

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, March 15, 2019
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
Washington State Supreme Court

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

Judge Doug Federspiel
Superior Court Judges' Association
Yakima County Superior Court

Judge Blaine Gibson, President
Superior Court Judges' Association
Yakima County Superior Court

Judge Gregory Gonzales
Superior Court Judges' Association
Clark County Superior Court

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District and Municipal Court Judges Association
Lincoln County District Court

Judge David Kurtz
Superior Court Judges' Association
Snohomish County Superior Court

Judge Robert Lawrence-Berrey
Court of Appeals, Division III

Judge Linda Lee
Court of Appeals, Division II

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

Judge David Mann
Court of Appeals, Division I

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

Judge Rebecca Robertson, President
District and Municipal Court Judges' Association
Federal Way Municipal Court

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

Justice Charles Wiggins
Washington State Supreme Court

NON-VOTING MEMBERS:

Paula Littlewood, Executive Director
Washington State Bar Association

Judge Samuel Meyer, President-Elect
District and Municipal Court Judges' Association
Thurston County District Court

William Pickett, President
Washington State Bar Association

Dawn Marie Rubio
State Court Administrator

Judge Laurel Siddoway, Presiding Chief Judge
Court of Appeals, Division III

Judge Kitty Ann van Doorninck, President-Elect
Superior Court Judges' Association
Pierce County Superior Court

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

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



Board for Judicial Administration (BJA)

Friday, March 15, 2019 (9 a.m. – 12:00 p.m.)

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

AGENDA

1. Call to Order Welcome and Introductions	Judge Judy Rae Jasprica	9:00 a.m.
2. Report on the Technology Assisted Forms Project Information: Overview of project	Laurie Garber, TAF Project Mgr.	9:05 Tab 1
3. Judicial Leadership Proposal Action: Discussion and approve recommendations	Judge Judy Rae Jasprica	9:25 Tab 2
4. BJA Leadership Goals Action: BJA Communication Plan Review and approve recommendations	Judge Rebecca Robertson Jeanne Englert	9:40 Tab 3
5. Standing Committee Reports Budget and Funding Committee <ul style="list-style-type: none"> • Supplemental Budget Process Action: Approve the 2020 Supplemental Budget Process • Legislative Budget Update Court Education Committee Legislative Committee <ul style="list-style-type: none"> • Legislative Update Policy and Planning Committee	Judge Mary Logan Ramsey Radwan Ramsey Radwan Judge Judy Rae Jasprica Judge Kevin Ringus Dory Nicpon Judge Rebecca Robertson	9:55 Tab 4
6. BJA Task Forces Update Court Security Task Force Court System Education Funding Task Force Interpreter Services Task Force	Judge Rebecca Robertson/Penny Larsen Jeanne Englert Jeanne Englert	10:20
Break		10:30
7. Court of Appeals Presentation Information: Court level information sharing	Judge Laurel Siddoway	10:40

<p>8. BJA Ad Hoc Committees Committee Composition <ul style="list-style-type: none"> Action: Review and motion to approve BJA Rules and Bylaws <ul style="list-style-type: none"> Discussion: Review suggested changes BJA Membership Recruitment and Diversity Considerations <ul style="list-style-type: none"> Discussion if approved in Committee Composition </p>	<p>Jeanne Englert</p>	<p>10:55 Tab 5</p>
<p>9. BJA Committee Chair Nominations Action: Motion to approve the following nominations for 2019-2021: BJA Co-chair and CEC Chair, Judge Gregory Gonzales and PPC Chair, Judge Michael Scott.</p>	<p>Judge Judy Rae Jasprica</p>	<p>11:40</p>
<p>10. February 15, 2019 Meeting Minutes Action: Motion to approve the minutes of the February 15, 2019 meeting</p>	<p>Judge Judy Rae Jasprica</p>	<p>11:40 Tab 6</p>
<p>11. Information Sharing Roundtable Meeting review</p>	<p>Judge Judy Rae Jasprica</p>	<p>11:45</p>
<p>12. Adjourn</p>	<p>Judge Judy Rae Jasprica</p>	<p>12:00</p>
<p>Persons with a disability, who require accommodation, should notify Jeanne Englert, at 360-705-5207 or Jeanne.englert@courts.wa.gov request or discuss accommodations. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.</p>		

Next meetings:

- May 17, 2019 - AOC SeaTac Office**
- June 14, 2019 - AOC SeaTac Lower Level – 8:30 -11:30**
- September 20, 2019 - AOC SeaTac Office**
- October 18, 2019 - AOC SeaTac Office**
- November 15, 2019 – AOC SeaTac Office**

The leadership goals of the Board for Judicial Administration are 1) Speaking with a Unified Voice; 2) Court Communication; 3) Committee Coordination; and 4) Committee Composition.

TAB 1

Technology Assisted Forms

Project Plan – Summary – 10/8/2018

Goal: to provide free, accessible, online tools for people without lawyers to find and complete the forms they need to succeed in family court.



People and Roles

- **Funder:** Office of Civil Legal Aid (OCLA), James Bamberger, Director
- **Project Management:** Northwest Justice Project (NJP), Laurie Garber, Project Manager; Sue Encherman, administrator for LSC-TIG grant
- **Contractor:** Pro Bono Net (PBN): Mark O'Brien, Executive Director, and Claudia Johnson, Law Help Interactive (LHI) Program Manager
- **Subcontractor:** Capstone Practice Systems (Capstone): Marc Lauritsen, President
- **Advisory Committee:** Hon. Susan Amini, King County Superior Court, Chairperson

Description

The Technology Assisted Forms Project will create a free online system of interactive plain language interviews to generate the highest priority mandatory family law forms in Washington. The purpose of the system is to help unrepresented litigants find and complete the forms they need to succeed in family court.

The Office of Civil Legal Aid (OCLA) will contract with Pro Bono Net (PBN) and subcontractor Capstone Practice Systems (Capstone) to develop, test, host and support the document assembly system. Capstone will program the interviews and templates on HotDocs software. PBN will host the interviews and assemble documents on their [LawHelpInteractive](#) (LHI) platform. Users will access the interviews via links from [WashingtonLawHelp.org](#).

Northwest Justice Project (NJP) will provide a Project Manager with funding from a Legal Services Corporation Technology Innovation Grant (LSC-TIG). The Project Manager is also a family law and plain language expert who will edit interview language and create supporting and instructional content with help from other NJP staff. The NJP webmaster will create the public access pages for the project on WashingtonLawHelp.

The Access to Justice Board has established a Technology Assisted Forms [Advisory Committee](#) comprised of justice system stakeholders. The Advisory Committee will provide guidance and assistance to the Project Manager, monitor progress, and oversee the evaluation of the project.

The WashingtonLawHelp ‘jump off’ pages will include information to orient the user about when and how each interview should be used, how long it will take, and what type of information the user will need to provide. The user will follow a link to start the interview on LHI. On the LHI website, users can choose to do forms anonymously or create password protected accounts to save their answers. Those who create accounts can return and edit their saved answers after ending a session; anonymous users cannot.

The interview questions and instructions that accompany the completed forms will be written in plain language and will include help text and links to additional resources. The forms themselves will be the current versions of the plain language mandatory family law forms adopted by the state Pattern Forms Committee in 2016.

The end product for each interview will be a completed bundle of family law forms and instructions to accomplish a specific task in a family law case. Interviews will be created for both parties and all procedural postures (e.g., filing a new case, responding, moving for temporary orders, finishing a case). The user will be able to assemble, download, save and print their documents. Some interviews will assemble a single document; others will assemble multiple documents and may link to secondary interviews.

The Project Manager, PBN and Capstone will make design choices guided by project goals and the proposed [ATJ Technology Court Rules](#) submitted to the Supreme Court. Capstone will program the interviews with branching logic to minimize the number of questions the user must answer and to avoid generating unnecessary forms during a session. A user who has saved their answers from one interview can use those answers when starting a second interview to avoid retyping repeat information. However, users will have the opportunity to change previous answers if the information or choices have changed. In the course of a session, users will be able to change their answers and assemble their documents as many times as needed.

The interviews and supporting orientation and instructional content will all be thoroughly tested before public release. Capstone will do the initial testing, followed by NJP staff and volunteers. The Project Manager will share each group of interviews with justice system stakeholders for testing, with feedback to be collected via online tools. The Project Manager will conduct in-person testing with target end-users at least two times during the automation phase.

The Project Manager will coordinate with the Administrative Office of the Courts to place appropriate links from the courts’ mandatory forms webpage to the interview jump off pages on WashingtonLawHelp. The Advisory Committee will support the Project Manager in outreach efforts to inform stakeholders and the public about the Project.

The Project Manager will give regular reports to the Advisory Committee and funders detailing progress on the work plan and deliverables, identifying obstacles to meeting deadlines, and

recommending changes, if any, in anticipated timelines. The Advisory Committee will help create and implement a plan for evaluating the project.

NJP hired the Project Manager to begin work in July 2018. OCLA contracted with Pro Bono Net and subcontractor Capstone to work with the Project Manager in an intensive planning phase from July through September 2018. The execution phase of the project will begin on October 1, 2018, and finish by June 30, 2020.

Scope of Work

During the planning phase, the Project Manager identified 67 forms in 27 interviews as the targets for automation. These interviews will be released in 12 groups sequentially over the remaining 22 months of the project as itemized on the proposed [Interview-Bundle List](#) (tab 1 – Top 12). This target is subject to review and approval by the Advisory Committee. The Project Manager will report on progress towards this target throughout the project, and will revise the target if necessary.

The first 9 groups cover the highest priority forms needed for divorce with and without children, parenting plans and child support for unmarried parents, and domestic violence protection orders – all from start to finish (including temporary orders) and from either party's perspective (petitioner and respondent). Groups 10-12 cover some of the medium priority forms including modification of parenting plans and renewing DV protection orders.

The Project Manager initially reviewed 125 forms that could be automated in 52 interviews and released in 20 groups. (See [Interview-Bundle List](#) at tab 2 – All 20.) She narrowed the scope of the project to 67 forms to stay within budget and allow adequate time for testing and to create all of the supporting orientation and instructional content for each interview. The Project Manager prioritized based on these criteria:

- Used in high volume by target user (unrepresented, low-income litigant)
- Necessary to complete an average case
- Important for litigant safety
- Stable (unlikely to change)

The Project Manager consulted Pierce County filing data to determine the most commonly filed types of cases, then balanced that data against the other three factors. For example, Petitions to Decide Parentage are relatively high volume filings, but the majority are filed by Prosecuting Attorneys on behalf of the state, not by unrepresented litigants. Moreover, Washington just adopted a new Uniform Parentage Act and new mandatory forms are still under development. For both those reasons, forms to decide parentage were designated a low priority.

Once the forms were prioritized, the Project Manager bundled the forms into logical interview groups so that each interview produces a complete set of forms for a discrete stage of the prioritized case types. Many forms will repeat across bundles because they are used in more than one type of case or at more than one stage of a case. The bundle list includes all of the forms that could possibly be generated by an interview; however, in practice the interview will only generate the forms indicated by the user's answers to questions. Several interviews will also direct users to a secondary interview to complete additional forms if necessary.

Work Plan

Project partners will undertake the activities described in detail in the [Work Plan](#) to achieve the following goals in each phase:

- Ramp Up
 - Finalize interview sequencing and bundles for priority forms.
 - Set interview design standards, informed by project goals, WA Tech Principles, and practical constraints.
 - Create accessible entry points for users to find interviews on WashingtonLawHelp.
 - Standardize support materials and user experience to maximize interview completion for target users.
 - Prepare for thorough, three-tiered testing of interviews and supporting content by staff, stakeholders and end users.
 - Develop business requirements with PBN to implement high priority LHI platform enhancements that improve the user experience with complex interviews and bundles.
- Automation & Testing
 - Automate highest priority forms into interactive interviews with supporting content (jump off page, FAQ, output instructions, next steps).
 - Thoroughly test interviews and assemblies for accuracy and usability in three tiers: with staff, stakeholders and end users.
 - Publish interviews on WashingtonLawHelp/LHI; troubleshoot.
- Outreach
 - Engage with target users and stakeholders to build support, test/improve interviews, and increase utilization.
 - Improve users' ability to identify and locate the right interview for their situation.
- Administration & Evaluation
 - Keep funders and stakeholders informed and engaged.
 - Make efficient use of A2J Tech Fellow.
 - Evaluate project impact; Find out if interviews are reaching target users.

- Sustainability
 - Develop local HotDocs programming capacity to maintain interviews after project completion.

Timeline

The [TAF Project Timeline](#) sets a proposed schedule for completing the activities detailed in the Work Plan between October 2018 and June 2020. This timeline is subject to review and approval by the Advisory Committee. The Project Manager will report on progress towards projected completion dates throughout the project, and will revise the timeline if necessary.

Budget

The state legislature appropriated \$550,000 to this project for the July 2018 – June 2020 biennium to be administered by the Office of Civil Legal Aid. OCLA paid \$16,870 to PBN/Capstone for work performed in the planning phase from July through September 2018. OCLA will reserve \$72,330 for contingencies, testing and evaluation expenses, and to cover the costs of hiring and providing software for a local part-time developer. The remaining \$460,800 will be allocated to the contract with PBN/Capstone per their Phase II Proposal dated 10/8/18.

Northwest Justice Project received a Legal Services Corporation – Technology Innovation Grant (TIG) of \$187,450 to cover the cost of the TAF Project Manager. NJP will provide additional staff support for plain language content, user testing, and enhancements to WashingtonLawHelp as in-kind support to the project.

Budget Summary:

State funding administered by OCLA

Phase I - planning contract with PBN/Capstone	16,870
Phase II - execution contract with PBN/Capstone	460,800
Reserve	72,330
<hr/>	
Subtotal - State funding	550,000
LSC-TIG funding administered by NJP - Project Manager	187,450
<hr/>	
Total Project Budget	737,450

**MEMORANDUM OF UNDERSTANDING FOR THE
DEVELOPMENT OF AN AUTOMATED DOCUMENT ASSEMBLY SYSTEM
FOR WASHINGTON STATE'S PLAIN LANGUAGE FAMILY LAW FORMS**

PURPOSE

This Memorandum of Understanding (MOU) establishes clear expectations among the key entities working together to establish an automated document assembly system for the recently adopted Washington State plain language family law forms. The objective is to develop and bring on line a system that will allow self-represented litigants to complete a sequential set of questions in an electronic platform. The answers to those questions will automatically and correctly populate into the new plain language family law forms adopted by the Washington State Supreme Court.

The organizations working to further the goals of this MOU understand that family law litigants are increasingly unrepresented. Some 80% of family law cases have at least one litigant who is not represented by counsel, and both parties are unrepresented in about half of all family law cases. Sixty-five percent (65%) of all family law litigants are not represented by an attorney. The family law system is complex and highly forms driven. Self-represented litigants have historically had difficulty accessing, completing and filing required family law forms.

Over the past six years, the Supreme Court's Access to Justice Board along with the Administrative Office of the Courts and the state funded Northwest Justice Project developed new mandatory forms that are drafted in plain language and are much easier for self-represented litigants to fill out. As ordered by the State Supreme Court, these forms will become mandatory for all family law cases effective July 1, 2016.

The organizations each play complementary roles in developing and maintaining mandatory forms, developing and supporting new technologies that enhance access to the civil justice system and underwriting capacity to expand access to the justice system for low and moderate income people, and others who are vulnerable and suffer disparate treatment or disproportionate access obstacles and barriers in Washington State – all of whom are hereinafter referred to in this document as “low income and other vulnerable people”. Each of the parties to this MOU is intentionally committed to the effective and expanded use of technology-based systems to provide meaningful access to the justice system, to expand the ability of persons to understand how the justice system works; enhance the ability of persons to navigate the same with or without the assistance of an attorney; and ensure that technology tools and systems promote and enable access, remove barriers, protect privacy and safety, and facilitate just results, all consistent with the Washington State Supreme Court's [Access to Justice Technology Principles](#).

RESPECTIVE INTERESTS OF THE KEY ORGANIZATIONAL PARTNERS

1. Administrative Office of the Courts

The Administrative Office of the Courts (AOC) is an independent judicial branch agency that serves as the principal statewide provider of administrative, budget and technology systems planning and support for the Supreme Court, the Court of Appeals, the Superior Courts and the courts of limited jurisdiction in Washington State. Among other functions, AOC hosts and staffs the Washington State Supreme Court's Pattern Forms Committee and Judicial Information Systems Committee.

Pursuant to the Supreme Court Order establishing it, the Pattern Forms Committee is responsible for; developing and facilitating the adoption of uniform and mandatory forms; consideration of proposed changes to adopted pattern forms; and overseeing all necessary redrafting of forms. The Pattern Forms Committee served as the host entity for development, consideration, user testing and recommendation of the plain language family law forms adopted by the Washington State Supreme Court for mandatory use effective July 1, 2016. The Pattern Forms Committee is staffed and supported by AOC.

Created by statute and governed by court rule, the Judicial Information Systems Committee (JISC) has responsibility for developing, managing (including managing access to) and supporting Washington State's judicial information system (JIS). The JIS provides case management automation to appellate, superior, limited jurisdiction and juvenile courts. Its two-fold purpose is: (1) to automate and support the daily operations of the courts and (2) to maintain a statewide network connecting the courts and partner civil and criminal justice agencies to the JIS database.

Under the JISC Rules (JISCR), design and operation of the judicial information system is assigned to the AOC under direction and authority of the JISC and subject to approval of the Washington State Supreme Court. The JISC is principally responsible for facilitating the development, support and maintenance of technology systems and infrastructure on which the courts of Washington State rely. The JISC has oversight and governance responsibility for the development and implementation of the Odyssey statewide superior court case management system, including policy decisions about whether, when and how automated document assembly systems will be able to access the Odyssey CMS. Statewide judicial branch technology systems are funded in substantial part through a dedicated JIS account created and governed by RCW 2.68.020.

2. Access to Justice Board –Justice Without Barriers and Technology Committees

The Washington State Access to Justice Board (ATJ Board) was established in 1994 by the Supreme Court to, among other things, develop and promote efforts to expand access to the civil justice system for low income and other vulnerable people subject to the Washington State justice system. Among the ATJ Board's responsibilities are to "develop and implement new programs and innovative measures designed to expand access to justice in Washington State" and to "promote the responsiveness of the civil justice system to the needs of those who suffer disparate treatment or disproportionate access barriers." The ATJ Board has established two committees with substantive responsibility for developing, promoting and expanding systems that enhance access to the civil justice system for low and moderate income Washingtonians. The ATJ Board's Justice Without Barriers Committee is charged with identifying and developing strategies to overcome barriers that operate to limit the ability of low and moderate income people to secure access to and effectively navigate the civil justice system, including the court system. The ATJ Board's Technology Committee is responsible for identifying opportunities to employ technology strategies to expand access to justice for low income and other vulnerable people consistent with the purposes and objectives of the Supreme Court's Access to Justice Technology Principles.

The ATJ Board's Justice Without Barriers Committee (JWOB Committee) played a principal role in promoting, staffing and supporting the effort to translate Washington State's family law forms into plain language. In its Pro Se Plan, the JWOB Committee has identified the need to develop an automated form document assembly system to enable self-represented litigants to access, complete, download, print and, where technology systems allow, electronically file completed family law forms.

The ATJ Board's Technology Committee developed and secured Supreme Court adoption of the ATJ Technology Principles and is responsible for coordinating ATJ-related statewide technology initiatives such as the development of an automated document assembly system for the plain language family law forms.

While not a party to this MOU, the ATJ Board supports the objectives outlined above, reviewed and voted on July 15, 2016 to endorse it and participate in the manner contemplated below.

3. Office of Civil Legal Aid

The Office of Civil Legal Aid (OCLA) is an independent state agency responsible for securing funding, contracting for the delivery of civil legal aid services and related support functions and overseeing the state-funded civil legal aid system in Washington State. OCLA actively supports efforts to expand access to the civil justice system for

low income people with legal problems that fall within the areas outlined in RCW 2.53.030(2).

On behalf of the Washington State Supreme Court's Civil Legal Needs Study Update Committee, OCLA staffed and facilitated the publication of the 2015 Civil Legal Needs Study Update which documented the substance and prevalence of civil legal problems experienced by low income and other vulnerable people in Washington and the barriers that effectively deny them access to necessary legal help and self-help assistance. OCLA is in the process of developing and seeking legislative funding to support a multi-year Civil Access to Justice Reinvestment Plan to address the structural and systemic barriers that deny low-income and other vulnerable people in Washington the ability to secure the legal help and related services they need to solve important legal problems.

4. Northwest Justice Project

The Northwest Justice Project (NJP) is the sole recipient of federal funding for civil legal services made available through grants from the Legal Services Corporation (LSC). NJP is also the qualified legal aid program that receives state appropriated legal aid funds in the first instance through a contract with the Office of Civil Legal Aid. As a recipient of LSC funding, NJP is eligible to seek and secure funding through LSC's [Technology Initiative Grant \(TIG\) Program](#), a separate program funded by Congress to stimulate and expand the effective use of information technology in fostering access to the civil justice system and the delivery of civil legal aid to low-income and other vulnerable people.

CORE UNDERSTANDINGS AND AGREEMENTS

1. Adoption of the plain language family law forms will significantly enhance the ability of self-represented family law litigants to understand and participate in family related legal proceedings.
2. Development and implementation of a free, publically accessible and automated document assembly system for the plain language family law forms will significantly enhance the ability of self-represented litigants to effectively represent themselves in legal proceedings that will profoundly affect their legal rights.
3. Development and implementation of an automated document assembly system is an access to justice program and not a program designed to build or sustain core judicial information system technology infrastructure. Funding for this effort will not originate from the judicial information systems account (JIS account).
4. AOC staff affiliated with the Pattern Forms Committee (and other staff as appropriate) may participate in but will not serve as principal staff assigned to the family law automated document assembly system (FLADAS) development effort.

Subject to the discretion of the State Court Administrator, AOC staff may participate on the FLADAS Advisory Committee that will oversee the selection of document assembly platforms, development of standards, identification of priorities and other activities associated with development of the FLADA system. Subject to approval of the State Court Administrator and the JISC Chair, the FLADAS may be hosted on the AOC public website.

5. The ATJ Board's Technology and JWOB Committees have agreed to jointly convene a Family Law Automated Document Assembly System Advisory Committee (FLADAS Advisory Committee). The FLADAS Advisory Committee will develop protocols and priorities to guide the development of the FLADAS. In addition to members of the ATJ Board's Technology and Justice Without Barriers Committee, the following groups will be invited to appoint a representative to the FLADAS Advisory Committee: AOC, JISC, the Association of County Clerks, court users, the Washington State Alliance for Language Access, the Interpreter Commission, the Northwest Justice Project, the Superior Court Judges Association, and OCLA. Representatives of other groups may also be invited in the discretion of the ATJ Board's Technology and JWOB Committees.
6. The FLADAS Advisory Committee will review and recommend a proven document assembly technology platform that has the ability to provide user-friendly access, uses a plain language, iterative sequential inquiry process capable of effectively operating across multiple technology platforms (including mobile platforms). It is the intent that any such platform be able to produce and transmit data in a manner that will appropriately populate Odyssey and other Superior Court CMS fields at such time as e-filing into Odyssey and these other platforms becomes available.
7. The FLADAS will be developed and implemented in accordance with the Supreme Court's Access to Justice Technology Principles.
8. Nothing in this MOU will interfere with the independent authority of the JISC to, at a later date, use Guide and File or another platform for automated document assembly and e-filing access into Odyssey.
9. The Office of Civil Legal Aid will seek funding from the Washington State Legislature and other sources to fund development and implementation of the FLADAS. OCLA will not seek and will not utilize funding that originates from the JISC account for this purpose. Assuming that funding is secured, OCLA will serve as the primary contractor for development of the FLADAS.
10. In coordination with the FLADAS Advisory Committee, OCLA and the ATJ Board's JWOB and Technology Committees, NJP will seek LSC TIG funding to help support the family law automated document assembly project.

MODIFICATION

The various participant signers may come together subsequent to signing in order to modify this MOU by mutual agreement.

TERM OF MEMORANDUM OF UNDERSTANDING

This MOU is effective upon execution and will terminate on June 30, 2019 unless terminated by any party upon 90 days prior notice or extended by mutual agreement.

Signed:



Callie Dietz, State Court Administrator

8/17/16
Date

Signed:



James Bamberger, Director
Office of Civil Legal Aid

8/16/16
Date

Signed:



César E. Torres, Executive Director
Northwest Justice Project

8/23/16
Date

TAB 2



March 1, 2019

TO: Board for Judicial Administration (BJA) members
FROM: Chief Justice Mary Fairhurst
RE: PROPOSAL FOR FUTURE JUDICIAL LEADERSHIP SUMMITS

Purpose

The following proposal provides information and recommendations for future Judicial Leadership Summits. These are presented to the BJA for consideration of the next steps.

Background

The 2018 Judicial Leadership Summit was convened by Chief Justice Mary Fairhurst. Those attending were: Supreme Court Justices, Court of Appeals Presiding Chief Judge, Court of Appeals Presiding Judges, BJA Co-Chairs, BJA Committee Chairs, Superior Court Judges' Association Officers, District and Municipal Court Judges' Association Officers, and the Administrative Office of the Courts leadership.

The goal of the meeting was to discuss individual and collective work and to envision the future of the Washington Judicial Branch. The meeting provided an opportunity to hear about the work of each court level and administration, to learn more about the budgeting process and the work of AOC in support of the courts, and to consider what courts could/should be focused on to provide efficient, effective justice in our state.

Several broad themes emerged from these conversations.

- A need for increased transparency, communication, and power sharing.
- A need for clarity and coordination around judicial branch policy and budget issues.
- A need to identify the commonalities and information sharing opportunities among courts.

Participants felt the Summit was useful and agreed to continue these conversations and identify essential next steps. The hope is that the BJA can continue to work on items identified during this Summit.

Recommendations

Given the broad themes that emerged from the conversation and the desire for future meetings, it is recommended that:

- 1) The Chief Justice of the Supreme Court and BJA jointly sponsor future Judicial Leadership Summits.
- 2) The Summit would be an opportunity to assess policy and funding efforts and identify future needs and court priorities.
- 3) Judicial Leadership Summits would occur every two years after the long legislative session; summer 2019, 2021, 2023, etc.
- 4) Given the shortened time frame, the 2019 Summit participants would include similar attendees as the 2018 Summit and BJA members. The 2021 Summit's participation list would be expanded to include other key stakeholders.

TAB 3



February 6, 2019

TO: Board for Judicial Administration

FROM: BJA Policy and Planning Committee

RE: BOARD FOR JUDICIAL ADMINISTRATION COMMUNICATION PLAN

Purpose

The purpose of this memo is to address the BJA's goal of improving court communication and to make recommendations to the BJA for adoption and implementation.

Court Communication - Communication will help keep each other informed, offering expertise and support, and eliminating the duplication of efforts. Open and honest communication should be encouraged to assure that issues or problems are identified and resolved.

BJA Court Communication

Effective court communication is important for several reasons. The Washington court system is decentralized, meaning that there is no central source of governance. Outside of court rule, each court and court level is able to administer their courts and identify system improvements how they deem most appropriate for their needs. This approach emphasizes the value placed on local independence. Recognizing the value of local independence, but respecting the importance of collaboration, there is value in the BJA being aware of issues and improvements taking place across the state.

The BJA is the only place in the judiciary where every level of court is represented and where those voices come together to be heard. Its influence is based on the value of being a forum in which judiciary information can be shared and compiled. The compilation of court system issues and improvements can facilitate the combining of resources, reduce the duplication of efforts, and support statewide strategic planning.

Recommendations

The Policy and Planning Committee's (PPC) requests that the BJA identify which recommendations they would like to formally adopt to achieve the BJA's goal of improving branch communication.

Court Coordination

- A judicial leadership meeting will be held biennially with the intent of sharing information and identifying ways to collaborate on improvement efforts.
- BJA tables at Conferences when requested.
- The BJA Standing committees are used as a way to develop a collaborative approach for system coordination and improvement.
 - Members of the branch, who are not members of the BJA, can bring policy issues that impact the courts to the PPC for consideration.
 - Utilize the Policy and Planning Committee's Policy Assessment Criteria for reviewing new initiatives/requests brought to the BJA.

Communication Sharing

- BJA meetings are used as a forum for BJA entities to share issues affecting the courts.
- BJA members are responsible to report back on BJA work to their respective boards, benches and conferences.
- Share the BJA meeting materials, in advance, to identified association/committee listservs and include a statement about contacting the association/committee BJA liaison with any questions.
- An annual report of BJA accomplishments is published and distributed statewide.
- BJA will explore additional opportunities to share information about the branch structure, judicial organizations, and the BJA's role, such as during Judicial College.
 - BJA may send out periodic emails sharing the AOC Activity Report and a quick summary of the BJA meeting with links to the full minutes.
- The Full Court Press will periodically highlight the work of the BJA.
- The BJA website will be reviewed and revised annually to allow better access to information.

JUDICIAL BRANCH BUDGET DEVELOPMENT TIMELINE 2020 Supplemental Budget	
February – May 2019	
<ul style="list-style-type: none"> • 2019-2021 biennial budget approved by legislature. • Present schedule to BJA and JISC (2/15/19 & 2/22/19). • Distribute 2020 supplemental budget instructions. • 2020 supplemental SGF list presented at the May 17, 2019 BJA meeting. • Decision packages <u>that impact AOC due May 1, 2019 (list to 5/17/19 BJA & 6/28/19 JISC).</u> • Decision packages <u>that do not impact AOC due May 31, 2019.</u> 	
June - July 2019	
<ul style="list-style-type: none"> • BJA Budget and Funding Committee meeting. • Court Funding Committee meeting. • 2020 SGF supplemental list approved at the June 14, 2019 BJA meeting. • 2020 JIS supplemental list reviewed/approved at the June 28, 2019 JISC meeting. • June 14, 2019 BJA meeting; June 25, 2019 revenue forecast; June 28, 2018 JISC meeting. • Supreme Court Budget Committee meetings. • <u>All</u> final decision packages <u>due July 12, 2019.</u> 	
August 2019	
<ul style="list-style-type: none"> • Decision packages are finalized. • August 23, 2019 JISC meeting. 	
September 2019	
<ul style="list-style-type: none"> • Present 2020 supplemental budget to Supreme Court for approval (September 4, 2019). • Final branch supplemental budget request forwarded to the legislature. 	

2020 Budget Development, Review and Submittal Process

The budget development, review and submittal process developed for the 2018 supplemental and 2019-2021 biennial budget will continue for those requests that impact the Administrative Office of the Courts.

Highlights of the process include:

- There will not be a branch presentation for the 2020 supplemental budget requests.
- Requests will initially be sent to the Budget and Funding Committee (BFC) via AOC.
- The Budget and Funding Committee may seek clarifying information from the proponents.
- The Budget and Funding Committee may make priority recommendations.
- The Budget and Funding Committee will present the requests to the BJA for discussion and input.
- Input from the BJA and BFC will be transmitted to the Court Funding Committee.
- The Court Funding Committee is comprised of the following members:
 - Supreme Court Budget Committee (5 members),
 - BJA Budget and Funding Committee (3 members) and,
 - Representatives from the Judicial Information Systems Committee (3 members).
- The Court Funding Committee will be briefed regarding the recommendation made by the BFC and BJA.
- Results will be forwarded to the Supreme Court Budget Committee (SCBC).
- The SCBC will make the final recommendation to the full court.
- The results will be communicated to the BJA, JISC and other stakeholders.

Budget requests concerning the Supreme Court, State Law Library, Court of Appeals, Office of Public Defense and Office of Civil Legal Aid will be processed as they have in the past. Information regarding the budget requests that move forward will be reported to the Court Funding Committee, BJA, stakeholders and full court.

JISC budget requests, once approved by JISC, will be routed to/through the BFC (generally informational unless there is a state general fund component/request). The request information will be presented to the BJA and then move to the Court Funding Committee for ratification or possible modification.



March 7, 2019

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

The CEC drafted a report outlining progress made since the 2017 stakeholder retreat. The report follows the strategic priorities set within the Roadmap developed via the SJI grant. They will review the content during the March 20, 2019 conference call and the report will be presented to the BJA at the May meeting.

The CEC is reviewing ways to share and house the evaluation summary reports from the various education committees so that other educational groups can access them. They will be looking at the various summary evaluation models to determine which format provides the CEC and education committee members the information they need to determine success of programming, faculty resources and help the CEC identify overlap in educational content.

Mandatory Continuing Judicial Education credit transcripts were disseminated to all judicial officers at the end of December, 2018. AOC is working on confirming credits and identifying any judicial officer out of compliance. Retired judges are contacting AOC for a record of their CJE history which is needed when they are activating their WSBA number.

All the Association's education committees are active in finalizing plans for their spring programs. In March the Institute for Court Management: Accountability and Court Performance program was held on March 4-6, 2019 in Yakima. The County Clerks' Spring Program will be March 17-19, 2019 in Leavenworth and the Appellate Judges' Spring Program will be March 24-27, 2019 at Alderbrook.

The CEC continues to review other policies and procedures.

Short-term Goals

- Possible CEC hosted webinar before the end of the fiscal year
- Development of strategic plan for online education
- FY20 and FY21 allocations without additional funding. Determine what reductions will need to occur to stretch the limited funding

Long-term Goals

- Continue to implement strategies and priorities identified in the CEC Roadmap
- Update Roadmap
- Continue to develop collaborative relationships with other stakeholders who conduct education and training within the AOC and outside the AOC



March 15, 2019

TO: BJA Members
FROM: Judge Kevin Ringus, BJA Legislative Committee Chair
Dory Nicpon, AOC Associate Director, Judicial and Legislative Relations
RE: BJA Legislative Committee Report

The BJA Legislative Committee continues to convene weekly conference calls to discuss legislative proposals of significant impact or interest to the judiciary.

According to the legislatively agreed upon 2019 Session Cutoff Calendar, bills must have passed out of the policy committee in their chamber of origin by February 22, 2019. If a bill has a fiscal impact, then it must also have passed out of the fiscal committee in its chamber of origin by March 1, 2019. After the fiscal cutoff on March 1, fewer than half of the bills introduced this session remain eligible for further consideration.

BJA Legislative Priorities

Judicial Branch Budget Requests

The BJA, through its members, staff, delegates, and task force chairs, continues to advocate for the judicial branch decision packages (*i.e.*, budget requests to increase funding) submitted to the legislature. Judicial branch budget priorities include funding for: judicial education; expanding interpreter services; court technology projects; family and juvenile court improvement; therapeutic court coordination; and guardianship services.

BJA Request Legislation

The BJA also endorsed three bill proposals as BJA request legislation:

- 1) Additional superior court judge positions based on workload analysis—this proposal is [SSB 5450](#), which has passed out of the fiscal committee by the cutoff date and is eligible for a vote of the Senate.

- 2) Expanding the services of the Office of Public Guardianship—this proposal is [SHB 1329](#), which has passed out of the fiscal committee by the cutoff date and is eligible for a vote of the House.
- 3) Refining the statutory definition of “domestic violence” to distinguish between “intimate partner” violence and other “family/household member” violence—this proposal is included in [2SHB 1517](#), which has passed out of the fiscal committee by the cutoff date and is eligible for a vote of the House. NOTE: The House Public Safety Committee also amended the second substitute of this bill to include a “null and void” clause. Even if this bill passes the legislature, it will be null and void unless it is funded in the state’s operating budget.

Other Proposals Supported by BJA

Traffic Fine Consolidation

The BJA supported the proposal of the Office of the Attorney General in [SHB 1489/SB 5575](#) to create a traffic fine consolidation program so that participants can restore their driving privileges, provided that AOC received the funding needed to implement the program. Neither the House bill nor its Senate companion bill passed out of the fiscal committee in the chamber of origin by fiscal committee cutoff. This means that the proposal is unlikely to receive further consideration this session. However, if there is a legislative will to fund the program in the state’s operating budget, then the bill creating the program may be considered “necessary to implement the budget” (NTIB), and the legislature can act on it even after an otherwise preclusive cutoff date has passed.

Other Legislative Discussions

Uniform Guardianship, Conservatorship, and Protective Arrangements Act (UGCPAA): [2SSB 5604](#) would replace many of Washington’s statutes regarding guardianships with language from the UGCPAA. 2SSB 5604 passed out of the fiscal committee by the cutoff date and is eligible for a vote of the Senate.

New Hope Act: Representative Drew Hansen sponsored a bill called the New Hope Act ([SHB 1041](#)), which: 1) modifies the process for an offender to receive a certificate of discharge for felony convictions; and 2) expands the criteria for vacating criminal convictions. SHB 1041 passed a vote of the House.

Mental/Behavioral Health: Several recent committee work sessions and public policy discussions concern mental and behavioral health issues, increasing demand for mental health services, and the *Trueblood* settlement.



To: BJA Membership

From: BJA Committee Composition Ad Hoc Committee

Date: February 15, 2019

Re: BJA Leadership Goal: Committee Composition Recommendations

Purpose

The Board for Judicial Administration (BJA) changed the standing committees' structures several years ago and asked an Ad Hoc Committee to evaluate how current standing committee compositions are working and make recommendations for any identified changes. The Ad Hoc Committee collected information from several Board conversations and feedback from current committee chairs.

Findings and Recommendations

- 1) Overall, committee membership structures are working well. The Policy and Planning Committee (PPC) broadened their membership last year based on committee needs by expanding membership to administrators. The Court Education (CEC), Legislative and the Budget and Funding Committees will maintain their membership as is. **The Ad Hoc Committee recommends that all committees review their charters and recommend changes for BJA approval as needed.**
- 2) Standing committee chairs should continue to be BJA members. The CEC has co-chairs, one BJA member and one non-BJA member, which works for their committee. **The Ad Hoc Committee recommends that the standing committees continue to have BJA member chairs.**
- 3) The Ad Hoc Committee explored whether or not a BJA member, especially in a president-elect position, should be able to designate another person from their level of court to participate in their assigned committee. There may be situations where this could work on the CEC and PPC committees but not on the Legislative or Budget and Funding Committees. Designees will be considered under special circumstances, for example if the individual has a local standing commitment at the same time of the meetings or some other meeting conflict. Designees must participate for the whole membership term. **The Ad Hoc Committee recommends that BJA members, especially in president-elect**



positions, may request that a designee assume their position on the standing committees for their full term if approved by the standing committee chair.

- 4) In practice, new BJA members tend to volunteer for the committee that their colleague was on. **The Ad Hoc Committee recommends that the BJA consider having one “open enrollment” period in June 2019 whereby members can switch committees to ensure committee membership is aligned with a member’s skills and interests.** Moving forward, new members will be given an opportunity to participate on committees of their choice when there are openings.
- 5) This committee briefly discussed recruitment and diversity of BJA and committee membership. **The Ad Hoc Committee recommends that the BJA and committees explore this topic as it pertains to their needs and membership.**

**BOARD FOR JUDICIAL ADMINISTRATION RULES (BJAR)
(Including amendments through July 2017)**

**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.

**BJAR 1
BOARD FOR JUDICIAL ADMINISTRATION**

The Board for Judicial Administration (BJA) is established to provide leadership and develop policy to enhance the judiciary's ability to serve as an equal, independent, and responsible branch of government. The vision of the BJA is to be the unified voice of the Washington State Courts. Judges serving on the BJA have demonstrated interest in and commitment to judicial administration and court improvement.

[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 and other key stakeholders as outlined in the bylaws.

(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.

**BJAR RULE 3
STRUCTURE**

(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 bylaws.

(b) Committees. The Board shall appoint at least four standing committees: Policy and Planning, Budget and Funding, Education, and Legislative. Other committees may be convened to help facilitate the work of the Board as determined by the Board.

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

**BJAR 4
STAFF**

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

[Adopted effective January 25, 2000.]

**BJAR 5
BYLAWS**

The Board has the authority to develop, adopt, and amend bylaws by a majority vote of the voting members as long as they don't conflict with existing Court Rules.

**BOARD FOR JUDICIAL ADMINISTRATION RULES (BJAR)
TABLE OF RULES
(Including amendments through July 2017)**

**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. (moved to Rule 1)~~

[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. The Board for Judicial Administration (BJA) is established to provide leadership and develop policy to enhance the judiciary's ability to serve as an equal, independent, and responsible branch of government. The vision of the BJA is to be the unified voice of the Washington State Courts. Judges serving on the Board for Judicial Administration shall pursue the best interests of the judiciary at large. BJA have demonstrated interest in and commitment to judicial administration and court improvement. (Simplified and more accurate purpose)~~

[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 ~~and other key stakeholders as outlined in the bylaws. 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). (Duplicative – in bylaws)

(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. (Moved to bylaws and simplified – Article III, easier to change bylaws and language no longer needed as it was point in time)~~

~~(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 that begin on July 1, 2017 shall be for less than a full term, two years, and shall thereafter be for a term of four 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 July 1. The Chief Justice, the President of 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; July 4, 2017.]~~

BJAR RULE 3

OPERATION STRUCTURE (better word choice)

(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 bylaws. ~~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. (Moved to bylaws, Article IX – fits more with bylaws)~~

(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. (redundant)~~

~~(1) The Board shall appoint at least four standing committees: Policy and Planning, Budget and Funding, Education, and Legislative. Other committees may be convened to help facilitate the work of the Board 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. (Moved to bylaws Article VII(2) - more procedural)~~

~~(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. (Already in bylaws, Article XII)~~

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

BJAR 4 **DUTIES**

(Removed since these don't match up with Article I in bylaws. If important to have here, then they should mimic what is in Bylaws: Article 1)

~~(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 45 **STAFF**

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

[Adopted effective January 25, 2000.]

BJAR 5 **BYLAWS**

The Board has the authority to develop, adopt, and amend bylaws by a majority vote of the voting members as long as they don't conflict with existing Court Rules.

BOARD FOR JUDICIAL ADMINISTRATION BYLAWS

(Including amendments received through March 16, 2007)

ARTICLE I: Purpose

The Board for Judicial Administration (BJA) shall adopt policies and provide leadership for the administration of justice in Washington courts. Included in, but not limited to, that responsibility is:

- 1) Improving the quality of justice in Washington by fostering excellence in the courts through effective education.
- 2) Developing proactive legislation and advising and recommending positions on legislation of interest.
- 3) Facilitating and managing a process of engagement within the judicial branch to identify priority policy issues and to develop strategies to address those issues.
- 4) Coordinating efforts to achieve adequate, stable and long-term funding of Washington's courts to provide equal justice throughout the state.
- 5) Reviewing and making recommendations, including prioritization, regarding proposed budget requests routed through the BJA.

ARTICLE II: Membership

- 1) The voting membership of 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, and five members from the District and Municipal Court Judges' Association, one of whom shall be the President. The non-voting membership shall include: two members of the Washington State Bar Association appointed by the Board of Governors, the Administrator for the Courts, 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.
- 2) Judicial members serving on the BJA shall be granted equivalent pro tempore time for meetings.

ARTICLE III: Terms of Office

Members serve four year terms unless specified otherwise. Terms are renewable for one additional four year term. The Chief Justice, the President Judges, the Washington State Bar Association President and Executive Director, and the Administrator for the Courts shall serve during their tenure.

ARTICLE IV: Vacancies

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

ARTICLE V: Chairs

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 nominated by the Chief Justice of the Supreme Court, subject to Board vote, 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 VI: Duties of Chairs

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 VII: Committees

- 1) Standing Committees are identified in BJAR 3(b). Any change to standing committees must be approved by a majority vote. Any ad hoc committees or task forces of the BJA shall be established by majority vote. All committees shall have authority as the Board deems appropriate. All committees are guided by charter as approved by the Board and subject to revision by approval of a majority vote.
- 2) The Chief Justice chair and the Member chair shall nominate committee and task force chairs for the Board's approval. Membership on all committees and task forces will reflect representation from all court levels as outlined in their charter. Membership may also include clerks, court administrators, and members from outside the court community.
- 3) Committees shall report in writing to the Board for Judicial Administration as appropriate to their charter.
- 4) The terms of committee members will be determined by their charter.

ARTICLE VIII: 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, and 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. During legislative sessions, the Executive Committee is authorized to conduct telephone conferences for the purpose of reviewing legislative positions.

ARTICLE IX: Regular Meetings

There shall be regularly scheduled meetings of the Board for Judicial Administration. A meeting schedule will be approved by the Board annually. Reasonable notice of meetings shall be given to each member. Any Board member may submit items for the meeting agenda.

ARTICLE X: Special Meetings

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

ARTICLE XI: Quorum

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

ARTICLE XII: 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 provided there is at least 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 XIII: Dues

The Board established a business account funded with dues solicited from judges from their personal funds. These funds may be used for salary commission expenses, lobbying expenses, account and audit services, and miscellaneous expenses such as outgoing member gifts and mailing costs. Dues are assessed on an as-needed basis upon recommendation and approval of the Board. The BJA Administrative Manager shall oversee the account with the assistance of a bookkeeper. The Administrative Manager and bookkeeper shall follow the BJA Business Account Policies and Procedures.

ARTICLE XIV: 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 and by majority vote, provided there is at least one affirmative vote from each level of court. No motion or resolution for amendment of bylaws may be considered at the meeting in which they are proposed.

BOARD FOR JUDICIAL ADMINISTRATION

BYLAWS

Including amendments received through March 16, 2007

ARTICLE I: Purpose

The Board for Judicial Administration (BJA) 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.~~ 1) improving the quality of justice in Washington by fostering excellence in the courts through effective education; 2) developing proactive legislation and advising and recommending positions on legislation of interest; 3) facilitating and managing a process of engagement within the judicial branch to identify priority policy issues and to develop strategies to address those issues; 4) coordinating efforts to achieve adequate, stable and long-term funding of Washington's courts to provide equal justice throughout the state; 5) reviewing and making recommendations, including prioritization, regarding proposed budget requests routed through the BJA.

(updated based on current practices)

ARTICLE II: Membership

1) The voting membership of 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, and; five members from the District and Municipal Court Judges' Association, one of whom shall be the President. The non-voting membership shall include: ~~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.

2) Judicial members serving on the BJA shall be granted equivalent pro tempore time for meetings. (moved from BJAR)

ARTICLE III: Terms of Office (moved from BJAR 2 (c)(1) and simplified)

Members serve four year terms unless specified otherwise. Terms are renewable for one additional four year term. The Chief Justice, the President Judges, the Washington State Bar Association President and Executive Director, and the Administrator for the Courts shall serve during their tenure.

ARTICLE IV – Vacancies (moved for flow)

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

ARTICLE V: ~~Officers and Representatives~~ Chairs

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 nominated by the Chief Justice of the Supreme Court, subject to Board vote~~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~~VI: Duties of ~~Officers~~Chairs

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 (moved up)

Vacancies

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

ARTICLE VII: 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.~~

1) Standing Committees are identified in BJAR 3(b). Any change to standing committees must be approved by a majority vote. Any ad hoc committees or task forces of the BJA shall be established by majority vote. All committees shall have authority as the Board deems appropriate. All committees are

guided by a charter as approved by the Board and subject to revision by approval of a majority vote of the Board. (practice update)

2) The Chief Justice chair and the Member chair shall nominate committee and task force chairs for the Board's approval. 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 as outlined in their charter. Membership may also include clerks, court administrators, and members from outside the court community. [moved from BJAR 3(b)(2) and updated language]

3) Committees shall report in writing to the Board for Judicial Administration as appropriate to their charter. 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. (update practice)

4) 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 will be determined by their charter. (updated to allow for more flexibility)

ARTICLE VIII: 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, and 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). (removed not current practice)~~ During legislative sessions, the Executive Committee is authorized to conduct telephone conferences for the purpose of reviewing legislative positions.

ARTICLE VIIIIX: Regular Meetings

There shall be regularly scheduled meetings of the Board for Judicial Administration. ~~at least bi-monthly.~~ A meeting schedule will be approved by the Board annually.

Reasonable notice of meetings shall be given to each member. Any Board member may submit items for the meeting agenda. (update based on practice and moved from BJAR)

ARTICLE IX: Special Meetings

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

ARTICLE X: Quorum

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

ARTICLE XII: 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 at least 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 XIII: DUES (added since this is not anywhere else)

The Board established a business account funded with dues solicited from judges from their personal funds. These funds may be used for salary commission expenses, lobbying expenses, account and audit services, and miscellaneous expenses such as outgoing member gifts and mailing costs. Dues are assessed on an as-needed basis upon recommendation and approval of the Board. The BJA Administrative Manager shall oversee the account with the assistance of a bookkeeper. The Administrative Manager and bookkeeper shall follow the BJA Business Account Policies and Procedures.

ARTICLE XVI:~~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 ~~and~~ by majority vote provided there is at least one affirmative vote from each level of court. No motion or resolution for amendment of bylaws may be considered at the meeting in which they are proposed. (consistent with other bylaws and rules)



Board for Judicial Administration (BJA) Meeting
Friday, February 15, 2019 (9 a.m. – 10:30 a.m.)
Conference Call

MEETING MINUTES

BJA Members Present:

Judge Judy Rae Jasprica, Member Chair
Judge Doug Federspiel
Judge Blaine Gibson
Judge Gregory Gonzales
Judge Dan Johnson
Judge Robert Lawrence-Berrey
Paula Littlewood
Judge Mary Logan
Judge David Mann
Judge Samuel Meyer
Judge Kevin Ringus
Judge Rebecca Robertson
Dawn Marie Rubio
Justice Charles Wiggins

Guests Present:

Pam Hartman-Beyer
Sonya Kraski
Margaret Yetter

Public Present:

Page Carter

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

Jeanne Englert
Sharon Harvey
Penny Larsen
Dirk Marler
Dory Nicpon
Ramsey Radwan
Intisar Surur
Caroline Tawes
Andrea Valdez

Call to Order

Judge Jasprica called the meeting to order at 9:00 a.m. The members introduced themselves.

BJA Leadership Goals

The goal of the BJA communication plan is to increase and improve communications among the judiciary. The recommendations from the Policy and Planning Committee (PPC) were developed from previous meetings and the Judicial Summit held last June. Any edits or suggestions regarding the recommendations should be sent to Jeanne Englert. There will be a vote on the recommendations at the March BJA meeting.

Standing Committee Reports

Budget and Funding Committee (BFC): Ramsey Radwan reviewed the timeline of the 2020 supplemental budget process. The supplemental budget process is intended

to make caseload changes and correct errors, and not for new programs or substantial funding requests. The process is similar to previous years.

Court Education Committee (CEC): The Judicial Education Leadership Institute was held November 28–29 and was well-attended with good feedback. The purpose of the Institute was to help educators design programs. Organizers will look at holding more Institutes in the future.

The Judicial College was held the last week of January and was attended by a record 70 new judges. The large number of participants might create budget issues.

The CEC is considering an orientation package for new committee members. This issue will be discussed at the next BJA meeting in March.

Legislative Committee (LC): Judge Ringus pointed out an error on page 15 of the meeting packet. In the second paragraph, “BJA Interpreter Task Force” should be “BJA Education Task Force.”

This has been an active Legislative session with a large number of bills introduced. BJA priorities include:

- Funding for court technology projects;
- Interpreter and education funding. Jeanne Englert and Penny Larson are doing a good job of organizing meetings with judges and legislators to discuss the Interpreter and Education requests;
- Family and Juvenile Court Improvement. The AOC and the Department of Children, Youth, and Families (DCYF) have been working together;
- Guardianship Services. HB 1329 has received a do pass recommendation and has been referred to the Rules Committee;
- Courthouse Security. Several judicial constituents have spoken to legislators about the importance of courthouse security;
- Domestic Violence Data. A request to split the definition of domestic violence in the RCW has been incorporated into HB 1517;
- Traffic Fine Consolidation and Relicensing Program. The House heard a proposed substitute version today. The proposed substitute contemplates that AOC will manage a contract with a private entity, and adds certain fees to offset the state’s cost of the program. There is support for the program provided that that AOC must be funded for its role in the bill;
- Additional Superior Court Judge positions. Clark County and the Ferry/Stevens/Pend Oreille Judicial District need an additional Superior Court judge, based on those counties’ Judicial Needs Estimate (JNE). A substitute version of the bill removes the additional position for Clark County due to funding issues. Letters of support are needed from Clark County to add that additional position back into the bill.

There is a focus in the Legislature on behavioral health issues, in particular the opioid crisis and the Trueblood settlement. There are discussions on guardianship issues, including:

- establishing a pilot monitoring program;
- expanding the services of the Office of Public Guardianship, including limited estate administration and decision making support;
- The New Hope Act, which modifies the process for receiving a certificate of discharge and expands the circumstance for having a conviction vacated;

There is also a lot of interest in the Legislature in the Uniform Guardian Act. A substitute version on the Senate side has been edited to address concerns, although all concerns might not have been addressed.

Policy and Planning Committee (PPC): The PPC met in November. The next meeting will be in March where they will discuss criteria for reviewing issues that do not rise to the level of a task force.

Task Force Updates

Court Security Task Force: Judge Sean O'Donnell and Judge Robertson have agreed to co-chair the Court Security Task Force. Good progress has been made in recruiting members. April 24 is the kickoff meeting where they will discuss their charter activities and a four-stage work plan.

Court System Education and Interpreter Funding Task Forces: The Task Force chairs have met with over 40 legislators with a focus on members of the two budget committees and the two justice committees.

Chief Justice Fairhurst shared the Task Forces' funding priorities in her State of the Judiciary address.

Letters of support for both Task Forces have been circulated. It will be helpful for Legislators to hear from stakeholders outside the justice community. Face to face meetings with Legislators will continue through the end of the month when staff will evaluate the next wave of communication.

BJA Ad Hoc Committees

Committee Composition: Jeanne Englert thanked Judge Gonzales, Judge Logan, and Judge Meyer for their work on this committee to evaluate how current standing committee compositions are working and make recommendations for changes. The Committee Composition Recommendations will be reviewed today and voted on at the March BJA meeting. Jeanne Englert reviewed the five Ad Hoc Committee recommendations:

- 1) All committees review their charters and recommend changes for BJA approval as needed.
- 2) Standing committees should continue to have BJA member chairs.
- 3) BJA members, especially in president-elect positions, may request that a designee assume their position on the standing committees for their full term if approved by the standing committee chair.
- 4) BJA should consider having one "open enrollment" period in June 2019 whereby members can switch committees to ensure committee membership is aligned with a member's skills and interests.
- 5) BJA and committees should explore committee diversity and recruitment as it pertains to their needs and membership.

Any changes or comments should be sent to Jeanne Englert. The individual committees will review the recommendations before the March vote.

Review of BJA Rules and Bylaws: Jeanne Englert thanked Chief Justice Fairhurst, Judge Gibson, and Judge Johnson for their work on this committee. This item will be moved to the March or May BJA meeting to allow more time for review.

November 16, 2018 Meeting Minutes

It was moved by Judge Ringus and seconded by Judge Johnson to approve the November 16, 2018 BJA meeting minutes. The motion carried.

Public Trust and Confidence Committee Nomination

Cecily Hazelrigg-Hernandez has been nominated for appointment to the Public Trust and Confidence Committee.

It was moved by Justice Wiggins and seconded by Judge Mann to approve the appointment of Cecily Hazelrigg-Hernandez to a two-year appointment to the Public Trust and Confidence Committee. The motion carried.

Information Sharing

The June 21 meeting has been moved to June 14.

Chief Justice Fairhurst and Judge Jasprica are considering chairs for the PPC and the CEC beginning July 1. Judge Gonzales has been nominated to chair the CEC and Judge Scott has been nominated to chair the PPC. Chief Justice Fairhurst has asked Judge Gonzales to be the member chair of the BJA beginning in July 2019 and he has accepted. There will be a vote on these nominations at the March meeting.

Justice Wiggins asked the members to keep Chief Justice Fairhurst in their thoughts and prayers.

Margaret Yetter announced the passing of Lynne Campeau, Issaquah Municipal Court Administrator, on January 28, and acknowledged her contributions to the court community.

Judge Jasprica pointed out Tab 7, information on the BJA Business Account, to the members.

There being no further business, the meeting was adjourned at 9:55 a.m.

Recap of Motions from the February 15, 2019 Meeting

Motion Summary	Status
Approve the November 16, 2018 BJA meeting minutes. The motion carried.	Passed
Approve the appointment of Cecily Hazelrigg-Hernandez to a two-year appointment to the Public Trust and Confidence Committee. The motion carried	Passed

Action Items from the February 15, 2019 Meeting

Action Item	Status
The recommendations from the Policy and Planning Committee (PPC) were developed from previous meetings and the Judicial Summit held last June. Any edits or suggestions regarding the recommendations should be sent to Jeanne Englert. There will be a vote on the recommendations at the March BJA meeting.	
The Committee Composition Recommendations will be voted on at the March BJA meeting. Any changes or comments should be sent to Jeanne Englert. The individual committees will review the recommendations before the March vote.	
Judge Gonzales has been nominated to chair the CEC and Judge Scott has been nominated to chair the PPC. Chief Justice Fairhurst has asked Judge Gonzales to be the member chair of the BJA beginning in July 2019 and he has accepted. There will be a vote on these nominations at the March meeting.	
<u>November 16, 2018 BJA Meeting Minutes</u> <ul style="list-style-type: none"> • Post the minutes online. • Send minutes to the Supreme Court for inclusion in the En Banc meeting materials. 	Done Done