzing the services needs and process changes in the family and juvenile law area of a superior court's operation and develop a Family Juvenile Court Improvement Plan (WFJCIP) for consideration by the Chief Juvenile and Family Court Judge(s). Prepare a grant application for the funds to implement Phase II of the WFJCIP. Responsible for the development and implementation of policy and procedures relating to the WFJCIP, budget development, fiscal control, case-flow management, oversight of WFJCIP, contracts and other responsibilities as identified by the Chief Juvenile and Family Court Judge(s).

DISTINGUISHING CHARACTERISTICS

Reports to the Chief Juvenile and Family Court Judge(s) and Court Administrator and insures compliance with statutory and grant requirements of the WFJCIP. Performs duties at a professional level that requires the application of knowledge and skills for analysis and decision making on issues relating to case management in family and juvenile court.

The position also requires problem resolution skills in a highly visible environment.

TYPICAL WORK

- Research service needs and process changes of the current family and juvenile court operation to establish a WFJCIP.
- Prepare a recommended WFJCIP to the chief judge for the family and juvenile court.
- Manage the overall implementation of the WFJCIP.
- Develop a case screening criteria and case management objectives.
- Develop and implement case planning conferences.
- Coordinate with clerk's office to link and schedule cases.
- Screen cases referred for processing in the WFJCIP and staff cases with judicial officers.

TYPICAL WORK (cont.)

- Coordinate with court and community resources and ensure the community resource network is easily assessable to court participants and judicial officers
- Develop and implement a program to enlarge the involvement of pro bono attorneys.
- Coordinate with the Courthouse Facilitator program and monitor to make sure information on court operations is current.
- Coordinate training for judicial officers and assist the chief judge for the WFJCIP with insuring judicial officer compliance with the training requirements.
- Monitor completion and compliance of court-ordered services, evaluations, and referrals. Report to judicial officer on status of parties compliance with these services.
- Assist with drafting of simple, agreed orders for the part and judicial officer to review and sign.
- Participate in continuing education that is focused on carrying out the Unified Family Court Principles, subjects required to become familiar with issues relating to families and juveniles, and legal and court rule requirements of family and juvenile court.

DESIRABLE KNOWLEDGE AND ABILITIES

- Familiarity with laws, court rules, policies, and procedures pertaining to the operation of courts with a preferred emphasis in family and juvenile court.
- Ability to research and analyze family and juvenile court case management system. During this process will identify for changes that will better enable the court to meet the needs of families and juveniles involved with the court process.
- Capable of developing and communicating the WFJCIP based on analysis of current system to court staff, government staff and community members.
- Able to participate with judicial officers, court staff, clerk office staff, local government, bar association and community members to explain the WFJCIP and enlist support for the development of the WFJCIP.
- Knowledge and ability to implement effective problem solving techniques
- Must be capable of using office software tools and familiar with general budget and fiscal management concepts.

MINIMUM QUALIFICATIONS

A Bachelor's degree in social work, business administration, political science or closely related field of study; AND
Two years of experience in court administration, social science, family or juvenile counseling or program development in these or a relate field.
Demonstration of relevant experience may substitute for the education requirement.

SALARY RANGE

Set at a range according to county cost of living factors and AWC salary survey.

WORK CHARACTERISTICS

Workweek may fluctuate depending on workload or court need.
Overnight travel may be required based on business needs.
This position is *not* covered under the Fair Labor Standards Act (FLSA).

Family & Juvenile Court Improvement Plan
Family-Juvenile Case Coordinator
FY-09

County	Total Judicial Officers	Case Coordinators
Adams	1	0.50
Asotin/Columbia/Garfield	1.14	0.50
Benton/Franklin	8.25	1.00
Chelan	4	0.50
Clallum	3.19	0.50
Clark	11.6	1.00
Cowlitz	4.19	0.50
Douglas	1.09	0.50
Ferry/Stevens/Pend Oreille	2.55	0.50
Grant	3.5	0.50
Grays Harbor	3	0.50
Island/San Juan	2.3	0.50
Jefferson	1.25	0.50
King	61	1.00
Kitsap	9.1	1.00
Kittitas	2	0.50
Klickitat/Skamania	1.13	0.50
Lewis	4	0.50
Lincoln	1.13	0.50
Mason	3.02	0.50
Okanogan	1.56	0.50
Pacific/Wahkiakum	1	0.50
Pierce	27	1.00
Skagit	4.18	0.50
Snohomish	19	1.00
Spokane	18	1.00
Thurston	9.18	1.00
Walla Walla	2.35	0.50
Whatcom	6.55	1.00
Whitman	1	0.50
Yakima	11	1.00
	229.26	22.00

Formula:

Up to 4 judicial officers	0.50
5 and above judicial officers	1.00

WASHINGTON STATE

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

LOCAL IMPROVEMENT PLAN

PHASE II

Due December 1, 2008

WASHINGTON STATE
FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

CRITERIA

PHASE II FUNDING APPLICATION

In order to be eligible for Family and Juvenile Court Improvement [WFJCIP] grant funds, courts are required by statute and by the Board for Judicial Administration to meet the following criteria.

1] Commit to a chief judge(s) assignment to the family and juvenile court for a minimum of two years;

2] The chief judge(s) will ensure judicial officers who preside over family and juvenile court proceedings, comply with 30 hours of specialized education within 6 months of assuming their duties. [See Attachment A]

3] Hire Case Coordinator staff, whose efforts are devoted to assessing the needs, development, and administration of the court's WFJCIP. [See Attachment B for model job description, salary information [TBD], and staff level based on number of judicial officers]

4] The court will implement court coordination measures that are consistent with the Unified Family Court (UFC) principle of one judicial team hearing all proceedings in a case involving one family, especially in dependency cases. Courts will define these measures in the Local Improvement Plan, Phase II.

5] Identify which UFC will be incorporated into the WFJCIP. Each request shall identify at least one UFC principle that the improvement will aim to accomplish. [See Attachment C detailing the UFC Principles]

6] Work in conjunction with the Administrative Office of the Courts to collect data and gather information to evaluate appropriate outcomes form the court's WFJCIP.

WASHINGTON STATE

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN (WFJCIP)

PHASE II: LOCAL IMPROVEMENT PLAN FUNDING APPLICATION

1. **COUNTY NAME** _____

If you are submitting a joint application with another superior court, please indicate the other county(ies) included in this application.

OTHER COUNTY NAME(S) _____

2.

CHIEF FAMILY AND JUVENILE COURT JUDGE(S) NAME(S) *Provide name of Chief Judge(s) in Family and Juvenile Court (2822/SECTION 2(1)(a))*	**TERM OF SERVICE (two-year minimum)** *in month/year format*

3. **** SEE WFJCIP APPLICATION TABLE FOR SECTION 3****

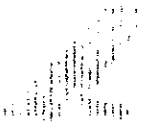
Complete a separate application table for each targeted area of improvement where the court is requesting state funds. There are no limitations on how many tables are submitted. In the prioritization process, if some of your requests are not funded, they will be considered in the next available funding cycle unless the court withdraws the request.

Complete an application table for each local enhancement where funding is being sought. See below for what is required in each field.

- *Row 1/Court Level Impact – identify what level of court the local enhancement will improve (family, juvenile, or both).*
- *Row 2/WSFJIP Target Area Description – provide a description of the local enhancement (for example: expand courthouse facilitator program, expand use of risk assessment on status offender civil cases, build and staff referral center, track dependency case completion and permanent plans, etc.).*
- *Row 3/UFC Principle(s) Targeted – specify what UFC principle(s) the local enhancement will improve (see Attachment C for UFC principles).*
- *Row 4/Estimated Cost – specify the amount requested for each target area of the improvement plan broken down by Fiscal Year (FY 10 and FY 11).*
- *Row 5/Potential Barriers - list possible barriers to implementing the local enhancement.*
- *Row 6/Measurable Outcome(s) – explain how the targeted area will improve local court operations and how the improvement can be measured.*

4. **EXPLAIN PHASE II LOCAL IMPROVEMENT PLAN STRATEGY TO IMPROVE COURT COORDINATION CONSISTENT WITH THE UFC PRINCIPLE OF HAVING ONE JUDICIAL TEAM HEAR PROCEEDINGS IN CASES INVOLVING ONE FAMILY.**
Provide a narrative explaining how the Phase II Local Improvement Plan strategy will improve court coordinate to become more consistent with the UFC principle that states one judicial team will hear proceedings involving one family, especially in dependency cases.

5. ***In signing the Local Improvement Plan, I commit that the improvement funds will be used to enhance local court operations related to family and juvenile court. The funds will not be used to supplant existing resources that are already spent on court operations from other local, state, or federal funding sources.***



CHIEF JUVENILE JUDGE SIGNATURE

CHIEF JUVENILE JUDGE SIGNATURE

3A

WFJCIP Application Table						
Row 1 **Court Level Impact**	Family Court	☐	Juvenile Court	☐	Both	☐
Row 2 **WFJCIP Target Area Description**						
Row 3 **UFC Principle(s) Targeted**						
Row 4 **Estimated Cost**	FY 10	$		FY 11	$	
Row 5 **Potential Barrier(s)**						
Row 6 **Measurable Outcome(s)**						

3B

WFJCIP Application Table

Row 1 **Court Level Impact**	Family Court	☐	Juvenile Court	☐	Both	☐
Row 2 **WFJCIP Target Area Description**						
Row 3 **UFC Principle(s) Targeted**						
Row 4 **Estimated Cost**	FY 10	$		FY 11	$	
Row 5 **Potential Barrier(s)**						
Row 6 **Measurable Outcome(s)**						

3C

WFJCIP Application Table						
Row 1 Court Level Impact	Family Court	☐	Juvenile Court	☐	Both	☐
Row 2 WFJCIP Target Area Description						
Row 3 UFC Principle(s) Targeted						
Row 4 Estimated Cost	FY 10	$		FY 11	$	
Row 5 Potential Barrier(s)						
Row 6 Measurable Outcome(s)						

3D

WFJCIP Application Table						
Row 1 **Court Level Impact**	Family Court	☐	Juvenile Court	☐	Both	☐
Row 2 **WFJCIP Target Area Description**						
Row 3 **UFC Principle(s) Targeted**						
Row 4 **Estimated Cost**	FY 10	$		FY 11	$	
Row 5 **Potential Barrier(s)**						
Row 6 **Measurable Outcome(s)**						

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

CRITERIA FOR GRANT APPLICATION

ATTACHMENT A

Judicial Officer Educational History and Topics for Ongoing Education

Education for family and juvenile court judicial officers must be consistent with the principles adopted for unified family courts. These principles require specialized education for judicial officers in the areas of judicial leadership, child development, cultural awareness, child abuse and neglect, chemical dependency, domestic violence and mental illness.

The legislation enacting family and juvenile court improvement, Second Substitute House Bill 2822 (SSHB 2822), directs that judicial officers assigned to family and juvenile court must receive a minimum of 30 hours of specialized training in topics related to family and juvenile matters within 6 months of assuming duties in family and juvenile court. A judicial officer's recorded educational history may be applied to the 30 hour requirement.

SSHB 2822 provides that the topics for training must include:

Parentage
Adoption
Domestic relations
Dependency and termination of parental rights
Child development
The impact of child abuse and neglect
Domestic violence
Substance abuse
Mental health
Juvenile status offenders
Juvenile offenders
Self-representation issues
Cultural competency
Roles of family and juvenile court judges and commissioners

The enabling legislation states that courts should utilize local, statewide, and national training forums.

Additional information on specialized education for family and juvenile court judicial officers and educational resources is available in the appended document.

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

CRITERIA FOR GRANT APPLICATION

Appendix to Attachment A

Information on Specialized Education for Family and Juvenile Court Judicial Officers

Offering specialized education helps ensure that judicial officers are well prepared to undertake their judicial assignment in family and juvenile courts. For each court that makes the commitment to improve their family and juvenile court process, the chief judge must assure that the judicial officers who sit in family and juvenile court have satisfied thirty (30) hours of specialized education within six months of assuming his or her duties in family and juvenile court. A judicial officer's recorded educational history, in the specified subject areas in Attachment A and the topics below, will apply toward the thirty-hour (30) hour requirement. The chief judge/s of family and juvenile court will be responsible to maintain current educational records of judicial officers presiding over family and juvenile courts in order to maintain the court's eligibility for access to flexible state funds.

For courts committing to improving family and juvenile court processes, specific training is also required in the areas of:

- security as it relates to family and juvenile case dynamics
- chemical dependency, and

Judicial officers who sit in family and juvenile courts will need to learn multi-disciplinary skills in areas such as:

- psychology
- medicine
- social work
- science
- mediation, and
- family dynamics" *(Michael Town, National Center for Preventive Law)*.

Additional training or education relevant to UFC court administration is also an acceptable topic for specialized training.

Various training forums already exist to provide necessary education for judicial officers, while other avenues for training will require additional resources from Washington Superior Courts. Some of the former include:

1. Washington State Judicial College

The Judicial College focuses on topics and issues of concern to newly elected or appointed justices, judges, and commissioners. The program provides an opportunity for new judicial officers to acquire the knowledge and skills essential to performing their judicial responsibilities; to familiarize themselves with resources of particular interest to the bench; and to interact, discuss, and problem-solve among themselves and with the faculty.

2. National Judicial College

Established in 1963, the National Judicial College in Reno, Nevada, provides judicial education and professional development designed to give the judiciary practical tools needed to serve effectively on the bench. NJC offerings cover a wide range of topics in beginning, intermediate and advanced level studies.

3. Court Improvement Academy (A Partnership with the UW School of Law Children and Youth Advocacy Clinic)

The Court Improvement Academy is a newly created training program for judicial officers, lawyers, and other key constituencies handling dependency cases in Washington's juvenile courts, with the goal of improving decision-making and court systems affecting children and youth. It will operate in conjunction with the UW School of Nursing, School of Social Work, and Law School.

4. SCJA Spring Judicial Conferences

The annual SCJA Spring Judicial Conference offers a variety of education sessions focusing on family and juvenile law. In recent years, offerings have included disproportionality in juvenile justice, infant mental health, chronic child neglect, family law case and statutory updates, education success for foster children, and child development.

5. National Unified Family Court Specific Trainings

The National Center for State Courts, the National Council of Family and Juvenile Court Judges, the ABA and other entities regularly offer conferences and summits on UFC, and on issues related to families and children across the country. Washington sent a team to the Summit on UFC in May 2007.

6. National Council of Family and Juvenile Court Judges

The NCJFCJ regularly offers judicial education in national and regional conferences and smaller training sessions at NCJFC headquarters in Reno and throughout the country. A significant number of Washington judges have received advanced studies in domestic violence from NCJFCJ through its National Judicial Institute on Domestic Violence.

7. National Center for State Courts

The NCSC offers education and training in judicial leadership and court management, including case flow management, statistics and data, court performance measures, research and evaluation, and jury management.

8. Children's Justice Conference

The annual CJC is one of the country's largest multidisciplinary conferences focusing on child welfare issues, offering a wide variety of education sessions. A special judicial education track is offered, including judicial ethics in child welfare cases. National and regional experts are featured as speakers and presenters. The CJC is held in Seattle in early spring and has historically allowed attendees to earn ten (10) or more CJE credits each year. Approximately 40 judges and court commissioners attend the CJC annually.

9. GAL Trainings

Local and regional guardian ad litem trainings are offered regularly by courts statewide. Initial and continuing education on topics include child development, chemical dependency, mental illness, child abuse and neglect, domestic violence and cultural competency.

ATTACHMENT B

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

MODEL JOB DESCRIPTION FOR CASE MANAGEMENT COORDINATOR

The following Model Job Description for the Case Management Coordinator position to serve in courts implementing a Family and Juvenile Court Improvement Plan contains key components that generally describe the responsibility, work functions and desirable qualifications of a Case Management Coordinator.

DEFINTION

Responsible for analyzing the services needs and process changes in the family and juvenile law area of a superior court's operation and develop a Family Juvenile Court Improvement Plan (WFJCIP) for consideration by the Chief Juvenile and Family Court Judge(s). Prepare a grant application for the funds to implement Phase II of the WFJCIP. Responsible for the development and implementation of policy and procedures relating to the WFJCIP, budget development, fiscal control, case-flow management, oversight of WFJCIP, contracts and other responsibilities as identified by the Chief Juvenile and Family Court Judge(s).

DISTINGUISHING CHARACTERISTICS

Reports to the Chief Juvenile and Family Court Judge(s) and Court Administrator and insures compliance with statutory and grant requirements of the WFJCIP. Performs duties at a professional level that requires the application of knowledge and skills for analysis and decision making on issues relating to case management in family and juvenile court.

The position also requires problem resolution skills in a highly visible environment.

TYPICAL WORK

- Research service needs and process changes of the current family and juvenile court operation to establish a WFJCIP.
- Prepare a recommended WFJCIP to the chief judge for the family and juvenile court.
- Manage the overall implementation of the WFJCIP.
- Develop a case screening criteria and case management objectives.
- Develop and implement case planning conferences.
- Coordinate with clerk's office to link and schedule cases.
- Screen cases referred for processing in the WFJCIP and staff cases with judicial officers.

TYPICAL WORK (cont.)

- Coordinate with court and community resources and ensure the community resource network is easily assessable to court participants and judicial officers
- Develop and implement a program to enlarge the involvement of pro bono attorneys.
- Coordinate with the Courthouse Facilitator program and monitor to make sure information on court operations is current.
- Coordinate training for judicial officers and assist the chief judge for the WFJCIP with insuring judicial officer compliance with the training requirements.
- Monitor completion and compliance of court-ordered services, evaluations, and referrals. Report to judicial officer on status of parties compliance with these services.
- Assist with drafting of simple, agreed orders for the part and judicial officer to review and sign.
- Participate in continuing education that is focused on carrying out the Unified Family Court Principles, subjects required to become familiar with issues relating to families and juveniles, and legal and court rule requirements of family and juvenile court.

DESIRABLE KNOWLEDGE AND ABILITIES

- Familiarity with laws, court rules, policies, and procedures pertaining to the operation of courts with a preferred emphasis in family and juvenile court.
- Ability to research and analyze family and juvenile court case management system. During this process will identify for changes that will better enable the court to meet the needs of families and juveniles involved with the court process.
- Capable of developing and communicating the WFJCIP based on analysis of current system to court staff, government staff and community members.
- Able to participate with judicial officers, court staff, clerk office staff, local government, bar association and community members to explain the WFJCIP and enlist support for the development of the WFJCIP.
- Knowledge and ability to implement effective problem solving techniques
- Must be capable of using office software tools and familiar with general budget and fiscal management concepts.

MINIMUM QUALIFICATIONS

A Bachelor's degree in social work, business administration, political science or closely related field of study; AND
Two years of experience in court administration, social science, family or juvenile counseling or program development in these or a relate field.
Demonstration of relevant experience may substitute for the education requirement.

SALARY RANGE

Set at a range according to county cost of living factors and AWC salary survey.

WORK CHARACTERISTICS

Workweek may fluctuate depending on workload or court need.
Overnight travel may be required based on business needs.
This position is *not* covered under the Fair Labor Standards Act (FLSA).

Family & Juvenile Court Improvement Plan
Family-Juvenile Case Coordinator
FY-09

County	Total Judicial Officers	Case Coordinators
Adams	1	0.50
Asotin/Columbia/Garfield	1.14	0.50
Benton/Franklin	8.25	1.00
Chelan	4	0.50
Clallum	3.19	0.50
Clark	11.6	1.00
Cowlitz	4.19	0.50
Douglas	1.09	0.50
Ferry/Stevens/Pend Oreille	2.55	0.50
Grant	3.5	0.50
Grays Harbor	3	0.50
Island/San Juan	2.3	0.50
Jefferson	1.25	0.50
King	61	1.00
Kitsap	9.1	1.00
Kittitas	2	0.50
Klickitat/Skamania	1.13	0.50
Lewis	4	0.50
Lincoln	1.13	0.50
Mason	3.02	0.50
Okanogan	1.56	0.50
Pacific/Wahkiakum	1	0.50
Pierce	27	1.00
Skagit	4.18	0.50
Snohomish	19	1.00
Spokane	18	1.00
Thurston	9.18	1.00
Walla Walla	2.35	0.50
Whatcom	6.55	1.00
Whitman	1	0.50
Yakima	11	1.00
	229.26	22.00

Formula:

Up to 4 judicial officers	0.50
5 and above judicial officers	1.00

FAMILY AND JUVENILE COURT IMPROVEMENT PLAN

CRITERIA FOR GRANT APPLICATION

ATTACHMENT C

Unified Family Court Principles

The Unified Family Court Principles were adopted by the Board for Judicial Administration (BJA) on March 18, 2005.

1. One Family, One Judicial Team

Perhaps the hallmark of a UFC is the concept of one judicial team, comprised of dedicated and specially trained judges and commissioners, hearing all of a family's legal matters. Recommendations include:

- *Assignment of one judicial team to one family.* Require assignment of one judicial team to one family in cases under UFC management so far as practical.

- *Types of cases under UFC management.* Require adoption of local rules identifying types of cases to be included under UFC management, including actions from among Title 13 actions (dependency and termination, juvenile offender, CHINS, ARY), dissolution, modification, non-parental custody, parentage, domestic violence, adoption, and truancy.

2. Case Management

A process to resolve multiple case types through centralized case management is an essential UFC element. Recommendations include:

- *Case screening criteria.* Require local courts to develop criteria for screening and coordinating cases included in UFC management.
- *Case Management Objectives.* Design case management to reduce protracted litigation and achieve compliance with court orders.
- *Case Planning Conferences.* Implement case planning conferences where appropriate.

3. Specialized Education

A knowledgeable and dedicated judiciary is vital. Recommendations include:

- *Specialized Training.* Require that judicial officers serving in UFC receive specialized training in areas of judicial leadership, child development,

cultural awareness, child abuse and neglect, chemical dependency, domestic violence, and mental illness.

- *Statewide training opportunities.* Provide frequent and regular opportunities for judicial officers to receive required specialized training.

4. Dedicated Judiciary

Longer-term judicial assignments provide continuity to families and ensure experienced and dedicated judicial officers. The UFC workgroup recommends:

- *Long-term assignment of judicial officers.* UFC assignments should be a minimum of two years.

5. Mandatory Mediation

UFC is a problem solving court. Use of non-adversarial methods to resolve family disputes during the life of a case is critical. In addition to an overall problem solving-approach, the UFC Workgroup recommends:

- *Mandatory early mediation.* Require mediation of parenting disputes within 120 days of filing an action and before an opportunity for trial, as far as practical with available mediation resources. Court communities are encouraged to develop mediation opportunities.