

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, MAY 17, 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 Gregory Gonzales
Superior Court Judges' Association
Clark County Superior Court

Judge Dan Johnson
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

Judge Kitty Ann van Doorninck, President
Superior Court Judges' Association
Yakima County Superior Court

Justice Charles Wiggins
Washington State Supreme Court

NON-VOTING MEMBERS:

Vacant, 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

Judge Judith Ramseyer, President-Elect
Superior Court Judges' Association
Pierce County Superior Court

Dawn Marie Rubio
State Court Administrator

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

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, May 17, 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	Chief Justice Mary Fairhurst Judge Judy Rae Jasprica	9:00 a.m.
2. Supreme Court Presentation Information: Court level sharing	Chief Justice Mary Fairhurst	9:05 Tab 1
3. Standing Committee Reports Budget and Funding Committee <ul style="list-style-type: none"> 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 Judge Judy Rae Jasprica Judge Kevin Ringus Dory Nicpon Judge Rebecca Robertson/Penny Larsen	9:20 Tab 2
4. Office of Public Defense Information sharing	Joanne Moore Sophia Byrd McSherry	9:45 Tab 3
5. 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	10:05 Tab 4
Break		10:30
6. BJA Ad Hoc Committees BJA Rules and Bylaws Action: review and approve suggested changes Committee Composition Discuss "open enrollment for committees"	Chief Justice Mary Fairhurst Jeanne Englert	10:40 Tab 5
7. Judicial Leadership Summit 2018 Follow Up Facilitated conversation and small group discussion: How do we plan for a large	Chief Justice Mary Fairhurst	11:00 Tab 6

turnover of judicial officers and administrative leaders?		
8. BJA Business Account Action: Motion to remove Dory Nicpon and keep Jeanne Englert and Dirk Marler as signers for the BJA business account. Action: Motion to approve revised policies and procedures Q1 Business Account Statement	Judge Judy Rae Jasprica	11:40 Tab 7
9. March 15, 2019 Meeting Minutes Action: Motion to approve the minutes of the March 15, 2019 meeting	Judge Judy Rae Jasprica	11:40 Tab 8
10. Information Sharing Roundtable Meeting review	Judge Judy Rae Jasprica	11:45
11. Adjourn	Judge Judy Rae Jasprica	12:00
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.		

Next meetings:

- June 14, 2019 - AOC SeaTac Office – 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.

The Supreme Court
State of Washington

MARY E. FAIRHURST
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2053
E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

TO: Board for Judicial Administration

FROM: Mary Fairhurst, Chief Justice

RE: Supreme Court report for the Board for Judicial Administration

DATE: Presented: May 17, 2019

The Supreme Court consists of 9 elected justices. Each justice is supported by a judicial administrative assistant and 2 law clerks. The Chief's Office also has a circulation assistant. Supporting our work and housed at the Temple of Justice is the Clerk's Office, the Commissioner's Office, the Reporter of Decision's office and the Law Library. Our Clerk is Susan Carlson with a staff of 12. Our Commissioner is Michael Johnston with a staff of 11. Our Reporter is Sam Thompson with a staff of 3. Our Law Librarian is Rob Mead with a staff of 9. The Administrative Office of the Courts supports us in a variety of ways, for example, with matters involving personnel, budget, and legislation, and with providing support of our Supreme Court committees and Supreme Court commissions.

The Court's primary responsibility is the deciding of what cases to review and then hearing the cases for which we grant review. The court sits in three terms: Fall (September - November), Winter (January - March), and Spring (May - July). The court does not normally hear cases in April, August, or December, unless there is a time-sensitive urgent matter. We hear 3-4 cases on Tuesday and Thursday of most weeks of the term months.

Our court schedule, docket and case issue summaries are all available on line. The Court meets in two Departments of 5 members every month, except August when we have just one special department, to determine which cases to grant, deny or put over for a discussion by the body of 9. A unanimous decision by all 5 in a Department decides the matter. If a matter goes to the body of 9, then a majority of 5 decides the matter. The Commissioner's Office screens the matters and prepares memo for Department review in discretionary and direct reviews and any motions to modify that do not involve their office. Memos on motions to modify the Commissioner or Deputy Commissioner are written in chambers usually by judicial law clerks or externs. Cases granted review are placed on a docket and randomly assigned to a justice to prepare a prehearing. We do not pre-conference cases. We also are asked to review federal certified questions. We do review all WSBA suspension, disbarment, and character and fitness appeals. When not appealed, we determine all Washington State Bar Association suspension and

disbarment matters following a recommendation being made by the Disciplinary Board. Attached as Appendix A is a list of case filing by year for 2018.

Following oral argument, the justices confer on the cases and reach at least an initial decision of the outcome of the case and who will have the writing assignment(s). Opinions are written and circulated, amended, and at some point all will have signed. The opinion will go for a final review and then the opinion is issued, electronically disseminated to the parties, and posted on the internet. The parties can seek modification or clarification, but if they do not, the case is mandated. If they do, the case is reviewed by all the justices who indicate the action they are taking. Attached as Appendix B is a list of the number of cases heard in terms from 2006 to 2019.

The court also meets one or two days a month (depending on if the meetings are combined) every month except August to decide administrative and cases related matters.

The court is also very involved in improving the administration of justice through Supreme Court Standing Committees, Supreme Court Committees, Commissions, and Other Committees/Work Groups. Attached as Appendix C is a list of the 2019 Supreme Court Committees/Work Groups.

Case Filings by Year

	2018	Sum:
Attorney Admissions	10	10
Certified from Federal Court	5	5
Death Penalty Personal Restraint Petition	1	1
Disciplinary Action	86	86
Discretionary Review of a COA decision	135	135
Discretionary Review of PRP	279	279
Expenditure of Public Funds	83	83
Miscellaneous Motion Review	18	18
Non-Discipline	13	13
Notice of Appeal	45	45
Notice of Discretionary Review	22	22
Original Action Against State Officer	8	8
Personal Restraint Petition	113	113
Petition for Review	618	618
Sum:	1,436	1,436

SUPREME COURT – NUMBER OF CASES HEARD IN TERMS

2006 - 2018

Term	Winter	Spring	Fall	Total
2006	43	43	41	127
2007	42	39	41	122
2008	43	44	43	130
2009	43	42	40	125
2010	42	42	43	127
2011	43	43	38	124
2012	43	37	43	123
2013	25	33	37	95
2014	39	34	42	115
2015	33	40	33	106
2016	31	33	42	106
2017	32	26	23	81
2018	37	30	28	95
2019	27	30		

Note: Show cause hearings were not counted.

2019 SUPREME COURT COMMITTEES/WORK GROUPS

Last revised 3/26/19

STANDING COMMITTEES	
Administrative Committee (5)	Chair: Fairhurst, C.J. Members: Johnson, J. Madsen, J. Owens, J. Stephens, J.
Budget Committee (5)	Chair: Fairhurst, C.J. Madsen, J. Owens, J. Stephens, J. Wiggins, J.
Circulation Committee (1)	Chair: González, J.
Personnel & Building Committee (3)	Chair: Stephens, J. Members: Madsen, J. González, J.
Rules Committee (5)	Chair: Johnson, J. Members: Owens, J. Wiggins, J. Gordon McCloud, J. Yu, J.
Traveling Court Committee (2)	Co-Chair: Owens, J. Co-Chair: González, J.
Secretary to En Banc	Secretary: Yu, J.

SUPREME COURT COMMITTEES	
Art in TOJ Committee	Chair: Gordon McCloud, J. Members: Johnson, J. González, J.
Technology	Chair: González, J. Members: Yu, J. Susan Carlson Rob Mead Justin Abbasi Ghery Pettit Curtis Dunn

Security Committee	Chair: González, J. Members: Fairhurst, CJ (as needed) Michael Johnston Guy Rosser Tyler Williamson Sam Thompson Susan Carlson Justin Abbasi Rob Mead Ramsey Radwan
COMMISSIONS	
Commission on Children in Foster Care	Chair: Madsen, J. (effect. 5/1/19)
Court Interpreter Certification Advisory Commission	Chair: González, J.
Gender and Justice Commission	Chair: Gordon McCloud, J. Member: González, J.
Minority and Justice Commission	Chair: Yu, J. Member: Stephens, J.
OTHER COMMITTEES/WORK GROUPS	
Appellate Education Committee (Spring Conference)	Chair: Wiggins, J. Member: Owens, J.
Bench-Bar-Press Committee of Washington	Chair: Fairhurst, C.J. Vice Chair: Owens, J.
Board for Judicial Administration	Chair: Fairhurst, J. Member: Wiggins, J. (until 6/30/19) Stephens, J. (beg. 7/1/19)
Capitol Furnishings Preservation Committee	Member: Wiggins, J.
Conference of Chief Justices	Member: Fairhurst, C.J.
Council on Public Legal Education	Member: Stephens, J.
Dividing the Waters Conference	Convener: Stephens, J.
Fall Conference	Chair: Stephens, J. Member: Owens, J.
Hague Convention Int'l Network of Judges	Liaison: Judge KittyAnn van Doornick
iCivics	WA State Ambassador: Fairhurst, C.J.
Judicial Information System Committee	Chair: Fairhurst, C.J.
Public Trust and Confidence Committee	Chair: Yu, J.

APPENDIX C

Statute Law Committee	Member Designee: Sam Thompson
Temple of Justice Legacy Project	Chair: Wiggins, J. Member: Gordon McCloud, J. (Backup member: Madsen, J.)
Tribal State Court Consortium Planning Committee	Members: Madsen, J. Owens, J.
Washington Court Reports Commission	Chair: Fairhurst, C.J. Johnson, J.
Washington Medal of Merit/Valor Committee	Liaison: Fairhurst, C.J.
Washington Pattern Jury Instruction Committee	Liaison: Gordon McCloud, J.
Washington State Center for Court Research Strategic Oversight Committee	Members: Gordon McCloud, J. (G&J) Fairhurst, C.J. (JISC) González, J. (Interpreter) Yu, J. (M&J)
WASHINGTON STATE BAR ASSOCIATION	
WSBA Disciplinary Advisory Roundtable	Chair: Wiggins, J.
WSBA Council on Public Defense	Liaison: Gordon McCloud, J.
WSBA Structures Workgroup	Chair: Fairhurst, C.J.

TAB 2



May 17, 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

Attached is the Court Education Committee Progress Report. The report was disseminated in April to the stakeholders who attended the 2017 CEC retreat, BJA chairs, Association Education Committees, Court System Funding Taskforce, Judicial Education Leadership participants and Court Education Professionals. The report was also disseminated to Dr. John Martin, the consultant who worked with the CEC via a State Justice Institute grant.

Education programs completed in April were the Superior Court Judges and Superior Court Administrators' spring programs.

Upcoming programs in May and June are the Juvenile Court Administrator's Spring Program, the District and Municipal Court Managers' Spring Program and the District and Municipal Court Judges' Spring Program.

The District and Municipal Court Administrators are drafting ArLJ14 mandatory education for District and Municipal Court Administrators. Their proposal has two parts. They would like a yearly mandatory 2-day administrator Academy to provide up to 15 hours of approved curriculum for administrators with 4 years or less experience. The second part is for the DMCMA to run a Certified Court Manager program which would be optional. Those opting into this program would send credit requests to the DMCMA. The CEC has asked the DMCMA to bring back a more detailed ArLJ14 rule, along with a proposed budget to the July CEC meeting. The CEC is concerned about costs, since there is no additional CEC funding, the impact on AOC personnel, and impact of additional mandatory education, which would be a priority for funding.

The CEC approved a committee orientation packet that contains information from the Judicial Leadership Institute program, committee liaison checklist, CEC policies

and guidelines and other information. The packet is being finalized and copies will be provided to CEC members and Association education committee members.

The CEC added clarifying language to their bylaws concerning deadlines for faculty and participant to submit vouchers for reimbursement. Requests for reimbursement to CEC programs must be submitted to the AOC within 30 days of the completion of the program or no later than June 30, whichever comes first. If you are not submitting a voucher, please inform the AOC.

The CEC is reworking the structure of the Presiding Judge and Administrator Education Committee making it more flexible in membership requirements and scope of projects. The CEC asked current committee members to focus on several projects (restructuring, needs assessments, reworking the PJ/Admin website).

The taskforce's biennial packet requests were not funded, however the CEC is reviewing what resources we have and ways to continue to build online learning without any additional funds. AOC education is looking at moving forward with online education and promoting online education already on Inside Courts.

The CEC is still 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.

Short-term Goals

- CEC hosted webinar in the next 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



TO: Board for Judicial Administration

FROM: Judge Judy Rae Jasprica, Court Education Committee Chair

DATE: April 2, 2019

RE: Court Education Committee Progress Report

In 2016 the Court Education Committee (CEC) received a State Justice Institute (SJI) grant to hire Dr. John Martin to help develop a roadmap and strategic plan to improve state court capacity for assuring effective high quality education throughout the Washington Courts.

In March, 2017 the CEC held a retreat inviting various education and training stakeholders, whether via CEC funded or not, to discuss the work and focus of the CEC. The invitation was also extended to Association leadership for their input and to build supportive relationships at the leadership level. During the two-day workshop, the CEC presented the roadmap and discussed ways to improve education in Washington.

Below are some accomplishments of the CEC since the 2017 retreat and the continual challenges that still need to be addressed.

Strategic Priorities

1. Establish and maintain sufficient resources dedicated to Court education.

The CEC presented two biennial packages for the 2017-2019 biennium. The first package focused on rural and small courts which are an important and sometimes forgotten part of Washington's judicial history. Judicial officers and court personnel in these courts have the same responsibility as their large, urban counterparts to provide timely access to justice to individuals in their communities. However, they often lack the resources and staffing support to send judges and court personnel to statewide trainings to increase their proficiency. Further, they are often unable to access online trainings due to outdated technology and the absence of programs designed especially for their needs. The packages addressed the uniqueness of our rural and small courts and the unique training needs that have gone unmet for years. The request focused on identifying the most urgent training needs of rural and small courts, and developing the best modality for delivery of efficient, cost-effective training programs.

The second package focused on obtaining adequate and sustainable funding for the current education and training needs. Funding for court system training to support judicial officers, court personnel and county clerks has been under resourced for decades.

We are in a period of time where the majority of judicial officers, court administrators, and County Clerks have recently retired or will be retiring soon. We do not have the funding to

appropriately train the existing judiciary much less the influx of new personnel. Court System education and training has been cut to non-sustainable figures.

Both these packages included additional FTE's to develop online education and training opportunities and cover added education and training programs that were identified via a 2014 Board for Court Education Needs Assessment.

Result: Neither package was funded by the legislature.

The CEC submitted a resolution to the Board for Judicial Administration (BJA) in support of adequate and sustainable funding for court system education. The BJA ratified the resolution which will remain in place until February, 2023.

The CEC developed goals and objectives for the BJA Policy and Planning Committee regarding the need for adequate and sustainable court system education funding. These goals and objectives were approved by the BJA Policy and Planning Committee and presented to the BJA. The BJA prioritized all the proposed goals and objectives they received and the CEC goals and objectives became the BJA's second priority.

The BJA created the Court System Education Funding Taskforce to work with the CEC on developing 2019-2020 biennial packages for adequate and sustainable funding for court system education. The taskforce conducted a more in-depth survey of the judiciary to capture education and training gaps. The CEC continues to support the Taskforce's efforts as they reach out to legislators regarding the education and training needs of the court system.

The Taskforce presented two funding package to the BJA for their review and support. They are similar to the two packages the CEC presented two years ago. The Supreme Court approved and added both packages to their overall biennial budget request to the Governor. The taskforce continues to move forward in contacting legislators across the state. CEC members contacted local representatives, and numerous judicial officers, who have been active in education, were asked to contact their local legislators in an effort to familiarize legislators about the need for additional education and training funding for the courts and why. Members of the taskforce have been meeting individually with key members of the legislature.

2. Address the educational needs resulting from the current and expected turnover in the Washington State Courts workforce over the next five years.

The CEC has been unable to pursue additional education and training (live or online) for new judicial officers, administrators, County Clerks and line-staff, due to the lack of funding. The CEC has explored options such as creating an online, on demand education and training component that would provide quick and easy "how to" videos. If the funding is obtained for online education the priority projects are for investing in a Learning Management System (LMS) which would be the platform for all online education. The priorities are to develop online education for rural courts, and new court employees. The packages also requests funding for a presiding judge and administrator program and scholarships.

The District and Municipal Court Administrator's (DMCMA) continue to promote mandatory education which includes an in-state administrator college that would be similar to the judicial college. Lack of funding and AOC resources hinders this project.

The CEC and AOC are looking at developing a new judicial officer toolkit (both online and in-person education and training) that would be available on demand when a judicial officer first comes on the bench and would augment their Judicial College programming.

3. Address aspects of the culture of the Washington Courts that emphasize using conferences as the primary forum for education.

Through much discussion the conference modality is here to stay. Due to heavy dockets many judicial officers do not have the time to leave the bench to attend multiple education and training. However, the administrative groups have discussed merging educational programs in the future if more funding is secured. The DMCMA hold regionals and have recently opened some up to other administrators if the content pertains to their role, such as human resources issues. This will continue in the future.

The CEC has identified common areas of education within all the curricula. The challenge is to develop joint programming without additional funding.

Without additional funding to create additional education and training opportunities the culture of the conference will continue, however, as stated earlier, the CEC is working with the AOC to move forward with online education as much as possible or explore diverting existing CEC funds if needed.

The DMCJA and SCJA Boards have been notified that their current spring program budgets may be reduced in the 2018-2020 biennial budget in order to provide adequate funding for the in-state Judicial College, which is the only mandated program under the CEC. With the heavy influx of new judicial officers, and the increasing costs of conducting this program the current budget does not cover the costs.

4. Build local, regional, state, and national partnerships with court, government, and private sector education providers.

The CEC created an ad hoc committee of administrators to identify local training opportunities and funding sources. This comprehensive listing has been reviewed but no action has been taken to contact local, regional or other state organization to coordinate educational programming. National programming is brought in-state once a year, via the National Center for State Court's Institute for Court Management courses. Many more professional courses need to be brought in-state to meet the increasing need of educating and training new court administrators. The BJA taskforce has looked into private sector funding but there are many ethical challenges to private funding of education.

Dean Annette Clark, Seattle University School of Law, and CEC member, researched partnerships between law schools and judicial education. The CEC reviewed models from across the country but has not yet studied this concept in-depth.

The CEC will continue to look into the law school partnership model. The one drawback is that there is not something similar for administrators and County Clerks at the law schools.

5. Clarify the role of the CEC and align the role with judge, court administration, clerk associations, and Washington State Supreme Court Commissions and other education providers.

The CEC continues to work with association education committees and align the work each does with CEC policies and procedures. There are guidelines that all education committees must follow if using CEC funding.

In November 2018 the CEC hosted a Judicial Education Leadership Institute. CEC members and education committee members were invited to attend. This two-day workshop, conducted by the AOC educators, provides information on adult education principles, instructional designing, needs assessments, writing goals and objectives, organizing and sequencing information, how to deliver engaging education and the importance of evaluations. The CEC is committed to continue to open up communication lines between the various education committees.

2017-2018 Priority Projects

1. Demonstrate a coordinated approach for planning and providing multi-association/commission court education for 2018-2019.

The education chairs of the three commissions meet quarterly and the court education coordinator for the CEC has been attending programs to provide input.

The CEC is working with the Annual Conference chair to develop ways in which they can coordinate their educational content more with the three judicial education committees in order to augment their educational opportunities outside of their regular conference.

During the Judicial Education Leadership Institute the CEC facilitated a discussion on how to coordinate education and what is needed. Without funding for the creation of a new and better website, many coordination plans have been placed on hold until the infrastructure of a new website can be created.

2. Clarify the role of the CEC as the coordinator of multi-partner WA State Court Education Collaborative Network.

The 2017 retreat and the Judicial Education Leadership Institute were both ways to open up communication and begin coordinator multi-partner education and training. The challenge is finding the funds and resources to begin creating a strategy to implement the overall plan and develop coordinated education and training from the curricula of the various groups, and online education. The CEC is committed to continuing to schedule collaborative meetings in the future.

3. Establish a Multi-Functional CEC/Court Education Collaborative Website.

The creation of a multi-functional CEC/Court Education Collaborative website is on hold until funding can be secured for a dedicated webmaster and improvements can occur on the existing Inside Courts website. The coordinated website would provide easy access to online education and training as well as sharing information in a more immediate manner.

There is much more to do as the CEC continues to strive towards a more collaborative education and training model. Additional funding is key to the success of this CEC priority.

If no additional funding can be found, the CEC will discuss ways to stretch further the limited funding and resource they currently have.

The CEC has been proactive in continuing to provide funding for ongoing education opportunities for all court personnel. In 2019 the CEC will continue to address the need of additional funding but also focus on building more and easily accessible online education for the judiciary whether it receives funding or not.

For the past several years, CEC Chair and BJA member, Judge Judy Rae Jasprica, Pierce County District Court, has led the CEC through the SJI process, retreat and the pursuit of additional education and training funds. In July, 2019 Judge Jasprica will be stepping down from the CEC and the BJA. Chief Justice Fairhurst has appointed Judge Gregory Gonzales, Clark County Superior Court, as the new CEC chair.

The Court Education Committee would like to thank Judge Jasprica for her vision, and guidance over these past years.



May 17, 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 convenes weekly conference calls during the legislative session to discuss legislative proposals of significant impact or interest to the judiciary. The 2019 Regular Session adjourned *sine die* on April 28, 2019.

During the legislative interim, the BJA Legislative Committee convenes meetings or calls as needed to prepare for the next legislative session.

2019 Legislative Session

The legislature introduced 2,988 proposals during the 2019 legislative session. AOC staff analyzed all introductions to identify those with court or AOC impacts. Nearly a third of all legislative proposals, and the amendments to them, required active monitoring and ongoing analysis due to judicial impacts. Of the 2,988 proposals introduced, the legislature passed 486. AOC staff transitioned from legislative analysis to legislative implementation beginning the last week in April. AOC staff will produce and disseminate bill summaries for bills that impact the judicial branch.

Legislative Priorities for Specific Judicial Branch Entities

The District and Municipal Court Judges' Association (DMCJA) supported introduction of several bills that the legislature passed this year:

- **[2SHB 1048](#) -- Modifying the process for prevailing parties to recover judgments in small claims court.** This bill eliminates a two-step process for a small claims judgment to be placed in the court docket. It creates a more user-friendly and efficient process whereby a prevailing party does not have to return to court in order to be able to execute on a judgment.

- [ESHB 1350](#) -- **Issuing temporary protection orders.** This bill addresses courts of limited jurisdiction (CLJs) and temporary protective orders; it specifies four circumstances when the CLJ must transfer an anti-harassment protection order case to superior court.
- [SB 5622](#) -- **Revising the authority of commissioners of courts of limited jurisdiction.** This bill gives a court commissioner the same power, authority, and jurisdiction in criminal and civil matters as the appointing judges possess; it allows court commissioners of CLJs to solemnize marriages.

The Superior Court Judges' Association (SCJA) supported introduction of a bill that the legislature passed this year:

- [SSB 5560](#) -- **Concerning mediation of disputes between elected officials.** This bill requires mediation of disputes between county officials before filing a lawsuit.

The Board for Judicial Administration (BJA) supported introduction of two proposals that the legislature passed this year:

- [E2SHB 1517](#) -- **Concerning domestic violence.** While this bill addresses a variety of issues related to domestic violence, the BJA requested the language that appears in Part II of the bill (sections 201-205), which refines the definition of domestic violence to distinguish between intimate partner violence and other family or household member violence.
- [ESHB 1329](#) -- **Concerning the methods of services provided by the office of public guardianship.** This bill expands the services that the Office of Public Guardianship (OPG) may provide through contractors; the expanded services include supported decision making and estate administration.

Other Bills of Interest

1788 -- **Concerning the Washington state bar association.**

The legislature debated issues related to the Washington State Bar Association and chapter 2.48 RCW (State Bar Act). Various bill proposals, including HB 1788, contemplated the repeal of the State Bar Act.

Both chambers of the legislature amended HB 1788 significantly compared to its original version. The version passed by the Senate was returned to the House for concurrence. However, the House declined to conduct a concurrence vote on the Senate amendments, so the bill did not pass.

[SSB 5017](#) -- Concerning the uniform unsworn declarations act.

In 2014, a multi-agency effort introduced new language in RCW 9A.72.085 regarding standards for subscribing to an unsworn statement. This RCW is now referenced in court rule and on court forms, which are foundational for many e-filings within the judicial branch. Substitute Senate Bill 5017 repeals RCW 9A.72.085, effective July 1, 2021.

With the repeal of RCW 9A.72.085, and the need to adjust court rules/forms accordingly, AOC staff may urge the judicial branch to consider eliminating statutory references from court rules and forms about standards for subscribing to an unsworn statement.

[2SSB 5604](#) -- Concerning the uniform guardianship, conservatorship, and other protective arrangements act.

This bill repeals chapter 11.88 RCW (Guardianship -- Appointment, Qualifications, Removal of Guardians) and chapter 11.92 RCW (Guardianship -- Powers and Duties of Guardian or Limited Guardian). It adopts the Uniform Guardianship, Conservatorship, and Other Protective Arrangement Act.

Next Activities of the BJA Legislative Committee

AOC will work to implement the bills passed during the 2019 legislative session by adjusting judicial publications, education, and systems appropriately. They will produce and disseminate a bill summary document for bills that impact the judicial branch.

AOC staff will work with the BJA Legislative Committee to prepare for the next legislative session.



May 17, 2019

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

The Policy and Planning Committee (PPC) met in March 2019. The main item on the agenda was a brainstorming session to discuss potential policy or administration projects that address needs or issues in the courts that do not necessarily rise to the level of a task force. The committee discussed topics related to proposals received from the previous strategic initiative process such as therapeutic courts as well current issues such as Legal Financial Obligations. No decisions were reached but the committee had a good discussion and generated questions about several of the topics. Conversations will continue at the next meeting.

The PPC is addressing the challenge of determining which policy issue to address and what level of work is reasonable with committee resources. The committee developed criteria and guidelines that are useful tools to assess policy issues as the committee continues to re-envision its purpose and work activities. The PPC will evaluate whether to recommend starting a new strategic initiative and if so, whether to solicit for new proposals or to consider the proposal that was next in priority.

The PPC has been tasked with exploring how diversity on the BJA and committees can be increased and will be discussing the topic at the May meeting.

TAB 3



Joanne I. Moore, Director

What is the Office of Public Defense?

The mission of the Washington State Office of Public Defense (OPD) is *"to implement the constitutional and statutory guarantees of counsel and to ensure the effective and efficient delivery of indigent defense services funded by the state of Washington."* RCW 2.70.005. Originally established in 1996, and permanently reauthorized by the 2008 Legislature, OPD is an independent judicial branch agency. The director is appointed by the Washington Supreme Court and works with a 13-member advisory committee. The agency has 17 employees and contracts with more than 200 attorneys statewide.

OPD provides statewide indigent defense for appeals, representation of parents in dependency and termination of parental rights cases, and representation of respondents in sexually violent predator civil commitment actions. OPD also disburses state grant funding for trial-level indigent defense programs that are administered by counties and cities. Detailed information about each agency program is available at the OPD web site at www.opd.wa.gov.

➤ **Appellate Program**

OPD contracts with attorneys across the state to provide representation for indigent appellants in cases where federal and state constitutions and state statutes guarantee the right to counsel. These include criminal appeals, as well as other appellate cases involving basic rights such as dependency proceedings, parental rights terminations, criminal contempt convictions, and involuntary civil commitments.

➤ **Parents Representation Program**

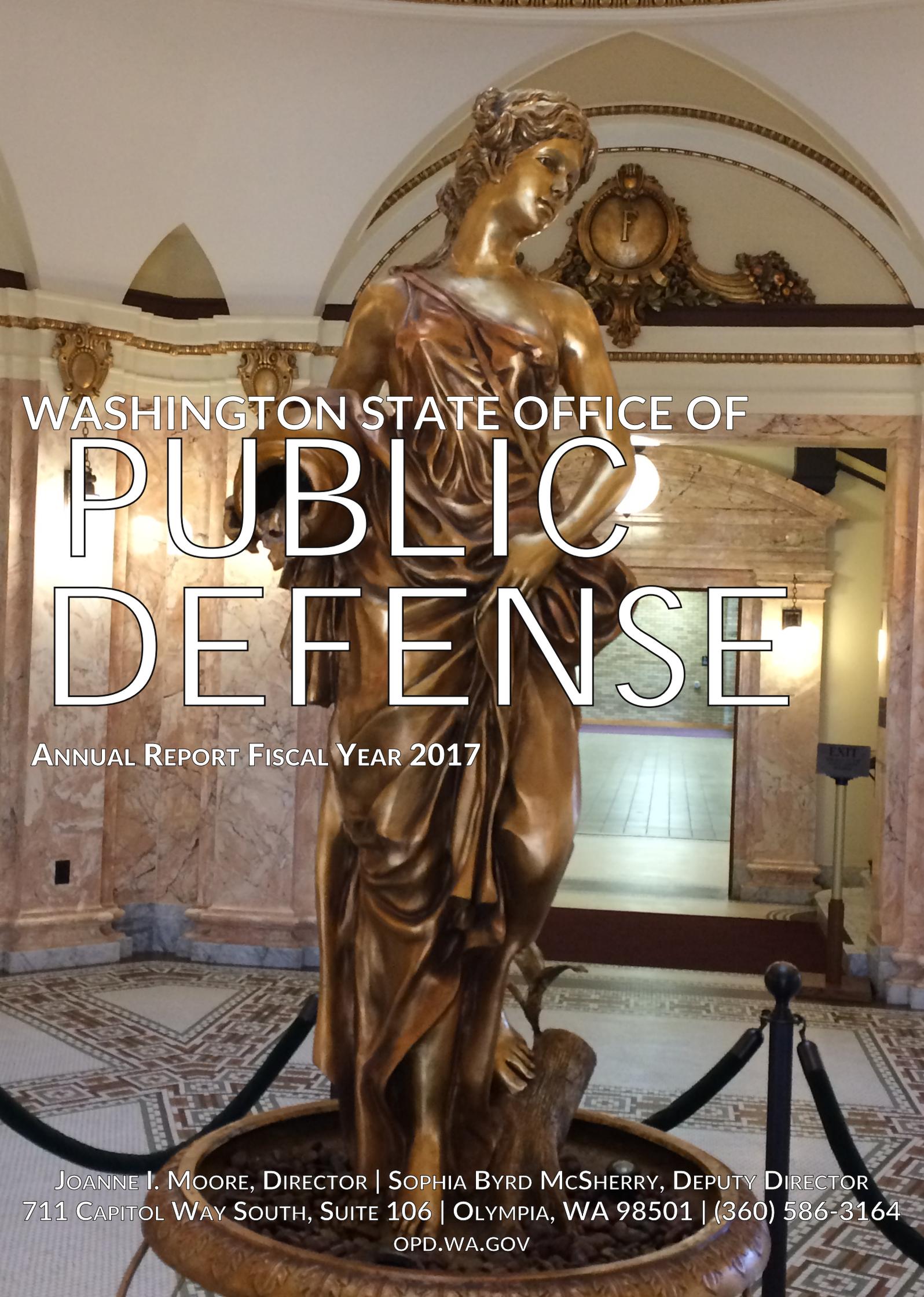
OPD's nationally recognized Parents Representation Program provides defense services to indigent parents involved in dependency and termination of parental rights proceedings. OPD sets manageable caseload limits, implements professional practice standards, and provides access to independent social workers and experts, so that contracted attorneys can better assist their clients. Effective July 1, 2018, the Parents Representation Program is serving indigent parents in every county in Washington State.

➤ **Chapter 71.09 RCW Civil Commitment Defense (sexually violent predator)**

The 2012 Legislature transferred to OPD the duty to administer indigent defense services in Chapter 71.09 RCW civil commitment cases (sexually violent predator). As directed by the Legislature, OPD contracts with qualified attorneys around the state to represent indigent respondents in these complex and lengthy cases. OPD's contracts limit attorney caseloads and require attorney training, as well as provide access to expert witnesses, investigators, independent social workers, and other defense-related services.

➤ **Trial Defense Services**

OPD administers grant funding to improve trial-level public defense as provided by Chapter 10.101 RCW. This law directs state assistance to counties and cities, and currently includes a \$6.9 million annual appropriation. In addition to disbursing these funds to local governments, OPD managing attorneys conduct training for local public defense attorneys throughout the state and consult with local officials on indigent defense standards, contracting, and other public defense quality issues.



WASHINGTON STATE OFFICE OF
PUBLIC
DEFENSE

ANNUAL REPORT FISCAL YEAR 2017

JOANNE I. MOORE, DIRECTOR | SOPHIA BYRD MCSHERRY, DEPUTY DIRECTOR
711 CAPITOL WAY SOUTH, SUITE 106 | OLYMPIA, WA 98501 | (360) 586-3164
OPD.WA.GOV



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Page 8: Pacific County Courthouse by Steven Pavlov, available on Wikimedia Commons

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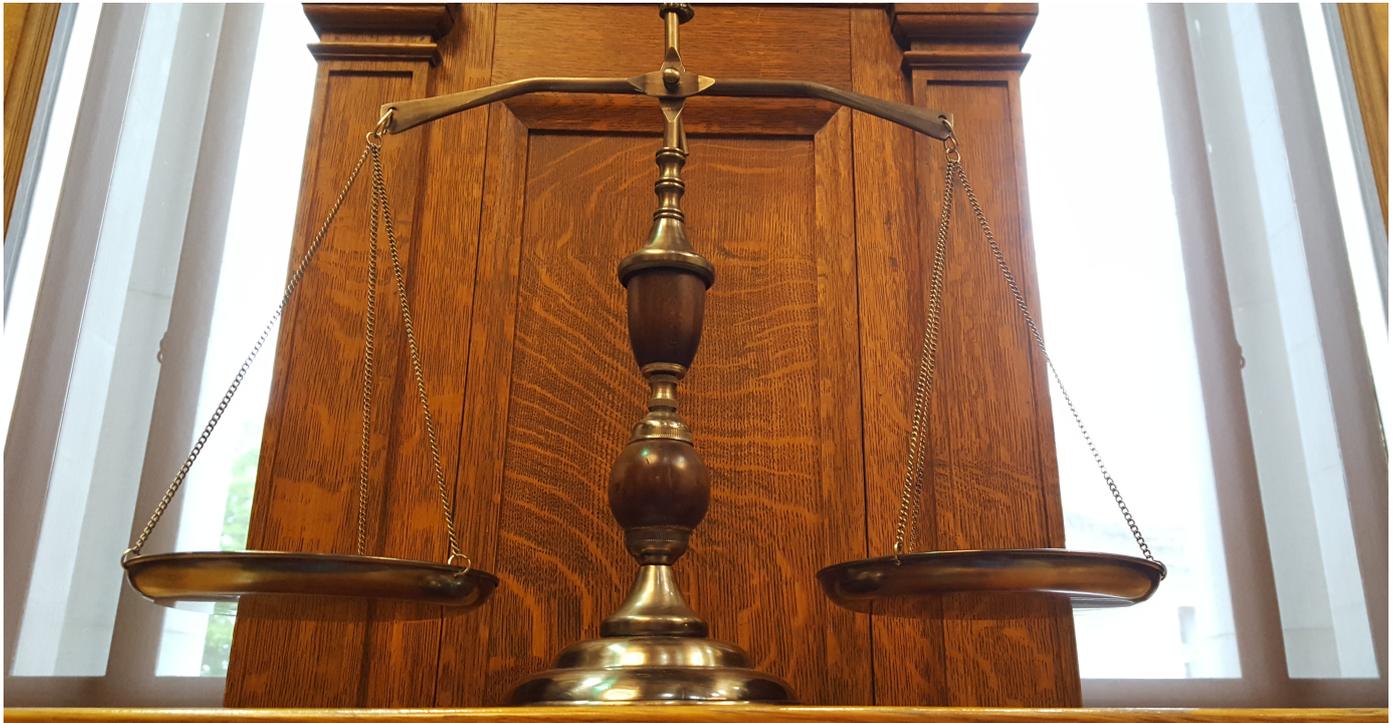
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MISSION STATEMENT

"To implement the constitutional and statutory guarantees of counsel and to ensure the effective and efficient delivery of indigent defense services funded by the state."



EXECUTIVE SUMMARY

Greetings Justices of the Supreme Court, Governor Inslee, Members of the Washington State Legislature, judges, elected officials, and residents of Washington,

Welcome to the 2017 annual report for the Washington State Office of Public Defense (OPD). This report covers fiscal year 2017, which ran from July 1, 2016, to June 30, 2017. I hope you will find it to be an informative summary of our agency's activities for the year.

OPD had 15 employees in fiscal year 2017: a Director and a Deputy Director, eight Managing Attorneys, a Social Services Manager, and four administrative staffers. The agency is overseen by an advisory committee made up of appointees from a range of organizations, which conducts business at quarterly meetings.

OPD's duty is to implement the right to counsel guaranteed by the United States Constitution, the Washington State Constitution and the Laws of the State of Washington, in certain cases in which the state proceeds against individuals.

The Legislature has given OPD specific responsibilities with respect to public defense in Washington. Those responsibilities are, primarily:

- Implementing defense representation through contract attorneys for indigent parties in appeals to the Washington State Court of Appeals and the Washington Supreme Court;
- Administering grants to counties and eligible cities for improvement of trial-level public defense;
- Implementing defense representation through contract attorneys for indigent parents who are at risk of losing their children in dependency and termination cases; and
- Implementing defense representation through contract attorneys for indigent detainees who are subject to civil commitment as sexually violent predators.

OPD does not supervise public defense across the entire state. Washington gives its counties and cities a great deal of autonomy in administering the criminal justice process. Accordingly, counties and cities implement all public defense services for felony and misdemeanor cases in Superior, District, and Municipal

courts, and are not subject to control by OPD.

OPD is organized into four programs based around these primary responsibilities. They are, respectively, the Appellate Program, the Public Defense Improvement Program, the Parents Representation Program, and the RCW 71.09 Program (named after the chapter of the Revised Code of Washington dealing with the civil commitment of alleged sexually violent predators).

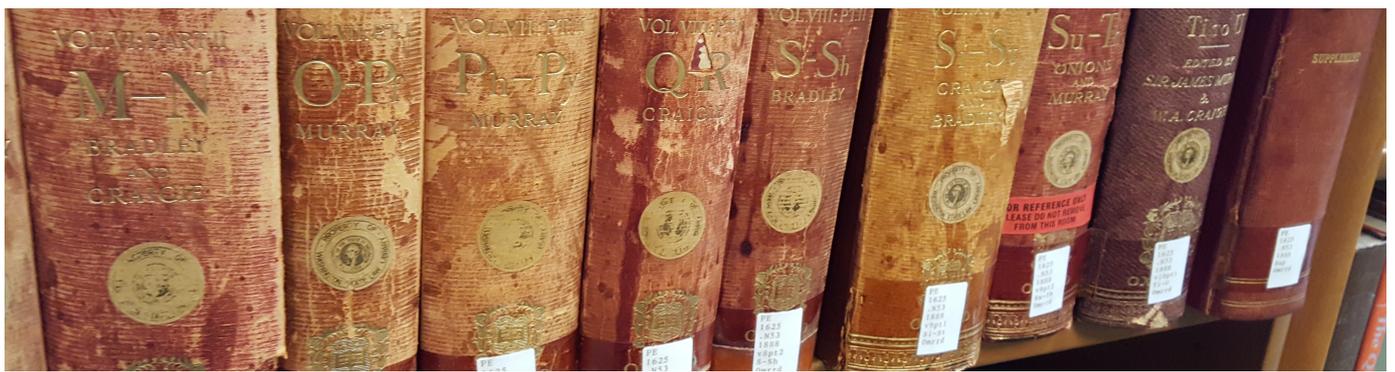
In fiscal year 2017, OPD and its contract attorneys implemented innovations to address changes in public defense needs. The Appellate Program added a slate of new contingent contractors, paid per case they accept instead of receiving a guaranteed caseload, to deal with a “new normal” increased caseload that began in fiscal year 2016. Appellate contract attorneys won several big victories for clients in the Supreme Court, including the reversal of *State v. Houston-Sconiers*, in which youths were sentenced to decades-long prison sentences for robbing other children mostly of candy on Halloween, with no consideration of their age as a mitigating factor.

The RCW 71.09 program attorneys negotiated a record number of Less Restrictive Alternative placements with the State, fulfilling the purpose of Washington’s laws without wasting state funds on unnecessary litigation expenses.

The Parents Representation Program collaborated with the American Bar Association’s National Parent Alliance to put on a national training in Washington, D.C., and a regional training in Vancouver, WA. The Parents Representation Program also continued collaborative work with the Department of Social and Health Services to implement family-friendly policies that promote reunification.

OPD also took some of its first steps into the modern media world with a series of online videos created by the Public Defense Improvement Program. These videos are designed to educate youth, families, and professionals about the collateral consequences of juvenile offense dispositions.

As Justice Hugo Black wrote more than 50 years ago in the watershed case of *Gideon v. Wainwright*, “The right of one charged with crime to counsel may not be deemed fundamental and essential to fair trials in some countries, but it is in ours. From the very beginning, our state and national constitutions and laws have laid great emphasis on procedural and substantive safeguards designed to assure fair trials... this noble ideal cannot be realized if the poor man charged with a crime has to face his accusers without a lawyer to assist him.” This ideal is why the right to counsel is guaranteed to alleged criminals, allegedly unfit parents, and even offenders accused of being sexually violent predators. OPD strives to realize the noble ideal of fundamental fairness for all by working daily to improve public defense in Washington.





Washington State Law Library

APPELLATE PROGRAM

Indigent appellate representation was OPD's first program, established at the agency's founding in 1996. At that time, OPD assumed responsibility for administering public defense services statewide for appeals to the Washington Court of Appeals and the Washington Supreme Court.

When a person loses their case in Superior Court, they have the right to appeal to the Court of Appeals, where a panel of three judges will decide whether the lower court's decision was valid. A case lost before the Court of Appeals can be appealed to the Washington Supreme Court. If a client is indigent and convicted of a crime, or is subject to another type of proceeding where there is a constitutional or statutory right to counsel, OPD is responsible for providing an appointed public defense attorney. OPD provides attorneys by contracting with independent attorneys across the state. OPD's contract attorneys represent clients before the Court of Appeals, and may continue cases before the Washington Supreme Court if they are unsuccessful in the Court of Appeals.

OPD's Appellate Program attorneys represent more than 1,000 indigent clients every year. Appellate Program Manager Gideon Newmark runs the day-to-day operations of the Appellate Program.

Case Weighting

In fiscal year 2017, OPD maintained the case weighting standard set in 2016. The case weighting system is designed to ensure reasonable caseloads for appellate public defenders in accordance with the Washington Supreme Court Standards for Indigent Defense. Those standards limit appellate public defenders to no more than 36 cases per year with an average transcript of 350 pages. Case weighting apportions additional credits for longer cases, ensuring that an attorney's caseload remains within the standards.

OPD entered fiscal year 2017 prepared for the impacts of case weighting, which in 2016 led to the program's contract attorneys reaching their maximum caseloads before the end of the fiscal year. Rather than add new full-time contractors to cover 2017's projected caseload, OPD added 16

part time “contingent” contract attorneys through a competitive process. Unlike regular contract attorneys, who are paid a set monthly amount for a maximum annual caseload, contingent contractors are paid per case. Adding contingent contractors allowed the program to conserve resources in the event that caseloads were not as high as projected. Ultimately, caseloads in 2017 were similar to those seen in 2016, showing that the Appellate Program has reached a “new normal” and will likely need to accommodate a similar caseload going forward.

Training

The Appellate Program held an appellate continuing legal education seminar at the Criminal Justice Training Commission in Burien in May 2017. Topics included appellate court rules, oral advocacy, juvenile litigation strategies, immigration law, postconviction law, and the ethics of electronic evidence. Speakers included attorneys from among OPD’s contractors, as well as private and nonprofit attorneys.

Big Supreme Court Wins for Clients

Case: In re Parental Rights to B.P.

Attorney: Jill Reuter

Result: The superior court terminated a mother’s parental rights to her daughter on the grounds that the child had special needs that the mother could not meet. The Department of Social and Health Services provided services for the child’s foster parents to meet these special needs, but failed to provide such services to the mother. The Supreme Court held that because the Department did not provide the mother with the necessary services, termination of the mother’s parental rights was inappropriate.

Case: State v. Houston-Sconiers

Attorneys: Stephanie Cunningham and Kathryn Russell Selk

Result: Defendants, aged 16 and 17, committed several robberies on Halloween, robbing mostly other groups of children and stealing mostly candy. The youths carried a gun, but it was loaded

with the wrong kind of ammunition and would not have fired. One was sentenced to over 30 years in prison and the other received a sentence of more than 40 years. Though finding these sentences excessive, the trial judge believed these sentences were the minimum allowable by law. The Supreme Court held that courts may always consider a juvenile offender’s youth as a mitigating factor at sentencing, permitting departure below what would normally be the minimum sentence for an adult.

Case: State v. Bluford

Attorney: Casey Grannis

Result: The defendant was charged with several different robberies, some of which included sexual offenses and some of which did not. The trial court joined all the incidents together in a single trial. The Supreme Court reversed, holding that the efficiency of a single trial cannot be allowed to outweigh the prejudice to the defendant caused by joining unrelated crimes into a single proceeding. The inherently

prejudicial nature of sex offenses meant that the defendant in this case could not receive a fair trial on the charges where no sex offenses were alleged.

State v. Estes

Attorney: Jennifer Dobson

Result: The defendant was convicted of an assault wherein he cut the victim’s little finger and foot with a small knife. He was sentenced to life in prison without parole under Washington’s “three strikes” law. The assault would not have been considered a third strike, except for the fact that the jury found that a deadly weapon was used. The defendant’s trial attorney had misunderstood his client’s potential sentence at trial and was surprised to find his client facing life in prison at sentencing. The Supreme Court reversed the life sentence, finding that the defendant was entitled to be accurately advised about the risks of proceeding to trial and that his attorney, who misunderstood the risks, could not have accurately done so.



Historic Pacific County Courthouse

PUBLIC DEFENSE IMPROVEMENT PROGRAM

Unlike OPD's other programs that retain and manage contract attorneys, OPD's Public Defense Improvement Program works with local jurisdictions to improve trial level public defense in courtrooms across Washington State. Comprised of Managing Attorneys Katrin Johnson and George Yeannakis, the program's staff bring a great deal of experience and creativity to this critical mission. Like many aspects of Washington's government, Washington's judicial system emphasizes local control. Thus, counties and cities administer and largely fund their own court systems, including their own local public defense systems. This has led to a series of locally governed public defender agencies, independent law firms, and sole practitioners with contracts to provide public defense services across the state. OPD's Public Defense Improvement Program supports this diverse array of local public defense operations by holding trainings and providing technical assistance on key issues, and by administering state funds allocated by the legislature to improve local public defense.

Juvenile Justice Strategic Plan

In fiscal year 2016, OPD applied for and was awarded a Youth Access to Justice State Reform Planning Grant from the United States Office of Juvenile Justice and Delinquency Prevention. The

grant was awarded for the development of a strategic plan to ensure that youth involved with the criminal justice system in Washington have fair and equal access to quality legal representation, resulting in OPD's publication of Plan to Reform Public Defense Representation in Juvenile Offender Cases: Steps to Eliminate Justice by Geography (available at <https://bit.ly/2L3Jmwn>). OPD began to work on implementing components of this plan in fiscal year 2017. This included producing a video series focused on educating youth, their families, and the community at large about the collateral consequences of juvenile offender convictions. It also included launching the Juvenile Defense Training Academy, a 24-hour intensive program designed to improve the quality of representation at every stage of a juvenile offender case. In order to participate, attorneys were required to apply for a limited number of slots, and commit to attending four days of instruction. The first day of the Academy was held in Spring 2017 at the Washington Defender Association conference in Winthrop.

Public Defense Improvement Grants

The Public Defense Improvement Program also continued to carry out one of its core functions in fiscal year 2017, distributing grants to counties and cities for the improvement of trial level public

defense. As mandated by Chapter 10.101 RCW, the program distributed state funds to each of the 38 counties that applied for the funding. In addition, OPD administers a competitive grant program for cities. Twenty-one cities were awarded grant funds for local public defense improvements such as increased attorney compensation, reimbursement of attorney training costs, representation at preliminary appearance hearings, and increased use of investigators, experts, and social workers. OPD worked with the city and county grant recipients to make improvements to their public defense systems.

OPD's Public Defense Improvement Program managing attorneys visited 17 jurisdictions that received state funds. They observed courtroom procedures and met with judges, court administrators, public defense agency coordinators and directors, and public defense attorneys. They also met with city and county officials and their staff. These personal visits remain a vital tool for OPD to positively impact public defense in Washington State.

Washington Defender Association

OPD continued to contract with the Washington Defender Association (WDA) for criminal law and immigration law resource attorney services. WDA's criminal resource attorneys are available for public defenders in Washington who need technical assistance with their cases. WDA's immigration resource attorneys are available to help public defense attorneys understand the immigration consequences of their clients' criminal cases. Criminal cases can have a wide variety of consequences for a person's immigration status, and WDA plays a pivotal role in helping defense attorneys navigate the complex issues of federal immigration law. WDA also provides training across the state for public defense attorneys, including death penalty defense assistance. Under its contract with OPD, WDA provides training and resources for attorneys, investigators, mitigation specialists, and support staff working on capital cases.

Juvenile Collateral Consequences Videos
During OPD's evaluation of juvenile justice public defense services statewide, it became clear that youth in many areas rarely receive meaningful assistance with the collateral, i.e. out-of-court, consequences of their cases. A juvenile adjudicated as guilty of a crime can have trouble with access to housing, education, employment, and health care. This is especially true for juveniles from poor families. The representation provided by public defenders generally stops at the courtroom and doesn't extend into these collateral matters. And while some communities have non-profit agencies that can provide assistance, many don't. As part of its activities under the federal juvenile justice grant, OPD developed a series of online videos designed to educate youth,

their families, and professionals about collateral consequences. Each video was developed by teams of attorneys experienced in juvenile public defense and civil legal aid. The six 20-minute videos address the following topics:

- Education
- Employment
- Healthcare
- Housing
- Record Sealing
- Reentry/Aftercare Needs

The videos can be accessed online at <http://bit.ly/2ozMGDk>



PARENTS REPRESENTATION PROGRAM

OPD's Parents Representation Program oversees the legal representation of indigent parents in dependency, termination, and guardianship cases. These are cases in which the State asks to take custody of a child after alleging that a parent has abandoned, abused, or neglected the child, or is incapable of caring for the child. Children are often removed from their parents' custody and placed with relatives, with another suitable adult, or in foster care. Indigent parents have a constitutional and statutory right to counsel in these cases to protect their fundamental right to raise their children. The Parents Representation Program has been providing counsel in these cases for almost two decades, since the Legislature authorized funding to address the typically poor quality of representation that was found to be the norm in dependency and termination cases.

The Parents Representation Program contracts with attorneys, law firms, and public defender organizations to represent parents in all covered counties. These contractors follow the program's enhanced practice standards, which require regular client communication, diligent efforts to help parents participate in necessary services, adequate case preparation, effective negotiation with the State, access to social workers and experts, and competent litigation if a negotiated settlement isn't possible.

Amelia Watson, Brett Ballew, Jacob D'Annunzio, and Jana Heyd are OPD's Parents Representation Managing Attorneys. They support the program's contract attorneys in applying OPD's practice standards. The managing attorneys provide legal resources during litigation, monitor attorney caseloads to ensure compliance with the Supreme Court Standards for Indigent Defense, conduct in-person attorney evaluations, and provide technical support and trainings each year.

Social Services Manager Mike Heard, the fifth member of the Parents Representation team, manages a group of independent social workers on contract with OPD. He provides both formal and informal training for the social workers, who give OPD's contract attorneys access to client support, social work theory, and resources in the community.

The Parents Representation Program continued its process of expanding statewide in fiscal year 2017. Five new counties will join the Program in fiscal year 2018 and expansion into all counties will be complete in fiscal year 2019.

Collaboration with the National Parent Alliance
The Parents Representation Program participated in two events with the American Bar Association National Parent Alliance in fiscal year 2017. Parents Representation Program managing

attorneys helped organize and presented at the 5th National Parent Representation Conference in Washington D.C. Director Joanne Moore received the ABA's National Parent Attorney Conference's 2017 award in recognition of her achievements in creating the Parents Representation Program.

Earlier in the fiscal year, the program's managing attorneys, also in conjunction with the National Parent Alliance, hosted the Parent Representation Leadership Forum in Vancouver, Washington. This event included training for some 100 attorneys, social workers, judges, and other leaders in child welfare reform. Participants came not only from Washington, but from Oregon, Idaho, and Alaska as well.

Continuing Efforts and Initiatives

The Parents Representation Program continued ongoing efforts to ensure top quality representation of parents in covered counties in fiscal year 2017. This involved in-person visits to almost 160 contract attorneys in every covered county. Managing attorneys observed contract attorneys in court and met with them to review their performance and compliance with the program's rigorous standards.

Managing attorneys continued the program's work with the Department of Social and Health Services (DSHS) to improve and implement parent-friendly policies. DSHS is in charge of finding out-of-home placements for children who cannot reside in the home due to safety issues during a dependency case. While the juvenile courts have final say on where children are placed and how often the parents may visit them, DSHS's recommendations carry great weight. Thus, DSHS's enactment of policies designed to promote reunification of parents and children is vital. In fiscal year 2017, OPD was part of a joint project with DSHS and the courts to implement a new, more family-friendly visitation policy and ensure that parents are granted the visitation that meets the developmental needs of the child. OPD released its first-ever podcast to help educate attorneys about this new policy.

In a similar vein, managing attorneys worked constructively with a coalition including DSHS on issues related to incarcerated parents. When parents are in jail or prison parents and children do not lose their right to have contact with each other, but incarceration poses difficulties for visitation which the coalition including OPD and DSHS is working to address on an ongoing basis. Managing attorneys also participated in a DSHS work group addressing policies related to background checks; background checks are performed on relatives who may be able to care for children during a dependency. Placement with relatives can greatly increase the chances of reunification and can vastly reduce the trauma on children of being separated from their parents during a dependency case.

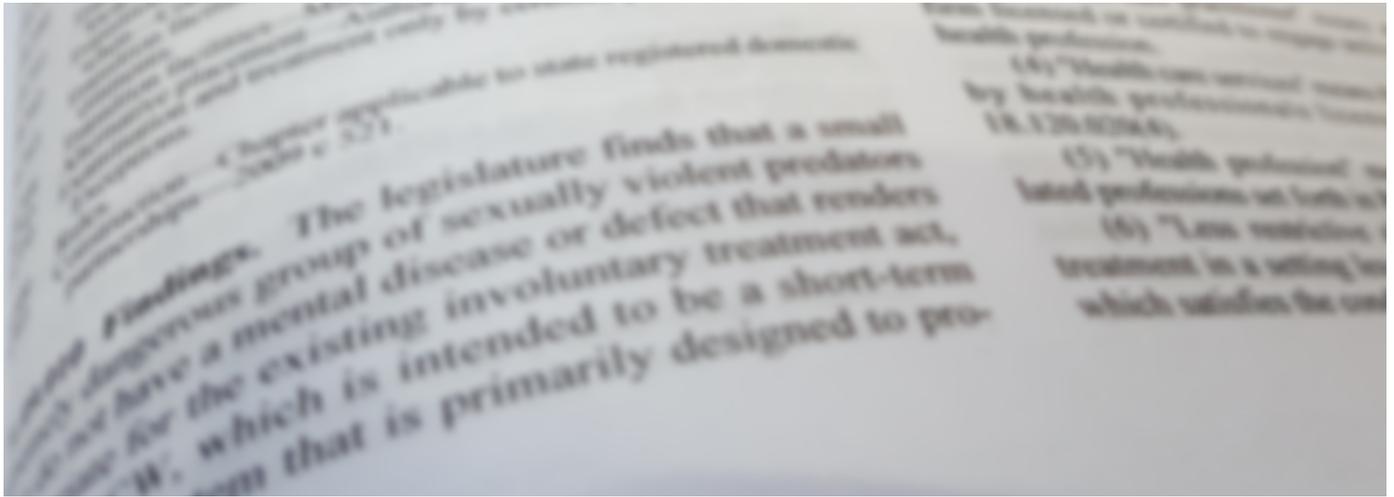
Parents for Parents Program

Fiscal year 2017 saw continued state funding for the Parents for Parents program. OPD administers this funding through a contract with the nonprofit Children's Home Society. This innovative program recruits "parent allies" to help parents in dependency cases navigate the system and reunite with their children.

Parent allies, who have previously been involved in their own dependency cases, receive extensive training and supervision to work with parents still in the dependency system. They provide peer mentoring to encourage positive engagement with child welfare stakeholders, increase compliance with court ordered services, and increase engagement in the dependency process as a whole.

Parent allies engage with their peers at the earliest stage of their dependency cases, providing the parents with support and showing them that there is hope for reuniting with their children. Parent allies also present "Dependency 101" classes to help introduce parents to the dependency system and educate them about how to succeed, and they provide ongoing support throughout the dependency process.

The Parents for Parents program is recognized as a promising practice for improving the child welfare system.



RCW 71.09 PROGRAM

The RCW 71.09 Program is OPD’s newest practice area. The Legislature unanimously authorized the program in 2012, voting to transfer responsibility to OPD for public defense in civil commitment cases for sexually violent predators. Public defense in these cases had previously been managed by the DSHS, which also runs the Special Commitment Center (SCC) where the civilly committed are held. As civil detainees who are not under sentence for committing a crime, those in the civil commitment process must first be found by a jury to be mentally ill and likely to engage in future acts of violence due to the mental illness. Then, they have the right to annual reviews of their detention status, which can lead to trials on whether they should be released to a less restrictive setting or released unconditionally.

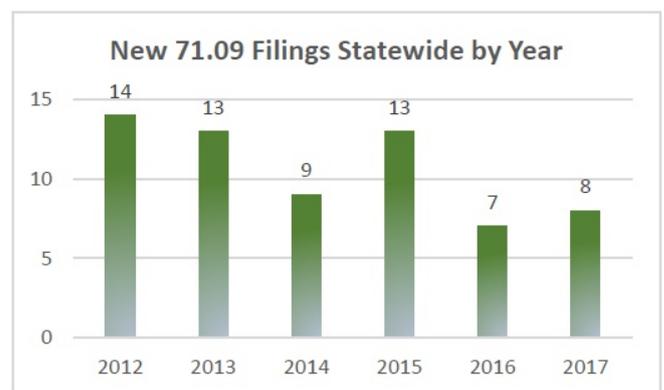
Washington law gives indigent civilly committed persons the right to counsel at every stage of the proceedings against them, including for each year’s annual review. OPD provides counsel, and does so by contracting with a small but dedicated group of attorneys. The RCW 71.09 Program is overseen by Managing Attorney Shoshana Kehoe-Ehlers. Shoshana maintains the program’s quality of representation by carefully monitoring attorney caseloads and meeting individually with attorneys to discuss their performance. She also consults on issues that arise during cases and conducts training on handling RCW 71.09 cases for judges, judicial staff, and attorneys.

In fiscal year 2017, OPD maintained 10 contracts for RCW 71.09 representation with public and

private law firms, for a total of 21.5 full-time equivalent attorney positions. Most of these attorneys carried a full-time RCW 71.09 caseload. OPD also contracted for four social work positions. RCW 71.09 social workers collaborate with attorneys and clients to help the clients engage in treatment, to develop safe release plans, and to navigate public assistance options for clients preparing for release.

Specialized Training

The RCW 71.09 Program held two continuing legal education seminars for contract attorneys in fiscal year 2017, offering specialized training on this practice area. OPD contract attorneys also attended a three day conference put on by the Sex Offender Policy Board and the Washington State Office of Financial Management. Two OPD contractors presented at the conference on the myths about working with sex offenders, and shared practical tips for doing so. Shoshana was also part of a joint presentation on civil commitment delivered at the 2017 Annual Judicial Conference in Vancouver.



New 71.09 filings increased by one in FY17

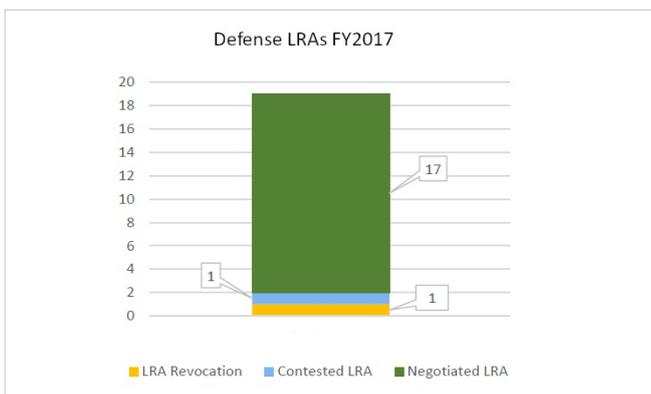
Continuing Efficiency Gains

Since its inception, the RCW 71.09 Program has seen improvements in the functioning of the civil commitment process. In 2017, continuances in new RCW 71.09 cases fell by 50 percent, from 22 to 11, continuing their sharp downward trend since the program's inception. Ten civil commitment proceedings were completed in 2016, three of which were dismissed without a verdict of commitment.

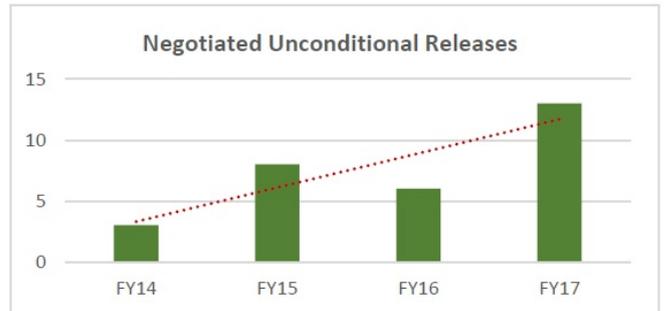
Continuing Treatment Progress

The RCW 71.09 Program continues to see progress for committed clients, as well. Once they have undergone treatment, civilly committed clients can petition to be released from total confinement at the SCC to a less restrictive alternative (LRA), or they can request unconditional discharge. LRA settings retain a significant security procedures to keep the community safe, but permit civilly committed clients to transition out of total confinement in an institutional setting and prepare for reentry into society should they complete treatment and be deemed eligible for release. In 2017, OPD contractors helped 17 clients move to LRAs with the agreement of prosecutors, and won one contested LRA trial.

RCW 71.09 contractors secured unconditional release for a number of clients as well in 2017. Thirteen clients were released with the agreement of prosecutors for no longer being sufficiently mentally ill or dangerous for civil commitment. One client was unconditionally released after a contested trial.



OPD contractors delivered strong results for clients on agreed LRAs



Unconditional releases increased dramatically from FY16

Conditions for LRAs

Courts impose conditions when respondents are approved for release from the SCC to a less restrictive alternative (LRA). These commonly include, among other requirements:

- DOC supervision; weekly reporting
- Electronic monitoring and chaperones
- Registration as a sex offender
- No travel without advance authorization
- Sex offender and other treatment
- Pre-approval for any work, education or volunteer activity
- A phone log of all calls made and received
- No contact with prior victims
- No contact with minors, felons, or persons with any sex crime conviction
- No firearms, alcohol, marijuana, or controlled substances, or pornographic or sex themed materials
- Alcohol and drug testing
- Polygraph testing to assess compliance



May 17, 2019

TO: Board for Judicial Administration Members
FR: Judge Sean O'Donnell and Judge Rebecca Robertson
Co-Chairs, BJA Court Security Task Force
RE: REPORT OF THE COURT SECURITY TASK FORCE

The April 24 Task Force kickoff meeting was attended by 25 members and guests and generated discussions on several security related topics. Two members representing the victim advocacy community appreciated being invited to serve and had questions about incident reporting. The group talked about the incident report log and the GR 36 requirement, as well as other components of GR 36. Members of the task force who were involved in drafting GR 36 shared the challenges of creating a rule that most courts could agree to implement. It was noted that the SCJA and DCMJA surveys provide much of the data for the project. The security expert members will assess if more information needs to be collected from courthouse facilities and the process that will be used to secure sensitive data.

The task force discussed the work plan and roles and responsibilities of members and the two work groups. Members signed up for work groups and will receive assignments shortly. Future onsite and online meeting dates and times are being arranged.



May 17, 2019

TO: Board for Judicial Administration Members
FROM: Judge Douglas Fair and Judge Joseph Burrowes, Co-Chairs
RE: REPORT OF COURT SYSTEM EDUCATION FUNDING TASK FORCE

BJA Strategic Initiative

The Education Funding Task Force's budget request was not funded by the legislature. The online learning system was in the initial Senate budget but was not in the conference budget. Outreach efforts continued until the conference budget was released.

The Task Force meets in June to review their work to date and determine next steps. The Task Force charter was extended for another year. They will continue to explore other funding options.



May 17, 2019

TO: Board for Judicial Administration Members
FROM: Justice Steven González, Judge Sean O'Donnell, and Judge Andrea Beall, Co-Chairs
RE: INTERPRETER SERVICES FUNDING TASK FORCE UPDATE

BJA Strategic Initiative

The Interpreter Funding Task Force's budget request was funded by the legislature. The Task Force sent out individual thank you letters to all Senate and House Budget Committee legislators for their support of the request.

The Task Force meets in June to review their work and determine next steps. AOC staff previously developed a broad level program implementation plan to help guide work activities if funding was secured. AOC will continue planning efforts and start program implementation in the new fiscal year.

**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.
[Adopted effective January 25, 2000.]

**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 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 and other key stakeholders. 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: the Washington State Bar Association's Executive Director and Board President, 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.

(b) Selection. Members shall be selected based upon a process established by their respective associations or court level which considers demonstrated interest and commitment to judicial administration, improving the courts, racial and gender diversity, and the court's geographic and caseload differences.

(c) Terms of Office.

(1) 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. All other members serve four year terms unless their governing body specifies otherwise and their terms are renewable for one additional four year term.

(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
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 may by a majority vote of the voting members develop, adopt and amend bylaws for its operations that do not conflict with these 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 BJA Board for Judicial Administration shall pursue the best interests of the judiciary at large.~~

~~.(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, selected for their demonstrated interest in and commitment to judicial administration and court improvement.~~ The voting membership of the Board for Judicial Administration shall consist of the Chief Justice and one other member of the Supreme Court ~~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 member from each division of the Court of Appeals), five members from the Superior Court Judges' Associations, one of whom shall be the President of the Superior Court Judges' Association, and five members from the District and Municipal Court Judges' Association, the courts of limited jurisdiction, one of whom shall be the President of the District and Municipal Court Judges' Association. The non-voting membership shall include: the Washington State Bar Association's Executive Director and Board President, the Administrator for the Courts (non-voting), 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.~~

(b) Selection. Members shall be selected based upon a process established by their respective associations or court level which considers demonstrated interest and commitment to judicial administration, ~~improving the courts, racial and gender diversity, and the court's as well as~~ geographic and caseload differences.

(c) Terms of Office.

(1) Members serve four year terms, except the Chief Justice, the President Judges, the Washington State Bar Association President and Executive Director, and the Administrator for the Courts who shall serve during their tenure.

~~(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. (simplified above)~~

(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 or say "The duties are outlined in the bylaws.")

- ~~(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 may by a majority vote of the voting members develop, adopt and amend bylaws for its operations that do not conflict with these 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 fair and equitable justice throughout the state; 5) reviewing and making recommendations, including prioritization, regarding proposed budget requests routed through the BJA.

ARTICLE II: Membership

The Board for Judicial Administration shall consist of judges from all levels of court and other key stakeholders as outlined in the Court Rules.

ARTICLE III: Terms of Office

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. All other members serve four year terms unless their governing body specifies otherwise and their terms are renewable for one additional four year term.

ARTICLE IV – Vacancies

If a vacancy occurs in any representative position, the bylaws of the governing group 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 Chair and confirmed by the Board. The member chair 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.
- 2) The BJA, by majority vote, can establish ad hoc committees or task forces. Ad hoc committees or task forces will be guided by a BJA approved charter for a duration of 2 years, subject to renewal or revision by a majority of the BJA. 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 anyone working in the judicial system or anyone from the public.

- 3) Committees and task forces shall report in writing to the Board for Judicial Administration as appropriate to their charter.
- 4) The terms of committee and task force 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 and 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: Executive Sessions

Executive sessions may be held upon majority vote to discuss matters deemed confidential. A motion to enter executive session shall set forth the purpose of the executive session, which shall be included in the minutes.

ARTICLE XI: 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 XII: Quorum

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

ARTICLE XIII: 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 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 fair and equitable 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

The Board for Judicial Administration shall consist of judges from all levels of court and other key stakeholders as outlined in the Court Rules. (removed specific language since it is in the rules)

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

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. All other members serve four year terms unless their governing body specifies otherwise and their terms are renewable for one additional four year term.

ARTICLE IV – Vacancies (moved for flow)

If a vacancy occurs in any representative position, the bylaws of the governing group 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 Chair and confirmed by the Board. The member chair 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.

2) The BJA, by majority vote, can establish ad hoc committees or task forces. Ad hoc committees or task forces will be guided by a BJA approved charter for a

duration of 2 years, subject to renewal or revision by a majority of the BJA. (practice update)

3) 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 anyone working in the judicial system or anyone from the public. [moved from BJAR 3(b)(2) and updated language]

4) Committees and task forces 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)5) The terms of standing committee and task force 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. ge. (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 and 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 X: Executive Sessions

Executive sessions maybe held upon majority vote to discuss matters deemed confidential. A motion to enter executive session shall set forth the purpose of the executive session, which shall be included in the minutes.

ARTICLE ~~XI~~: 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 ~~XII~~: Quorum

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

ARTICLE ~~XIII~~: 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 ~~XIV~~:~~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 byaws and rules)



To: BJA Membership

From: Jeanne Englert

Date: May 17, 2019

Re: BJA Committee Assignments – Open Enrollment June 2019

Purpose

In practice, new BJA members tend to volunteer for the committee that their predecessor was on. At the March 2019 meeting, BJA approved one “open enrollment” period in June 2019 whereby all BJA members, if they want, 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.

Process

All voting members are required to participate on one standing committee: Budget and Funding, Legislative, Court Education, or Policy and Planning. Activities, frequency of meetings, and terms vary per committee. Committee Charters will be sent via email to all members for more detail.

If any BJA members are interested in changing their committee assignment, now is a good time. Please discuss your interest in switching committees with others from your court level on BJA. Committee changes should be coordinated amongst the different court levels as committee charters often outline representation per court level or association/court position. All committee changes need to be emailed to Jeanne Englert by May 30 and will be voted on at the June 14 BJA meeting.

FYI: There will be several new judges appointed to BJA with terms starting July 1 and some BJA members may be switching to a new position and may change committees because of their position (i.e., president-elect positions changing to president positions).

The New BJA members in July are:

One appellate court judge – Supreme Court

Two District and Municipal Court Judges

Standing Committee Overview and Membership Requirement

Below you will find a brief description of each committee, the required BJA positions on those committees and other position-related committee positions, vacancies starting in July, and frequency of meetings. Please keep these in mind if you are considering changing your committee assignment.

Budget and Funding.

The Budget and Funding Committee is responsible for 1) coordinating efforts to achieve adequate, stable and long-term funding of Washington's courts to provide equal justice throughout the state, and 2) reviewing and making recommendations, including prioritization, regarding proposed budget requests routed through the BJA.

BJA Required Membership: This committee has 3 positions and all are required BJA members. One BJA member from COA, DMCJA and SCJA

Meetings: Varies depending on the annual budget process and needs.

Legislative.

The purpose of the Legislative Committee is to develop proactive legislation on behalf of the Board for Judicial Administration and to advise and recommend positions on legislation of interest to the BJA and/or the BJA Executive Committee when bills affect all levels of court or the judicial branch as a whole.

BJA Required Membership: One BJA member representative from appellate courts, SCJA (vacancy), DMCJA and the BJA Member Chair. **Membership also includes** the Chief Justice, COA Presiding Chief Judge, SCJA President, and DMCJA President

Meetings: Weekly during session and other meetings outside of session as needed.

Court Education.

The CEC will improve the quality of justice in Washington by fostering excellence in the courts through effective education. The CEC will promote sound adult education policy, develop education and curriculum standards for judicial officers and court personnel, and promote coordination in education programs for all court levels and associations.

BJA Required Membership: one BJA member representative from appellate courts, SCJA, and DMCJA (vacancy).

Meetings: CEC usually meets 7-8 times a year. There are several in-person meetings and the rest are conference calls.

Policy and Planning.

The charge and purpose of the Policy and Planning Committee is to create and manage a process of engagement within the judicial branch around policy matters affecting the courts of Washington, to identify and analyze priority issues, and to develop strategies to address those issues. In doing so the standing committee will work to advance the mission, vision and principal policy goals of the BJA.

Membership includes: the Chief Justice, COA Presiding Chief Judge, SCJA President-Elect and DMCJA President-Elect, two SCJA judges and two DMCJA judges.

Meetings: 7-8 meetings per year, usually in-person and immediately follow the BJA meetings.

Judicial Leadership Summit 2018 Follow up BJA Activity

At the 2018 Judicial Leadership Summit attendees identified the need to further discuss turnover.

How do we plan for large turnover of judicial officers and administrative leaders?

During the BJA meeting, we will break up into 4 groups. Each group will be assigned one of the questions below to discuss for 15 minutes. Please take notes during your conversation. Each group will briefly report back the highlights of their conversations at which time others will have an opportunity to add to the discussion.

1) How do courts plan for turnover of judicial officers and administrators?

- Do you do succession planning?
 - If yes, what does that look like? If no, would you like to develop one?
 - What would be most important in a succession plan?
- Do you have a mentoring program in place for new judicial officers and administrators?
 - If yes, what does that look like?
 - If no, would you want one?
 - What would be the most important aspects of a mentoring program for new judicial officers? For new court administrators?
- What else can courts do to plan for turnover?
- What are some of the challenges?

2) How do you integrate new judicial officers and court administrators into the specific court culture/environment?

- Who does it?
- What resources do you utilize?
- What are some of the challenges?
- How do you effectively share your specific court culture/values/norms?
- What else do you consider when someone starts their position?

3) How do you recruit and retain judicial officers and court administrators?

- What is being done to recruit new judicial officers? New court administrators?
- What are some of the challenges?
- Do you develop talent internally and if so, how?
- How does your court talk about personnel retention?
- What does your court do around retention?
- What are some of the challenges?

4) How are new judicial officers and court administrations trained?

- Do you develop a staff development plan based on specific knowledge needs?
- What do you consider when developing an individualized training plan?
- Do you have a general onboarding plan for new judicial officers and court administrators?
- Where do you go for court training in the first year?
- What is needed to effectively train new judicial officers? Court administrators?

Future Judicial Leadership Summit Ideas

Leadership Summit scheduled for August 12.

Attendees: Supreme Court Justices, BJA members, judicial court associations' executive positions, AOC Leadership.

Ask BJA Members for ideas:

- What do you think is important to include in the August 12 Leadership Summit?
- Any specific topics?
- Any specific format for the discussions?

Refresher on last year's meeting:

Meeting topics and structure:

At the meeting, we spent the morning sharing the different court level priorities and work, reviewing the branch budget, and learning more about the AOC priorities and structure. In the afternoon, we utilized small groups to answer the following questions:

- What are our challenges and barriers?
- What are our opportunities?
- How do we work together?
- What are some of the majority changes or trends facing courts in the next 5-10 years?
- How do we stay relevant in a rapidly changing world and how do we use technology?

Specific feedback received about the meeting structure

- Liked small group discussions
- Liked overview of branch budget and AOC
- Needed more information on purpose of meeting and would like follow up
- Less time on association/court level reports

Questions that were brought up at the Judicial Leadership Summit June 2018 for future discussion:

- What do we think our system should look like?
- What is the difference between leadership and control specific to role of the BJA?
- How do we plan for large turnover of judicial officers and administrative leaders (recruitment, succession planning)? Held conversation at BJA meeting
- How can the change in leadership at various court levels and associations change the dynamics and priorities of the association and their interactions with other groups?
- How do we work together on priorities?
- There are so many remarkable things happening. How do we capitalize going forward?

TAB 7

BJA Business Account Policies & Procedures

Signers on the account:

- As approved by the Board for Judicial Administration (BJA) and established at the Washington State Employees Credit Union (WSECU), following are the authorized signers/bookkeeper for this account:
 - Jeanne Englert, Administrative Manager, BJA (Main/Responsible for account)
 - Dirk Marler, Director, CSD (back-up)
 - ~~Dory Nicpon, Associate Director, Judicial & Legislative Relations (in absence of other signers)~~
 - Jan Nutting, Bookkeeper (no signature authority)

When signers need to be updated, the changes need to be approved by the BJA and included in the BJA minutes. All signers on the account must have their names included in the minutes. The minutes must be taken to the credit union to update the names. All signers must go to the credit union together and bring their picture ID.

Expenses from this account:

- All expenditures, other than those requested or incurred by the Administrative Manager, must be approved in advance, in writing, by the Administrative Manager. Expenditures requested or incurred by the Administrative Manager must be approved in advance, in writing, by the back-up. All expenditures or reimbursements must be accompanied by an invoice or purchase receipt.

Examples of expenses that will be paid from this account include:

Salary Commission Expenses: Mileage, per diem, accommodations, and airfare for representative staff and judges.

Lobbying Expenses: Food and drink for legislators; materials to support BJA sponsored lobbying activities; dues/registrations to lobbying events (Staff time, mileage, etc. that is directly job related would not be paid from this account.)

Account Services: Compensation for bookkeeper, bank charges and independent account audit.

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Other: Mailings to judges for dues (paper, stamps, envelopes, labels, etc.); gifts for outgoing BJA members; photographs at bill signings; Coffee for BJA Mtgs.

Account Audit:

- An audit of the account shall be conducted following each dues collection period. The audit will be paid for out of the account and conducted by an independent auditor as approved the BJA Chair and Member Chair. The independent audit report will be kept for 6 years.

Bookkeeping Services:

- A bookkeeper will be secured to perform general accounting duties, including keeping financial records, conducting dues collection, accounts receivable, accounts payable and providing detailed, quarterly and annual reports to the BJA Administrative Manager.
- Payment for monthly bookkeeping services should not be paid until after the 24th of each month.

When checks are received:

- Upon receipt, the date received, check number, court level and payee name will be noted on the deposit spreadsheet.
- Checks are held in a double-keyed lock box until deposit. The BJA Administrative Manager and BJA Bookkeeper will each have a key and the box will only be accessible with both of them present.

Depositing checks:

- Checks should be deposited on the business day closest to the 15th and 30th of each month or when the total of checks waiting to be deposited reaches \$500, whichever occurs first. The BJA Administrative Manager and BJA Bookkeeper will deposit the checks together. The deposit receipt from the bank must be kept with the cash list and must match the cash list for the corresponding deposit. Both the Administrative Manager and the Bookkeeper will initial the deposit receipt.

Generating checks:

- A copy of each check written must be made and the appropriate back up materials attached to the copy. This information must include the business purpose for each reimbursement and all of the parties involved. If a charge(s) on supporting documents is not reimbursable, it should be noted why.
- Check signers must not sign checks payable to them.

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Voided checks:

- All voided checks must be noted in the register, VOID written across the check and the signature line torn off. The check should then be taped to a blank piece of paper so it is accounted for.

Past due payments:

- The list of those that have not paid their dues yet should be reviewed with the Administrative Manager on a quarterly basis

Monthly statements:

- Monthly statements will be reviewed and reconciled by the bookkeeper. Monthly statements and the associated reconciliation will also be forwarded to the Administrative Manager for review. The Administrative Manager will initial or acknowledge receipt and review of the monthly reconciliation.

Quarterly reports to BJA:

- Detailed, quarterly reports will be provided to the Administrative Manager for dissemination to the Board for Judicial Administration. A year-end report will also be provided to the Administrative Manager in time for the January BJA meeting by the Bookkeeper.

Reporting to the Public Disclosure Commission

Expenses used for lobbying purpose shall be reported to the Public Disclosure Commission through the AOC's Office of Legislative and Judicial Relations.

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BJA BUSINESS ACCOUNT
FIRST QUARTER 2019 SUMMARY

JANUARY - MARCH 2019			
ITEM	WITHDRAWALS	DEPOSITS	BALANCE
BEGINNING BALANCE			\$11,948.15
TOTAL EXPENDITURES	\$5465.44		
TOTAL DEPOSITS		\$55.00	
ENDING BALANCE			\$6537.71

BJA BUSINESS ACCOUNT
FIRST QUARTER 2019 ACTIVITY DETAIL

DATE	CK #	TO	FOR	AMOUNT	CLEARED
1/7/2019	3775	J. GONZÁLEZ	INTERPRETER TASK FORCE	66.50	YES
1/9/2019	3776	BAYVIEW CATERING	LEGISLATIVE LUNCHEON	627.58	YES
1/9/2019	3777	ELYSE'S CATERING	LEGISLATIVE RECEPTION	1537.22	YES
1/15/2019	3778	ELYSE'S CATERING	LEGISLATIVE RECEPTION	1927.11	YES
1/17/2019	3779	ELYSE'S CATERING	LEGISLATIVE RECEPTION	559.96	YES
1/23/2019	3780	HOWARD'S CLEANING	LEGISLATIVE RECEPTION	277.70	YES
2/3/2019	3781	J BEALL	TRAVEL EXPENSE	37.50	YES
2/4/2019	3782	JAN NUTTING	BOOKKEEPING EXPENSE	300.00	YES
3/8/2019	3783	CAROLINE TAWES	REIMBURSEMENT/ RECOGNITION GIFT	21.77	YES
3/12/2019	3784	TAGS TROPHIES	REIMBURSEMENT/ RECOGNITION GIFT	82.66	YES
3/13/2019	3785	CAROLINE TAWES	REIMBURSEMENT/ RECOGNITION GIFT	27.44	YES
				\$5,465.44	

DEPOSIT DATE	AMOUNT
3/18/2019	55.00
TOTAL FOURTH QUARTER DEPOSITS	\$55.00



**Board for Judicial Administration (BJA) Meeting
Friday, March 15, 2019 (9 a.m. – 12 p.m.)**

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

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 (by phone)
Paula Littlewood
Judge Mary Logan
Judge David Mann
Judge Samuel Meyer
Bill Pickett
Judge Kevin Ringus
Judge Rebecca Robertson
Dawn Marie Rubio
Judge Michael Scott
Judge Laurel Siddoway
Justice Charles Wiggins (by phone)
Margaret Yetter

Guests Present:

Jim Bamberger
Laurie Garber
Sonya Kraski (by phone)

Public Present:

Page Carter

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

Jeanne Englert
Stephanie Happold (by phone)
Sharon Harvey
Penny Larsen
Dirk Marler
Ramsey Radwan
Caroline Tawes

Call to Order

Judge Jasprica called the meeting to order at 9:00 a.m. The members were welcomed and introduced themselves. Judge Jasprica welcomed Judge Scott to his first meeting and thanked Judge Gibson for his service. Judge VanDoorninck will be the next President of the Superior Court Judges' Association (SCJA). Judge Jasprica also noted that this is Paula Littlewood's last meeting and thanked her for her service.

Report on the Technology Assisted Forms Project

Laurie Garber, from the Northwest Justice Project, reported on the Technology Assisted Forms Project. There are two goals of the project: to translate family law forms into plain language, and to automate those forms. These forms will be free and accessible for family law litigants. The project has been overseen by a subcommittee of the Access to Justice (ATJ) Board and stakeholders have participated in user testing. The forms have been bundled so the correct forms are presented to users at the correct time in the process.

Judicial Leadership Proposal

The discussion of future judicial leadership summits began with last year's Judicial Leadership Summit, which was held to discuss judiciary priorities and needs. A proposal was submitted to continue with leadership summits, jointly sponsored by Chief Justice Fairhurst and the BJA. The summits would be held every two years, and all BJA members would be invited.

It was moved by Judge Ringus and seconded by Judge Logan to approve the Judicial Leadership Summit proposal included in the meeting materials. The motion carried.

BJA Leadership Goals

The goal of the BJA Communication Plan is to improve communication among court levels. Ten recommendations from the Policy and Planning Committee (PPC) were included in the meeting packet.

It was moved by Judge Ringus and seconded by Judge Gonzalez to approve all the PPC communication plan proposed activities included in the meeting materials. There was a friendly amendment by Judge Logan to change "judicial leadership meeting" to "judicial leadership summit" in the first recommendation. The friendly amendment was accepted and the motion carried.

Standing Committee Reports

Budget and Funding Committee (BFC): Ramsey Radwan reviewed the proposed budget process and timeline presented at the February BJA meeting. The 2020 supplemental budget is generally used for corrections, not new programs or enhancements. He will keep the BJA members informed of any timeline changes.

It was moved by Judge Gibson and seconded by Judge Robertson to approve the 2020 Supplemental Budget Process. The motion carried.

Legislative Budget update: The first version of the State budget will be released around March 21. Chief Justice Fairhurst sent a letter to the chairs of the legislative budget committees regarding the importance of funding for the Judicial Information System (JIS) budget from the General Fund.

Court Education Committee (CEC): A progress report will be presented at the May 2019 BJA meeting outlining the work of the committee and a plan for the future. The CEC is reviewing conference evaluations and discussing a better way to use and

publish that information. Continuing Judicial Education (CJE) reports are available. Planning for spring programs is underway.

Legislative Committee (LC): In addition to the LC report included in the meeting materials, Judge Ringus said 2,080 bills have been analyzed by AOC staff. About half of those moved past the March 1 deadline to pass out of the fiscal committee in its chamber of origin. Staff continue to monitor bills.

Policy and Planning Committee (PPC): The PPC worked on the Court Communication Plan and continues to identify future policy priorities and needs.

BJA Task Forces: The kick off for the Court Security Task Force will be in April. There will be more information on the Court Security Task Force at the next BJA meeting.

The Education and Interpreter Task Forces continue to implement their communication campaigns. Chairs of the Task Forces have met with over 50 legislators. There are also a number of individuals and stakeholders who have reached out to legislators. Both task forces met this week to discuss strategies for the budget publication in March. The task forces will meet again in June to evaluate the next steps. An additional year has been approved for the terms of both task forces.

Court of Appeals Presentation

Judge Siddoway presented information on the history of the Court of Appeals and discussed the workload of each division. Judge Siddoway also discussed General Rule (GR) 14.1, adopted a few years ago to allow citation of unpublished opinions.

If funding is available, the Court of Appeals would like to develop an Appellate Court Record System as an extension of the Electronic Content Management System (ECMS). The new ECMS allows all appellate courts to access documents and easily transfer cases. The appellate courts also have a portal for electronic filings. Inmates at the Walla Walla Correctional Facility may file electronically, and the Court of Appeals would like to extend this function to other facilities.

Judge Siddoway discussed Rules of Appellate Procedure (RAP) 2.5 which gives appellate judges discretion to review errors not presented in the trial court.

BJA Ad Hoc Committees

Committee Composition: Jeanne Englert reviewed the BJA Committee Composition Ad Hoc Committee recommendations included in the meeting materials. Judge Jasprica clarified that the open enrollment period in recommendation 4 was after association elections and before the BJA July term begins. Jeanne Englert clarified that

in recommendation 3 the designee would be in the position on the standing committee for an entire year.

It was moved by Judge Ringus and seconded by Judge Robertson to approve all the BJA Committee Composition Ad Hoc Committee recommendations included in the meeting materials. The motion carried.

BJA Rules and Bylaws: The idea behind an overall review of the Rules and Bylaws is to match current practices, to avoid repetition, to clarify and streamline, and move issues to where it makes the most sense. Chief Justice Fairhurst, Judge Gibson, and Judge Johnson worked on the changes with Jeanne Englert. The plan is to review and discuss the recommendations today and vote on the recommendations at the May BJA meeting. Rule changes will be voted on by the BJA and then processed through the Supreme Court rules procedure.

In Bylaws, Article VIII, there is an “and” missing between District Municipal.

Judge Jasprica questioned Article II of the Bylaws, which states “members serve four year terms unless specified otherwise.” She wondered where this issue might be specified, especially for the Court of Appeals which has no Bylaws. More discussion may be needed on this issue. Jeanne Englert said broader language was added to accommodate varying tenures and allow flexibility, but more specificity may be necessary. Language suggested for Article III was “unless otherwise stated herein, members serve no more than four-year terms unless their governing body determines otherwise.”

There was a discussion on whether one-year terms would affect continuity. Members will review their association’s bylaws and send that information to Jeanne Englert. Members were asked to review all the suggested changes and send comments to Jeanne Englert by April 15 in preparation for a vote at the May meeting.

Membership Recruitment and Diversity Considerations: Judge Jasprica asked about ways for associations to look at diversity, including geographic, urban versus rural, and court size diversity. The members discussed what associations can do to make conscious nominations to the BJA. Suggestions included adding an at-large member and a member of the public. Judge Jasprica would like to discuss this again next spring, possibly as part of a larger discussion about inclusion. Judge Robertson will ask the PPC to review the committee composition work and further discuss diversity and recruitment needs and possible efforts and report back to the BJA with this information.

BJA Committee Chair Nominations

It was moved by Judge Robertson and seconded by Judge Gibson to approve the nomination of Judge Gregory Gonzales as the BJA Co-Chair and CEC Chair for 2019–2021. The motion carried.

It was moved by Judge Gibson and seconded by Judge Gonzales to approve the nomination of Judge Michael Scott as the PPC Chair for 2019–2021. The motion carried.

February 15, 2019 Meeting Minutes

It was moved by Judge Robertson and seconded by Judge Gibson to approve the February 15, 2019 BJA meeting minutes. The motion carried.

Information Sharing

Judge Robertson gave an update on judicial independence efforts regarding municipal court judicial positions.

Paula Littlewood thanked everyone for their work on the BJA. Judge Jasprica thanked Paula Littlewood for her contributions to the BJA.

Judge Gonzales announced the recent passing of retired Judge Koss.

Judge Siddoway said there are celebrations planned for the Court of Appeals 50th anniversary.

Dawn Marie Rubio said this was her first face to face BJA meeting and would like suggestions about how AOC can provide service to the BJA and the associations.

Judge Gibson said the SCJA is focusing on legislation including mediation legislation, the Uniform Guardian Act, and a valid court order issue in juvenile courts. Judge Jasprica thanked Judge Gibson for this service on BJA.

Judge Federspiel discussed the relationship between state and tribal judges.

Sonya Kraski announced the Clerks' Spring Conference in Leavenworth next week. Dawn Marie Rubio will be joining them.

Other

There being no further business, the meeting was adjourned at 11:35 p.m.

Recap of Motions from the March 15, 2019 Meeting

Motion Summary	Status
Approve the Judicial Leadership Summit proposal included in the meeting materials.	Passed
Approve all the PPC communication plan proposed activities included in the meeting materials. There was a friendly amendment by Judge Logan to change “judicial leadership meeting” to “judicial leadership summit” in the first recommendation. The friendly amendment was accepted.	Passed
Approve the 2020 Supplemental Budget Process.	Passed
Approve all the BJA Committee Composition Ad Hoc Committee recommendations included in the meeting materials.	Passed
Approve the nomination of Judge Gregory Gonzales as the BJA Co-Chair and CEC Chair for 2019–2021.	Passed
Approve the nomination of Judge Michael Scott as the PPC Chair for 2019–2021.	Passed
Approve the February 15, 2019 BJA meeting minutes.	Passed

Action Items from the March 15, 2019 Meeting

Action Item	Status
A progress report on the Court Education Committee (CEC) will be presented at the May 2019 BJA meeting outlining the work of the committee and a plan for the future.	
The plan for BJA Rules and Bylaws is to review and discuss the recommendations today and vote on the recommendations at the May BJA meeting. Rule changes will be voted on by the BJA and then processed through the Supreme Court rules procedure. Members will review their association’s Bylaws and send that information to Jeanne Englert. Comments on the changes should be sent to Jeanne Englert by April 15 in preparation for a vote at the May meeting.	

Action Item	Status
For membership recruitment and diversity considerations, Judge Jasprica asked about ways for associations to look at diversity, including geographic, urban versus rural, and court size diversity. The PPC will review the committee composition work and further discuss diversity and recruitment needs and possible efforts and report back to the BJA with this information.	
<u>February 15, 2019 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