



**Board for Judicial Administration (BJA) Meeting**  
**Friday, February 21, 2020, 9:00 a.m. – 12:00 p.m.**  
AOC SeaTac Office, 18000 International Blvd, Suite 1106, SeaTac

## MEETING MINUTES

### **BJA Members Present:**

Chief Justice Debra Stephens  
Judge Greg Gonzales, Member Chair  
Judge Tam Bui  
Judge Doug Federspiel  
Judge Michelle Gehlsen  
Justice Steven González  
Judge Dan Johnson  
Judge Linda Lee (by phone)  
Judge Mary Logan  
Judge David Mann  
Judge Sam Meyer  
Terra Nevitt  
Judge Kevin Ringus  
Dawn Marie Rubio  
Judge Michael Scott

### **Guests Present:**

Esperanza Borboa  
Timothy Fitzgerald  
Justice Sheryl Gordon McCloud  
Pam Hartman Beyer (by phone)  
Scott Hutsell  
Eric Johnson  
Judge Sean O'Donnell (by phone)  
Judge Marilyn Paja  
Brooke Powell  
Judge Rebecca Robertson  
Kyle Sciuchetti  
Dawn Williams

### **Public Present:**

Page Carter

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

Kelley Amburgey-Richardson  
Cynthia Delostrinos  
Jeanne Englert  
Sharon Harvey  
Penny Larsen  
Robert Lichtenberg  
Dirk Marler  
Dory Nicpon (by phone)  
Ramsey Radwan  
Caroline Tawes  
Frank Thomas

### Call to Order

Chief Justice Stephens called the meeting to order at 9:01 a.m. and the members introduced themselves.

### Gender and Justice Commission (GJC)

Justice Gordon McCloud presented the final draft of the Anti-Harassment Model Policy developed by the GJC. There was a question about adding gender expression to the list of protected categories. After a discussion, there was a motion to move the Model Policy to an action item for approval at the next BJA meeting. Members suggested that GJC should draft a cover letter describing how the policy can be used and adapted by courts.

**It was moved by Justice González and seconded by Judge Scott to vote on the GJC Anti-Harassment Model Policy at the March BJA meeting. The motion carried unanimously.**

Justice Gordon McCloud gave an update on the work of the GJC, including their 27 priority projects listed on page 8 of the meeting materials.

### Interpreter Commission

The Interpreter Commission members plan to revisit GR 11, as it might be time to update the rule. The Commission would like each court to have a Language Access Plan (LAP).

The Interpreter Funding Task Force was successful last year in securing funding for the interpreter reimbursement program. Funds will be used for recruiting interpreters in rare languages and making trainings accessible to rural courts. The Interpreter Commission hopes to make it easier for courts to use the interpreter reimbursement process and make having an LAP a prerequisite for funding.

The Commission hopes to offer training at the Annual Judicial Conference, and develop community outreach regarding rights and careers of interpreters.

Other priorities of the Commission include developing policies and rules around non-credentialed interpreters, team interpreting, and video remote interpreting.

The Washington State Office of the Deaf and Hard of Hearing no longer provides the test for American Sign Language (ASL) interpretation, so a new test and provider is needed. This is a nationwide problem.

Only 10–15% of those who test for spoken language interpretation pass the test. The Commission plans to work with schools to help participants prepare for the test.

### BJA Task Force Updates

**Court Security Task Force:** The Task Force completed its assessment of state courts without full-time entrance security screening. The Task Force will request \$2.5 million for capital costs. Labor costs will not be requested. Courts that share a building with another court and do not have screening at public entrances will have priority for the funding. A formal funding strategy will be presented at the March BJA meeting for review and approval.

**Court Education Funding Task Force:** The Task Force is moving forward with a continuing to advocate for the decision package that funds an online training system. Task Force members met with about 75 legislators this year and generally received positive feedback.

### Washington State Association of Counties (WSAC) Presentation

Eric Johnson, WSAC Executive Director, and Scott Hutsell, Lincoln County Commissioner and Washington State Public Works Board Chair, presented information on the revenue challenges faced by counties and how this impacts courts.

### Member Photograph

The BJA member photograph was taken.

### Standing Committee Reports

**Budget and Funding Committee (BFC):** The BFC is committed to keeping the budget process open and transparent. In general, the budget process has the same steps as before, with some time frames extended. All the forms for submitting a budget request will be posted on the Courts website next week. Revenue is expected to be higher for the next biennium. A letter from the Chief outlining the process will be coming soon.

**Court Education Committee (CEC):** If the CEC receives the requested funding this legislative session, online training will be developed. CEC members are meeting with technical staff at AOC to discuss reorganizing the online education sites.

Dirk Marler and Pam Dittman, Court Education Professional at AOC, conducted three listening sessions around the state on the needs and interests of presiding judges and court administrators on training subjects and models. They will put together the information received at the listening sessions, and are committed to providing regional training sessions in November or December of this year.

The CEC has committed to take on ideas from the Judicial Leadership Summit, including increased communication; the health of judges and court personnel; a court

education listserv; a judicial leadership institute; working with Jeanne Englert on the Court Education Funding Task Force; the best way to become ecologically friendly at conferences; and how to address diversity on the BJA.

**Legislative Committee (LC):** Some of the bills still being tracked by the Legislative Committee are listed on pages 24–25 of the meeting materials. AOC staff are transitioning to implementation work on bills. The Legislative Committee charter will be updated soon.

**Policy and Planning Committee (PPC):** The main focus of the PPC is exploring adequate and sustainable court funding. Penny Larsen is working with the Washington State Center for Court Research (WSCCR) on a possible survey of court funding needs. Before deciding on the details of the survey, the PPC will look closely at the court funding structure to identify needs and ways of collecting data. The PPC hopes to bring recommendations to the March BJA meeting.

The PPC is also discussing diversity on the BJA board, and plans to develop materials to promote membership in and the work of the BJA.

#### BJA Communication Plan Update

The Communication Plan work is progressing. Tasks include:

- Attending conferences to provide information about BJA;
- Updating the web site;
- Distributing information about the standing committees;
- Creating a legislative toolkit;
- Moving forward on the work from the Judicial Leadership Summit;
- Continuing small group discussions;
- Widely distributing BJA Snapshots after the BJA meetings;
- Providing a BJA Annual Report each June.

Anyone with other ideas should contact Jeanne Englert.

#### November 15, 2019 Meeting Minutes

**It was moved by Judge Ringus and seconded by Judge Johnson to approve the November 15, 2019, BJA meeting minutes. The motion carried unanimously.**

### Public Trust and Confidence Committee

**It was moved by Judge Scott and seconded by Judge Gonzales to approve Patricia Gutierrez as a new member of the Public Trust and Confidence Committee. The motion carried unanimously.**

### Information Sharing

The prompt for the information sharing segment was “What is one success, challenge, or lesson learned in 2019? What is one priority you hope to move forward in 2020?”

What is one success, challenge, or lesson learned in 2019?

- To communicate;
- Challenge of a reduced caseload;
- Revamped WAC on domestic violence cases;
- Moving the Judicial Leadership Summit ideas forward;
- Gentrification and movement of residents that make travel to legal clinics difficult;
- Case management system for courts of limited jurisdiction;
- Listen and learn;
- Coordination and connection among people to move priorities forward;
- Emphases at AOC on race, equity, and inclusion;
- Moving to a different court and the learning curve involved in that;
- A statewide assessment on a juvenile program;
- Challenge of staff turnover and retirement and how to train new administration;
- Providing presiding judge and administrator training;
- Implementation and transition to Odyssey;
- Educate the public about the judiciary;
- The Washington State Bar Association (WSBA) did a good job of deescalating and resolving issues;
- WSBA bylaw changes regarding judges who leave the bench and go into practice;
- The Court of Appeals celebrated its 50<sup>th</sup> anniversary, adopted an anti-harassment policy, and law clerks received a raise.

What is one priority you hope to move forward in 2020?

- Continue successful work with the legislature and associations;
- Better progress for domestic violence cases;
- Continue to move the Judicial Leadership Summit ideas forward;
- Continue the ATJ Board success and hard work on race, equity, and inclusion training;
- Continue learning about local courts;

- Move priorities forward;
- Translate trainings on race, equity, and inclusion into practice;
- Research current methodology on judicial needs estimates;
- Make significant progress on funding issues;
- Provide presiding judge and administrator training;
- Focus on increasing competency on the bench;
- Continue working on providing judicial officers and litigants with access to electronic documents;
- Visit more counties with information about WSBA;
- The COA hopes to have all electronic records by June 2021;
- The COA has had a lot of turnover in judges and court staff, and that trend will continue.

Other

There being no further business, the meeting was adjourned at 12:16 p.m.

**Recap of Motions from the February 21, 2020 Meeting**

<b>Motion Summary</b>	<b>Status</b>
Vote on the GJC Anti-Harassment Model Policy at the March BJA meeting.	Passed
Approve Patricia Gutierrez as a new member of the Public Trust and Confidence Committee.	Passed
Approve the November 15, 2019, BJA meeting minutes.	Passed

**Action Items from the February 21, 2020 Meeting**

<b>Action Item</b>	<b>Status</b>
A formal funding strategy will be presented at the March BJA meeting for review and approval.	
The PPC will look closely at the court funding structure to identify needs and ways of collecting data and hopes to bring recommendations to the March or May BJA meeting.	
<u>November 15, 2019 BJA Meeting Minutes</u> <ul style="list-style-type: none"> <li>• Post the minutes online.</li> <li>• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials.</li> </ul>	Done Done