

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, MARCH 17, 2017
9:00 A.M.**

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

Board for Judicial Administration Membership

VOTING MEMBERS:

Chief Justice Mary Fairhurst, Chair
Supreme Court

Judge Scott Sparks, Member Chair
Superior Court Judges' Association
Kittitas County Superior Court

Judge Bryan Chushcoff
Superior Court Judges' Association
Pierce County Superior Court

Judge Scott Collier
Superior Court Judges' Association
Clark County Superior Court

Judge Michael Downes, President
Superior Court Judges' Association
Snohomish County Superior Court

Judge George Fearing
Court of Appeals, Division III

Judge Janet Garrow
District and Municipal Court Judges' Association
King County District Court

Judge Judy Rae Jasprica
District and Municipal Court Judges' Association
Pierce County District Court

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

Judge G. Scott Marinella, President
District and Municipal Court Judges' Association
Columbia County District Court

Judge Bradley Maxa
Court of Appeals, Division II

Judge Kevin Ringus
District and Municipal Court Judges' Association
Fife Municipal Court

Judge James E. Rogers
Superior Court Judges' Association
King County Superior Court

Judge Ann Schindler
Court of Appeals, Division I

Justice Charles Wiggins
Supreme Court

NON-VOTING MEMBERS:

Judge Scott Ahlf, President-Elect
District and Municipal Court Judges' Association
Olympia Municipal Court

Ms. Callie Dietz
State Court Administrator

Ms. Robin Haynes, President
Washington State Bar Association

Ms. Paula Littlewood, Executive Director
Washington State Bar Association

Judge Sean Patrick O'Donnell, President-Elect
Superior Court Judges' Association
King County Superior Court

Judge Lisa Worswick, Presiding Chief Judge
Court of Appeals, Division II



Board for Judicial Administration (BJA)

Friday, March 17, 2017 (9:00 a.m. – 12:00 p.m.)

AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

AGENDA

1. Call to Order	Chief Justice Mary Fairhurst Judge Scott Sparks	9:00 a.m.
2. Welcome and Introductions	Chief Justice Mary Fairhurst Judge Scott Sparks	9:00 a.m.
3. February 17, 2017 Meeting Minutes <i>Action: Motion to approve the minutes of the February 17, 2017 meeting.</i>	Chief Justice Mary Fairhurst Judge Scott Sparks	9:05 a.m. Tab 1
4. BJA Internal Brainstorming	Chief Justice Mary Fairhurst Judge Scott Sparks	9:10 a.m. Tab 2
5. Selection of BJA Strategic Goals	Judge Janet Garrow Mr. Steve Henley	9:45 a.m. Tab 3
6. BJA Legislative Update	Judge Kevin Ringus Mr. Brady Horenstein	10:20 a.m. Tab 4 (Handout)
Break (Group Picture)		10:35 a.m.
7. Budget Update	Judge Ann Schindler	10:50 a.m.
8. Court Level Update Appellate Courts	Chief Justice Mary Fairhurst Presiding Chief Judge Lisa Worswick	11:05 a.m.
9. Standing Committee Reports Court Education Committee Policy and Planning Committee Budget and Funding Committee	Judge Judy Rae Jasprica Judge Janet Garrow Judge Ann Schindler	11:20 a.m. Tab 5
10. Information Sharing	Chief Justice Mary Fairhurst Judge Scott Sparks	11:35 a.m.
11. Meeting Review	Chief Justice Mary Fairhurst Judge Scott Sparks	11:50 a.m.
12. Adjourn		12:00 p.m.

Persons with a disability, who require accommodation, should notify Beth Flynn at 360-357-2121 or beth.flynn@courts.wa.gov to request or discuss accommodations. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.

Next meeting: May 19, 2017 AOC SeaTac Office

Tab 1



Board for Judicial Administration (BJA)

Friday, February 17, 2017 (9 a.m. – 12 p.m.)

AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

MEETING MINUTES

BJA Members Present:

Chief Justice Mary Fairhurst, Chair
Judge Scott Sparks, Member Chair
Judge Scott Ahlf (by phone)
Judge Bryan Chushcoff
Judge Scott Collier
Ms. Callie Dietz
Judge Michael Downes
Judge Janet Garrow
Ms. Robin Haynes
Judge Judy Rae Jasprica
Ms. Paula Littlewood
Judge Mary Logan
Judge G. Scott Marinella (by phone)
Judge Bradley Maxa (by phone)
Judge Sean O'Donnell
Judge Kevin Ringus
Judge James Rogers
Judge Ann Schindler (by phone)
Judge Lisa Worswick

Guests Present:

Ms. Kimberly Allen (by phone)
Mr. Jim Bamberger
Ms. Barbara Christensen (by phone)
Ms. Cynthia Marr
Mr. Paul Sherfey (by phone)

Public Present:

Dr. Page Carter
Mr. Will Watts

AOC Staff Present:

Ms. Misty Butler
Ms. Beth Flynn
Mr. Steve Henley
Mr. Brady Horenstein
Mr. Dirk Marler
Mr. Ramsey Radwan

The meeting was called to order by Chief Justice Fairhurst.

After introductions, Chief Justice Fairhurst requested that everyone use first names while at the BJA meetings.

December 16, 2016 Meeting Minutes

Judge Downes requested that an omission be added into the meeting minutes in the AOC/SCJA Agreement section. He would like to add: "The next time a judicial branch entity raises an unpopular issue, that entity should be treated better than the SCJA was treated. In the future, the BJA should be what it should be, which is better."

It was moved by Judge Chushcoff and seconded by Judge Collier to approve the December BJA meeting minutes with the amendment from Judge Downes. The motion carried with Chief Justice Fairhurst and Judge Rogers abstaining because they were not present at the December meeting.

BJA Private Account Signature

It was moved by Judge Garrow and seconded by Judge Ringus to remove Ms. Mellani McAleenan from the BJA private account as a signer and replace her with Mr. Brady Horenstein. The motion carried unanimously.

BJA Public Trust and Confidence Committee Appointment

It was moved by Judge Garrow and seconded by Judge Ringus to appoint Commissioner Rick Leo to the BJA Public Trust and Confidence Committee. The motion carried unanimously.

Judge Garrow knows Commissioner Leo and she thinks he would be a great addition to the committee.

Chief Justice Fairhurst asked the BJA to give feedback on if she should continue chairing the BJA Public Trust and Confidence Committee or if she should step down. If she does step down, should the chair be a justice or another representative? It was suggested that the chair be a justice to create a high level of confidence in the committee by the public. Chief Justice Fairhurst will continue to have conversations about this.

Judge Ringus stated that he appreciates all the work Chief Justice Fairhurst did to bring up the committee to such a high level.

Strategic Goal Setting Part I

Judge Garrow said this is a continuing conversation that began a few meetings ago to discuss what strategic issues the BJA should be involved in over the next two years. The process has five steps. The first step was an invitation to members and various branch stakeholders to submit proposed strategic goals. Twenty responses were received and Judge Garrow hoped everyone had the time to read through the various proposals.

Mr. Henley stated that this morning's session would be the second and third steps in the strategic goal process (see page 10 of the meeting materials for the process). These proposals are not the final product and no final decisions would be made today. The proposals the BJA is interested in will be refined before final approval.

Some of the proposals are similar and the BJA should consider whether some be merged now or kept separate. Mr. Henley believes they should not be merged until the fourth step in the process. Judge Garrow agrees that the proposals should not be merged at this point in time. The BJA should look at each proposal on its own merits. Because these strategic initiatives are meant to be a short-term initiative, if they are merged it might make them too time-consuming. Nothing was merged at this time.

Mr. Henley said the process would be to review the proposals as drafted and for members to identify ten proposals that they thought should be advanced for further development. Chief Justice Fairhurst said that she has used a system where members can use three dots to vote on their favorite and the BJA could do that. Mr. Henley responded that at this point the intention is to assess the breadth of support proposals and to work with those that have a general level of

support. A ranking system is a measure of intensity of support. But he suggested using both methods because more information is always better than less. After discussion it was determined that the BJA members would list their top five issues in ranked order.

Mr. Bamberger expressed concern about the BJA deciding what the priorities are without getting input directly from the stakeholders. Several BJA members disagreed, they stated that there had been a great deal of input from stakeholders prior to the proposals being submitted; stakeholders will be involved in developing a plan to move forward with the issues; the BJA represents the courts, not the stakeholders, and needs to move forward; there are good descriptions in the materials of each of the proposals and the BJA needs to move forward; the groups that submitted the proposals are free to work on them if their issue is not one of the top issues identified by the BJA; and the BJA needs to step up and be leaders of the branch.

Mr. Henley showed a slide with six considerations that members could use in assessing the proposals.

Members were asked to rank their top choices.

BJA Legislative Update

Judge Ringus mentioned that there is a quick link area on the Legislature's Web site that allows comments on bills (<https://app.leg.wa.gov/pbc/>).

The BJA Legislative Reception is set for March 14. Hopefully many BJA members will be able to make it to the reception.

Mr. Horenstein reported that today is the first policy committee cutoff. The BJA bills are all still alive at this moment. There have been over 2,000 bills dropped and there is an initial review of each bill by Administrative Office of the Courts (AOC) staff for judicial impact. In addition, there have been over 200 judicial impact notes submitted by AOC.

A handout was distributed listing bills of interest to the courts and their status and Mr. Horenstein reviewed some of them with the BJA.

Mr. Horenstein thanked the associations and their lobbyists and stated that everyone has been very helpful and all the associations seem to be working well together. Judge Downes mentioned that Mr. Horenstein is working well and a great hire.

Strategic Goal Setting Part 2

The results of the strategic issues voting were distributed to everyone and e-mailed to the people calling into the meeting.

Proposals H (Funding for Interpreter Services), N (Adequate and Sustainable Funding of Court Education) and P (Adequate Court Funding) received 10 votes. R (Courthouse Security) received eight votes, E (Enhancing Public Trust and Confidence in Washington Courts) and O (Coordination of Court Education and Training) received six votes. C (Understanding and Reforming the LFO System in Washington State), G (Addressing the Crisis of Unrepresented

Litigants) and Q (JIS/Case Management System) received five votes. Mr. Henley will compiled the ranking data later.

There was discussion regarding if some proposals should be merged (H, I and J; and N and O) but no decision was made.

The top items were funding issues and there was discussion regarding whether issues that are chosen should be achievable within current resources. This suggests that the BJA cannot accomplish anything without more funding, and the BJA has no control over funding. This discussion will drive the budget, legislation and resources. If the BJA is going to make significant progress, the BJA needs to walk together to move issues forward.

The funding process was discussed and the observation was made that the BJA does not review the existing budget to consider whether the budget is prioritized correctly or if it needs to be reprioritized. There is only so much bandwidth (staff, budget, volunteers, etc.). It was noted that reviewing the AOC budget would greatly increase the confidence of all the BJA members in the AOC. It would be beneficial to the court as a whole to do that to make it transparent. Mr. Henley suggested that looking at the way budget information is provided to the BJA could be looked at as a potential internal goal of the BJA. It was decided that the AOC budget will be placed on a future BJA meeting agenda.

It was mentioned that there are things within the proposals that the BJA can try to tackle that may not cost money in the short-term but may lead to a conversation about using our limited funding to increase effective use of technology in courts. The BJA also needs to look at ways outside the state to be able to move forward without going to the Legislature and saying the BJA needs money. It was noted that the National Center for State Courts (NCSC) has a lot of information that would be beneficial to courts. The information just needs to be sent to the courts.

Judge Garrow noted that the BJA works in an uncoupled judicial system. Scrubbing budgets has been done more at the local levels than at the state level. The BJA does not have a good sense of the overarching budget of AOC. Are the courts getting the most bang for their buck by putting money here or are they getting nice things, but not critical things? A lot of the budget is used by the computer systems and big programs in the AOC's control.

The Policy and Planning Committee will look at the results of the sessions and bring recommendations back to the next BJA meeting.

Budget Update

Mr. Radwan stated that the budget is being discussed with legislative staff members. There is not much money to go around. Mr. Horenstein and Chief Justice Fairhurst are having budget discussions with legislators. Justice Fairhurst indicated that all of her meetings with legislators have been going well.

The revenue forecast is not due until March 16. Revenue has been up since November. Things are okay on the judicial branch budget but there is a ton of pressure on the general fund budget.

Standing Committee Reports

Court Education Committee (CEC): Judge Jasprica reported that the CEC has a retreat coming up on March 24 and all BJA members were invited. They have about 35 responses so far and are looking forward to having all the education partners together to determine the best way to move forward with education.

Legislative Committee (LC): Judge Ringus stated that Mr. Horenstein's earlier report would serve as their report.

Policy and Planning Committee (PPC): Judge Garrow reported that Judge Robertson will join the PPC as the new vice-president of the DMCJA and she is looking forward to Judge Robertson being a member. The PPC is also in the process of solicitation for a public member. A position announcement is in the meeting materials behind the committee report. Please let Judge Garrow or Mr. Henley know if you have a suggestion for a public member. The PPC is working on the strategic planning process and will come back in March with the committee's recommendation.

Budget and Funding Committee: No report.

Information Sharing

There is information for the BJA's review behind Tab 6.

Ms. Dietz stated that one of the items behind Tab 6 is the Court Management Council (CMC) Annual Report. If anyone has any feedback or questions about it, please let Ms. Dietz or Ms. Marr, Co-chairs of the CMC, know.

The CMC is gathering information regarding the difference between giving legal advice and providing good customer service and is developing materials that will be useful for staff to determine how far up to the line they can go without crossing it.

When looking at the budget and how it is being spent, one of the big pieces is that the BJA needs more information about the Judicial Information System (JIS) and what AOC is doing with JIS and their IT projects. If AOC asks people to advocate for the IT projects but does not provide information to the BJA, that is an issue. The Judicial Information System Committee should also know what the BJA is working on.

There being no further business, the meeting was adjourned. The next meeting is March 17.

Recap of Motions from the February 17, 2017 Meeting

Motion Summary	Status
Approve the December 16, 2016 BJA meeting minutes with Judge Downes' revisions.	Passed with Chief Justice Fairhurst and Judge Rogers abstaining because they were not present at the December meeting

Motion Summary	Status
Remove Mr. Mellani McAleenan from the BJA private account as a signer and replace her with Mr. Brady Horenstein.	Passed
Appoint Commissioner Rick Leo to the BJA Public Trust and Confidence Committee.	Passed

Action Items from the February 17, 2017 Meeting

Action Item	Status
<u>December 16, 2016 BJA Meeting Minutes</u> <ul style="list-style-type: none"> Revise the December 16, 2016 meeting minutes with Judge Downes' revisions. Post the minutes online. Send minutes to the Supreme Court for inclusion in the En Banc meeting materials. 	<p>Done</p> <p>Done</p> <p>Done</p>
<u>BJA Private Account Signature</u> <ul style="list-style-type: none"> Update the signers on the BJA private account. 	Done
<u>Committee Appointments</u> <ul style="list-style-type: none"> Draft and mail Public Trust and Confidence Committee appointment letter to Commissioner Rick Leo. 	
<u>Strategic Goal Setting</u> <ul style="list-style-type: none"> Add to March BJA agenda. Add AOC budget presentation to a future BJA agenda. 	Done
<u>Miscellaneous</u> <ul style="list-style-type: none"> Add IT project/JISC reports to future BJA meeting agendas. Have BJA present to the JISC. 	

Tab 2



February 21, 2017

TO: Board for Judicial Administration (BJA) Members

FROM: Chief Justice Mary Fairhurst, BJA Chair
Judge Scott Sparks, BJA Member Chair

RE: BRAINSTORMING ABOUT BJA MEETINGS AND OUR WORK

As members of the BJA we are charged with providing effective leadership to the state courts and developing policy to enhance the administration of justice in Washington State. In order for us to meet this charge it is imperative that we have the information we need to make the best decisions possible. The purpose of this memo is to ask you to thoughtfully identify what that information is for you. It is anticipated that this information will be provided during the BJA meetings.

An item has been placed on the March 17 BJA agenda to brainstorm ideas about how we go about our work and the information we need. We ask that you come prepared to contribute to that discussion. Your contributions and service to the branch and the BJA are appreciated. We look forward to improving together.



March 10, 2017

TO: Board for Judicial Administration (BJA) Members

FROM: Chief Justice Mary Fairhurst, BJA Chair
Judge Scott Sparks, BJA Member Chair

RE: COURT LEVEL UPDATES DURING BJA MEETINGS

As Co-chairs of the BJA, we've recently discussed having each level of court provide an update of what they're working on. Our idea is that this would take place on a rotating basis. As an example, during the March 17, 2017 meeting the leadership of the appellate courts will present. If you agree, during the May 19, 2017 meeting the DMCJA leadership could present, and during the June 16, 2017 meeting the SCJA leadership could present. The cycle would then repeat itself. We look forward to your thoughts on this suggestion.

Tab 3



March 9, 2017

TO: Board for Judicial Administration Members
FROM: Judge Janet Garrow, Chair, Policy and Planning Committee
RE: STRATEGIC GOALS OF THE BJA

On February 17 the BJA reviewed the twenty proposed strategic goals submitted by proponents and ranked them by having each member indicate their top five preferences, in order. Using a weighted vote of 5 for a #1 preference 1 for a #5 preferences, the result of the aggregated ranking is:

ID	Votes	Title
N	36	Adequate and Sustainable Funding of Court Education
P	35	Adequate Court Funding
H	27	Funding for Interpreter Services
R	21	Courthouse Security
E	19	Enhancing Public Trust and Confidence in Washington Courts
Q	18	JIS/Case Management System
C	17	Understanding and Reforming the LFO System in Washington State
G	13	Addressing the Crisis of Unrepresented Litigants
B	12	Improve Responsivity and Increase Jury Diversity
O	11	Coordination of Court Education and Training
A	9	Increasing Jury Diversity in Washington State Courts
D	8	Elimination of Gender Bias in the Court System/Improvement of Gender Equity
I	8	Expanding Court Certified Interpreter Services
K	8	Effective Identification of Judicial Issues
T	7	Adoption of Technologies to Improve Access and Provide Court Service
F	6	Improvement for Statewide Training of Court Employees
M	6	Evidence-Based Criminal Case Performance Measures
J	4	Effective Integration of Language Access Principles
L	4	Effective Use of Information Technology in Trial Case Management
S	0	Educate Justice Partners

The Policy and Planning Committee (PPC) reviewed these results, focusing in the top four proposals voted on by the BJA. The Chair sent an email to the proponents of these four proposals requesting additional information, including any available quantitative data relevant to establishing the scope of the need or issue, any suggested metrics that could be used to assess progress if a strategic initiative is undertaken, and specific identification of stakeholder that would be necessary and sufficient to mounting a successful project.

There is a shared view on the PPC that the court education proposal is the most fully developed and well positioned in terms of organizational support and momentum. So it is a very strong candidate.

There is also support for addressing courthouse security, and an understanding that it has important public safety ramifications for members of the public who come into the courts, as well as attorneys, court staff, judges and others who are present in our courts every day. The Trial Court Advocacy Board (TCAB) has been working on this item for several years, and there is currently a proposed court rule pending before the Supreme Court.

Likewise the need to address provision of language interpretation services has been well documented and has been a BJA and branch priority for several years. There is an established foundation to build on.

The "adequate court funding" proposal is in a somewhat different posture, but is not developed at this point. The Committee can envision an effort that seeks to address structural issues underlying court funding beyond appropriations processes, including examination of potential funding streams and the division of responsibilities between the state and local governments for various operational costs.

At this point the prevailing view on the Policy and Planning Committee is that all four proposals have merit. The Committee's recommended order of these proposals for consideration by BJA are: 1. Court Education funding; (2) Court Security; (3) Interpreter funding, and (4) Adequate Court funding. The PPC seeks further deliberations and decision from the BJA regarding which strategic goal(s) should be adopted.

The next step for any goal(s) adopted by the BJA will be for the Committee to work with the proponents and key stakeholders to draft a charter for a strategic initiative, including the charge to the body, membership, deliverables, timelines and other expected outputs.

Concerning the balance of the proposed goals, the Committee recognizes the importance of each. In some cases there are existing efforts or entities that may be well positioned to undertake a project along the lines of the proposed goal. The Committee intends to generate a supportive communication back to the proponents of each proposal, perhaps making referrals in some situations, as appropriate, the Committee may offer to consider BJA actions in support of the project [e.g., resolution] where the BJA can be of assistance.

BOARD FOR JUDICIAL ADMINISTRATION

POLICY AND PLANNING COMMITTEE

Proposed Goals Under Consideration

March 9, 2017

ID	Page	Subject	Title	Proponent(s)
A	2	Court Education, Court Funding	Adequate and Sustainable Funding of Court Education	Judy Rae Jasprica / BJA Court Education Committee
B	4	Facilities, Public Safety	Courthouse Security	G. Scott Marinella/DMCJA
C	5	Interpretation, Court Funding	Funding for Interpreter Services	Michael Downes, G. Scott Marinella, Ann Schindler /SCJA, DMCJA, BJA B&FC
D	6	Court Funding	Adequate Court Funding	G. Scott Marinella/DMCJA

PROPOSAL "A"

TITLE: ADEQUATE AND SUSTAINABLE FUNDING OF COURT EDUCATION

PROPONENT: Judge Judy Rae Jasprica, Court Education Committee.

ISSUE:

There is an education and training funding crisis that is being ignored. The education and training budget for the courts is stagnant due to a history of budget cuts and can no longer address the education and training of the judiciary.

Over the past decade there has been a slow decrease of funding. The current funding level does not pay for standard education and training needs since costs have risen but not the education/training budgets. The dollar doesn't stretch as far.

Over half of the judicial officers, court managers, county clerks and court personnel have already retired or will retire over the next 10 years. These are typically the most knowledgeable and experienced judicial officers, court managers and court personnel in the court system.

Without sufficient and reliable funding, judicial officers, administrators, County Clerks and line-staff will not have the opportunity to attend basic training and education. This is a critical time in our judiciary due to the record number of retirees (judges, administrators, County Clerks.) Their successors will not have the same opportunity to attend needed education and training as did their predecessors.

If we do nothing, we will have undereducated judicial officers, administrators, County Clerks and line-staff. Education and training are critical elements to our courts being effective and able to meet the needs of the public.

Many judicial officers come into the Superior Courts with little general litigation experiences or experience in family or juvenile law. Most judicial officers, at every level of the court, do not have sufficient opportunities to educate or train themselves on the roles and responsibilities of the job. Experienced administrators are also retiring and there is concern on how to "educate" new managers, and new staff to keep our court systems effective and responsive to their communities.

The County Clerks already have had a significant turnover and had to find outside funding to develop an orientation program for the newly elected clerks.

We do not have enough funding to develop online, as-needed education to reach small and rural court judges, administrators and line-staff. They often cannot leave their courts to attend any education or training on best practices, thus isolating them from the rest of the judiciary.

Managing the Judicial College budget is a challenge due to the increasing number of new judicial officers who are mandated to attend.

We do not have enough funding to educate and train the Presiding Judge and Administrator team, the leadership of our courts.

Overall, we do not have enough education and training funds nor resources to begin to address the educational needs of judges and court personnel over the next 2 - 5 years.

GOAL:

Court Education Committee – Priority #1

Establish and maintain sufficient resources dedicated to Court Education.

STAKEHOLDERS:

- Annual Conference Committee
- Appellate Judges Education Committee
- Superior Court Judges' Association and SCJA Education Committee, Mentor Committee
- District and Municipal Court Judges' Association and DMCJA Education Committee, Mentor Committee
- Washington State Association of County Clerks
- District and Municipal Court Management Association and DMCMA Education Committee
- Washington Association of Juvenile Court Administrators and WAJCA Strategic Planning and Education Committee
- Washington State Law School Deans
- Supreme Court and Court of Appeals Clerks
- Court Management Council
- Presiding Judge and Administrator Education Committee
- Judicial College Deans
- Institute for New Court Employees Committee
- Institute for Court Management Committee
- Gender and Justice Commission
- Minority and Justice Commission
- Interpreter Commission
- Commission on Children and Foster Care
- Commission on Judicial Conduct
- Counties and Cities

PROPOSAL "B"

TITLE: **COURTHOUSE SECURITY**

PROPONENTS: Judge G. Scott Marinella, DMCJA Board of Governors

ISSUE:

The safety of all of the participants in our courthouses remains a top priority for the DMCJA. Without adequate security, the safety of all participants is in needless jeopardy, including:

- Members of the public summonsed in for jury duty; traffic infractions; civil cases and criminal cases
- Every party involved in domestic violence cases, including alleged victims and witnesses, who appear to deal with: domestic violence criminal cases; protection order cases; stalking and anti-harassment cases
- Courthouse staff who are required to work every day in a building where disputes are resolved and where some of those involved in those disputes will present a risk for violence

GOAL:

To obtain adequate courthouse security for trial courts.

STAKEHOLDERS:

- Association of Juvenile Court Administrators and WAJCA Strategic Planning and Education Committee
- Washington State Law School Deans
- Supreme Court and Court of Appeals Clerks
- Court Management Council
- Presiding Judge and Administrator Education Committee
- Judicial College Deans
- Institute for New Court Employees Committee
- Institute for Court Management Committee
- Gender and Justice Commission
- Minority and Justice Commission
- Interpreter Commission
- Commission on Children and Foster Care
- Commission on Judicial Conduct
- Counties and Cities

PROPOSAL “C”

TITLE: FUNDING FOR INTERPRETER SERVICES

PROPONENT: Judge Michael Downes, Judge G. Scott Marinella, Judge Ann Schindler / Superior Court Judges’ Association, District and Municipal Court Judges’ Association, Court of Appeals, BJA Budget and Funding Committee.

ISSUE STATEMENT:

In July 2012, the BJA adopted a resolution recognizing equal access to court is fundamental to justice for individuals who are limited-English proficient. See July 20, 2012 Resolution In Support of Language Access Services in Court. The judicial branch has taken the position that the legislature should reimburse the courts for 50% for the cost of interpreters. In 2007, the legislature appropriated \$1.9 million biannually in pass-through money to the courts to be used in creating language access plans and reimbursing courts with approved plans. Since 2007, the amount allocated has decreased to 36% in language access funding for the 52 superior, district and municipal courts with language access plans resulting in funding that covers only 7 months of the fiscal year. Although trial court funding for language access has been the top priority for the BJA and the judicial branch in the last three budget cycles, we have not obtained state funding of 50% of the cost of interpreters.

GOAL STATEMENT:

Work with the Interpreter Commission and other stakeholders to promote strategies that address access to the courts and develop a successful funding strategy for interpreter services that includes empirical based analysis and priorities.

STAKEHOLDERS:

- Superior Court Judges’ Association
- District and Municipal Court Judges’ Association
- Supreme Court and Court of Appeals
- Washington Supreme Court Interpreter Commission
- Access to Justice Board
- Office of Public Defense
- Office of Civil Legal Needs
- Administrative Office of the Courts
- Washington Supreme Court Minority and Justice Commission
- Washington Supreme Court Gender and Justice Commission
- Counties and Cities

PROPOSAL “D”

TITLE: ADEQUATE COURT FUNDING

PROPONENTS: Judge G. Scott Marinella, DMCJA Board of Governors

ISSUE:

The issue of court funding permeates all of the priorities below. The Courts of Limited Jurisdiction (CLJ) cannot provide services or justice when we are chronically underfunded. We need to educate the public, from the voters to the legislators, regarding the effect that minimal funding has on our ability to serve the public’s constitutionally protected interests. This includes legislative cuts to AOC’s budget that resonate through every level of the courts. We should assess the mandated services the court provides and question how we are expected to provide these services in an environment of shrinking budgets.

GOAL:

Adequate court funding.

STAKEHOLDERS:

Tab 4

Tab 5



March 8, 2017

TO: Board for Judicial Administration Members

FROM: Judge Judy Rae Jasprica, BJA Court Education Committee Chair
Judge Douglas J. Fair, BJA Court Education Committee Co-Chair

RE: Court Education Committee Report

I. Work in Progress

Forty four individuals are registered to attend the March 24, 2017 retreat to discuss, globally, court education needs and coordination and the role of the CEC to help meet those needs.

The Court Education Committee submitted two goals to the BJA Policy and Planning Committee for consideration. The goal focusing on securing adequate and sustainable was reviewed by the BJA and voted one of the top interests of the BJA. The PPC asked the CEC to provide additional information.

The Court Education Committee has sent a no-cost extension request to the State Justice Institute (SJI). The CEC is requesting a deadline extension to June 30, 2017. Awaiting a reply.

The upcoming CEC meetings are:

- March 16, 2017 – Online rehearsal for the retreat. Members of the CEC will practice their portions and make further refinements.
- March 24, 2017 – CEC Retreat with Dr. Martin.

II. Short-term Goals

The CEC plans to:

- Conduct the March 24, 2017 retreat with education and training providers to begin the discussion on adequate funding, coordinating education and training.
- Adopt a communication plan to foster a holistic relationship between the other BJA standing committees.

- Develop a 3-5 year plan to increase the availability and access of education and training for all court personnel.

III. Long-term Goals

- Continue to plan and develop judicial branch education with consultant.
- Develop a stable and adequate funding source for court education.
- Develop an in-state Judicial Education Leadership Institute.

IV. SJI Tasks (tasks may be modified as needed and additional tasks identified)

- Form an assessment and planning team to conduct a needs assessment and visioning session.
- Identify effective court learning and education approaches.
- Formulate a comprehensive 3-5 year learning and education strategic agenda.
- Implement improved education function governance and align learning and education activities among court committees, associations, and commissions.
- Begin to implement reengineering learning and education function priorities.
- Prepare two versions of a roadmap for learning and education improvement in the Washington State Courts.



March 9, 2017

TO: Board for Judicial Administration Members
FROM: Judge Janet Garrow, Policy and Planning Committee
RE: REPORT OF POLICY AND PLANNING COMMITTEE

Since its last report the Policy and Planning Committee met by telephone on March 7.

Committee Membership

The Committee welcomed new members Chief Justice Mary Fairhurst and Judge Rebecca Robertson.

The Committee is seeking a public member. BJA members are asked to assist in recruiting candidates. A committee membership opportunity notice is attached. The application deadline is April 1.

BJA Strategic Planning Goals

The Committee reviewed the results of the February 17 sessions of the BJA regarding proposed strategic goals of the BJA. The results of this discussion are summarized in a memorandum entitled "Selection of Strategic Goals of the BJA" found elsewhere in the BJA meeting materials for March 17.

Next Meeting

The Committee will meet next immediately following the March 17 meeting of the BJA.

Public Member Sought of Board for Judicial Administration

Policy and Planning Committee

Application deadline April 1, 2017

The Washington State Board for Judicial Administration (BJA) Policy and Planning Committee seeks a public representative to serve as a member on the committee.

The BJA was created by court rule “to provide effective leadership to the state courts system and to develop policy to enhance the administration of justice in Washington State.” The Policy and Planning Committee is a standing committee of the BJA. Information about the BJA can be found at: https://www.courts.wa.gov/programs_orgs/pos_bja/

The committee has primary responsibility for long term and strategic planning for the judicial branch of Washington, and has jurisdiction “to research and make recommendations regarding any area of policy affecting the courts of Washington which is within the plenary authority of the BJA.” The committee is very active in addressing its mandates as well as responding to a broad range of policy matters referred to it by the BJA. Since 2014 the committee has been developing and implementing an innovative approach to collaborative planning designed for a non-unified court structure.

Committee meetings generally take place at the Administrative Office of the Courts facility in SeaTac, Washington, on the afternoon of the third Friday of most months.

The committee is particularly interested in persons who possess the following characteristics:

- A strong interest in justice system policy, planning, and judicial branch governance.
- A member of a community historically underrepresented in judicial branch governance.
- An interest in access to justice initiatives.
- Will be an active and engaged committee member.

Interested persons should provide a letter expressing interest and qualifications for service on this committee by April 1, 2017. Letters may be addressed to Judge Janet E. Garrow, chair, Policy and Planning Committee, and sent via email to Steve.Henley@courts.wa.gov.

Tab 6

BOARD FOR JUDICIAL ADMINISTRATION RULES (BJAR)

TABLE OF RULES

Rule

Preamble

- 1 Board for Judicial Administration
- 2 Composition
- 3 Operation
- 4 Duties
- 5 Staff

BJAR
PREAMBLE

The power of the judiciary to make administrative policy governing its operations is an essential element of its constitutional status as an equal branch of government. The Board for Judicial Administration is established to adopt policies and provide strategic leadership for the courts at large, enabling the judiciary to speak with one voice.

[Adopted effective January 25, 2000.]

BJAR 1
BOARD FOR JUDICIAL ADMINISTRATION

The Board for Judicial Administration is created to provide effective leadership to the state courts and to develop policy to enhance the administration of the court system in Washington State. Judges serving on the Board for Judicial Administration shall pursue the best interests of the judiciary at large.

[Amended effective October 29, 1993; January 25, 2000.]

BJAR 2
COMPOSITION

- (a) Membership. The Board for Judicial Administration shall consist of judges from all levels of court selected for their demonstrated interest in and commitment to judicial administration and court improvement. The Board shall consist of five members from the appellate courts (two from the Supreme Court, one of whom shall be the Chief Justice, and one from each division of the Court of Appeals), five members from the superior courts, one of whom shall be the President of the Superior Court Judges' Association, five members of the courts of limited jurisdiction, one of whom shall be the President of the District and Municipal Court Judges' Association, two members of the Washington State Bar Association (non-voting) and the Administrator for the Courts (non-voting).
- (b) Selection. Members shall be selected based upon a process established by their respective associations or court level which considers demonstrated commitment to improving the courts, racial and gender diversity as well as geographic and caseload differences.
- (c) Terms of Office.
 - (1) Of the members first appointed, one justice of the Supreme Court shall be appointed for a two-year term; one judge from each of the other levels of court for a four-year term; one judge from each of the other levels of court and one Washington State Bar Association member for a three-year term; one judge from the other levels of court and one Washington State Bar Association member for a two-year term; and one judge from each level of trial court for a one-year term. Provided that the terms of the District and Municipal Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2011 shall be for two years and the terms of the Superior Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2013 shall be for two years each. Thereafter, voting members shall serve four-year terms and the Washington State Bar Association members for three-year terms commencing annually on June 1. The Chief Justice, the President Judges and the Administrator for the Courts shall serve during tenure.
 - (2) Members serving on the BJA shall be granted equivalent pro tempore time.

[Amended effective October 29, 1993; February 16, 1995; January 25, 2000; June 30, 2010.]

BJAR RULE 3
OPERATION

(a) Leadership. The Board for Judicial Administration shall be chaired by the Chief Justice of the Washington Supreme Court in conjunction with a Member Chair who shall be elected by the Board. The duties of the Chief Justice Chair and the Member Chair shall be clearly articulated in the by-laws. Meetings of the Board may be convened by either chair and held at least bimonthly. Any Board member may submit issues for the meeting agenda.

(b) Committees. Ad hoc and standing committees may be appointed for the purpose of facilitating the work of the Board. Non-judicial committee members shall participate in non-voting advisory capacity only.

(1) The Board shall appoint at least four standing committees: Policy and Planning, Budget and Funding, Education, and Legislative. Other committees may be convened as determined by the Board.

(2) The Chief Justice and the Member Chair shall nominate for the Board's approval the chairs and members of the committees. Committee membership may include citizens, experts from the private sector, members of the legal community, legislators, clerks and court administrators.

(c) Voting. All decisions of the Board shall be made by majority vote of those present and voting provided there is one affirmative vote from each level of court. Eight voting members will constitute a quorum provided at least one judge from each level of court is present. Telephonic or electronic attendance shall be permitted but no member shall be allowed to cast a vote by proxy.

[Adopted effective January 25, 2000; amended effective September 1, 2014.]

BJAR 4
DUTIES

(a) The Board shall establish a long-range plan for the judiciary;

(b) The Board shall continually review the core missions and best practices of the courts;

(c) The Board shall develop a funding strategy for the judiciary consistent with the long-range plan and RCW 43.135.060;

(d) The Board shall assess the adequacy of resources necessary for the operation of an independent judiciary;

(e) The Board shall speak on behalf of the judicial branch of government and develop statewide policy to enhance the operation of the state court system; and

(f) The Board shall have the authority to conduct research or create study groups for the purpose of improving the courts.

[Adopted effective January 25, 2000.]

BJAR 5
STAFF

Staff for the Board for Judicial Administration shall be provided by the Administrator for the Courts.

[Adopted effective January 25, 2000.]



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BOARD FOR JUDICIAL ADMINISTRATION BYLAWS

ARTICLE I

Purpose

The Board for Judicial Administration shall adopt policies and provide leadership for the administration of justice in Washington courts. Included in, but not limited to, that responsibility is: 1) establishing a judicial position on legislation; 2) providing direction to the Administrative Office of the Courts on legislative and other administrative matters affecting the administration of justice; 3) fostering the local administration of justice by improving communication within the judicial branch; and 4) providing leadership for the courts at large, enabling the judiciary to speak with one voice.

ARTICLE II

Membership

Membership in the Board for Judicial Administration shall consist of the Chief Justice and one other member of the Supreme Court, one member from each division of the Court of Appeals, five members from the Superior Court Judges' Association, one of whom shall be the President; five members from the District and Municipal Court Judges' Association, one of whom shall be the President. It shall also include as non-voting members two members of the Washington State Bar Association appointed by the Board of Governors; the Administrator for the Courts; and the Presiding Chief Judge of the Court of Appeals, the President-elect judge of the Superior Court Judges' Association and the President-elect judge of the District and Municipal Court Judges' Association.

ARTICLE III

Officers and Representatives

The Chief Justice of the Supreme Court shall chair the Board for Judicial Administration in conjunction with a Member chair. The Member chair shall be elected by the Board and shall serve a two year term. The Member chair position shall be filled alternately between a voting Board member who is a superior court judge and a voting Board member who is either a district or municipal court judge.

ARTICLE IV

Duties of Officers

The Chief Justice Chair shall preside at all meetings of the Board, performing the duties usually incident to such office, and shall be the official spokesperson for the Board. The Chief Justice chair and the Member chair shall nominate for the Board's approval the chairs of all committees. The Member chair shall perform the duties of the Chief Justice chair in the absence or incapacity of the Chief Justice chair.

ARTICLE V

Vacancies

If a vacancy occurs in any representative position, the bylaws of the governing groups shall determine how the vacancy will be filled.

ARTICLE VI **Committees**

Standing committees as well as ad hoc committees and task forces of the Board for Judicial Administration shall be established by majority vote.

Each committee shall have such authority as the Board deems appropriate.

The Board for Judicial Administration will designate the chair of all standing, ad hoc, and task force committees created by the Board. Membership on all committees and task forces will reflect representation from all court levels. Committees shall report in writing to the Board for Judicial Administration as appropriate to their charge. The Chair of each standing committee shall be asked to attend one BJA meeting per year, at a minimum, to report on the committee's work. The terms of standing committee members shall not exceed two years. The Board for Judicial Administration may reappoint members of standing committees to one additional term. The terms of ad hoc and task force committee members will have terms as determined by their charge.

ARTICLE VII **Executive Committee**

There shall be an Executive Committee composed of Board for Judicial Administration members, and consisting of the co-chairs, a Judge from the Court of Appeals selected by and from the Court of Appeals members of the Board, the President Judge of the Superior Court Judges' Association, the President Judge of the District Municipal Court Judges' Association, and non-voting members to include one Washington State Bar Association representative selected by the Chief Justice, President-elect judge of the Superior Court Judges' Association, President-elect judge of the District and Municipal Court Judges' Association and the Administrator for the Courts.

It is the purpose of this committee to consider and take action on emergency matters arising between Board meetings, subject to ratification of the Board.

The Executive Committee shall serve as the Legislative Committee as established under BJAR 3(b)(1). During legislative sessions, the Executive Committee is authorized to conduct telephone conferences for the purpose of reviewing legislative positions.

ARTICLE VIII **Regular Meetings**

There shall be regularly scheduled meetings of the Board for Judicial Administration at least bi-monthly. Reasonable notice of meetings shall be given each member.

ARTICLE IX **Special Meetings**

Special meetings may be called by any member of the Board. Reasonable notice of special meetings shall be given each member.

ARTICLE X **Quorum**

Eight voting members of the Board shall constitute a quorum provided each court level is represented.

ARTICLE XI **Voting**

Each judicial member of the Board for Judicial Administration shall have one vote. All decisions of the Board shall be made by majority vote of those present and voting provided there is one affirmative vote from each level of court. Telephonic or electronic attendance shall be permitted but no member shall be allowed to cast a vote by proxy.

ARTICLE XII **Amendments and Repeal of Bylaws**

These bylaws may be amended or modified at any regular or special meeting of the Board, at which a quorum is present, by majority vote. No motion or resolution for amendment may be considered at the meeting in which they are proposed.

Approved for Circulation--7/27/87
Amended 1/21/00
Amended 9/13/00
Amended 5/17/02
Amended 5/16/03
Amended 10/21/05
Amended 03/16/07

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BOARD FOR JUDICIAL ADMINISTRATION

PROCESS AND GUIDELINES FOR RESOLUTION REQUESTS

The Board for Judicial Administration (Board) was established to adopt policies and provide strategic leadership for the courts at large, enabling the Washington State judiciary to speak with one voice. To fulfill these objectives, the BJA may consider adopting resolutions on substantive topics relating to the administration of justice.

Resolutions may be aspirational in nature, support a particular position, or serve as a call to action. Resolutions may support funding requests, but do not stand alone as a statement of funding priorities or indicate an intent by the Board to proactively seek funding. Resolutions are not long-term policy statements and their adoption does not establish the Board's work plan or priorities.

The absence of a Resolution on a particular subject does not indicate a lack of interest or concern by the Board in regard to a particular subject or issue.

In determining whether to adopt a proposed resolution, the Board shall give consideration to the following:

- Whether the Resolution advances the Principal Policy Objectives of the Judicial Branch.
- The relation of the Resolution to priorities delineated in existing strategic and long range plans.
- The availability of resources necessary to properly act upon the resolution.
- The need to ensure the importance of resolutions adopted by the Board is not diluted by the adoption of large numbers of resolutions.

In order to ensure timely and thorough consideration of proposed resolutions, the following guidelines regarding procedure, form and content are to be followed:

- Resolutions may be proposed by any Board member. The requestor shall submit the resolution, in writing, with a request form containing a brief statement of purpose and explanation, to the Associate Director of the Board for Judicial Administration.
- Resolutions should not be more than two pages in length. An appropriate balance must be struck between background information and a clear statement of action. Traditional resolution format should be followed. Resolutions should cover only a single subject unless there is a clear and specific reason to include more than one subject. Resolutions must be short-term and stated in precise language.

- Resolutions must include a specific expiration date or will automatically expire in five years. Resolutions will not be automatically reviewed upon expiration of their term, but may be reviewed upon request for reauthorization. Resolutions may be terminated prior to their expiration date as determined by the Board.
- The Associate Director shall refer properly submitted resolutions to appropriate staff, and/or to an appropriate standing committee (or committees) for review and recommendation, or directly to the Board's Executive Committee, as appropriate. Review by the Board's Executive Committee will precede review by the full Board membership. Such review may be done via e-mail communication rather than in-person discussion when practical. Resolutions may be reviewed for style and content. Suggestions and comments will be reported back to the initiating requestor as appropriate.
- The report and recommendation of the Executive Committee shall be presented to the BJA membership at the next reasonably available meeting, at which time the resolution may be considered. Action on the proposed resolution will be taken in accordance with the BJAR and bylaws. The Board may approve or reject proposed resolutions and may make substantive changes to the resolutions.
- Approved resolutions will be numbered, maintained on the Board for Judicial Administration section of the Washington Courts website, and disseminated as determined by the Board for Judicial Administration.

**PRINCIPAL POLICY OBJECTIVES
OF THE WASHINGTON STATE JUDICIAL BRANCH**

1. **Fair and Effective 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 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 participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.
3. **Access to Necessary Representation.** Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.
4. **Commitment to Effective Court Management.** Washington courts will employ and maintain systems and practices that enhance effective court management.
5. **Appropriate Staffing and Support.** Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.

BOARD FOR JUDICIAL ADMINISTRATION

RESOLUTION REQUEST COVER SHEET

(INSERT PROPOSED RESOLUTION TITLE HERE)

SUBMITTED BY: (INSERT NAME HERE)

(1) **Name(s) of Proponent(s):**

(2) **Spokesperson(s):** (List who will address the BJA and their contact information.)

(3) **Purpose:** (State succinctly what the resolution seeks to accomplish.)

(4) **Desired Result:** (Please state what action(s) would be taken as a result of this resolution and which party/-ies would be taking action.)

(5) **Expedited Consideration:** (Please state whether expedited consideration is requested and, if so, please explain the need to expedite consideration.)

(6) **Supporting Material:** (Please list and attach all supporting documents.)