

**BOARD FOR JUDICIAL
ADMINISTRATION
AND
COURT MANAGEMENT COUNCIL**



**WASHINGTON
COURTS**

JOINT MEETING PACKET

**FRIDAY, NOVEMBER 15, 2019
9:00 A.M.**

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

Board for Judicial Administration Membership

2019–2020



VOTING MEMBERS:

Chief Justice Mary Fairhurst, Chair
Washington State Supreme Court

Judge Gregory Gonzales, Member Chair
Superior Court Judges' Association
Clark County Superior Court

Judge Tam Bui
District and Municipal Court Judges'
Association
Snohomish County District Court

Judge Doug Federspiel
Superior Court Judges' Association
Yakima 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 Samuel Meyer, President
District and Municipal Court Judges'
Association
Thurston County District Court

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

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

Justice Debra Stephens
Washington State Supreme Court

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

NON-VOTING MEMBERS:

Terra Nevitt, Interim Executive Director
Washington State Bar Association

Judge Michelle Gehlsen, President-Elect
District and Municipal Court Judges'
Association
Bothell Municipal Court

Rajeev Majumdar, President
Washington State Bar Association

Dawn Marie Rubio
State Court Administrator

Judge J. Robert Leach,
Presiding Chief Judge
Court of Appeals, Division III

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

Court Management Council (CMC) Membership

2019–2020



Dawn Marie Rubio, Co-Chair
State Court Administrator

Lisa West, Co-Chair
Skagit County Juvenile Court

Derek Byrne
Court of Appeals Division II

Susan Carlson
Supreme Court

Frank Maiocco
AWSCA
Kitsap County Superior Court

Kim Morrison
WSACC
Chelan County Clerk

Patti Kohler
DMCMA
King County District Court

Brooke Powell
WAJCA
Snohomish County Juvenile Court

Dennis Rabidou
AWSCA (Alternate)
Okanogan County Superior Court

Jane Severin
AWSCA
San Juan County Superior Court

Alison Sonntag
WSACC
Kitsap County Clerk

Lisa West
WAJCA
Skagit County Juvenile Court

Dawn Williams
DMCMA
Bremerton Municipal Court

Margaret Yetter
DMCMA (Alternate)
Kent Municipal Court



Board for Judicial Administration (BJA)
Joint BJA and Court Management Council Meeting
Friday, November 15, 2019 (9 a.m. – noon)
 AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

AGENDA

1. Call to Order Welcome and Introductions	Chief Justice Mary Fairhurst Judge Gregory Gonzales	9:00 a.m.
2. Judicial Information System Committee (JISC) Information: Overview and Update	Chief Mary Fairhurst Vonnie Diseth	9:05 Tab 1
3. Court Management Council <ul style="list-style-type: none"> • Brief overview and update • Presentation of Court Manager of the Year Award 	Dawn Marie Rubio	9:20 Tab 2
4. Association of Washington Superior Court Administrators (AWSCA), District and Municipal Court Management Association (DMCMA), Washington Association of Juvenile Court Administrators (WAJCA), Washington State Association of County Clerks (WSACC), Court of Appeals, Supreme Court Information: Overview and update	Frank Maiocco, Jane Severin Patti Kohler, Dawn Williams Brooke Powell Kim Morrison Derek Byrne Susan Carlson	9:35
5. Judicial Leadership Summit Follow Up Small group discussions on court efficiencies with BJA and CMC members and guests	Chief Justice Mary Fairhurst Judge Greg Gonzales	9:55 Tab 3
Break		10:40
6. WSBA Structure Workgroup Information: Overview	Chief Mary Fairhurst Dory Nicpon	10:50 Tab 4
7. Standing Committee Reports Budget and Funding Committee Court Education Committee Legislative Committee Policy and Planning Committee	Judge Mary Logan Judge Gregory Gonzales Judge Kevin Ringus Judge Michael Scott	11:00 Tab 5

8. BJA Task Forces Court Security Court System Education Funding	Rebecca Robertson/Penny Larsen Jeanne Englert	11:15 Tab 6
9. Public Trust & Confidence Committee Action: Motion to approve committee membership	Chief Justice Mary Fairhurst	11:25 Tab 7
10. October 18, 2019 Meeting Minutes Action: Motion to Approve the Minutes of the October 18, 2019 Meeting	Chief Justice Mary Fairhurst	Tab 8
11. Information Sharing Roundtable Meeting Review	Judge Greg Gonzales	11:30
12. Adjourn		12:00
Persons who require accommodations should notify Jeanne Englert at 360-705-5207 or jeanne.englert@courts.wa.gov to request or discuss accommodations. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.		

Next meetings: February 21, 2020 - AOC SeaTac Office
March 20, 2020 - AOC SeaTac Office
May 15, 2020 - AOC SeaTac Office
June 19, 2020- AOC SeaTac Office
September 18 - AOC SeaTac Office
October 16 - AOC SeaTac Office
November 20 - AOC SeaTac Office



JISC Overview and Update for the Board for Judicial Administration (BJA)

November 15, 2019

Vonnie Diseth, Director/CIO of
Information Services Division (ISD)



***Information Technology is what
unifies Washington's courts.***

JIS Governance

- The Supreme Court delegates governance of the JIS to the Judicial Information System Committee (JISC).
- JISC was established in 1976.
- The JISC operates under RCW 2.68 and JISC Rules.
- The JISC sets policy for the JIS and approves projects and priorities.

Who is the JISC?



17 members representing 10 different entities:

Appellate Courts	District and Municipal Court Management Association
Superior Court Judges' Association	Washington Association of Juvenile Court Administrators
District and Municipal Court Judges' Association	Misdemeanant Probation Association
Washington State Association of County Clerks	Washington State Bar Association
Association of Washington Superior Court Administrators	Washington Association of Prosecuting Attorneys

Where to Find Information



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- Governance
- IT Governance**
- JIS Governance
- Judicial Info System (JIS)
- Judges' Resources
- Legal Resources
- Organizations
- Help
- Maintenance Utilities

Inside Washington Courts

Announcements

Court Closures

Click above for a list of courts with upcoming closures...

Data Warehouse - BOXI - 2/17/2011

The data warehouse load for Wednesday, February 16, 2011 has completed successfully.

[Read more...](#)

STOP Grant For Court-Related Projects

The Gender and Justice Commission is requesting proposals for programs/projects that courts can implement to improve our courts' response to adult and/or teen victims of sexual assault, domestic violence, dating violence, and stalking in 2010-2011.

Washington Supreme Court Chief Justice Barbara Madsen appears on TVW's "Inside Olympia"

In a one-hour interview on TVW, Washington Supreme Court Chief Justice Barbara Madsen details the state of Washington's judiciary, the funding crisis facing Washington's trial courts, diversity in the

IT Governance Website



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Information Technology

Governance

Home | Initiate a Request | Status of My Request | See Other Requests | Detailed Reports | FAQs

What is Information Technology Governance (ITG)? IT Governance is the framework by which IT investment decisions are made, communicated and overseen. What does that really mean; a true partnership between Information Technology and the Court Community Business Partners. IT Governance is successful when business processes and technology processes work together by utilizing a set of procedures developed to govern strategic outcomes. This is IT Governance.

The Administrative Office of the Courts (AOC) is working with the Judicial Information Systems Committee (JISC) to deploy a governance method that promotes:

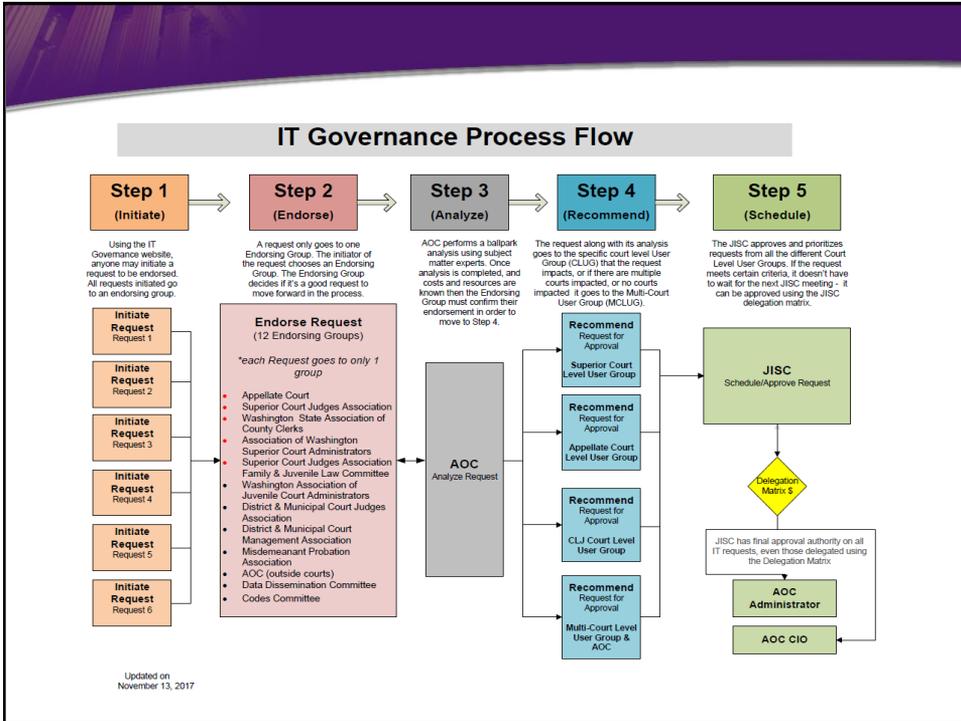
- Transparency - Requiring ongoing communication on proposed projects
- Open and Inclusive - Court Communities have a voice in choosing what is most important for their communities and for the State of Washington
- Business problems for the courts are reviewed holistically; how to benefit the many rather than the few
- One streamlined process for request with consistent rules

How does it work?

The governance process has 5 steps. They are initiate, endorse, analyze, recommend and schedule. Throughout each step of the governance process the court community will have a voice.

Show me the process.

- [Initiating a Request](#)
- [How is a request Endorsed?](#)
- [Who Analyzes the information?](#)
- [Who recommends my request for Implementation?](#)
- [When is it scheduled?](#)



Three Major IT Project Accomplishments

1. Appellate Court Enterprise Content Management System (AC-ECMS) – **OnBase** Implementation
2. Superior Court Case Management System (SC-CMS) – **Odyssey** Implementation
3. Information Networking Hub (INH) - Expedited Data Exchange (EDE) – **Developed In-House**

Appellate Court Enterprise Content Management System (AC-ECMS)

Phase 1: Implementation & Stabilization of New System

- ✓ Supreme Court and all three COA Divisions were successfully converted over to the new system by June 2017.
- ✓ Now, the appellate courts have one common AC-ECMS for storing case documents.
- ✓ Ten automated business workflows were built.
- ✓ The e-Filing system via the AOC web portal was modified to send documents to AC-ECMS which was configured to OCR them and place them in the appropriate workflows.
- ✓ Panel Motion workflow was implemented in the COA's for post decision motions.

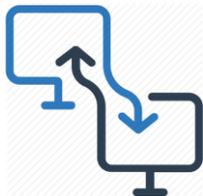
SC-CMS Project Overview

- COTS Vendor: Tyler Technologies
- Product: *Odyssey*
- Project Began: September 9, 2013
- 5 Year / \$22.4 million project, plus \$5.2 million for maintenance through 2023
- Completion: December 2018
- Implemented in 37 counties

Odyssey Replaces Three Legacy Systems

Acronym	Application Name	Serving
<i>Odyssey</i>	<i>NEW – SCOMIS, JRS, and CAPS Replacement</i>	<i>Superior Courts & Juvenile</i>
✓ SCOMIS	Superior Court Management Information System	Superior Courts & Juvenile
✓ JRS	Judicial Receipting System	Superior Courts
✓ CAPS	Court Automated Proceeding System	Superior Court – Yakima County Only

Information Networking Hub Expedited Data Exchange (EDE)



- This was a project that AOC worked on with the King County Clerk's Office and is still working on with the King County District Court to support their implementations of their own case management systems via creation of a data exchange to the AOC statewide data repository.
- AOC built the new Enterprise Data Repository (EDR) by which statewide court data is exchanged to ensure that all Washington Courts have a statewide view of the data whether or not they are using the case management system provided by the state; to ensure the continued public safety of Washington residents.

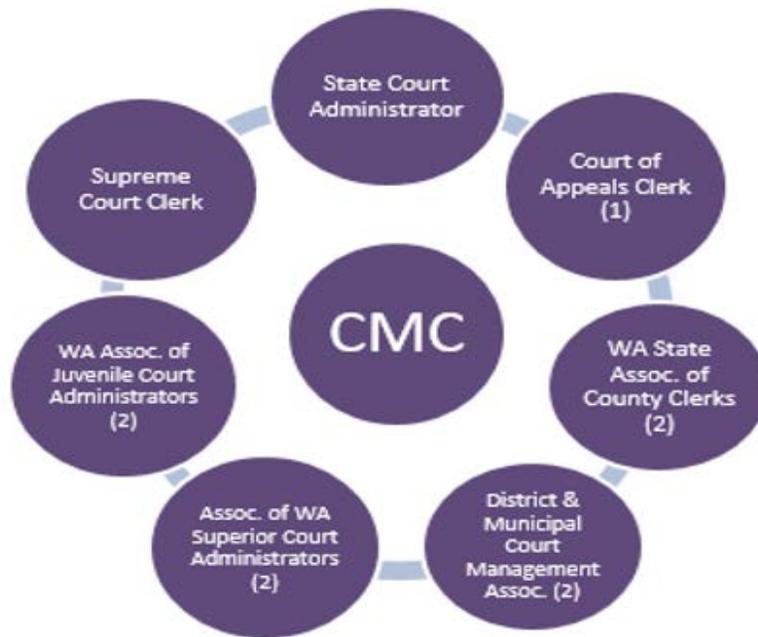
Current JISC IT Governance Priorities

Priority	ITG #	Request	Status
1	102	Courts of Limited Jurisdiction Case Management System (CLJ-CMS)	In Progress
2	62	Automate Courts DCXT Table Entries	In Progress
3	252	Appellate Electronic Court Records	In Progress
4	27	Seattle Municipal Court Case Management System (CMS) Data Exchange to the Enterprise Data Repository (EDR)	In Progress

TAB 2

COURT MANAGEMENT COUNCIL

Since 1987, the Court Management Council has served as a statewide forum for enhancing the administration of the courts. It is uniquely comprised of non-judicial court professionals, and established to recommend policy development and facilitate statewide organizational improvements that improve the quality of justice, access to the courts, future planning, and efficiency court and clerks' office operations statewide.



2019-2020 MEMBERS

- Dawn Marie Rubio, Co-Chair, State Court Administrator, Administrative Office of the Courts
- Lisa West, Co-Chair, Washington Association of Juvenile Court Administrators, Director, Skagit County Juvenile Court
- Derek Byrne, Clerk/Administrator, Court of Appeals Division II
- Susan Carlson, Clerk, Supreme Court
- Patti Kohler, President-Elect, District and Municipal Court Management Association, Administrator, King County District Court
- Frank Maiocco, Association of Washington Superior Court Administrators, Administrator, Kitsap County Superior Court
- Kim Morrison, Washington State Association of County Clerks, Chelan County Clerk
- Brooke Powell, Washington Association of Juvenile Court Administrators, Assistant Administrator, Snohomish County Juvenile Court
- Jane Severin, Association of Washington Superior Court Administrators, Administrator, San Juan County Superior Court
- Alison Sonntag, Washington State Association of County Clerks, Kitsap County Clerk
- Dawn Williams, President, District and Municipal Court Management Association, Administrator, Bremerton Municipal Court
- Dennis Rabidou, Association of Washington Superior Court Administrators (Alternate), Administrator, Okanogan County Juvenile Court
- Margaret Yetter, District and Municipal Court Management Association, Administrator (Alternate), Kent Municipal Court

ADMINISTRATIVE OFFICE OF THE COURTS (AOC) STAFF

- Dirk A. Marler, Director, Court Services Division, AOC
- Christy Hunnefield, Administrative Assistant, Court Services Division, AOC

CMC MAJOR PROJECTS



Legal Advice v. Legal Information




WASHINGTON
COURTS

Serving Self-Represented Litigants

*A survey report on self-represented litigant services in
Washington State Courts*

Washington State Court Management Council

November 2019

Jeanne Englert, MSW, MPA
Manager, Board for Judicial Administration
Washington State Administrative Office of the Courts



TAB 3

Judicial Leadership Summit 2019 Follow up BJA Activity

At the 2019 Judicial Leadership Summit attendees identified the need to examine how to create efficiencies in the court.

How do we better use technology and find ways to be more efficient?

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

1) Briefly describe a court operational/facility process or practice that could be more efficient.

- a) What do you perceive as the inefficiency with the current process?
- b) How would you improve the process?
 - i) What staff, technology or other resources are needed to achieve the suggested improvement?
 - ii) What are potential challenges to implementing the suggested improvement (other than the lack of resources listed above?)
- c) How would you know if the improvement is working? What data do you need to collect in order to evaluate?
- d) What experiences can you share about efficiencies/innovations that your court has attempted or achieved related to this process?

2) Briefly describe a document or records management process or practice that you encounter in your court that could be more efficient. As a group, decide on one efficiency and answer the questions below.

- a) What do you perceive as the inefficiency with the current process?
- b) How would you improve the process?
 - i) What staff, technology or other resources are needed to achieve the suggested improvement?
 - ii) What are potential challenges to implementing the suggested improvement (other than the lack of resources listed above?)
- c) How would you know if the improvement is working? What data do you need to collect in order to evaluate?
- d) What experiences can you share about efficiencies/innovations that your court has attempted or achieved related to this process?

3) Briefly describe a case flow or case management process that you encounter in your court that could be more efficient. As a group, decide on one efficiency and answer the questions below.

- a) What do you perceive as the inefficiency with the current process?
- b) How would you improve the process?
 - i) What staff, technology or other resources are needed to achieve the suggested improvement?
 - ii) What are potential challenges to implementing the suggested improvement (other than the lack of resources listed above?)
- c) How would you know if the improvement is working? What data do you need to collect in order to evaluate?
- d) What experiences can you share about efficiencies/innovations that your court has attempted or achieved related to this process?

4) Briefly describe an issue related to self-represented litigants that you encounter which could be more efficient. As a group, decide on one efficiency and answer the questions below.

- a) What do you perceive as the inefficiency with the current process?
- b) How would you improve the process?
 - i) What staff, technology or other resources are needed to achieve the suggested improvement?
 - ii) What are potential challenges to implementing the suggested improvement (other than the lack of resources listed above?)
- c) How would you know if the improvement is working? What data do you need to collect in order to evaluate?
- d) What experiences can you share about efficiencies/innovations that your court has attempted or achieved related to this process?

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

November 15, 2019

TO: BJA Members
FROM: Mary E. Fairhurst, Chief Justice
RE: Supreme Court Work Group on Bar Structure Update

Charter

In November 2018, the Washington Supreme Court (Court) convened a work group to review and assess the structure of the Washington State Bar Association (WSBA) in light of recent case law with First Amendment and antitrust implications, recent reorganizations by other state bar associations, and the additional responsibilities of the WSBA due to its administration of Court appointed boards. The Court invited the WSBA Board of Governors (BOG) to select three work group members who are BOG officers or members. The Court consulted with the BOG to select three work group members from the WSBA sections. The Court selected three members from Court appointed boards, a public member, and a tribal member.

Process and Materials

Using an open meeting format, the work group met eight times between March 28, 2019 and July 17, 2019 to review materials, public comments, and presentations from subject matter experts; discuss options and concerns; and develop recommendations to the Court. The materials and presentations related to compelled or subsidized speech and compelled association issues under the First Amendment, anticompetitive practices and antitrust case law developments, pending state bar litigation across the nation, changes in other jurisdictions' approach to regulating the practice of law, and the WSBA's responsibilities to administer Court appointed boards.

Work Group Recommendations to the Court and the Minority Report

After detailed analysis and discussion consistent with the scope of inquiry specified in its charter, the work group felt that the current state of constitutional or antitrust law does not demand a major structural change to the Washington bar or WSBA. The work group identified opportunities to limit liability through specific adjustments. A majority of the

work group voted in support of the following recommendations to the Court:

- Retain an integrated bar structure;
- Make no fundamental changes to the six Court appointed boards administered and funded by the WSBA: the Access to Justice Board; the Disciplinary Board; the Limited License Legal Technician Board; the Limited Practice Board; the Mandatory Continuing Legal Education Board; and the Practice of Law Board;
- Consider amending court rules to specify that the prohibitions in General Rule (GR) 12.2(c) apply to Court appointed boards;
- Consider ordering the WSBA Board of Governors (BOG) and staff to adopt and execute a thorough *Keller v. State Bar of California*, 496 U.S. 1, 110 S. Ct. 2228 (1990) interpretation when calculating all future *Keller* deductions;
- Reexamine the *Report and Recommendations* from the WSBA Governance Task Force dated June 24, 2014; and
- Consider adding public member(s) to the WSBA BOG.

Two work group members prepared a minority report, which recommended that “[t]he Court should seriously evaluate whether a voluntary bar association would be more vibrant and engage more members than the existing mandatory association.” The minority report notes that whether recent case law developments require splitting regulatory functions from other bar activities “is only part of the analysis. The other part, and the question for the Court, is whether the WSBA should be bifurcated.” The minority report cites concerns about member engagement, financial stability, the *Keller* deduction, and current BOG governance, to suggest to the Court “the need for serious consideration of a voluntary bar or other changes to the current structure.”

Court Decisions Regarding the Work Group’s Recommendations

By a majority vote, the Court acted on the work group’s recommendations as follows:

Work Group Recommendation	Court Decision
Retain an integrated bar structure.	Retain an integrated bar structure for now (5-4, Johnson, Madsen, Stephens, Wiggins, JJ., dissenting).
Make no fundamental changes to the six Court created boards administered and funded by the WSBA: the Access to Justice Board; the Disciplinary Board; the Limited License Legal Technician Board; the Limited Practice Board; the Mandatory Continuing Legal Education Board; and the Practice of Law Board.	Make no fundamental changes, as recommended (5-4, Johnson, Madsen, Stephens, Wiggins, JJ., dissenting).

<p>Consider amending court rules to specify that the prohibitions in GR 12.2(c) apply to Court appointed boards.</p>	<p>Review whether the prohibitions in GR 12.2(c) apply to Court appointed boards and seek additional input, especially from the affected entities (6-3, Madsen, Stephens, Wiggins, JJ., dissenting).</p>
<p>Consider ordering the WSBA BOG and staff to adopt and execute a thorough <i>Keller v. State Bar of California</i>, 496 U.S. 1, 110 S. Ct. 2228 (1990) interpretation when calculating all future <i>Keller</i> deductions.</p>	<p>Request, but do not order, that the WSBA BOG and staff do a thorough <i>Keller v. State Bar of California</i> calculation for the Court's review (6-3, Madsen, Stephens, Wiggins, JJ., dissenting).</p>
<p>Reexamine the <i>Report and Recommendations</i> from the WSBA Governance Task Force dated June 24, 2014.</p>	<p>Review and reexamine recommendations from the 2014 Governance Task Force report (5-4, Johnson, Madsen, Stephens, Wiggins, JJ., dissenting).</p>
<p>Consider including public member(s) on the BOG.</p>	<p>Reevaluate the composition of the BOG membership including adding public member(s) to the WSBA BOG (5-4, Johnson, Madsen, Stephens, Wiggins, JJ., dissenting).</p>

In the coming months, the Court looks forward to working with the WSBA and the BOG to consider further decisions regarding the recommendations.

Legislative Requests for Updates

Each chamber of the legislature requested an update regarding the work group, its recommendation, and the Court's decisions. At legislative Committee Assembly on November 21 and 22, 2019, the recommendations and Court's decisions will be presented to the Senate Law and Justice Committee and the House Civil Rights and Judiciary Committee respectively.



November 9, 2019

TO: Board for Judicial Administration Members

FROM: Judge Gregory M. Gonzales, BJA Court Education Committee Chair
Judge Douglas J. Fair, BJA Court Education Committee Co-Chair

RE: Court Education Committee Report

The CEC met and reviewed a proposal from an Office of Court Business & Technology Integration (OCBTI) business analyst regarding the reconfiguration of how CEC education (live and online) can be formatted on inside courts for easier access. The site will be modeled after the OCBTI JIS education site and both will be housed under one umbrella site called AOConnect Ed. The intent is to bring all the educational and training information into one area instead of spread throughout various spots on Inside Courts.

The Presiding Judge/Administrator Committee has scheduled three focus groups with Presiding Judges and Administrators across the state. The intent is to identify education and training gaps, and ways to effectively and efficiently develop education and training for PJ/Admins, and determine the best delivery system. They will also survey PJ/Administrators that could not attend the focus groups.

The BJA has identified several projects/tasks for the CEC that stem from the BJA leadership summit that was held in August. The CEC will begin to work on these tasks.

The CEC remains committed to the work of the Court System Funding Taskforce and worked with them to re-submit the online education funding request to the legislature.

The Court Education Coordinator and Professionals held the yearly Faculty Development program November 4-7, 2018. Judicial College faculty must attend the in-house faculty development in order to teach at the college. Several Association Education Committees make it mandatory for committee members to attend as well. Because of limited funding, both the SCJA and DMCJA have allotted funding for this program to help defray the costs, and the DMCMA is paying for their committee member to attend.

The CEC is going green and will only print what will be used during the course (i.e. case studies, benchcards). The Court Education Coordinator and the OCBTI manager are drafting a Request for Information regarding the cost of developing an application to house event materials and information. This is a natural evolution when going green. They are also drafting a Request for Information on a Learning Management System.

Work in Progress

BJA Leadership Tasks.

Short-term Goals

- Support for the Court System Education Funding Taskforce legislative request this session.
- CEC hosted webinar.
- Strategic plan for online education with no additional funding. Addressing Court System Education Funding Taskforce's survey results.
- Review RFI on off-the-shelf event management systems.

Long-term Goals

- Continue to work with the BJA Court System Education Funding Taskforce on adequate and sustainable court education funding.
- Continue to implement strategies and priorities identified in the CEC Roadmap and update as needed.
- Continue to develop collaborative relationships with other stakeholders who conduct education and training both within the AOC and in the broader community.



November 15, 2019

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

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

The current activities of the Committee include hosting and preparing for the following:

- A judicial branch discussion of regulation or use of Artificial Intelligence and Algorithmic Tools in government decision making on November 15, 2019; and
- At legislative Committee Assembly, November 20-22, 2019, staff and representatives from the Supreme Court Work Group on the Bar Structure will present an update to the Senate Law & Justice Committee and the House Civil Rights & Judiciary Committee about work group process and deliberations, the *Report and Recommendations* to the Court, the minority report, and the Court's decisions regarding the recommendations.

To facilitate better information sharing during the legislative session, the BJA Legislative Committee is adjusting its session call format to encourage court levels and entities to share more about the bills of interest or concern rather than limiting the discussion to branch-wide concerns. By noon each Friday during session, staff to court levels, associations, task forces, and commissions should email specific bills to be added to the BJA Legislative Committee agenda for the following Monday.



November 15, 2019

Policy and Planning Committee

TO: Board for Judicial Administration (BJA) Members
FROM: Judge Michael Scott, Chair, Policy and Planning Committee
RE: REPORT OF POLICY AND PLANNING COMMITTEE

The Policy and Planning Committee (PPC) conducted an online meeting on October 20, 2019. The committee finalized the small group discussion questions and prioritized the items on the 2020 work plan.

Status of BJA Strategic Initiative Process:

The PPC is continuing to gather information before making a recommendation to BJA for creating a new task force on therapeutic courts. Members discussed the options and decided that the best course of action is to start by asking BJA staff work with the Superior Court Judges' Association (SCJA) and District and Municipal Court Judges' Association (DMCJA) coordinators to compile a state-wide inventory and collect basic information on the courts. Feedback from the chairs of the SCJA and DCMJA Therapeutic Court Committees is forthcoming. The State Court Administrator favors a task force with a broader scope of behavioral health. The PPC may have an online meeting in January to decide on the recommendation to present to the BJA in February.

Committee Work Plan Update:

1. Develop recommendations to BJA for approaching the adequate funding issue. The November 2019 meeting is devoted to reviewing past efforts and generating ideas on structure and scope of the work. Ramsey Radwan and Judge Federspiel of the Budget and Finance Committee will participate in the discussion.
2. Develop recommendations to the BJA to increase board diversity as requested at the March 2019 meeting. Preliminary work was done last spring and the goal is to work on the issue in February and present the recommendations to the BJA at the March or May 2020 meeting.
3. Develop recommendations to BJA regarding the feasibility of a central pool of law clerks to support rural and low-resourced courts, an idea generated at the 2019 Judicial Leadership Summit. Research will begin in the spring of 2020. Dirk Marler will be invited to participate in this work item.



November 15, 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 court security task force is moving forward with the plan to contact all courts with no/low screening at public entrances. Interviews with these courts will begin in December 2019 and the responses will be used to estimate the costs associated with getting the courts in compliance with GR 36 minimum standards.

AOC staff are identifying courts to participate in the court security budget survey, which will be sent out next week and will remain open through December 2019.

Communication materials are being developed for task force members to update their nominating associations on the work and goals of the task force.

The task force will discuss the work to develop a budget request in alignment with the recommendation of our members from the legislature at the next workgroup meeting on November 19, 2019. The task force funding request will be submitted to the BJA for discussion and approval at the February 21, 2020 meeting.

The task force is pleased to report that Justice González has accepted the invitation to serve on the task force. His background in previous court security efforts and the interpreter funding task force will be very helpful and much appreciated.



November 15, 2019

TO: Board for Judicial Administration Members
FROM: Judge Douglas Fair and Judge Joseph Burrowes, Co-Chairs
RE: Court System Education Funding Task Force Report

The **Court System Education Funding Task Force** presented their [Mid-Term Report](#) at the October BJA Meeting. BJA approved submitting the Online Training Budget Package for the 2020 Legislative Session and extending the Task Force charter until June 2021.

The Task Force revised and submitted a budget request that was reviewed by the Supreme Court November 6, 2019. The budget request was approved and will be submitted as part of the Judicial Branch budget to the Legislature.

The Task Force revised their talking points, frequently asked questions and answers, and fact sheet which are in the BJA website in the Legislative Communications Toolkit section. The Outreach plan is being revised and revised materials were sent out through various listservs.

Task Force Chair Judge Doug Fair and Jeanne Englert met with several legislators regarding last year's efforts and the online training budget package. Several more visits with legislators are scheduled for later in November.

TAB 7

**Board for Judicial Administration
Nomination Form for BJA Committee Appointment
Two-Year Appointment**

BJA Committee: Public Trust & Confidence
(i.e. Best Practices, Court Security, Justice in Jeopardy, Long-Range Planning, and Public Trust and Confidence)

Nominee Name: Chris Gaddis

Nominated By: AWSCA
(i.e. SCJA, DMCJA, BCE, etc.)

Term Begin Date: January 1, 2020

Term End Date: December 31, 2021

Has the nominee served on this subcommittee in the past? Yes No

If yes, how many terms have been served and dates of terms: _____

Additional information you would like the BJA to be aware of regarding the nominee:

Mr. Gaddis would like to serve an additional 2-year term as the AWSCA representative.

Please send completed form to:

Caroline Tawes
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
caroline.tawes@courts.wa.gov

**Board for Judicial Administration
Nomination Form for BJA Committee Appointment**

BJA Committee: Public Trust and Confidence Committee

Nominee Name: Fé Lopez

Nominated By: PTC
(i.e. SCJA, DMCJA, etc.)

Term Begin Date: January 1, 2020

Term End Date: December 31, 2021

Has the nominee served on this subcommittee in the past? Yes No

If yes, how many terms have been served and dates of terms: _____

Additional information you would like the BJA to be aware of regarding the nominee:

Fé Lopez works for the Law School Admissions Council and is actively engaged in the community. She will serve in the role representing the public.

Please send completed form to:

Margaret E. Fisher
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170
margaret.fisher@courts.wa.gov



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

DRAFT 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