



Board for Judicial Administration (BJA) Meeting
Friday, October 18, 2019, 9:00 a.m. – 12:00 p.m.
AOC SeaTac Office, 18000 International Blvd, Suite 1106, SeaTac

MEETING MINUTES

BJA Members Present:

Chief Justice Mary Fairhurst
Judge Greg Gonzales, Member Chair
Judge Tam Bui
Judge Doug Federspiel
Judge Dan Johnson
Judge David Kurtz
Judge Robert Lawrence-Berrey (by phone)
Judge Linda Lee
Judge Mary Logan
Judge Sam Meyer
Terra Nevitt
Judge Kevin Ringus
Dawn Marie Rubio
Judge Kitty-Ann VanDoorninck

Guests Present:

Judge Andrea Beall
Judge Doug Fair (by phone)
Timothy Fitzgerald (by phone)
Judge Sean O'Donnell (by phone)
Judge Rebecca Robertson
Brooke Powell (by phone)
Kyle Sciuchetti (by phone)
Dawn Williams

Public Present:

Page Carter

Administrative Office of the Courts

(AOC) Staff Present:

Crissy Anderson (by phone)
Judith Anderson
Jeanne Englert
Sharon Harvey
Penny Larsen
Dirk Marler
Carl McCurley
Dory Nicpon (by phone)
Ramsey Radwan
Caroline Tawes
Andrea Valdez

Call to Order

Chief Justice Fairhurst called the meeting to order at 9:00 a.m. and the members introduced themselves.

BJA Court System Education Funding Task Force Presentation

The Court System Education Funding Task Force Mid-Term Report was included in the meeting materials. The Task Force members met and voted to make a request to the Legislature for funding of \$250,000. There was a discussion about making a supplemental budget request. Ramsey Radwan and Budget and Funding Committee

Chair Judge Logan were not in favor of the request as the BJA-approved process closed months ago and they were concerned what this request meant for the process and future requests. Other members disagreed and said the request was a high priority and making a budget request now would underscore the urgency of the request.

It was moved by Judge Kurtz and seconded by Judge Gonzales to submit the Court System Education Funding Task Force budget request to the Legislature.

Voting in favor: Chief Justice Fairhurst, Judge Bui, Judge Gonzales, Judge Federspiel, Judge Johnson, Judge Kurtz, Judge Lawrence-Berrey, Judge Lee, Judge Meyer, Judge Ringus, Judge vanDoorninck

Opposed: Judge Logan

Absent: Judge Mann, Judge Scott, Justice Stephens

Chief Justice Fairhurst noted that this request is an exception.

It was moved by Judge van Doorninck and seconded by Judge Bui to extend the charter of the Court System Education Funding Task Force for another year, until 2021. The motion carried unanimously.

Judicial Needs Estimate (JNE) Presentation

Dawn Marie Rubio and Carl McCurley presented information on the judicial needs estimate process. There is a question whether the objective caseload method is still a valid model. The National Center for State Courts (NCSC) recommends methodologies be updated every five years, and the current objective workload analysis JNE model has not been revalidated since 2002. There was a discussion on the method and options. There is currently no specific plan on the JNE model; the current model will need to be re-anchored before further plans are made.

Standing Committee Reports

Budget and Funding Committee (BFC): Judge Logan had nothing to report.

Court Education Committee (CEC): Judge Gonzales reviewed the CEC Report included in the meeting materials. The CEC met last Wednesday. The members will be contacting legislators who supported the funding request last year and will ask them for further support. On page 9 of the meeting materials, in the Court System Education Funding Task Force Mid-Term Report, Chief Justice Fairhurst suggested clarifying the timeframe on the number of bills passed.

Legislative Committee (LC): Dory Nicpon will send information to the BJA on the intra-branch discussion on artificial intelligence and algorithmic tools. There will be

presentations on the Bar Structure Work Group to the Senate and House on November 21 and 22. A report to explain the structure and steps of the Supreme Court Work Group on the Bar Structure will be on the November BJA agenda.

Policy and Planning Committee (PPC): The last PPC meeting was in September. Penny Larsen reviewed the report included in the meeting materials.

BJA Task Force Updates

Court Security Task Force: Judge Robertson reviewed the Court Security Task Force Report included in the meeting materials. Chief Justice Fairhurst reminded the task force members of previous court security efforts, as those materials may be useful. She suggested developing a list of minimum requirements, and courts without those resources should go to the top of the list.

BJA Court Rules and Bylaws

It was moved by Judge Ringus and seconded by Judge Logan to adopt the suggested changes to the BJA Rules and BJA Bylaws. The motion carried unanimously.

Annual Picture

The annual BJA member photograph was taken.

Interpreter Services Funding Task Force Presentation

Judge Beall reviewed the Interpreter Services Funding Task Force Final Report included in the meeting materials. The Task Force was successful in their funding request and Judge Beall summarized the process used by the Task Force. Chief Justice Fairhurst thanked the co-chairs and members for their work.

It was moved by Judge Kurtz and seconded by Judge Lee to conclude the Task Force and refer the next steps to the Interpreter Commission. The motion carried unanimously.

Judicial Leadership Summit Follow-Up

The members discussed the next steps following the Judicial Leadership Summit. The adequate funding priority has been assigned to the PPC. The next priorities are access to justice in courts, improving the quality of decisions and our role in the turnover of judges, and behavioral health impacts on courts. Chief Justice Fairhurst wanted to make sure progress on the top priorities is being tracked.

There are several groups working on access to justice and the BJA did not want parallel tracks. The BJA should remain aware of the work that is going on in this area and figure out how to support it.

Judge Gonzales suggested waiting to work on therapeutic courts until we see information from courts. Improving the quality of decisions is part of the CEC education process.

Judge Meyer suggested combing the priority of improving quality of decisions with our role in efficiency in the courts. The PPC is planning to develop questions for this priority for small group discussions at the November joint BJA and CMC meeting.

There are groups working on behavioral health issues. Although members did not necessarily support forming another task force, it might be a good idea to bring together groups who are working on this issue, possibly by phone, to discuss. Judge Meyer, Judge vanDoorninck, and Dawn Marie Rubio can identify the first steps.

Chief Justice Fairhurst suggested working with Jeanne Englert to craft a message for courts that BJA is available for support if a court is working in a certain focus area as identified at the Judicial Leadership Summit.

September 20, 2019 Meeting Minutes

It was moved by Judge Ringus and seconded by Judge Lee to approve the September 20, 2019, BJA meeting minutes. The motion carried unanimously.

Information Sharing

- Judge vanDoorninck encouraged other boards to request a presentation by the Judicial Assistance Services Program (JASP).
- The Superior Court Judges' Association (SCJA) asked Judge Federspiel to share the top judgement and sentence (J & S) errors. This information will be incorporated in the Judicial College materials. Chief Justice Fairhurst is working with Dirk Marler, Dory Nicpon, and SCJA leadership on strategies to reduce the J & S errors.
- AOC is working with Tyler Technologies on the cost and implementation plans for the Courts of Limited Jurisdiction Case Management System (CLJ-CMS). Dawn Marie Rubio and Judge Lee attended a Judicial Leadership Conference in Boston last week.
- Judge Kurtz believes that GR 37 has had a positive impact in the courtroom.
- Regional focus group discussions for presiding judges and administrators on the best approaches to delivering education for their needs will be held on November 19, December 5, and December 17.

- There have been good reviews on the District and Municipal Court Management (DMCMA) fall regional trainings on implicit bias and decision making.
- The Washington Women Lawyers Passing the Torch Award has been renamed The Chief Justice Mary Fairhurst Award.
- Chief Justice Fairhurst announced her decision to retire on January 5, 2020. A new Chief Justice and new justice will be sworn in on January 6, 2020. The Public Trust and Confidence Committee and the commissions are planning an event at the Temple of Justice on December 18.

Other

There being no further business, the meeting was adjourned at 12:05 p.m.

Recap of Motions from the October 18, 2019 Meeting

Motion Summary	Status
Submit the Court System Education Funding Task Force online training budget request to the Legislature.	Passed
Extend the charter of the Court System Education Funding Task Force for another year, until 2021.	Passed
Adopt the suggested changes to the BJA Rules and BJA Bylaws.	Passed
Conclude the Interpreter Task Force and refer the next steps to the Interpreter Commission.	Passed
Approve the September 20, 2019, BJA meeting minutes.	Passed

Action Items from the October 18, 2019 Meeting

Action Item	Status
A report to explain the structure and steps of the Supreme Court Work Group on the Bar Structure will be on the November BJA agenda.	
Dory Nicpon will send information to the BJA on the intra-branch discussion on artificial intelligence and algorithmic tools.	
Judge Meyer, Judge vanDoorninck, and Dawn Marie Rubio can identify the first steps on working on behavioral health impacts on courts.	
Chief Justice Fairhurst suggested working with Jeanne Englert to craft a message for courts that BJA is available for support if a court is working in a certain focus area.	

Action Item	Status
<u>September 20, 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