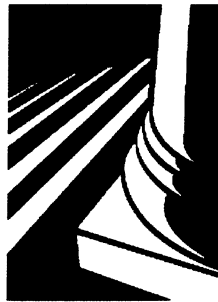


Board for Judicial Administration

**PUBLIC TRUST AND
CONFIDENCE COMMITTEE**



**WASHINGTON
COURTS**

**PRESIDING JUDGE
OUTREACH
TOOL KIT**

PRESIDING JUDGE OUTREACH TOOL KIT

MEDIA

CHAPTER 1 Proactive Media Outreach

Proactive Outreach: Getting Started and Determining News Value	Page 5
Sample Press Releases	Page 8
Op-Eds and Sample Guest Editorials	Page 10
Influencing Editorial Boards	Page 13

CHAPTER 2 Responding to Media Requests

General Guidelines and Helpful Tips	Page 15
Bench-Bar-Press Committee Guidelines	Page 20
Revised GR 16 (Cameras in the Court Rule)	Page 26

CHAPTER 3 The High Profile Trial

“Fire Brigade” Resources	Page 35
Sample Plan: King County Superior Court (Gary Ridgeway)	Page 38

CHAPTER 4 Crisis Communications

Sample Plan for a Crisis Situation	Page 61
------------------------------------	---------

CHAPTER 5 Responding to Unjust Criticism of Judges

Washington State Bar Association’s Plan on Responding to Unjust Criticism of Judges	Page 74
---	---------

COMMUNITY

CHAPTER 6 School Outreach

Quick Reference Guide to Statewide Outreach Programs	Page 81
Starting your own Youth Court	Page 83
Judges in the Classroom	Page 85
We the People	Page 87
YMCA Mock Trial Competition	Page 88

CHAPTER 7 Juror Outreach

Juror Orientation Script	Page 90
Juror Appreciation Week Materials	Page 96

CHAPTER 8 Community Outreach

Quick Reference Guide to Speaking Opportunities	Page 106
Sample Court Funding Speech and Audience Handout	Page 109

CHAPTER ONE

PROACTIVE MEDIA OUTREACH

Proactive Media Outreach

- *Do you wish there was a way to increase awareness of a new program or issue facing your court?*
- *Ever wonder if there was a way to show the public the many positive things you do on a daily basis?*

There is! There are a variety of ways to ‘get the word out’ on local court activities to both statewide and local media. From issuing press releases to scheduling editorial board meetings there are a number of ways for your court to seize public relations opportunities.

Getting Started

Distributing a press release is one of the most effective ways of communicating proactively with the media. Press releases are a “heads-up” to the media, which includes the three W’s— who, what, where, why and when—plus contacts on where to find more information.

The following are just a few examples of events the media may be interested in reporting on:

- A new, innovative program in your court
- Success of local trial court coordination council projects
- Court efficiencies and consolidations
- Drug court graduation ceremonies
- Collection amnesty opportunities
- Adoption Day events
- “Traveling” courts
- Juror Appreciation activities
- A swearing-in of a new judge for your court

In addition to sample press releases, this chapter will outline how to determine news value, influence editorial boards and place op-eds in local newspapers throughout Washington State.

Need assistance?

The Administrative Office of the Courts Public Information Office is always available to assist courts with media relations. Contact Wendy Ferrell at 360-705-5331 or via e-mail at wendy.ferrell@courts.wa.gov.

How To Create News and Commentary Courtesy of the NAPTA

Determine News Value:

Media outlets often have different criteria for determining what is and isn't worthy of news coverage and commentary. Stories are generally built around the following four elements:

- Audience appeal and relevance to readers and listeners
- Issues that stimulate debate, controversy and even conflict -- in short: drama
- Stories that generate increased readership and high ratings
- Fresh angles, important developments and new twists for an issue that will generate and sustain public interest

One way to determine what is "news" in your community is to read the daily papers, watch local newscasts and listen to the radio. At the local level, the media often focus on community celebrations, personalities, politics and daily events. Pay close attention to what type of events and activities are covered and look for any local or regional connection that you might leverage. This will help you become a better judge of what will interest the media.

Media Tip: Write Your Own Headline

Journalists often have too much to do and not enough time to do it in. Figuring out why something is newsworthy before you reach out to a member of the media will help you "sell" your views to reporters. Ask yourself what the headline or sound-bite is for the news or commentary you plan to pitch.

Craft Your Message:

Three keys to success in dealing with the media are: consistent messages, repetitive messages and memorable messages. As you identify timely and newsworthy topics, review your coalition's mission statement or objectives for ideas about how to craft your messages. Remember that your media messages should be clear, concise and easily repeatable. Summarize your entire message in fewer than 20 simple, easily understood words for print media and fewer than 10 seconds for electronic media. You will need to support your messages with simple statistics, dates, figures, events, names, colorful examples and/or personal experiences.

Some useful questions to consider while developing newsworthy messages include:

- What story do you want to tell -- and to whom?
- Why should people care? How does the issue affect your audience?
- Is there a local angle, personality, group or event that makes the message more timely and relevant?
- How can you state your ideas in a fresh way? What interesting facts, examples or stories will help illustrate your messages?
- If there is more than one audience, how should the messages differ?
- What are the challenges? What negative or inaccurate information must be overcome?
- What are the likely rebuttals? How will the opposition respond?

How to Tell a News Story

One of the most important facts to keep in mind about the media is that no single list of prescribed steps can guarantee press coverage. Coverage, or lack of it, is determined by events beyond your control.

However, there are several things you can do to improve your chances of earning coverage. Number one is to establish good media relationships. By working with the media and understanding their needs, you will be able to create materials and events that attract attention and effectively deliver key messages.

Follow Up With the Media:

After disseminating your press release, you will need to follow up with each journalist. During the follow-up call, be succinct and direct. Immediately state who you are, why you are calling and the reasons why the person should listen to you. If appropriate, you might suggest scheduling an informal meeting to introduce yourself and other local leaders who share the coalition's goals. A face-to-face meeting can help build a solid working relationship, increase your chances of being called on as a frequent source of information about public transportation and may result in a favorable interview, story or editorial.

Since this may be your first contact with a journalist, use the telephone call or meeting to learn:

- News and broadcast deadlines
- Amount of lead time needed for stories
- Advice on preferred formats when transmitting information
- Feedback on the newsworthiness of particular issues



PRESS RELEASE

Re: Collection Amnesty Program

From: (INSERT: Court Administrator name, phone number and e-mail address)

(Court Name) offering amnesty from traffic fine collections during the month of October

In an effort to help citizens regain their driving licenses, (COURT NAME) is offering a "collection amnesty program" throughout the month of October.

Designed to help those with outstanding traffic tickets and fines, the court and their collection agency has agreed to waive interest and a significant portion of collection costs.

(INSERT A QUOTE FROM YOUR PRESIDING JUDGE REGARDING THE VALUE OF THE COLLECTION PROGRAM. Example: "“Everyone has financial problems at some time or another,” said _____. “We hope this program will allow citizens within our district to remedy their fines, and regain their driving privileges.”")

The court is offering the 30-day program from October 1 through October 31, 2002. Those with outstanding tickets or fines should contact the court directly by calling (COURT PHONE NUMBER). Clerks will also be able to provide names of other courts where fines may be outstanding.

Once tickets are paid in full and reported to the court, adjudication slips must be delivered to the Department of Licensing to clear a driving record and obtain a valid drivers license.

More than 100 courts throughout the state are participating in similar Collection Amnesty Programs throughout the month. For a full listing of courts participating, please visit the Washington Courts website at www.courts.wa.gov.

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(Print on court letterhead)

PRESS RELEASE

Date

For further information contact:
(Insert name and phone number)

(INSERT NAME) COURT HONORS JUROR APPRECIATION WEEK

(City, Date) – (Name of Court) is sponsoring Juror Appreciation Week activities to recognize (name) County residents who have served on jury duty and to highlight the honor and importance of serving on a jury.

Included in the week’s activities are: (list activities, days and times)

According to (name of Presiding Judge), the objective of Juror Appreciation Week is to show past and prospective jurors that their contributions are greatly appreciated by the Court.

“Jury service is a vital aspect of our government. When you serve as juror, you not only serve your country, but you serve as an integral part of the justice system,” said (last name).

(last name) added that the (name) court has implemented several changes to improve jury duty in the County including: (list improvements).

“We want every juror to feel appreciated, and to know how much we value their time and commitment to our system of justice.”

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Opinion Editorials (Op-Eds):

What is an op-ed? Opinion editorials, or "op-eds," are short commentary pieces written by third parties rather than the staff of the publication. An op-ed is an excellent way to communicate your messages, directly and unfiltered, to target audiences -- regardless of whether the publication is interested in an editorial board meeting.

How to submit an op-ed: Op-ed policies differ from publication to publication. It is important to learn in advance the criteria and format for submitting op-eds and to whom a piece should be sent. Most op-ed articles focus on a single issue and raise a few key points or messages. Longer pieces are likely to be heavily edited by the publication. When submitting an op-ed article, be aware that the choice of an author is critical; people with highly recognizable names or positions in your community are more likely to have their articles published.

Tips for getting your op-ed published:

- Select a topic that is currently in the headlines and will continue to be newsworthy for the next two to three weeks.
- The article should be well organized and well written, typed, double-spaced and no more than 650 - 750 words in length.
- A short cover note should accompany the article. The note should include the author's name, title and organization (or other descriptive credential), contact information and why the piece is important.
- Within a couple of days, follow up with a telephone call to express your hope that the piece will be published.

JUSTICE IN JEOPARDY

2004 Sample Guest Editorial

Notes on draft guest editorial for court funding:

1.) The BEST lead-in for a guest editorial would probably be a story or example from a local court showing the impact of inadequate funding. ('Last month/year our court cut security in half because...' or 'Probation monitoring is no longer a guarantee in Our Superior Court because...') This would guarantee that editorials in papers around the state would not look the same, and would have more local interest and impact.

3.) As many local examples and statistics and statements/comments as possible should be included in a guest editorial to make it truly local and enticing to the local newspaper (and more likely to get additional news coverage). This draft language can provide a basic framework of information to include in a local guest editorial.

DRAFT EDITORIAL LANGUAGE:

(If you have your own opening, it can pick up here, or this can be a lead)

This will undoubtedly be a difficult budget year, and many worthy causes will be asking legislators for funding, but judges and court officials across the state can wait no longer to ask state leaders to make justice for Washington residents a budget priority.

Right now, unbelievably, it's not.

And our citizens are paying heavy prices in overburdened public defense systems, loss of courthouses and services, lack of critical legal aid for the poor, and long waits for civil cases such as settling child custody disputes.

Washington currently dedicates 3/10ths of 1 percent of the state budget to funding the state court system — that's just over 10 percent of the cost of administering justice in Washington. That places our state dead last in the nation for a state's support of its justice system, according to the U.S. Department of Justice.

Other states pay anywhere from 15 to 90 percent of the cost of their justice system, with the average being around 50 percent.

Washington State pays nothing toward district or superior courthouses and facilities, court staffing, probation monitoring, jury pay, prosecution costs, the cost of public defense or the salaries of district and municipal court judges. The state pays just half the salaries of superior court judges, and pays for the Supreme Court and Court of Appeals, juvenile court costs and for the statewide court computer system and some administration.

Who pays for the rest?

The counties and cities shoulder nearly 90 percent of the cost of justice in Washington, paying for everything the state does not. Because their budgets vary so widely, it creates a patchwork quilt system of funding.

Which means that probation monitoring, public defense work loads, prosecution workloads, availability of courtrooms and judges, and many court services can vary widely from county to county and city to city. Some counties have been granted additional judge positions by the state, but can't afford to fill them. Others can.

Justice is supposed to be equal for all people. We have to ask ourselves — is that true in Washington?

In our county, (LIST SOME BUDGET AND SERVICE IMPACTS HERE FOR YOUR COURTS)

Courts across the state have worked for years on creating efficiencies to save money and resources so they can protect the core foundation of equal justice for all citizens. Our county has (LIST SOME CUTS AND EFFICIENCIES ENACTED IN YOUR COURTS).

Despite these efforts, the budget crises of the past few years have magnified what has been an ongoing problem for our courts for decades — an unstable and unequal funding system that needs to be changed. The state needs to step up and be more of a partner and less of a spectator in funding justice for Washington citizens.

Yes, we are asking for additional funding to keep our justice system from sinking further, but more importantly, we are asking the state to begin correcting a lopsided funding system.

We know this can't be changed in one legislative session, so judges and community leaders across the state are asking for a phased approach, in which the state begins to engage more in the justice system and takes a few steps each year. This year, we're asking that an additional money be allocated to the justice system from the state budget to shore up the most endangered aspects of the system — public defense and legal aid for the poor.

The justice system is not just another government service or agency seeking money.

It's a separate branch of government, equal to and independent of the legislative and executive branches because it houses such a core element of who we are as a nation and a people. The justice system's job is to watch over the civil and human rights, the safety and equality and freedom of our citizens.

Yet we rely on the legislative branch to allocate adequate funding for this critical role. We hope they will remember that without this third leg of the three-legged stool, all of our rights are in danger, and a society of equality, freedom and justice cannot be sustained.

-End-

Editorial Boards:

What is an editorial board? Editorials reflect the issue positions taken by a publication. These essays, which can help influence decision-makers, are written by the editorial board and usually use information presented by local, state or national figures during an editorial board meeting or briefing. These meetings, which are often scheduled at regular times each week, typically last no more than one hour and take place at the publication's office.

How to request an editorial board meeting: Editorial writers are news-oriented. Thus, meeting requests are more likely to be received positively if you approach an editor when transit or related issues are in the headlines. To request a meeting:

- 1) Find out the publication's position on specific public transportation issues before seeking a meeting. This can be accomplished by reviewing previously published editorials and relevant news coverage.
- 2) Draft a brief letter to the editorial page editor stating why your issue or position is worthy of discussion. Provide compelling and timely facts that demonstrate you have valuable information or an interesting perspective to share. It is also useful to explain why the issue is particularly relevant to your community. (A sample letter is included in this manual.)
- 3) Follow up with a telephone call.

Tips for a successful editorial board meeting:

- Focus your presentation on no more than three main messages supported by facts, data, memorable examples, anecdotes or quotes.
- Show that you are aware of other approaches to the issue. Editorial writers may ask you to explain the opposing point of view. You will have greater credibility if you are perceived as having seriously considered other viewpoints while taking a firm stand.
- Consider taking along an ally who can provide additional credibility, expert testimony, personal insight or a local angle.
- Be prepared to defend your position, answer questions, hand out simple charts or background materials and offer to be available if additional information is needed.

**Responding
to Media Requests**

CHAPTER TWO

RESPONDING TO REQUESTS FROM THE MEDIA

General Guidelines for Media Interviews

Courtesy of the National Center for Courts and Media

1. Respond promptly to any and all media inquiries.
2. Convey a genuine sense of understanding, appreciation and respect for the reporter's public service role.
3. Ask the reporter when the deadline is to show your concern for his or her schedule as well as providing you with some idea of how much time you have to prepare.
4. Be as cooperative as you can in terms of answering questions. If reporters feel you are trying to help them get it right, they will portray you more positively in their coverage. This may include referring them to other more appropriate sources.
5. When you can't answer due to ethical restrictions, take the time to explain why you can't answer directly instead of the flat "no comment."
6. Answer all questions in terms of how the public is affected, not how you are affected.
7. Try to keep your answers concise. Lengthy responses increase the risk of the reporter not understanding statement fully and make it more difficult to take accurate notes. Particularly with respect to electronic media, lengthy responses can be edited down in ways that distort or mislead what you were trying to say.
8. Try to avoid negative words in responding to a question.
9. Try to keep the interview focused on three or fewer points that you want to stress. All answers should circle back to those limited number of points. Repetition helps insure the reporter gets them down and gets them right.
10. Maintain your composure not matter how provocative the question or the reporter's style.
11. Show your compassion as a human by acknowledging the concerns of the average viewer and let them no that as you take your job seriously in providing public service, you also "feel the pain" of those affected.

Interviewing for Success

In General

- Get a clear understanding in advance of what the interview will cover.
- Have a thorough knowledge of the topic(s).
- Develop one or two key messages you want to get across -- that you can state quickly and succinctly.
- Have on hand background materials for the reporter to help ensure understanding and accuracy.
- Determine whether the interview will be by telephone or in person.
- If the interview is to be in person, select a location and environment you feel comfortable with.
- If it is to be a telephone interview, consider the following:
 - Clear your desk of anything that might keep you from focusing on the interview.
 - Stand up during the interview. You will be more likely to breathe from your diaphragm, which will help keep you from taking shallow breaths and give your voice more authority.
 - Face a wall or close your eyes. That will help you to concentrate more on the questions and your answers.
 - Offer to fax background materials to the reporter.
- Listen carefully to each question and think before answering. Repeat, rephrase and recap your key message(s) at every opportunity.
- KISS (keep it simple). Use simple language. Although the reporter might be very intelligent and highly educated, the media write and report for an audience with a 9th grade education. Avoid jargon, such as “perpetrator,” “... severely increased workloads and case backlogs,” “... pre-adjudicated or sentenced misdemeanants.”
- If the interviewer asks a series of questions, pick the one you want to answer and ignore those you would rather avoid.
- Define, don’t defend.
- If someone has made a mistake, don’t try to weasel around it. Admit it, get it over with and move on immediately to your positive messages.
- Focus the interviewer’s attention on what you want her or him to hear by flagging your messages with such phrases as “This is really important,” “Something really important I want you to know is ...,” or “Here are three main points.” And follow up with your sound bite.

- Lead the interviewer to your message by ending your answer to one question in a way that might prompt the reporter to ask a question you want asked, such as, “Yes, that was a tragic situation, but we now have a program in place that will keep that from happening again.”
- Avoid trigger words or negatives, which are words in the question that you don’t want to repeat in your answer, such as “embezzle,” “mismanaged,” “I am not a crook.”
- One-to-one interviews work better than press conferences because you have more control and you won’t be responding to several agendas.
- In-person interviews are better than telephone interviews because the result in better accuracy and both you and the interviewer become real people instead of disembodied voices.
- Try to have someone else present during the interview or at least tape-record it. This puts the reporter on notice that s/he had better get it right.

On the Air

An on-camera interview with a television reporter can feel even more intimidating than an interview with a reporter holding only a pen and note pad. Here are some tips that might ease the tension or help your credibility in a broadcast interview.

- Have someone help you in advance with a practice interview using a video camera, review the video and take note of things that distract from clarity and that might connote uncertainty, discomfort or irritating habits, such as punctuating every other word with “uh,” “you know” or “I mean,” shifting eyes, repeatedly clearing of throat, verbose answers.
- Wear clothes that are dark, but not black, and solid. Avoid large or busy prints. Avoid large, flashy jewelry.
- Maintain eye contact with the interviewer.
- Talk casually, as if in conversation with a friend.
- If you don’t know something, don’t guess. Offer to provide the information after the interview.
- Use small (not sweeping), natural hand gestures to make your point.
- If you’re to be seated in the interview, avoid swivel chairs.
- If you’re to be standing, place one foot in slightly in front of the other and shift your weight to the forward foot.
- If you feel crowded, take a deep breath and one step back.
- Maintain good body posture.

Ambush Interviews or No Notice Calls

- Buy time. Ask for an idea of what the reporter wants to know, say you need a few minutes to take care of something that needs immediate attention, then use that time to prepare.
- Jot down the most difficult 10 questions they can ask and try to frame positive answers.
- Contact Wendy Ferrell with the Administrative Office of the Courts Public Information Office at 360-705-5331 for assistance.

Some “Nevers”

- Never say “no comment.” (An alternative is, “I can’t tell you that, but here’s what I can tell you.”)
- Never lie.
- Never guarantee anything.
- Never exaggerate.
- Never run from or slam the door on a camera.

BENCH-BAR-PRESS COMMITTEE OF WASHINGTON
STATEMENT OF PRINCIPLES

PREAMBLE

The Bench, Bar and Press (comprising all media of mass communication) of Washington:

(a) Recognize that reporting by the news media of governmental action, including the administration of justice, is vital to our form of government and protected by the Constitutions of the United States and the State of Washington.

(b) Seek to preserve the constitutionally protected presumption of innocence for those accused of a crime until there has been a finding of guilt in the appropriate court of justice.

(c) Believe both constitutional rights can be accommodated without conflict by careful judicial craftsmanship and careful exercise of discretion by the bench, the bar, and the news media.

PRINCIPLES

To promote a better working relationship between the bench, bar and news media of Washington, particularly in their efforts to protect both the constitutional guarantees of freedom of the press and of the right to a fair and impartial trial, the following statement of principles is suggested for voluntary consideration to all members of these professions in Washington. Any attempt to impose these Principles and Considerations as mandatory is contrary to the intent of the Bench-Bar-Press Committee and contrary to the stated goals of these Principles and Considerations.

1. Accurate and responsible reporting of the news media about crime, law enforcement, and the criminal justice system enhances the administration of justice. Members of the bench and bar should make available information

concerning that process to the fullest extent possible under their codes of conduct and professional responsibility.

2. Parties to litigation have the right to have their causes tried by an impartial tribunal. Defendants in criminal cases are guaranteed this right by the Constitutions of the United States and the State of Washington.

3. Lawyers and journalists should fulfill their functions in such a manner that cases are tried on the merits, free from undue influence by the pressures of news media reports. To that end, the timing and nature of media news reports should be carefully considered. It is recognized that the existence of news coverage cannot be equated with prejudice to a fair trial.

4. The news media recognize the responsibility of the judge to preserve courtroom decorum and to seek to ensure both the open administration of justice and a fair trial through careful management.

5. A free press requires that journalists decide the content of news. Journalists in the exercise of their discretion should remember that readers, listeners, and viewers are potential jurors.

6. The public is entitled to know how justice is being administered. However, lawyers should be aware that the timing and nature of publicity they create may affect the right to a fair trial. The public prosecutor should avoid taking unfair advantage of his that position as an important source of news, even though the prosecutor should release information about the administration of justice at the earliest appropriate times.

7. Proper judicial, journalistic and legal training should include instruction in the meaning of constitutional rights to a fair trial, open justice and freedom of the press, and the role of judge, journalist and lawyer in guarding these rights. The bench, the bar and the press will endeavor to provide for continuing education to members of each respective profession concerning these rights.

8. Open and timely communications can help avoid confrontations. Toward that end all parties are urged to employ the Bench-Bar-Press Committee's Liaison Subcommittee when conflicts or potential conflicts arise.

CONSIDERATIONS IN THE REPORTING OF CRIMINAL PROCEEDINGS

The Bench-Bar-Press Committee offers the following recommendations for voluntary consideration of all parties. They may be of assistance in educating law enforcement, the press, bar and bench concerning the exercise of rights, duties and obligations outlined in the Statement of Principles.

The bench, bar, press, and law enforcement officials share in the responsibility for the administration of an open and fair system of justice. Each has a special role which the others should respect and none should try to regulate the judgment of the others.

Public interest in the administration of justice may be particularly great at times prior to trial. Pretrial proceedings often are as important to the open administration of justice as the actual trial. The bench should help ensure both openness and fairness through commonly accepted judicial procedures consistent with these principles. The bar should carefully consider the timing and nature of the publicity it creates. The media should contribute to openness and fairness by careful evaluation of information that may be kept from the jury at trial and by exercise of restraint in reporting that information.

All parties should be aware that the jury system has the capacity to provide unprejudiced panels even in cases of great public interest and substantial media coverage.

1. It is appropriate to make public the following information concerning the defendant:

(a) The defendant's name, age, residence, employment, marital status, and similar background information. There should be no restraint on biographical facts other than accuracy, good taste, and judgment.

(b) The substance or text of the charge, such as complaint, indictment, information and where appropriate, the identity of the complaining party.

(c) The identity of the investigating and arresting agency and the length of the investigation.

(d) The circumstances immediately surrounding an arrest, including the time and place of arrest, resistance, pursuit, possession and use of weapons, and a description of items seized at the time of arrest.

2. The release of certain types of information by law enforcement personnel, the bench and the bar and the publication thereof by news media generally tends to create dangers of prejudice without serving a significant law enforcement or public interest function. Therefore, all concerned should be aware of the dangers of prejudice in making pretrial public disclosures of the following:

(a) Opinions about a defendant's character, his guilt or innocence.

(b) Admissions, confessions or the contents of a statement or alibis attributable to a defendant.

(c) Opinions about the results of investigative procedures, such as fingerprints, polygraph examinations, ballistic tests or laboratory tests.

(d) Statements concerning the credibility or anticipated testimony of prospective witnesses.

(e) Opinions concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial.

Exceptions may be in order if information to the public is essential to the apprehension of a suspect or where other public interests will be served.

3. Prior criminal convictions are matters of public record and are available to the news media through police agencies or court clerks; law enforcement agencies should, if requested, make such information available to the news media. The public disclosure of this information by the news media may be highly prejudicial without any significant addition to the public's need to be informed. The publication of such information should be carefully considered.

4. Law enforcement and court personnel should not prevent the photographing of defendants when they are in public places outside the courtroom. They should not encourage pictures or televising nor should they pose the defendant.

The media should recognize that broadcasting, televising, recording and taking photographs in the courtroom is governed by GR 16

Artist's renditions sketched in the courtroom are not governed by GR 16 and should not be curtailed unless such actions unduly distract participants or impair the dignity of the proceedings.

5. Photographs of a suspect may be released by law enforcement personnel provided a valid law enforcement function is served thereby. It is proper to disclose such information as may be necessary to enlist public assistance in apprehending fugitives from justice.

6. The media are free to report what occurs in the course of judicial proceedings. All participants in the administration of justice should work to keep the entire course of judicial proceedings, including pretrial hearings, open to public scrutiny. The bench should consider using all the means available to ensure protection of a defendant's constitutional rights without interfering with the public's scrutiny of the criminal justice system. The closure of a judicial proceeding should be used only as a last resort.

7. The bar and law enforcement officials should expect that their statements about a case will be reported in the media. Such statements should be made in a time and manner contributing to public understanding of law enforcement and the criminal justice system, rather than influencing the outcome of a criminal trial.

GR 16 COURTROOM PHOTOGRAPHY AND RECORDING BY THE NEWS MEDIA

- (a) Video and audio recording and still photography by the news media are allowed in the courtroom during and between sessions, provided
- (1) that permission shall have first been expressly granted by the judge;
and
 - (2) that media personnel not, by their appearance or conduct, distract participants in the proceedings or otherwise adversely affect the dignity and fairness of the proceedings.
- (b) The judge shall exercise reasonable discretion in prescribing conditions and limitations with which media personnel shall comply.
- (c) If the judge finds that sufficient reasons exist to warrant limitations on courtroom photography or recording, the judge shall make particularized findings on the record at the time of announcing the limitations. This may be done either orally or in a written order. In determining what, if any, limitations should be imposed, the judge shall be guided by the following principles:
- (1) Open access is presumed; limitations on access must be supported by reasons found by the judge to be sufficiently compelling to outweigh that presumption;
 - (2) Prior to imposing any limitations on courtroom photography or recording, the judge shall, upon request, hear from any party and from any other person or entity deemed appropriate by the judge; and
 - (3) Any reasons found sufficient to support limitations on courtroom photography or recording shall relate to the specific circumstances of the case before the court rather than reflecting merely generalized views.

Comment

Before 1991 when GR 16 on “Cameras in the Courtroom” was first adopted, the subject had only been addressed in the Code of Judicial Conduct’s Canon 3(A)(7). The intent of the 1991 change was to make clear both that cameras were fully accepted in Washington courtrooms and also that broad discretion was vested in the court to decide what, if any, limitations should be imposed. In subsequent experience, both judges and the media have perceived a need for greater guidance as to how that judicial discretion should be exercised in a particular case. This 2003 amendment to GR 16 is intended to fill that practical need.

While not providing much guidance for the court’s exercise of discretion, the Canon did contain some “illustrative guidelines” on how media personnel should conduct themselves while covering the courts. Although these guidelines were no longer a part of the rule once GR 16 was adopted, they continued to be published in the accompanying Comment. Some portions of those guidelines have now become outdated and others are superseded by language in the new GR 16. Because there continues to be potential value in some of the remaining guidelines, they will be here set out in redacted form:

ILLUSTRATIVE BROADCAST GUIDELINES

1. *Officers of Court.* Broadcast newsmen should advise the bailiff prior to the start of a court session that they desire to electronically record and/or broadcast live from within the courtroom. The bailiff may have prior instructions from the judge as to where the broadcast reporter and/or camera operator may position themselves. In the absence of any directions from the judge or bailiff, the position should be behind the front row of spectator seats by the least used aisleway or other unobtrusive but viable location.

2. *Pooling.* Unless the judge directs otherwise, no more than one television camera should be taking pictures in the courtroom at any one time. It should be the responsibility of each broadcast news representative present at the opening of each session of court to achieve an understanding with all other broadcast representatives as to how they will pool their photographic coverage. This understanding should be reached outside the courtroom and without imposing on the judge or court personnel.

3. *Broadcast Equipment.* All running wires used should be securely taped to the floor. All broadcast

equipment should be handled as inconspicuously and quietly as reasonably possible. Sufficient film and/or tape capacities should be provided to obviate film and/or tape changes except during court recess. No additional lights should be used without the specific approval of the presiding judge.

4. *Decorum.* Camera operators should not move tripod-mounted cameras except during court recesses. All broadcast equipment should be in place and ready to function no less than 15 minutes before the beginning of each session of court.

An accompanying set of "Illustrative Print Media Guidelines" contained substantially the same provisions for print media personnel. The only additional matters addressed were that still photographers should use cameras operating quietly and without a flash and they should not "assume body positions inappropriate for spectators."



Guest columnist

New rule means courtroom cameras will get their day in court

By William L. Downing

Special to The Times

It's a safe bet that none of the delegates to the 1774 Continental Congress held in Philadelphia viewed their hotel rooms over the Net before booking them or planned their routes by checking out the traffic webcams.

Still, they managed to arrive. Once they did, those inventors of the form of our present government advanced the proposition that jury trials ideally should take place "before as many people as chuse to attend."

Certainly much has changed in 230 years, but some fundamental principles abide: The turnpike saves time, a clean room is a blessing for a weary traveler, and the broadest possible public access to court proceedings is good for both the parties and the public.

These days, just as we have chosen some different spellings, we have settled on photography as a means to enable us to visit places we couldn't otherwise see — such as trials too distant or too crowded for us to attend.

This winter, news cameras will find a slightly warmer welcome in courthouses across Washington state. As of Jan. 4, thanks to a new rule recently adopted by our state Supreme Court, any party objecting to courtroom photography will be required to overcome a presumption in favor of access for those cameras. To support a request for limits on courtroom photography, they will have to persuade the judge that there is some particular circumstance in the case that justifies restriction.

The history of cameras in court has not always been a pretty picture. Cumbersome camera equipment and an aggressive press corps turned the high-profile trials of Dr. Sam Sheppard (1954) and Lyndon B. Johnson's pal Billy Sol Estes (1962) into prototypical "media circuses."

With learned lessons, technological advances and fading memories, by 1976, Washington state had removed the outright ban on cameras in court. Fifteen years later, it adopted

General Rule 16, which gave trial judges discretion in allowing news cameras in their courtrooms.

Then O.J. Simpson came crashing through. The football player's celebrated 1995 murder trial, with its widely seen images of bickering lawyers and a judge who allowed them to spend more time addressing each other and their vast TV audience than the business of the court, set back the progress that had been made.

The lingering after-effects of that trial included a generalized, albeit irrational, fear that any trial can become "another O.J." simply by allowing press cameras in to record what is going on. In some courts, blanket denial of camera access for this reason became regrettably common — regrettable because it reflected a failure to exercise the discretion called for by Rule 16.

Legally speaking, for a judge to exercise discretion means to weigh the specific circumstances of a particular situation, balance the public and private interests at stake, and then articulate a reasoned decision.

The new rule makes clear that blanket approaches — paranoid or principled — are inappropriate. Particular reasons for restrictions must be identified. Such circumstances are not uncommon. They might include child witnesses or others who, due to their emotional state or the subject matter of their testimony, would be inhibited by the presence of cameras. Another example might be the party or lawyer with a political or personal agenda aimed over the heads of judge or jury and at the cameras.

The general rule could be viewed this way: The camera should be able to see and transmit, without altering, what goes on in court.

Why is camera access so important to the justices and to all the judges of the state? Isn't the primary purpose of the courts to achieve fairness? Exactly!

The U.S. Supreme Court, in a 1986 case, observed that "openness enhances both the basic fairness of the criminal trial and also the appearance of fairness so essential to public confidence in the system." This is because a watchful public eye gives assurance that established procedures are being followed and that deviations evidencing bias will become known. It has long been reasoned that, along with bias, perjury and misconduct are actively discouraged by openness.

Judges also are convinced that the public's trust and confidence are strengthened when it views the work of the courts. The fact is that most trials are well-conducted by able and conscientious judges and lawyers. Judges rarely misbehave and rarely tolerate misbehavior in their courts and, if we do, the public should know about it.

In Washington, we also enjoy a tradition of responsible and ethical journalists covering the business of the courts. With modern equipment and pooling arrangements, cameras in court are quite unobtrusive and seldom cause any disruption or distraction.

Without compromising our primary function of providing a public forum for the fair resolution of disputes, the courts are committed to assisting the news media and the public in performing their own proper functions.

Although there exists no archived C-SPAN footage of the Continental Congress, the voice of that body was heard by the Washington Supreme Court this month. The Founding Fathers certainly would approve of this wise advance aimed at aiding those citizens who choose to keep a watchful eye on their justice system.

William L. Downing has been a judge of the King County Superior Court since 1989 and serves as chairman of the Washington Bench-Bar-Press Liaison Committee.

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CHAPTER THREE

THE HIGH PROFILE TRIAL

Washington's 'Fire Brigade'

By Judge Bill Downing, King County Superior Court

The public we judges serve has a vital interest in having our justice system administered fairly, without undue interference from any quarter. At the same time, the public also has a vital interest in being able to keep a watchful eye on that system through the maintenance of its own theoretical right of access and, more practically, the rights of access of a free press.

Rather than viewing these ideals as contradictory, the Bench-Bar-Press Committee of Washington embraces as its mission the "fullest practicable attainment" of both of them.

This is not to say, however, that the goals of free press and fair trial do not on rare occasion directly collide and with somewhat greater regularity brush up against each other at high speed. When these frictions produce sparks, the "Fire Brigade" strives to see that no one is burned - not the judiciary, not the working press, not the parties before the court and most certainly not the public.

The Fire Brigade is the common name for the Liaison Committee of the Bench-Bar-Press Committee. It is called into action whenever anyone feels it has the potential to be helpful in resolving an incipient free press -fair trial dispute that has arisen or may arise in the course of a legal proceeding.

If there is a typical call-out for the Brigade, it might come from a member of the press corps who is unhappy that a judge has not granted complete access either to a judicial proceeding or else to documents relating to a judicial action. The Fire Brigade representative will typically consult with the judge in question and then likely be able to provide a more satisfactory explanation or, alternatively, to bring about a more acceptable result.

Sometimes the reporter may have come away from court with an incorrect understanding of the extent of the limitation imposed by the judge. It may also be that the reporter (or editor or attorney for the media outlet) has not grasped the legitimate reasons behind the limitation imposed by the judge.

On occasion, the judge may have simply neglected to make the necessary public articulation of the reasons for the restriction on access. On others, it may turn out that the judge, in the face of agreement between the parties to the newsworthy case being litigated, may have forgotten to consider fully the unrepresented rights of the public.

Even when the Brigade is not successful in bringing about the hoped for resolution, its efforts should serve to increase all participants' sensitivity to the needs, concerns and limitations of the others.

It often is the case that the Fire Brigade is contacted by judicial officers who are either preparing for a high profile case or need to respond to a media request for access to court proceedings or documents. Even when things have not heated up (and maybe especially then), Fire Brigade members are always happy to chat off-the-record about such matters as cameras in the court, access issues, gag orders, fair coverage, etc.

Judicial members of the Fire Brigade are Judge Kip Stiliz of the Thurston County District Court who can be contacted at (360) 786-5149 or **kip.stiliz@courts.wa.gov** and Judge Bill Downing of the King County Superior Court who can be reached at (206) 296-9362 or **william.downing@metrokc.gov**.

High Profile Cases - Free Press and Fair Trial

By Rowland Thompson

Executive Director, Washington Allied Daily Newspapers

Initially the most difficult problem facing judges in high profile cases is how to deal with pretrial news coverage. This problem is equally vexing for newspaper editors and reporters as well. Both groups want a fair and impartial trial conducted with the impaneling of an untainted jury. Both groups also want the public to have the opportunity to be fully informed about every case in the criminal justice system from investigation and arrest to conviction or acquittal.

These two constitutionally protected rights do not have to be in diametric opposition. They must be made coequal because public trust and confidence in our courts is based solely on the absolute transparency of an impartial process. Election of the judiciary is a renewal of the faith of the public in the courts, but their trust and confidence is firmly founded on the rock of constant inspection that free and open access allows.

The faith of the public in the courts means that they willingly submit themselves to judgment and that the overwhelming power of the state is not required to enforce attendance at sessions. This is the only way that the courts of a democracy can function and it is made possible by the public's trust and confidence that constant transparency allows.

The conflicts in making these rights compatible and coexisting can be worked out. To that end Bench Bar Press brings judges, attorneys, and news professionals together to train, inform, and peer counsel in resolving the friction between the First and the Sixth Amendments. Bench Bar Press also holds as its central tenet Article 1, Section 10 of the Washington State Constitution; "Justice in all cases shall be administered openly, and without unnecessary delay."

Bench Bar Press has served Washington State's courts since early in the 1960's by creating relationships, dialogue, and understanding of public access to trials not only between the three branches, but within them as well. This most important aspect of Bench Bar Press is the reiteration of the responsibilities of the partners to the public, to each other, and to their constitutional duties and professional ethics at the same time.

Between meetings of the Bench Bar Press Committee and the Steering Committee, the Liaison Committee, or Fire Brigade, as it is more commonly known, functions as the as the daily responder to conflicts and misunderstandings that arise. The Liaison Committee allows dialogue to continue even in the course of trials, resolves conflicts, and maintains a balancing of rights in court access and news coverage.

State of Washington v. Gary Leon Ridgway 01-1-10270-9 SEA
King County Superior Courthouse
516 Third Avenue
Seattle, Washington 98104
Judge Richard A. Jones

King County Superior Court

Media Information Packet

Court Proceedings



King County Superior Court
Paul Sherfey, CAO, Court Information Officer
516 Third Avenue – Seattle, WA 98104
Phone: 206/296-9327 Fax: 206/296-0986
paul.sherfey@metrokc.gov

Richard A. Jones
JUDGE OF THE SUPERIOR COURT

KING COUNTY COURTHOUSE
516 THIRD AVENUE, C203
SEATTLE, WA 98104-2381
e-mail: richard.jones@metrokc.gov

(206) 296-9260

Media Information Packet

Contents:

1. Purpose & Basic Tenets
2. General Policies
3. Case Summary
4. Media Representatives
5. Courtroom Television Cameras
6. Courtroom Still Cameras
7. Reserved Seating in Courtroom
8. Electronic Equipment
9. Court Documents
10. Media Interviews
11. Parking
12. Cables
13. Courthouse Security

Attachments:

- A. Orders on Media Coverage signed by Judge Richard A. Jones
- B. December 5, 2001 Information
- C. December 5, 2001 Certification for Determination of Probable Cause (Counts I-IV)
- D. March 27, 2003 Amended Information and Certification for Determination of Probable Cause
- E. Biography of Judge Richard A. Jones
- F. List of Trial Attorneys
- G. List of The Honorable Richard A. Jones Court Staff

1. Purpose & Basic Tenets

The purpose of this media plan is to provide a working structure to avoid and resolve news coverage problems, and to provide an atmosphere of open communication between the court and the media. The plan includes guidelines for media coverage for the November 5, 2003 proceeding.

The goals of this media plan are:

- To maintain an appropriate and dignified atmosphere in the courthouse so that all litigants obtain an orderly hearing, preserving due process and equal protection.
- To ensure that the court adequately accommodates the news media and the general public during proceedings of great public interest.

Basic tenets of the plan:

- The media and the public have a right of access to our justice system.
- Other court proceedings must not be adversely impacted by proceedings of great public interest.

2. General Policies

- All media coverage of court proceedings falls under the Washington State Court Rules Rule 16 and Bench –Bar Guidelines .
- **King County Superior Court Judge William L. Downing** as Chair of Washington’s Bench-Bar-Press Liaison Committee, or the “Fire Brigade” as it is commonly known, is available as a contact point, as necessary. The Fire Brigade exists for the purpose of assisting the court, litigants and the press in balancing their sometimes competing interests during the course of litigation. Most of its work is done behind the scenes as it seeks to mediate or otherwise assist those involved in a court case in achieving the “fullest practicable attainment” of both related goals of fairness and openness of all court proceedings. Anyone having questions or concerns on this topic is welcome to contact the Fire Brigade Chair by phone at 206/296-9362 or by email at william.downing@metrokc.gov.

- All media personnel are expected to be familiar with the Court's Media Coverage Orders. All media personnel are expected to sign an "Acknowledgment of Receipt of Media Order" and agree to abide by the same. A copy of the media orders dated April 4, 2002 and November 4, 2003 are attached. (Attachment A)

3. Case # 01-1-10270-9 SEA, State of WA v. Gary Leon Ridgway
Gary Leon Ridgway was accused of four (4) counts of Aggravated Murder, 1st degree, in the original Information filed December 5, 2001. (Attachment B). The Certification for Determination of Probable Cause for that Information was filed the same date. (Attachment C). An Amended Information and Certification for Determination of Probable Cause adding three (3) additional counts of Aggravated Murder, 1st degree was filed March 27, 2003. (Attachment D). The pleadings referenced during the November 5, 2003 proceeding will be available during or at the conclusion of the hearing. Please contact Juanita Clemente, Bailiff at 206/296-9260 to obtain copies.

4. Website

A copy of the pleadings referenced during the November 5, 2003 hearing can be obtained by accessing the King County Superior Court website at www.metrokc.gov/kcsc and connect on State v. Ridgway. This website will be accessible immediately following the November 5, 2003 hearing.

5. Media Representatives

Concerns from print and television should be directed to Paul Sherfey, Chief Administrative Officer and Court Information Officer at 206/296-9327.

6. Courtroom Television Cameras

Any television camera(s) approved by the Court shall be permitted only in accordance with the Media Coverage Orders.

7. Media Still Cameras

Media still cameras shall be permitted only in Court in accordance with the Media Coverage Orders.

8. Reserved Seating in Courtroom

Television and print media outlets will be assigned seating. Please review the media orders for specific details. Family members of alleged victims and others connected with the investigation, prosecution and defense of Mr. Ridgway will have priority seating in Courtroom E942. Courtroom W719 shall serve as the overflow room to accommodate others members of the public unable to obtain seating in E942. Television monitors will broadcast in W719 the proceedings taking place in E942.

9. Electronic Equipment

All electronic equipment of spectators and media including laptop computers, cell phones, radios, and pagers must be turned off or deactivated while inside the courtroom. Persons in violation will be immediately excluded from the courtroom.

10. Media Interviews

- A. **State:** Immediately following this hearing, the King County Sheriff and King County Prosecutor will be holding a news conference. This will be held in the 5th floor conference room in the Bank of California building (900 Fourth Avenue.)
- B. **Defense:** Twenty minutes after the adjournment of this hearing, defense counsel will answer questions from the credentialed press in Room W817 in the King County Courthouse.

11. Parking

Public parking (for vehicles other than satellite or live trucks) is available in lots and garages or in metered spots around the Courthouse vicinity.

which is attached and incorporated herein by this reference. Only KCTV microphones are approved for use in the Courtroom for these proceedings. No external microphones may be placed anywhere in the courtroom, such as counsel tables, jury box rail, witness stand or the bench.

1.1 In addition, the Court has approved the location of two additional broadcast media pool cameras in the Courtroom. These television cameras shall be on a tripod in a fixed location approved by the Court. The location of these cameras will be as reflected in the MAC. These cameras shall share their video feeds with media requesting the same. The Court approved Media Representative shall be responsible for designating the broadcasting station responsible for placing the referenced cameras.

1.2 No fixed or mounted broadcast camera shall be allowed outside of E942 because they would restrict and impede the safe flow and access to that Courtroom.

2. Paragraph 3 of the April 2002 Media Order is Rescinded and Amended.

Two still cameras will be allowed in the Courtroom. These cameras

1 will be "pool" cameras and shall share their pictures with media
2 requesting the same. The still cameras will be positioned as reflected in
3 the attached MAC. The Media Representative shall be responsible for
4 designating the media entity responsible for the referenced cameras.
5
6

7 2.1 No fixed or mounted still camera shall be allowed outside of E942
8 because they would restrict and impede the safe flow and access to that
9 Courtroom.
10

11
12 3. Paragraph 12 of the April 2002 Media Order is Rescinded and
13 Amended.
14

15 The audio system for radio broadcast purposes shall be operated
16 through a "Mult Box" utilizing the audio feed from the designated pool
17 broadcast cameras referenced above. The location for the radio broadcast
18 feeds shall be as reflected in the MAC.
19

20
21 4. Media Pooling: Due to the overwhelming interest in this
22 proceeding, there will be limited press seating in the courtroom (E942)
23 on November 5, 2003. By this Order, 29 seats will be reserved for the
24 media in E942. These 29 seats are exclusive of the personnel associated
25

1 with King County Court TV. Of the 29 set aside seats, 13 shall be
2 reserved for representatives of the local news media: Associated Press,
3 The Seattle Times, Seattle Post-Intelligencer, King County Journal,
4 The News Tribune -Tacoma, WA, KOMO TV, KIRO TV, KING TV,
5 and Q13, plus two pool still photographers and two pool video camera
6 persons. This priority seating is due to the fact that these local news
7 organizations have covered this case for an extended period of time.
8
9 The other 16 slots shall be determined by lottery.
10
11

12 4.1 The lottery system for the distribution of the remaining 16 slots
13 shall be the sole responsibility of the media. They shall file with the Court
14 and the Court's Public Information Officer a statement of agreed
15 arrangements for the media pool designations. These agreed arrangements
16 shall include the specific names of all media representatives. In the
17 absence of media agreement on disputed seating assignments or seat
18 selection, the Court may deny media coverage by that media agency.
19
20
21

22 4.2 Unless otherwise approved or designated, all media
23 representatives shall be seated in the area designated for the media as
24 reflected in the Media Assignment Chart (MAC), a copy of which is
25

1 attached and incorporated herein by this reference. Those representatives
2 assigned to the pool video and pool still cameras shall position themselves
3 in accordance with the assigned location reflected in the MAC. Reporters
4 assigned to these seats must arrive before 8:50 a.m. and will not be
5 allowed to leave the designated areas when court convenes except during
6 official breaks. Any designated media representative who does not arrive
7 and claim their assigned seat as noted will lose it and the seat will be
8 assigned to the next person on the lottery list.
9
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12 4.3 Members of the media who do not have courtroom seats may not
13 reserve general public seats. They may occupy general public seats only
14 when they are not occupied by members of the public.
15
16

17 4.4 Reporters may not use personal tape recorders even for note-
18 taking purposes when Court is in session.
19
20

21 4.5 Media personnel shall turn off any cellular phone or beeper device
22 while Court is in session.
23
24
25

1 5. By this Order, the Court designates a Press-Equipment Feed Area
2 as reflected in the MAC. This area shall be restricted to credentialed
3 media or those connected with the King County Court TV operation. This
4 location is reserved for the technical production of television feeds, radio
5 feeds and photo transmission.
6

7
8 6.1 Equipment used in this area shall be operated in a “quiet” or
9 “silent” mode so as not to interfere, distract or disrupt court proceedings
10 in any manner.
11

12
13 6.2 Equipment shall not produce distracting sound or light. Motorized
14 drives, moving lights, flash attachments, or sudden lighting changes shall
15 not be used.
16

17
18 7. Overflow Room. In the event E942 is at capacity for seating,
19 W719 shall serve as an overflow room. Priority seating in the overflow
20 room shall be for credentialed attendees (non-media) whose presence
21 cannot be accommodated in E942. The media may occupy general public
22 seats in the overflow room when they are not occupied by credentialed
23 attendees.
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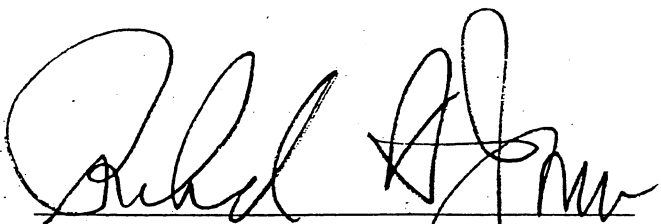
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7.1. No cameras, media feeds or media equipment of any type will be allowed in any overflow room. No fixed cameras of any type will be allowed in any areas outside of any overflow room because they would restrict and impede the safe flow and access to and from the Courtroom.

8. By this Order, the Court approves the following as Media Representatives: Scott Thomsen of Associated Press, Marcus Donner of the King County Journal Newspapers and George Tibbits of Associated Press.

9. Any violation of the Court's Media Orders is an unlawful interference with the proceedings of the Court, and may be the basis for an order terminating media coverage, a citation for contempt of court, or an order imposing monetary or other sanctions as provided by law.

Dated this 4th day of November, 2003.



The Honorable Richard A. Jones
King County Superior Court Judge

PLEASE NOTE:

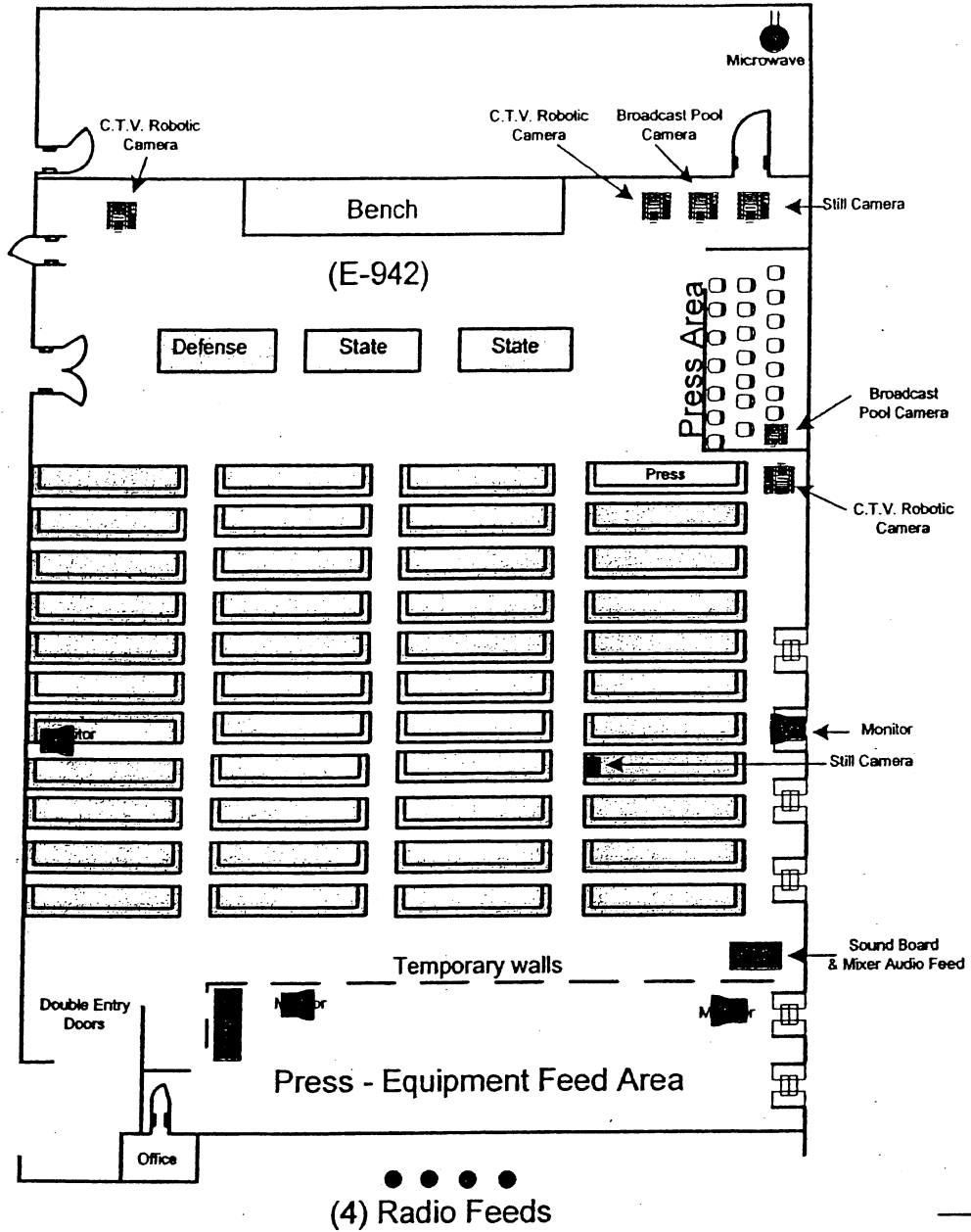
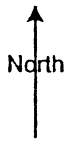
The paragraphs from the April, 2002 Media Order below were Rescinded and Amended:

1. One television camera will be allowed in the Courtroom on a first come, first served basis. The Courtroom television camera will be a "pool" camera and shall share its video feed with media requesting the same. The television camera shall be on a tripod in a fixed location approved by the Court. Any necessary cables shall run through the Courtroom and Courthouse hallways in a manner that does not interfere with the operation of the Courtroom or the Courthouse.

2. One still camera will be allowed in the Courtroom on a first come, first served basis. The Courtroom still camera will be a "pool" camera and shall share its pictures with media requesting the same. The still camera shall be on a tripod in a fixed location approved by the Court.

12. One audio system for radio broadcast purposes will be allowed in the Courtroom on a first come, first served basis. The Courtroom audio systems will be a "pool" system and shall share its recordings with media requesting the same. The audio system shall be in a fixed location approved by the Court. Any necessary cables shall run through the Courtroom and Courthouse hallways in a manner that does not interfere with the operation of the Courtroom or the Courthouse.

Media Assignment Chart



Main Hallway

Refer to Media Order from
Judge Richard Jones.

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KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

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CHARGE COUNTY \$110.00

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,)	
)	
Plaintiff,)	No. 01-1-10270-9 KNT
)	
v.)	
GARY LEON RIDGWAY)	INFORMATION
)	
)	
)	
Defendant.)	

COUNT I

I, Norm Maleng, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse GARY LEON RIDGWAY of the crime of Aggravated Murder in the First Degree, committed as follows:

That the defendant GARY LEON RIDGWAY in King County, Washington on or about a period of time intervening between August 1, 1982 through August 15, 1982, with premeditated intent to cause the death of another person; did cause the death of Marcia Chapman, a human being, who died on or about a period of time intervening between August 1, 1982 and August 15, 1982;

That further, an aggravating circumstance exists, to-wit: there was more than one victim and the murders were part of a common scheme or plan;

Contrary to RCW 9A.32.030(1)(a) and 10.95.020(8), and against the peace and dignity of the State of Washington.

COUNT II

And I, Norm Maleng, Prosecuting Attorney aforesaid further do accuse GARY LEON RIDGWAY of the crime of Aggravated Murder in the

Norm Maleng
Prosecuting Attorney
W 554 King County Courthouse
Seattle, Washington 98104-2312
(206) 296-9000

TRIAL SCHEDULE

Jury Selection, opening statements and the trial will be heard in Superior Court, Department 7. The trial is expected to last several months.

Unless otherwise ordered, the following is a sample of a typical trial day:

9:00a.m.	COURT IN SESSION
9:00 – 10:30a.m.	1 st Morning session
10:30 – 10:45a.m.	15 minute Morning break
10:45 – Noon	2 nd Morning session
Noon – 1:30p.m.	LUNCH
1:30 – 2:45p.m.	1 st Afternoon session
2:45 – 3:00p.m.	15 minute Afternoon break
3:00 – 4:00p.m.	2 nd Afternoon session
4:00p.m.	TRIAL PROCEEDINGS END FOR DAY

**** Any revised schedule information will be distributed by Department 7, King County Superior Court.**

TRIAL ATTORNEYS

For the State:

Jeffrey B. Baird	206/296-9000
Patricia Eakes	206/296-9000
Brian McDonald	206/296-9000

For the Defense:

Todd Gruenhagen	206/624-8105
Mark Prothero	206/624-8105
Anthony Savage	206/682-1882
Michelle Shaw	206/448-9612

State of Washington v. Gary Leon Ridgway 01-1-10270-9 SEA
King County Superior Courthouse
516 Third Avenue
Seattle, Washington 98104
Judge Richard A. Jones, Department 7

DEPARTMENT 7 COURT STAFF

Juanita Clemente, Bailiff to the Honorable Richard A. Jones 206/296-9260

Megan Montgomery, Clerk to the Honorable Richard A. Jones 206/296-9260

Jodi Dean, Primary Court Certified Reporter 206/296-9127

Judy Rizzo, 1st Alternate Court Certified Reporter 206/296-9192

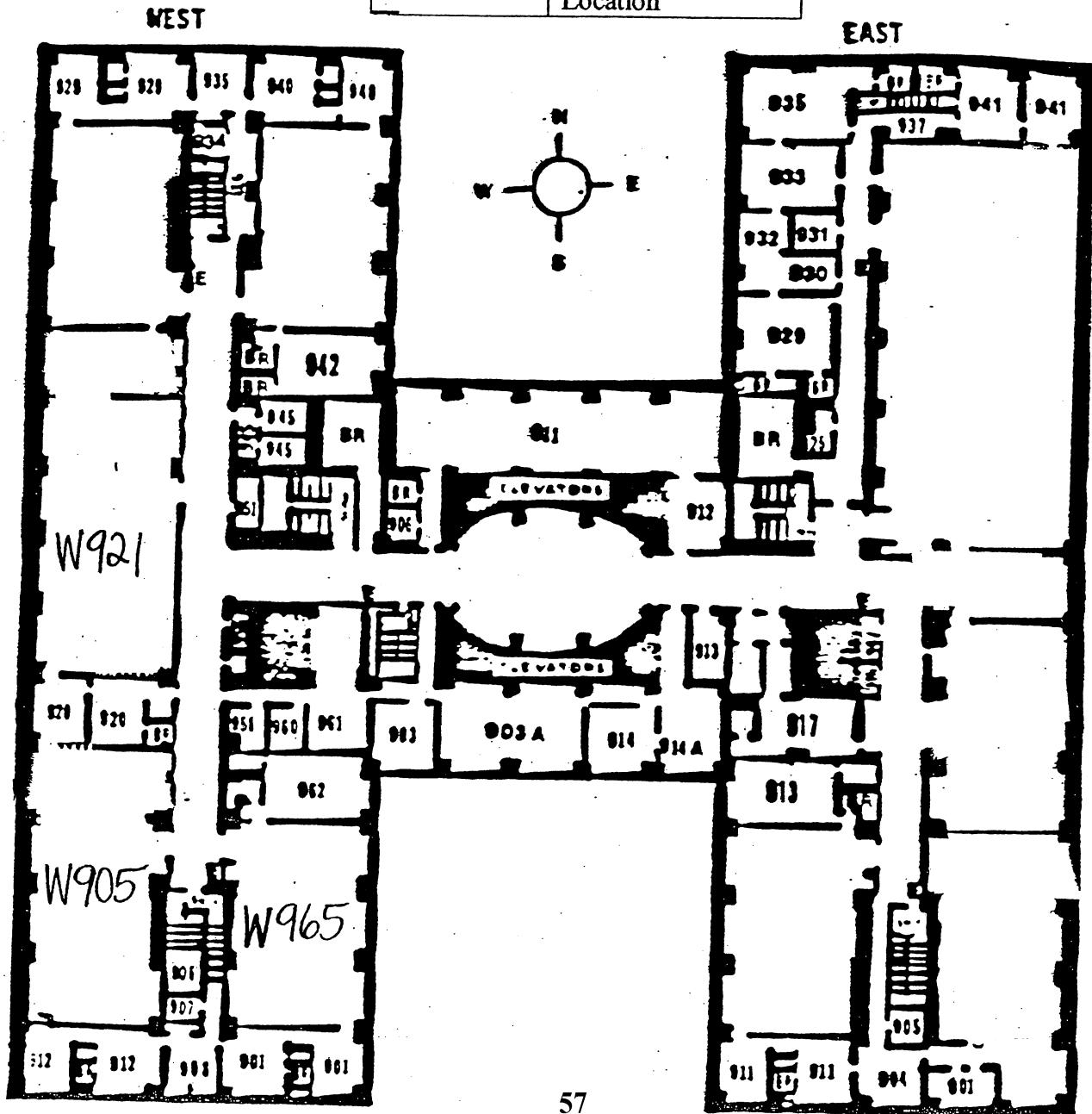
Michelle Vitrano, 2nd Alternate Court Certified Reporter 206/296-9163

State of Washington v. Gary Leon Ridgway 01-1-10270-9 SEA
 King County Superior Courthouse
 516 Third Avenue
 Seattle, Washington 98104
 Judge Richard A. Jones, Department 7

King County Superior Courthouse 9th Floor Layout

LEGEND:

W905	Trial Courtroom Location
W965	Overflow Room
W921	Media Room Location





King County

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(external link)

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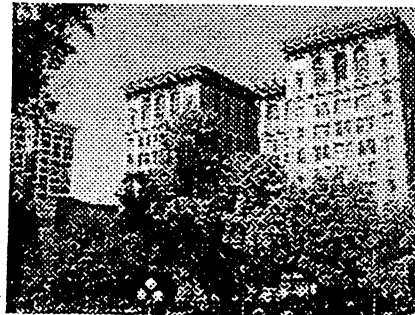
[Employment](#)

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King County Superior Court

King County Courthouse

516 - 3rd Avenue
Seattle, WA 98104
Phone: (206) 296-9100
Fax: (206) 296-0986
TTY: (206) 205-5048



How to Get There

The King County Courthouse is located between 3rd and 4th Avenues and Jefferson and James streets in the Pioneer Square District of downtown Seattle. Entrances to the courthouse are on 3rd and 4th Avenues. Courthouse area [map](#) (external link)

- Taking the bus: Visitors to the courthouse are encouraged to use the metro bus system to avoid traffic congestion and parking difficulties. Many routes to downtown Seattle stop at or near the courthouse. [Bus route information](#)
- [Driving directions](#) (external link)
- Parking: Several parking lots are available on Fourth and Fifth Avenues, South of the courthouse. Discounts are given for all day parking and lots often fill early in the morning. There is no parking at or immediately adjacent to the courthouse.

Accommodations for people with disabilities

Superior Court follows state and federal standards for making reasonable accommodations at the King County Courthouse for people with disabilities. Assisted listening devices and American Sign Language interpretation are available from Interpreter Services, (206) 206-9358. For other assistance, call (206) 296-9305.

Childcare

Childcare is not available at the courthouse.

Food

A snack shop is located near the first floor entrance to the courthouse. Vending machines are available in jury assembly rooms on the 7th floor. A variety of restaurants are located in the Columbia Center at 4th Avenue and Cherry St. (two blocks north of the courthouse) and in the Pioneer Square area, west of the courthouse.

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CHAPTER FOUR

CRISIS COMMUNICATIONS

PRESIDING JUDGE



WASHINGTON
COURTS

SAMPLE CRISIS COMMUNICATIONS PLAN

Please note: The following Crisis Communications Plan is meant for modification and use during a time of crisis. The notification team members are merely recommendations, and may need to be modified to best fit the needs of your court.

The BJA's Public Trust and Confidence Committee strongly encourages presiding judges to consult with local officials and familiarize yourself with city or county emergency operations plan. If one does not exist, this tool can be distributed to local officials to start discussions, while assisting you with communications to the media and the public during times of crisis.

INITIAL INFORMATION

PLEASE FILL OUT THE FOLLOWING BLANKS & SHARE WITH THE COMMUNICATIONS TEAM

Who has been impacted?

What happened?

When did this occur?

Where?

Why? (If known)

How?

SITUATION LEVEL

- Level 1 --Office fire
 --Minor earthquake
 --Partial flooding
 --Etc.
 (On-duty response)
- Level 2 --Natural disaster such as fire, flood or earthquake resulting in a
 closure of offices or partial loss of JIS services
 --Major technological failure
 (On and off-duty response)
- Level 3 --Disaster requiring long-term office closure
 --Employees harmed
 --Unknown technological consequences
 (On and off-duty response)
- Level 4 --Large-scale crisis such as a workplace shooting
 --Natural disaster that includes loss of employee life
 (On and off-duty response)

CRISIS TEAM NOTIFICATION

1. Presiding Judge
Work:
Pager:
Fax:
Home:
2. Court Administrator
Work:
Pager:
Fax:
Home:
3. County Clerk
Work:
Pager:
Fax:
Home:
4. Facility Manager
5. City or County Public Information Officer

Supreme Court/AOC Contacts During Emergencies

1. State Court Administrator Janet McLane
Work: 360-357-2120
Cell 360-259-2280
Fax: 360-357-2127
Home: 360-923-0918
2. Chief Justice Gerry Alexander
Work: 360-357-2029
Fax: 360-357-2085
Home: 360-867-0267
3. Court PIO Wendy Ferrell
Work: 360-705-5331
Cell: 206-940-4758
Fax: 360-586-8869
Home: 253-838-2027

If an Emergency Court Closure is Required

Court Rule 21(a) provides "a court may be closed if weather, technological failure or other hazardous or emergency conditions or events are or become such that the safety and welfare of the employees are threatened or the court is unable to operate or demands immediate action to protect the court, its employees or property."

GR 21 also provides that:

Closure of a court may be ordered by the chief justice, the presiding chief judge, presiding judge or other judge so designated by the affected court who signs an administrative order closing the court and files the original order with the clerk of the affected court.

The judge who directs the closure of the court or his or her designee must notify the Administrative Office of the Courts of the decision to close the court by either:

1. e-mail to the AOC at: customerservices1@courts.wa.gov or place a telephone call to the AOC Customer Services at 1-800-442-2169, option 1.

The judge must send to the AOC as soon as practicable a written statement outlining the condition or event necessitating the closure and the length of the closure. The written statement should be mailed to:

Janet McLane, State Court Administrator
Temple of Justice
PO Box 41174
Olympia, WA 98504-1174

If an e-mail is sent for initial notification, attaching an unsigned, electronic copy of the order will satisfy the requirement of sending the written statement.

Upon receiving an e-mail or telephone notification of court closure, AOC staff will post an announcement of the closure under the News and Announcements section on the courts' internet home page.

FIRST PUBLIC STATEMENT

This is what we can confirm at this time:

At approximately _____ this morning/afternoon/evening, we experienced:

At this time our information is limited, however the _____ is continuing to assess the situation. Our primary goal is to ensure (the safety of everyone) (the security of the facility) (restoration of services to the courts)

and to provide the most accurate information we can as quickly as possible.

(OPTIONAL) We can confirm that damage has occurred to:

We have requested assistance from (state patrol, etc)

We can confirm _____ persons have been injured
At this time there are _____ known fatalities

At this time I would ask that members of the media stay in touch with us to confirm all facts so that the public is assured the most accurate information possible. We will conduct another briefing as soon as possible to provide you with further information. In the meantime, please bear with us.

OPTION: At this time, we would ask that members of the media stay in touch with us to confirm all facts so that the public is assured the most accurate information possible. Future updates will be posted on our website at _____ as information becomes available.

VERIFICATION SHEET

What are the facts?

What is the impact to the public?

Where there warning signs?

If we saw it coming, what could have been done?

How do we plan to resolve the situation?

How long and how will we return to normal operations?

MEDIA NOTIFICATION

Order of notification

- First, those on site via first critical statement
- Second, those who were not on site for the statement should receive it via fax

Attached below are major media outlets, to be tailored, depending on the severity of the disaster:

LOCAL MEDIA (Localized emergency, such as temporary office closure, partial damage to office)

MEDIA	FAX NUMBER	PHONE NUMBER
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(Please fill in with your local media)

STATEWIDE MAJOR MEDIA (Level 2 or higher)

MEDIA	FAX NUMBER	PHONE NUMBER
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CAPITAL PRESS CORPS WIRES & BUREAUS

Associated Press	(360) 956-9405	(360) 753-7222
Seattle Times	(360) 943-9883	(360) 943-9878
News Tribune	(360) 943-7240	(253) 597-8657
Northwest Public Radio	(360) 664-0914	(360) 352-3971

KIRO TV	(360) 753-2712	(360) 753-1024
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DAILY NEWSPAPERS

Everett Herald	(425) 339-3435	(425) 339-3400
South County Journal (Kent)	(253) 872-6611	(253) 872-6721
Olympian	(360) 357-0202	(360) 754-5420
Seattle Times	(206) 464-2261	(206) 464-2200
Seattle Post-Intelligencer	(206) 448-8166	(206) 448-8030
Spokesman Review	(509) 459-5482	(509) 459-5400
News Tribune (Tacoma)	(253) 597-8274	(253) 597-8686
The Columbian (Vancouver)	(360) 699-6006	(360) 694-3391
Yakima Herald Republic	(509) 577-7767	(509) 248-1251

BROADCAST TV

KING-TV (Seattle)	(206) 448-4525	(206) 448-3850
KIRO-TV	(206) 441-4840	(206) 728-8308
KOMO-TV	(206) 443-4141	(206) 443-4141
KCPQ-TV	(206) 674-1713	(206) 674-1305

RADIO

KRKO AM (Everett)	(425) 304-1382	(425) 304-1380
KIRO AM (Seattle)	(206) 726-5446	(206) 726-5476
KJR AM/ FM (Seattle)	(206) 286-2376	(206) 285-2295
KOMO AM (Seattle)	(206) 516-3110	(206) 516-3101
KPLU FM (Tacoma)	(253) 535-8332	(253) 535-7752
KUOW FM (Seattle)	(206) 616-9179	(206) 685-1136

Tips for Crisis Communications

Courtesy of the National Center for Courts and Media

Establish a crisis communications plan. Before a crisis strikes, develop workable procedures that include what to do, what to say, what *not* to say, who the spokesperson should be, what other agencies to coordinate with, a designated communications team leader and who needs to be kept informed.

Establish a central communications point. Have on hand everything needed for immediate response: important contact names and telephone numbers from whom to obtain data and critical information, media lists with telephone and fax numbers, additional staff to handle phone calls. If an off-site communications center is needed, arrange for cell phones and laptop computers.

Gather factual information. Don't speculate or offer opinions. That only fuels rumors and perpetuates bad information.

Create a fact sheet. List the names and titles of key people, such as the court's presiding judge and the administrative or executive officer, and as much factual information as possible, such as in the case of earthquakes, fire, floods or riots, the court locations that have been closed and those still open. Update the fact sheet as new information becomes available. The spokesperson(s) should be media-trained, speak with the media only on the record and coordinate all interviews through the communications team leader.

Prepare official news releases. The spokesperson(s) should be available, prepared and ready to respond to breaking developments because if no "officials" are on hand, the media will interview anyone they can grab.

Know who the players are. Depending on the type of crisis, local, state, federal agencies, as well as bar and/or business leaders might play an important role in your communication loop. Get contact names and phone numbers for every appropriate person and/or agency.

Coordinate, coordinate, coordinate. Keep a steady flow of information going among all involved, including the crisis team, spokesperson(s), staff, law enforcement and other local officials. Your crisis communications plan might include daily briefings with representatives from all affected agencies and entities.

Don't stonewall, say "no comment" or lie. If an official response has not yet been developed, say so and say when it will be available, then follow through. In responding to a question about something that can't be discussed, say so, instead of "no comment." No comment implies secrecy or that you have something to hide. By saying you can't discuss something and explaining why it

can't be discussed (it involves personnel issues which are confidential, it involves a pending case which according to judicial canons can't be discussed, etc.), you've given the media something, even though it's not exactly what they want. That increases your court's credibility.

Be sensitive to media and public needs for timely information. Be aware of news deadlines and update the media as often as possible, even if it's to let them know you don't have any new information.

Hold a post-crisis debriefing. Review the crisis communication plan. What worked? What didn't work? What could be improved? What could or should have been done differently. Thank everyone involved; staff, volunteers, media, other agencies, for their support and assistance.

CHAPTER FIVE

RESPONDING TO UNJUST CRITICISM OF JUDGES

WSBA Plan to Respond to Unjust Criticism of Judges

I. Introduction

To ensure that the public confidence is preserved in the judiciary and the courts, the WSBA shall maintain a policy and program to provide appropriate and timely responses to unjust criticism of judges and courts. This program will apply when there has been an unwarranted or unjust attack, or series of attacks, on a judge or court which may cause significant harm to a judge or adversely affect the administration of justice.

Implementation of this plan is selective. This plan is designed to effect a response on behalf of the judiciary and courts to criticism of the judiciary and courts that is serious, as well as inaccurate or unjustified.

There should be no attempt to infringe on freedom of expression or prevent criticism, but inaccurate or unjust criticism should be answered through an organized public-information program. Such criticism typically results from a lack of understanding of the system — the reason for a decision, a sentence or a courtroom action.

II. Policy

Judges may be precluded from responding to individual attacks or criticism upon them.

Therefore, the WSBA should, when appropriate, respond to such criticism of judges and the courts. This response would be in such a form as:

1. To correct erroneous, inaccurate or misleading public communication involving criticism of judges, courts and/or the administration of justice, as further provided in this policy statement;
2. To be available to the news media as a resource for obtaining information concerning judicial activities, court process, or other technical or legal information about the administration of justice;
3. To encourage broad dissemination of information to the public about noteworthy achievements and improvements within the justice system;
4. To suggest means by which judges and lawyers can improve the public image of the legal system; and
5. To generally seek a better understanding within the community of the legal system and the role of lawyers and judges.

III. Definition

An actionable unjust criticism of a judge **in relationship to a specific case** is a public communication that:

1. Attacks a judge's conduct, ruling or decision in a specific case; and
2. Is inaccurate or misleading; and
3. May cause significant harm to a judge or may adversely affect the administration of justice.

An actionable unjust criticism of a **judge or court** is a public communication that:

1. Attacks a judge or court; and
2. Is inaccurate or misleading; and
3. May adversely affect the administration of justice.

IV. Guidelines to Determine When the Bar Should Respond

A. Kinds of Cases

The following are the kinds of cases in which responding to criticism is appropriate, except in unusual circumstances:

1. When the criticism is serious and will most likely have a significant negative effect in the community;
2. When the criticism displays a lack of understanding of the legal system or the role of the judge, and is based at least partially on such misunderstanding; and
3. When the criticism is materially inaccurate or misleading. The inaccurate or misleading statement should be a substantial part of the criticism so that the response does not appear to be insignificant.

B. Factors

The following factors should be considered in determining whether a response should be made in a close case and considered in every case in determining the type of response:

1. Whether a response would serve a public-information purpose and not appear insignificant.
2. Whether the criticism adequately will be met by a response from some other appropriate source.
3. Whether the criticism substantially and negatively affects the judiciary or other parts of the legal system.
4. Whether the criticism is directed at a particular judge but unjustly reflects on the judiciary generally, the court, or another element of the judicial system (e.g., grand jury, lawyers, probation, bail, etc.).
5. Whether a response provides the opportunity to inform the public about an important aspect of the administration of justice (e.g., sentencing, bail, evidence rules, due process, fundamental rights, etc.).
6. Whether a response would appear self-serving.
7. Whether the critic is so obviously uninformed about the judicial system that a response can be made on a factual basis.
8. Whether the criticism or report, although generally accurate, does not contain all or enough of the facts of the event or procedure reported to be fair to the judge or matter being criticized.
9. Whether the overall criticism is not justified or fair.
10. Whether the criticism, while not appearing in the local press, pertains to a local judge or a local matter.
11. Whether the timing of the response is especially important and can be best met by the committee.

The following are the kinds of cases in which response to criticism is **not** appropriate, except in unusual circumstances:

1. When the criticism is a fair comment or opinion.
2. When the judge and the critic are engaged in a personal dispute.
3. When the criticism is vague or the product of innuendo, except when the innuendo is clear.

4. Where criticism raises issues of judicial ethics appropriate for presentation to the Commission on Judicial Conduct.
5. When a lengthy investigation to develop the true facts is necessary.
6. When the response would prejudice a matter at issue in a pending proceeding.
7. When the controversy is insignificant.
8. When the criticism arises during a political campaign and the bar's response may be construed as an endorsement of a particular candidate for judicial office.

V. Procedures

1. A WSBA staff member (the director of member and community relations or his/her designee) is designated as the administrator of the program ("administrator").
2. The primary method of monitoring media coverage is through "Judicial News,"¹ which the administrator reads daily. Additionally, any member of the bench or bar who believes there has been unjust judicial criticism should direct his/her concern to the administrator.
3. If it appears there may have been unfair judicial criticism, the administrator contacts the "Ready-Response Team"² as soon as possible. Using the established guidelines as criteria, they make an initial determination: (1) whether this is unjust judicial criticism, and (2) and whether a response from the WSBA is appropriate. The administrator e-mails the WSBA president (or in the absence of the president, his or her designee), executive director and general counsel, bringing the article(s) to their attention and outlining the reasons why it is recommended that the WSBA respond, or not respond.
4. If the Ready-Response Team and administrator recommend a response, and the president (or in the absence of the president, his or her designee), executive director and general counsel agree, the administrator contacts the Administrative Office of the Courts (AOC) communications manager

¹ This is an electronic clipping service e-mailed by AOC each workday. These clippings cover the entire state and include all newspaper articles, op-ed pieces, and letters to the editor about judges or the courts.

² The "Ready-Response Team," a small group of lawyers "on call," is composed of the chair of the Public Information and Media Relations Committee, Board of Governors liaison to the committee, plus several designated committee members.

- and the criticized judge or court. No response will be made without first contacting the criticized judge or court.
5. The administrator is responsible for coordinating the drafting of a response, working with the Ready-Response Team and ensuring good communication among all involved parties. Background information and facts are gathered as quickly as possible. Assistance from members of the Board of Governors or other lawyers may be requested.
 6. Listed in order of anticipated frequency of use (highest usage listed first), the response may take the form(s) of:
 - Phone call to the reporter or editor
 - Letter to the editor
 - News release
 - Op-ed piece
 - Press conference
 7. The response will come from the WSBA president or the president's designee.
 8. The administrator is responsible for circulating the draft response; incorporating edits; and obtaining approvals from the WSBA president (or in the absence of the president, his or her designee), executive director and general counsel.
 9. The administrator is responsible for making contact with the media to which the response is directed.
 10. The administrator sends a final copy of the response to the judge or court; AOC communications manager; WSBA president, executive director and general counsel; and Public Information and Media Relations Committee members.

Guiding Principle

Although quick action is essential (the goal is to respond within 72 hours), thoughtfulness, accuracy, and good communication with involved parties are not to be sacrificed for speed.

CHAPTER SIX

COMMUNITY: SCHOOL OUTREACH

Quick-Reference Guide

Washington Court Statewide Outreach Programs

- **Youth Courts:** A youth court is a program in which youth volunteers sentence their peers under restorative justice principles for criminal, traffic, truancy, or school rule violations. There are currently almost 30 youth courts operating in the state, as juvenile diversion courts, traffic courts, or school courts. Judges can support youth courts by helping start new ones or acting as advisers to existing ones. For more information, see the National Youth Court Center's website <http://www.youthcourt.net/> and contact the state's Council on Public Legal Education (email cple@wsba.org).
- **Street Law:** The Street Law program pairs high school classrooms with law students or judges who co-teach this popular curriculum. Volunteer judges are needed in Seattle and Tacoma to assist the law students with mock trials, and in other areas of the state to co-teach the program. Volunteers are also needed to help update the state supplement to the Street Law textbook. For more information, see the Street Law Web site (www.streetlaw.org) and contact Margaret Fisher at 206-329-2690.
- **Law Day/Week:** Many courts, schools and local bar associations celebrate May 1st, designated by the American Bar Association as Law Day, by organizing educational programs for young people or the community during the entire week. The state courts and bar now encourage celebration of Law Day all year long. Resources to help plan a Law Day event at any time of the year are located at www.lawweek.org and <http://www.abanet.org/publiced/lawday>.
- **Judges in the Classroom:** A program in which judges from Washington State Courts present law-related education to grades K-12. The program includes more than 30 lesson plans for judges and teachers to lead group discussions and encourage participation. Sessions also include question and answer sessions on how Washington Courts operate. Teachers and judges interested in the program can contact the Administrative Office of the Courts directly at 360-705-5276 , or log on to the website at <http://www.courts.wa.gov/education>
- **Juror Appreciation Week:** Scheduled for the first full week in May, Washington Courts set aside a full week each year to honor jurors for their contribution to the system of justice. A pro bono ad campaign runs in the state's daily newspapers, and individual courts plan appreciation events throughout the state. A website devoted to jurors is also online at

<http://www.courts.wa.gov/jury/>, including frequently asked questions regarding jury service, links to local reporting procedures and more. For further information, contact the Administrative Office of the Courts at 360-705-5229.

- **YMCA Mock Trial Competition:** Coordinated by YMCA's Youth and Government Program, the YMCA Mock Trial Competition is chaired by King County Superior Court Judge William Downing to gather high school teams to argue a fictional case before judges and attorneys. District Competitions are held locally in each county, leading up to a statewide competition, in which twenty high school teams from across the state compete for a statewide title in a two-day, four-round competition. In 2000, more than 30 judges statewide volunteering their time for the two-day state finals event. For further information about the program, contact the YMCA at 360-534-0155.
- **We the People...The Citizen and the Constitution:** *We the People* was developed over a decade ago in the bicentennial year of the Constitution with the leadership of United States Supreme Court Chief Justice Warren Burger, leading scholars and educators from around the country. Today, the program is offered through the national Center for Civic Education to help students develop an understanding of their rights and responsibilities under the Constitution. The program is generally presented to the fifth, eighth and eleventh grade levels. Free textbooks, teacher manuals and training have been offered to more than 1,400 teachers in our state who participate in the program. Judges participate by visiting classrooms, hosting students to visit their courtrooms, or by being a resource for teachers and students. Information about the program, including a listing of judicial volunteers is offered online via the Washington Courts website. For questions regarding the program, please contact the state coordinator, Kathy Hand at (206) 244-3463.

Learning more about the Washington State Judiciary Online:

- Washington State Council on Public Legal Education Gateway website to Washington State Law & Government Information: www.lawforwa.org
- Washington State Courts website: www.courts.wa.gov
Educational Resources: Including Washington Court history, lesson plans for Judges in the Classroom, the Washington State Constitution and more: <http://www.courts.wa.gov/education/>
Information on Jury Service:
<http://www.courts.wa.gov/newsinfo/resources/>
*A Citizen's Guide to Washington Courts
http://www.courts.wa.gov/newsinfo/resources/?fa=newsinfo_jury.brochure_guide&altMenu=Citi
*A Guide to Terms Used in Washington's Courts
http://www.courts.wa.gov/newsinfo/resources/?fa=newsinfo_jury.termguide&altMenu=Term



"No other program that I have been involved with provides the level of youth involvement, education and excitement that our Teen Court does.

The changes and growth that I have seen in the youth who participate is extraordinary. It re-energizes me every time we hold court."

*-Judge. Charles Snyder
Whatcom County Superior Court*

Interested in Youth Courts? What Judges Need to Know

A youth court is a program in which youth volunteers sentence their peers under restorative justice principles for criminal, traffic, truancy, or school rule violations. There are currently more than 20 youth courts operating throughout Washington State. Could your community benefit from a youth court program? As a member of the judiciary, here are a few things to consider as you think about starting a program in your community.

Benefits to Judges

Youth court programs not only provide benefits for the individual judges who participate, they help the judicial branch fulfill its mission as well.

Youth courts:

- enable judges to witness firsthand the growth and learning of youth in their jurisdiction
- provide a new and beneficial way for judges to interact with the community
- educate the public about the judicial process and roles played in actual courtrooms
- encourage youth to fulfill their role as jurors
- create citizens able to cast knowledgeable votes on judicial issues
- may reduce the courts caseloads by hearing cases that would have been heard in court
- are enjoyable programs for both youth and adult volunteers

What State Law Requires

In March 2002, the Washington State Legislature passed Engrossed Senate Bill 5692 providing authorization and regulations for youth court programs in Washington State. The legislation requires youth courts to use restorative justice principles and to follow national youth court guidelines. It specifically encourages courts to work with cities and counties to implement, expand and use youth court programs. The list below highlights the responsibilities of the court as outlined by the Washington state youth court legislation.

Criminal Diversion:

- Juvenile court must grant prior approval to and supervise youth courts.
- Youth courts have specific disposition options that are in addition to traditional diversion options.

Traffic:

- Limited to civil traffic infractions committed by 16 and 17 year olds.
- District/municipal courts must monitor completion of dispositions.

Who to include

Community support, input and collaboration are essential in the development of a youth court program. Stakeholders may include:

- prosecutors & defense attorneys
- juvenile probation officers
- court administrators
- victims' organizations
- youth
- school administration or teachers
- community service sources
- diversion unit supervisor
- law enforcement
- community organizations



Want to create a youth court but don't know where to start?

Help is here! The **National Youth Court Center** has a host of helpful publications, training materials and resources to assist emerging youth court programs.



Important Publications

- Peer Justice and Youth Empowerment: *An Implementation Guide for Teen Court Programs*
- National Youth Court Guidelines
- Youth Courts: *Young People Delivering Justice*

These and many other resources are available from the National Youth Court Center



National Youth Court Center

c/o American Probation and Parole Association
P.O. Box 11910
Lexington, KY 40578-1910

Phone: 859-244-8193
Fax: 859-244-8001
Email: nycc@csg.org

Website:
www.youthcourt.net

Roles for Judges

The involvement of the judiciary is important to every youth court program and is statutorily required for criminal diversion and traffic youth court programs. The role of a judge in a youth court program varies depending on the type of youth court program and how it is structured.

Judges can:

- authorize youth court programs
- provide oversight, ensuring that sound practices are used
- act as coordinators of the program
- serve as judges in youth court proceedings
- be the liaison to the court administration
- provide training to program volunteers
- lead advisory or policy boards
- convene the stakeholders to get a court started
- open doors to the courthouse (literally and figuratively)
- involve the bar and attorneys
- inform the public about the program
- monitor the program for compliance with state youth court law and national guidelines.

Steps to take

Whatever their role, active participation from the judiciary is a key component for a successful program. Here are some steps you can take right now to begin the creation of a youth court in your community.

- Identify stakeholders in your community.
- Contact other communities who have a program in place. A list of youth court programs and contact people is available from the Council on Public Legal Education.
- Convene stakeholders to determine the level of interest and effort that exists.
- Discuss the framework of a youth court and its benefits to those who have a role.
- Decide how the program should be structured and how it will work.
- Provide necessary authorization for the creation of a youth court program.
- Identify sources of funding.
- Contact the Council for Public Legal Education and ask to be added to the youth court listserv so that you will receive updates on program resources and training opportunities.

For more information on youth court programs and training opportunities in Washington state, contact

The Council on Public Legal Education in conjunction with the Administrative Office of the Courts

Margaret E. Fisher

Telephone: 206-329-2690

e-mail: Margaret.fisher@courts.wa.gov ★ www.plecouncil.org

Judges in the Classroom

General Information

What Is Law Related Education (LRE)?

According to the Law-Related Education Act of 1978...the term law-related education means education to equip non-lawyers with knowledge and skills pertaining to the law, the legal process, and the legal system. Law-Related Education helps students develop the knowledge, skills, understanding, and attitudes necessary to function effectively in a pluralistic, democratic society based on the rule of law.

LRE is about real issues as they affect real people.

LRE teaches students to reason through hard questions and to grapple with realistic problems.

LRE is active. It teaches because it involves the participants.

LRE uses case studies, role plays, mock trials, and other active instruction techniques.

LRE is a proven way to improve younger people's self-image, attitudes, and their knowledge about law and government.

LRE can make a difference.

What Is JITC?

Judges from Washington State Courts teach law related education (LRE) to grades K-12.

The program is not an isolated visit. It is a part of the teacher's overall curriculum.

Judges are given lesson plans for the instruction.

Over 30 lessons were developed by the Institute for Citizen's Education in the Law.

Each lesson gives the judge explicit instructions along with accompanying handouts for students. Select lessons feature short videos to spark interest.

The judges lead group discussions and encourage student participation.

What Do Students Gain From LRE?

LRE builds student's conceptual and practical understanding of the law and legal process.

LRE provides:

An increased understanding of the role of the justice system in our society.

A foundation for improving civic skills.

An ability to work within the legal system to settle grievances.

An understanding of the basis for rules.

Roles People Play

OAC will coordinate between judges and teachers.

OAC will provide lesson plans and other materials.

The **OAC LRE** coordinator will pair judges and teachers.

The **OAC** will also assist in scheduling visits to courts (still in planning state) and any other tasks necessary for participation in the program.

Pairing Judges/Teachers

Teachers interested in the program may contact OAC, by phone or mail (see below), or by using the [Request a Judge](#) form.

The teacher is sent an information sheet along with a list of available judicial lessons (now available on the Internet at <http://www.courts.wa.gov/education/>).

The teacher selects lessons applicable for his/her classroom. A list of the lessons along with the completed information sheet is returned to OAC.

OAC then contacts a judge and pairs him/her with that teacher.

For more information about *Judges in the Classroom*

Please contact:

Administrative Office of the Courts
1206 Quince Street SE
PO Box 41170
Olympia, WA 98504-1170

(360) 753-3365

We the People...The Citizen and the Constitution

We the People was developed over a decade ago in the bicentennial year of the Constitution with the leadership of United States Supreme Court Chief Justice Warren Burger, leading scholars and educators from around the country. Today, the program is offered through the national Center for Civic Education to help students develop critical thinking skills while learning about their rights and responsibilities under the Constitution.

The program is generally presented to the fifth, eighth and eleventh grade levels. Free textbooks, teacher manuals and training has been offered to more than 1,400 teachers in our state who participate in the program. Judges may participate by visiting classrooms, hosting students to visit their courtrooms, or by being a resource for teachers and students. Judges who wish to participate may contact the Office of the Administrator for the Courts at (360) 705-5307.

For questions regarding the program, please contact the Washington State Coordinator, Kathy Hand at (206) 244-3463 or via e-mail at kathyhand@attbi.com

Constitution Day and Citizenship Day

September 17 has been designated "Constitution Day and Citizenship Day" and is a date to honor and celebrate the privileges and responsibilities of U.S. citizenship for both native-born and naturalized citizens, while commemorating the creation and signing of the supreme law of our land.

More information, and lessons for various grade levels, can be found online.

Washington State YMCA Mock Trial Program

PROGRAM OVERVIEW

The Washington State YMCA Mock Trial Competition is a program of YMCA Youth and Government. Co-sponsors are the Office of the Administrator for the Courts, the Young Lawyer Division of the Washington State Bar Association, Superior Court Judges' Association, and the District and Municipal Court Judges' Association.

In mock trial competitions, high school students portray each of the principals in a cast of courtroom characters. As the student teams study a hypothetical case, review the research in a mock trial kit and receive guidance from volunteer attorneys in courtroom procedure and trial preparation, they acquire a working knowledge of our judicial system. Students participate as attorneys, witnesses, and court bailiffs.

Mock Trials Teach Lessons

- in critical thinking and analysis
- in oral advocacy
- in planning and preparation
- in understanding complex, sometimes controversial, issues and ideas

Mock Trials Teach Skills

- in courtroom procedures
- in legal mechanics
- in dispute resolution
- in decision-making
- in teamwork

Mock trials present a "hands on" learning experience which can enhance classroom lessons or be a part of youth group and extra-curricular activities. Research has shown that students who are involved in effective, law-related education programs show greater interest in their studies, more respect for their teachers, and a better understanding of their rights and responsibilities.

Interaction with local judges and practicing lawyers can give students a more positive, understanding attitude toward these professions. At the same time, community networks are strengthened between educational and legal professionals as they work together in teaching students and in conducting mock trial competitions.

Finally, a mock trial experience can help students prepare for the realities of everyday life. Lessons learned in a mock trial experience will apply to real-life adult roles as litigant, witness, or juror.

After preparing for mock trials in the classroom and/or during extra curricular activities, student teams will compete in one of the ten district competitions in February. District boundaries are based those of the Educational Service Districts (ESD) throughout Washington State. The top two winners of each district competition go on to compete in the state finals held each spring in Olympia. Students will have the opportunity to present their cases before real judges in real courtrooms. Their performance will be rated by practicing attorneys.

CHAPTER SEVEN

COMMUNITY: JUROR OUTREACH

Judicial Remarks to Prospective Jurors

Good morning.

I am Judge _____ and I want to welcome you to (Name County and Level) Court. I am one of (number of judges) that serve you in this courthouse.

(Importance of judicial branch and trial by jury)

- I am here on behalf of this court to express all of the judges' appreciation for your time and effort in jury service and to share some information with you. I consider this opportunity to welcome you an important part of my job, because you are an essential part of justice in our courtrooms. I want to share with you what your role will be, why it is important to the legal system, and some of the responsibilities that come with the role of juror.
- The Judicial Branch is one of three separate branches of government--both at the federal and state levels. Our founders lived in a world where Kings not only made the laws, but carried out those laws, and then decided if they were carrying them out correctly—with little if anything written down. Dividing up these powers into three separate branches of government, with a system of checks among the branches all written down in a constitution, ensures that the rights of individuals are protected. And ultimately the judicial branch, with the public as a part of the justice system, provides protection for individuals from the other two branches of government.
- Thomas Jefferson, third president and the principal author of the Declaration of Independence, made a very strong case for the separation of powers when he argued that the legislative, executive, and judiciary departments should be separate and distinct, so that no person should exercise the powers of more than one of them at the same time.

- The right to trial by jury--to be judged by a group of one's peers--is a fundamental right preserved in the constitutions of both the United States and the State of Washington. Alexander Hamilton said that everyone who wrote the U.S. constitution had different expectations of what a government should be, but they all agreed on trial by jury. Thomas Jefferson considered trial by jury as the only imaginable anchor by which a government can be held to the principles of its constitution. And, he was right! In your role as a juror, you act as an officer of the court and become an integral part along with the judge, attorneys, witnesses, and courthouse staff to assure that justice is carried out in a fair and impartial manner.
- The judge and the jury are partners in seeking to do justice in the case before them. The judge makes the rulings of law that bind the attorneys, the parties, the witnesses and those of you who will serve on the jury. Those of you chosen to serve on a jury also act as judges. You decide the facts based on the testimony and other evidence.

(Jury selection process)

- During the selection process, a large group of potential jurors are called to each courtroom, and the judge and the attorneys have an opportunity to question individuals to determine whether they will become a juror on a particular case. They have the right to excuse a limited number of potential jurors without stating a reason.
- Jury selection takes time but is critically important to your ability to fulfill your essential role. Let me explain why it is not just twelve randomly selected people. The parties in a case deserve a hearing where people are unbiased about the issues involved in their case. This applies to me as well as to you. I can excuse myself or attorneys can ask the judge to step down if there is a risk of preconceptions or bias. If you are excused during jury selection please do not feel insulted or singled out. Your life experiences may bring you too close to that particular case to be objective. We rarely use the first twelve jurors called. If you were involved in a trial wouldn't you want to be assured that the people deciding your case are considering it openly and fairly?

- The questioning of potential jurors is critical to make sure that the people who are to sit on the jury can do a full and fair job. You may believe that some of the questions are prying unnecessarily into your personal life or invading your personal privacy. If you think any question asked by the judge or an attorney is too personal, just say so. On the other hand, if a question calls for private information and you are willing to give the answer but you prefer to do so privately and out of the presence of other jurors, please make that request. The questioning is necessary but the court wishes to respect your privacy as well.
- In longer cases, you may be asked if a long term of jury duty will pose an undue hardship for you. Bear in mind that performing this civic duty is, to some extent, a hardship on all who are involved -- you, your family and your employer. But you can expect to gain an experience that you will remember for a lifetime.
- If you believe that serving as a juror will cause you extreme hardship, or if there is an accommodation that the court may provide to help you serve as a juror, please speak up during the jury selection process.

(If the judge has served on a jury, share that experience here.)

(Duty and positive experience of serving on a jury)

- This is not a duty to be taken lightly. The effort and sacrifice you took to be here today is not taken for granted--either by the judges or by the courthouse staff. Being a juror is a duty that requires independent thought and judgment. You are an officer of the court. You will take an oath (or affirmation) that you will follow the law as given to you by the court, while you exercise your individual discretion in making the decisions asked of you.
- The parties have a right to be judged **only on the evidence presented**, not on their race, creed or religion, age, gender, sexual orientation, national origin, cultural or ethnic background, social, economic, professional or celebrity status. Every one of us, of whatever condition or background, is entitled to the same fair

treatment we would want if the other person were the juror and we were the party in the case.

(Necessity and patience with "down time")

- You might be subjected to a great deal of apparent hurry-up-and-wait activity during your jury service. You might conclude that waiting means you are less important than whatever is causing the delay. This is not true! Be aware that during your apparent "down time," –either as a potential juror or as a selected juror -- we are working behind the scenes to assure a coherent and efficient presentation of evidence to you for your consideration. Please be patient with the pace of your trial and remember to focus on the task before you and not be distracted by the delays.

(Conclusion)

- If you are selected I am sure you will be impressed by the careful deliberation of your fellow jurors, and recognize how your vital role safeguards the rights of all in our society.
- The experience of being a juror will give you an "inside" understanding of how our legal system works, and hopefully enhance your appreciation for how carefully it tries to balance the rights of individuals with each other and with the rights of the society as a whole.
- I think you will find your jury service to be deeply rewarding, particularly if you do serve on a jury. You will see our system in action. You will often be evaluating the witnesses as well as written or other evidence, before determining what the facts of the case truly are. You will exercise independent thought and judgment. Yet, you will do that as a member of a jury, sharing a seriousness of purpose and a respect for the dignity of our legal process of trial by jury. One caution I would give you: don't try to prejudge a case and assume you know where a trial is going.
- Even if you are not ultimately seated on a jury, your willingness to serve is very important to the functioning of this court. All the potential jurors are necessary for a particular jury to be impaneled.

We want you to know that we regard your appearance here and your availability to serve as vital to the court process.

- Serving as a juror is one of the most critical exercises of your rights and responsibilities under our constitutional form of government.

- As the video says: “Your active participation gives real meaning to the democratic concept of a government of the people, by the people and for the people.” There is a saying that “democracy is not a spectator sport.” Your willingness to make yourself available for jury duty is a reassuring demonstration that you are willing to become an active participant in our democracy.

Once again, on behalf of all judges of this court -- thank you for your time, dedication and service as a juror.

Juror Appreciation Week (first full week in May)

Each year the judiciary customarily sets aside the first full week in May to show our appreciation to the state's jurors for the vital service they provide to their community.

This is an ideal time to express your gratitude to citizens who have served in the past, to discuss the importance of jury service in your local community, and to highlight jury improvements or appreciation events held by your court throughout the past year.

To maximize the effectiveness of this event, the Board for Judicial Administration recommends that judges take the opportunity to write letters, guest editorials or articles for local newspapers throughout the week.

In an effort to help your court celebrate this event, the following information is being made available:

[Juror Appreciation Week artwork \(Option #1\)](#)

[Juror Appreciation Week artwork \(Option #2\)](#)

[A proclamation from Governor Christine Gregoire](#)

[Examples of past guest editorials and letters to the editor from your colleagues](#)

[Sample Press Release](#)

[Certificate of Appreciation](#)

[Sample Juror Exit Survey](#)

[American Bar Association Juror Appreciation Kit](#)

We hope this information is of value to your local court in planning activities, and thank you for your efforts to make Juror Appreciation Week a success in Washington State.

Jury Duty... An Obligation and An Honor.

During Washington State Juror

Appreciation Week, your local judges, county clerk, and court staff would like to take this opportunity to extend our **sincere gratitude** to those of you who served on jury duty during the past year.

Through your service, you have ensured that the right to trial by a jury is guaranteed for all in our community.

We would also like to thank the many private companies, government agencies, small businesses, school districts, and all those who encourage and support their employees when they are called to jury service.

Your local courts depend on your service – **thank you for doing your duty!**

For information on jury
service visit the Washington
State Courts' website at
www.courts.wa.gov



"My experience as a juror was an eye-opener, more interesting than I had ever expected. I regard it as one of the most important things I've ever done. It was a privilege."

The State of Washington



Proclamation

WHEREAS, the right to trial by a jury of one's peers is an important and unique part of our system of justice and a cornerstone of our form of government; and

WHEREAS, the Sixth and Seventh Amendments to the U.S. Constitution preserve the right to trial by jury and give the jury the responsibility to defend, with its verdict, all other individual rights enumerated or implied by the U.S. Constitution, including its amendments; and

WHEREAS, the state of Washington (in Article I, Section 21 of the Washington Constitution) recognizes these rights as true and unalienable; and

WHEREAS, the Washington State Board for Judicial Administration and the courts of Washington State recognize the vital role played by the nearly 48,000 citizens who take time away from their families and businesses to serve as jurors each year; and

WHEREAS, as partners in justice, businesses and other employers across the state cooperate to assure our courts have a ready and representative pool of jurors;

NOW, THEREFORE, I, Christine O. Gregoire, Governor of the state of Washington, do hereby proclaim the week of May 2-6, 2005, as

Juror Appreciation Week

in Washington State, and I urge all citizens to recognize this event and to honor those individuals and businesses who continue to contribute to this vital part of our democratic way of life.



Signed this day 4th day of April, 2005

Christine Gregoire

Governor Christine O. Gregoire

Juror Appreciation Week

Examples of guest editorials

Sentinel
Klickitat Co.

Participating in jury trials is a citizen's duty

One day you open your mail and there it is — a notice that you have been called to jury duty. Most people's first reaction is, "How can I get excused?" and "If I serve I'll lose a day or more of pay."

A trial by jury is a fundamental right which we enjoy in this country. This right could not exist if our citizens were not willing to serve as jurors. Our nation doesn't require much of us other than paying our taxes, serving in the military during times of draft, and serving on juries when called. This is a small price, indeed, for living in a free society.

In the state of Washington, potential jurors are selected from a combined list of all registered voters plus those persons with drivers' licenses or state issued identification cards. The county clerk is provided with names randomly selected from the combined list. These people are sent a summons and a questionnaire to fill out and return to the clerk's office.

If a jury is needed in any district or superior court for the next month, a certain number of people on the list will be notified

GUEST COMMENTARY

E. Thompson Reynolds
Superior Court Judge

to appear to serve as jurors. Jurors are not required to serve more than one month during a year unless special circumstances prevail.

Approximately 40 potential jurors are called for a 12-member jury. Calling a greater number than is actually needed is necessary because some potential jurors will be excused during the selection process. Those that are not selected for a particular jury are excused for that trial, but are subject to being called for another trial during the month.

Klickitat County Superior Court has had five jury trials in 1996 and six in 1997. The average length of trial is two days. District Court trials average a day in length. Some months go by without any juries being called.

Willful failure to respond to either the questionnaire or notification of a service

date may result in penalties (i.e. jail, fine or both) for contempt of court.

Excuses from jury duty may be granted by the judge for good cause. Request for excusal is made by filling out the questionnaire or by attaching a separate letter and returning it to the clerk's office. Usually, loss of income from serving is not considered a valid excuse. The clerk's office does not determine who is required to serve on jury duty. The clerks are available to assist with any questions and appreciate your understanding when trying to work out a reasonable solution.

At the conclusion of a jury trial, the superior court sends questionnaires to those who serve. The overwhelming majority of those responding, state that they had a good experience serving as a juror and would recommend it to those being called for future service.

So, when you find that notice of jury service in your mail, I hope you consider the importance of jury duty and your experience as a juror will be as rewarding to you as it was for those who served before you.

Guest Editorial

WSA Honoring Washington's Jurors

by Chief Justice
Gerry L. Alexander

Each day, citizens of our state participate in one of the most vital aspects of our system of justice - jury service.

During Washington Juror Appreciation Week, May 6-12, judges and court personnel throughout the state are taking time to acknowledge the service of the nearly 150,000 persons who each year answer the call to serve as jurors.

The service that these persons provide is important because the right to a jury of one's peers is truly a cornerstone of our system of justice.

As Thomas Jefferson once observed, "trial by jury is the only anchor, ever yet imagined by man, by which a government can be held to the principles of its constitution."

We in Washington's judiciary agree with these sentiments and are striving to maintain the viability of our jury system.

Fortunately, many Washington citizens recognize this important obligation of citizenship and answer the summons to jury duty, even though doing so may be inconvenient and cause loss of income.

Recognizing this fundamental role, and the modern-day burdens of responding to a jury summons, our state's courts are making a significant effort to make jury service a more satisfactory experience than it has often been in the past.

In that regard, I am particularly proud of the work of the Washington State Jury Commis-

sion. Through the leadership of its chair, Thurston County Superior Court Judge Daniel Berschauer, former jurors, judges, court personnel, attorneys, representatives of business and labor, and members of the legislature gathered together to examine our current jury system and to come up with recommendations for improving it.

The Commission made over forty recommendations for change and most are now being implemented by Washington's judges.

One of the Commission's most important recommendations was that the judiciary should seek legislation increasing the daily fee for jurors in order to mitigate the financial loss that can result from jury service.

The judiciary responded to this challenge and has recommended to the current session of the legislature that it increase this fee, which was last raised in 1959.

The judiciary is making other changes that will, hopefully, reduce the burden of jury service to the average citizen.

From allowing jurors to be more involved in a trial, to reducing the "legalese" that often confronts jurors in the courtroom, steps are being taken by the courts to make jury service less confusing and more palatable to jurors.

For example, our courts will be working:

- To provide jurors with full and complete information about jury service from the time that they are first summoned.

- To utilize jurors more efficiently, and avoid calling more

citizens to the court facility than are needed.

- To provide adequate facilities for jurors with special consideration to those with disabilities or special needs.

- To permit jurors to take notes and to submit written clarifying questions to witnesses, subject to careful judicial supervision.

- To provide jurors with notebooks in lengthy or complex cases. These would contain such items as copies of jury instructions and exhibits, information that would be helpful to jurors in the performance of their duties.

Finally, we wish to stress that our courts are open and they belong to the people we serve. We are interested, therefore, in hearing your comments about your experiences as a juror.

To learn more about the court system and jury service, visit our new website for jurors at: www.courts.wa.gov/jury/.

On behalf of the Washington judiciary, please accept our gratitude for the important service you and your fellow citizens provide to the community as jurors.

Washington Supreme Court Chief Justice Gerry L. Alexander was first elected to a seat on the Supreme Court in 1994.

He joined the state's highest bench at that time with over two decades of trial and appellate court experience behind him, having served as a judge of the superior court for Thurston and Mason Counties from 1973 through 1984, and as a judge of the Court of Appeals, Division Two from 1985 through 1994.

Juror Appreciation Week

Examples of local letters to the editor

South County Journal
King Co.

COURTS

A salute to our jurors

Our system of justice depends upon the ability of the court to bring cases to resolution fairly and as promptly as possible. Our area's citizens who participate as jurors are an essential element without whom our justice network could not function effectively. Jurors fulfill not just a constitutionally mandated role, but also act as the eyes, ears and reflection of our community's commitment of our legal system.

Serving on jury duty is no picnic. It involves inconvenience and the sacrifice of precious time and energy. Our experience is that jurors don't participate in the process because of the compensation they receive, rather they do it in recognition of their duties as citizens of the country with the most just legal system on this planet. In conjunction with Washington Juror Appreciation Week, we salute the citizens of South King County who have answered their jury summons and accepted the responsibilities of citizenship in a free society.

Judge Robert McSeveney

Kent Municipal Court

Judge Peter Lukevich

Tukwila Municipal Court

Judge Terrance Jurado

Renton Municipal Court

Judge Patrick Burns

Auburn Municipal Court

The Olympian
Thurston Co.

South Sound judges applaud jurors' willingness to serve

This week is "Juror Appreciation Week" in Washington state.

We, the judges in Thurston County who conduct jury trials in the Superior, District and Olympia Municipal courts, extend our appreciation for the commitment the citizens of Thurston County demonstrate in supporting trial by jury.

The efforts of the citizens in our county have helped maintain jury trials as a vital component of our justice system that is now more than a 200-year tradition in our nation.

We all recognize that citizens serving as jurors make significant sacrifices in their personal and work lives.

To help minimize these sacrifices, the courts recently shortened the term of service for jurors to one week from two

Courts also release jurors from further service during this week if they have served on a trial.

Thurston County now has one of the higher rates of citizens responding to jury service in Washington state, and for this the citizens deserve and receive our respect.

Additionally, we appreciate the accommodations made by the families and employers to assist our citizens during their jury service.

Superior Court Judges Daniel J. Berschauer, Paula Casey, Richard "Cork" Hicks, Thomas McPhee, Richard Strophy, Christine Pomeroy and Gary Tabor; District Court Judges Susan Dubuisson and C.L. "Kip" Stiltz Jr.; Olympia Municipal Court Judge Lee Creighton; Court Commissioner Brett Buckley

The Herald
Snohomish Co.

DEDICATED JURORS

Restoring faith in system

I am writing to express my gratitude to a very special group of Snohomish County citizens. These citizens are an extraordinary group of jurors and alternate jurors who recently finished serving on what I believe is the longest trial ever conducted in Snohomish County history.

This amazingly dedicated jury was first selected in December 1996 and served continuously from Jan. 7 until their deliberations ended on June 16, for a total of over five months of service.

The trial itself concerned a civil claim totaling millions of dollars by approximately 60 plaintiffs from Skagit County against Skagit County. The state of Washington was also a party to the suit. The jurors listened to over 100 witnesses and considered some 3,000 exhibits, 72 separate jury instructions and utilized a verdict form requiring them to answer 120 separate questions. In addition, this case took five years and filled nearly 50 volumes just to get to court, and our court, Department 5, spent nearly two years handling pre-trial issues.

The sheer volume of exhibits, witnesses and testimony presented a tremendous challenge to the

court staff, attorneys and jurors. However, in the face of such daunting obligations, the jury reported to court promptly day after day, week after week, month after month and remained focused and motivated.

Privacy rights and personal consideration dictate that I not name the jurors in this letter. However, the jurors, their families, friends, employers and employees know who they are, and I simply wanted to thank them publicly for their service far beyond the call of duty. One can only hope and pray that if they need their own day in court, they will be lucky enough to have a jury as dedicated, hard working and committed to justice as this jury has been.

Several recent sensational trials have resulted in the impression that juries can be irrational or be swayed by passion and prejudice. I consider this jury to be quiet heroes, heroes who make it possible for others to have a fair trial presented to a group of jurors willing to sacrifice months of their own time to serve their fellow citizens.

Finally, it was my great pleasure to preside over this trial and to meet and work with this outstanding panel of jurors and alternates.

JUDGE DAVID F. HULBERT
Snohomish County Superior Court

MYTURN

THE COURTS

We appreciate our jurors

To the Editor:

Each year at this time the District Court judges pause to reflect on the service provided by citizens called to jury duty. Following each trial, jurors are thanked by the judge and are provided an opportunity to give input to the system. With this letter, we again express our thanks to past, present and future jurors among Kitsap County residents.

In our county in 2003, 36,364 jury summons were delivered. Responding to an automated telephone response system, 5,994 jurors were actually called to court facilities around the county for trials of civil and criminal cases.

In the year 2000, the Washing-

ton State Jury Commission conducted a lengthy study to consider improvement in the jury process.

The Report of the Jury Commission made many recommendations that are now required: All jurors will be given an opportunity to take notes during the trial, and in civil cases, all jurors will have an ability to ask questions of witnesses (in writing). Jurors report that they appreciate these opportunities to more fully participate in the trial. And litigants report that jurors generally have great questions.

We appreciate those citizens who have responded to the call to jury duty during this past year. Thank you. And, if you are summoned as a juror, please understand that justice depends upon your response.

If you are not on jury duty, remember that your courts conduct open and public proceedings. Come visit.

Following court, ask questions of the judge, the lawyers or of our great staff. Or, visit the Kitsap

County Web site at "www.kitsap.gov.com/" (Click on "Departments" at the top, and then go to "District Court").

Thank you for the privilege of serving you.

Judge James Rieh
Judge Marilyn Paja
Judge W. Dan Phillips
Court director Maury Baker
Kitsap County District Court

Judge Stephen Holman
Bainbridge Island Municipal Court

Bremerton, WA
(Kitsap Co.)
The Sun
(Cir. D. 41,052)



WASHINGTON
COURTS

Certificate of Appreciation

Let the record show that. . .

trial by jury is the foundation of our system of justice. Through your service, you ensure that the right to a trial by jury is guaranteed for everyone.

Juror Appreciation Week

May 2 - 6, 2005

The ----- Court hereby takes this opportunity to extend our appreciation and recognition of the important and vital role you play as a juror.

(Presiding Judge)



THANK YOU FOR SERVING AS A JUROR

We want to know more about your experience, so that we can make service as rewarding as possible for future jurors. Please take a few minutes to answer the following questions and return the form to (designate area)

- 1. The amount of time I spent waiting was:
___ too much ___ just about right

- 2. The information I received during my service was:
___ not enough ___ just right ___ too much

- 3. If you did not receive enough information, what would you have liked to receive?

- 4. What did you like most about your service? _____

- 5. What did you like the least about your service? _____

- 6. Were you treated with courtesy by all court staff? ___ yes ___ no
If no, please explain: _____

- 7. Were court facilities clean and organized? ___ yes ___ no
If no, please explain: _____

On behalf of the Court, thank you for your service!

CHAPTER EIGHT

COMMUNITY OUTREACH

Quick Reference Guide

Speaking Opportunities

For many members of your local community, the justice system is shrouded in mystery. Local civics groups are delighted to have a speaker discuss the day to day workings of a judge in their community. Attached below is a listing of speaking possibilities in your community.

- **Local Rotary Club:** Local Rotary Clubs are always looking for luncheon speakers. If you belong, contact your Rotary President to schedule an address, or visit Rotary International at <http://www.rotary.org/cgi-bin/datadrill.cgi> to find your local Rotary club and meeting location.
- **Local Bar Association:** If you are not already active in your local bar association, this can be a wonderful networking opportunity, as well as a chance to discuss issues impacting your court.
- **League of Women Voters:** The League of Women Voters has been a nonpartisan political organization since 1920 with a goal of impact public policies through citizen education and advocacy. The League is a grassroots organization, with over 20 chapters in Washington State. To find your local league, visit www.lwv.org and click on “Find a Local League”
- **Local Senior Center:** Depending on how active your community’s senior center is, this can be a wonderful opportunity to explain how the court system works, and talk about legal issues of interest to seniors. To find your local senior center, contact your City Council or Municipal Building.
- **Local Kiwanis Club:** Similar to Rotary, Kiwanis clubs are service organizations which often hold luncheon meetings each week. To locate your chapter, visit Kiwanis international at: <http://www.kiwanis.org/clubloc/>
- **Washington State Bar Association Speakers Bureau:** The **WSBA Speakers Bureau** is a free service aimed at helping people learn about our legal system. Volunteer lawyers speak to civic, professional and student groups on a variety of topics. See the attached registration form to join.

Media reminder: Remember to advise your local media of your community speaking engagement with a Media Advisory one week prior to the event. Include biographical information on you, as well as the speaking address including the date, location, group and main topic that you will be covering in your address. (See Chapter 1 for a sample release)

Join the Washington State Bar Association Speakers Bureau



The WSBA Speakers Bureau is a free service aimed at helping people learn about our legal system. Volunteer lawyers speak to civic, professional, and student groups.

The Speakers Bureau is designed to:

- Educate the public about legal topics of interest to them.
- Foster better public understanding of the legal system.
- Promote a positive public image of lawyers.

A partial list of topics is presented on the opposite page. Please indicate which topics you feel qualified to speak about. If you do not see your area of expertise listed, feel free to write it in. For more information, please contact Dené Canter at 206-727-8213 or denec@wsba.org.

Name _____ WSBA # _____
 Address _____
 City/State _____ ZIP _____
 Phone _____ Fax _____
 E-mail _____
 Geographic preference by county _____

_____ Preferred audience _____ No Preference

_____ Adults _____ Senior Citizens
 _____ College Students _____ Law Students

Please indicate topics on reverse side.

Send this form to:
 WSBA Speakers Bureau, 2101 Fourth Ave., Suite 400, Seattle, WA 98121-2330; fax 206-727-8319

WSBA SPEAKERS BUREAU TOPICS

Mock Trial Programs — Please circle the role(s) you are willing to take.

Mock Trial Judge Mock Trial Attorney-Rater Pretrial Presenter

Traditional Speaking Topics — Please circle the topic(s) on which you are qualified to speak.

Administrative Law	Adoption	Antitrust
Appeals	Bankruptcy & Creditor Rights	Business Law
Careers in Law	Child Abuse	Child Custody
Child Support & Visitation	Civil Rights	Community Property
Condominium Law	Constitutional Law	Construction Law
Consumer Law	Contracts	Courts
Crime Victims	Criminal Law	Death & Dying (Rights)
Depositions & Expert Witnesses	Disabled Persons' Rights	Discrimination
Dispute Resolution	Domestic Violence	Drug Testing
Due Process	Elder Law	Employment Law
Environmental Law	Equal Protection	Estate Planning
Family Law	Fair Trial/Free Press	First Amendment Rights
Foster Care	Healthcare Law	Immigration/Naturalization
Indian/Tribal Law	Insurance Law	Intellectual Property
International Foreign Law	Judicial Discipline/Qualifications	Judicial System
Jury Service	Juvenile Justice	Labor Relations
Landlord-Tenant Law	Lawyer Discipline/Ethics	Malpractice
Maritime/Admiralty Law	Marriage & Dissolution	Medicare
Municipal Law	Nonprofit Organizations	Personal Injury
Prisons	Privacy Rights	Pro Se/Legal Services
Probate, Wills & Trusts	Product Liability	Professional Liability
Real Estate	School Law	Search & Seizure
Securities	Small Businesses	Small Claims
Social Security	Sports Law	Starting a Business
Students Rights	Taxation/Tax Law	Traffic Law/Court
Trials	Welfare	Workers' Compensation
Other _____		

Sample Talking Points on State Court Funding:

Justice in Jeopardy

Washington trial courts consist of more 400 judges which adjudicate more than 2.3 million cases each year. For a branch of government that directly impacts the lives of citizens everyday, funding of our equal but separate branch of government is shockingly low.

- **Justice is truly in jeopardy in Washington State.** Washington State ranks **last in the nation for state funding for our trial courts, prosecution and indigent defense.** With less than three-tenths of one percent of the State's budget going towards funding our judicial branch, all additional costs of operating superior and district courts are borne by the state's 39 counties.
- **In most counties, less than six percent of a local city or county budget is allocated to the courts...**in other words, less than six cents of every tax dollar.
- **Chronic under-funding of our trial courts has created a patchwork system of justice from one county to the next, causing serious disparities in the way laws are being enforced throughout Washington State.** According to Washington Supreme Court Chief Justice Gerry Alexander, "Washington court funding is not adequate, is not stable, and is seriously uneven across jurisdiction to jurisdiction. It substantially interferes with our trial courts' ability to perform their core functions at all levels."
- Due to this localized funding scheme, **a three-fold crisis exists in our courts relating to trial court operations, indigent defense and access to civil legal services for the poor.**
- **Tragic results have already occurred due to this lack of funding.** From a public defense crisis in Grant County to crowded court calendars allowing the release of a violent felon, the Court Funding Task Force documents dozens of stories on how this lack of funding is jeopardizing justice in Washington State.
- **Recognizing that adequate funding of the courts will require a long-term approach,** the state's Board for Judicial Administration recommended short-term recommendations for change during the 2005 session to three crucial areas—public defense, civil legal services and trial court operations.

**WHAT OTHERS ARE SAYING ABOUT THE
COURT FUNDING CRISIS:**

SEATTLE POST-INTELLIGENCER EDITORIAL BOARD

"We're shortchanging justice in Washington State, and any one of us could pay a terrible price... With the exception of the constitutionally mandated "paramount duty" to provide for public education, there is no function closer to the core of civil government or of greater priority of government than the assurance of justice to its citizens."

--"Justice in Jeopardy" January 23, 2005

WENATCHEE WORLD EDITORIAL BOARD

"The courts are where society resolves its most critical disputes. They are where it arranges to protect itself, lay blame for wrongdoing, mete out punishment and set compensation for the wronged. The administration of justice is fundamental to a democratic society, and in Washington state it is financed in such a haphazard and inadequate way that justice is constantly compromised..."

...this (Court Funding Task Force) study deserves serious attention from budget writers. It is not the first warning, but one in a series. The state cannot tolerate injustice solely to save money. The eventual cost is far too great."

--"Justice can't be shortchanged" December 16, 2004

SEATTLE TIMES EDITORIAL BOARD

"Washington ranks 50th among all states in its support of the court system. Most of the burden falls to counties where tax bases that support courts and other services vary widely. The result is what Supreme Court Chief Justice Gerry Alexander calls a "crazy quilt" of resources and standards that varies from county to county..."

The disparity in public-defense services is especially dramatic, as chronicled in April by a Seattle Times series, "The Empty Promise of an Equal Defense." Two-thirds of the state's counties use public-defense contracts to represent indigent accused. While legal groups recommend that a public defender have no more than 150 felony cases a year, one Grant County lawyer, who was later disbarred, had 413; a Cowlitz lawyer had 6-1/2 times the recommended cases..."

Although the Legislature faces a budget deficit, the Board for Judicial Administration's request should be considered among priorities for the state budget." *--"With Equal Justice Comes the Bill" December 29, 2004*

YAKIMA HERALD EDITORIAL BOARD

"The pressure is now on the state Legislature to do something about the abysmal track record for state funding of Washington's court system in general and the public-defense system in particular, with an eye toward taking some of the financial burden off local government... As a state we can, and must, do better."

*--"State Funding of Courts is all Catawampus"
May 30, 2004*

KING COUNTY JOURNAL EDITORIAL BOARD

"A new report on our state's court system paints a disturbing picture -- people here no longer are guaranteed justice in our trial courts. The Legislature must address that situation when it meets next month. While the issue is complex, equal justice is the foundation of our democratic society.

The report indicates the state should work toward paying 50 percent of the cost of trial court operations and public defense. That can't happen overnight, given the state's budget shortfall. However, the state should work to become more of a partner with counties and cities in making a justice system that's equal across the state.

*--"Our View: State Legislature Needs to Fix Court System"
December 21, 2004*

OLYMPIAN EDITORIAL BOARD

"In his State of the Judiciary speech to the Legislature last week, Supreme Court Chief Justice Gerry Alexander made a strong pitch for more money for the state's court system...It's a reasonable proposal. The fact that Alexander was willing to recommend a fee increase to pay for the improvements should sway legislators to support his proposal."

--"Judicial system needs attention" January 21, 2005

EVERETT HERALD

"The state's longest-serving chief justice painted a stark picture of Washington's judicial system Tuesday, telling lawmakers that years of financial neglect have left it "in jeopardy."

Chief Justice Gerry Alexander, in his 30-minute State of the Judiciary address to the Legislature, said years of insufficient funding for trial courts statewide has led to long trial delays, lack of probation services and a fractured public defender system..."

*--"Judicial system in jeopardy, justice says"
January 19, 2005*

Sample Audience Handout: Court Funding in Washington State

Did you know?

- Washington's judicial branch is comprised of four levels of court:

Supreme Court

Court of Appeals

Superior courts

Courts of Limited Jurisdiction (district and municipal courts)

The Supreme Court and the Court of Appeals (referred to as appellate courts) hear appeals from the superior, district and municipal courts (referred to as trial courts) .

- State funding of the judicial branch accounts for less than three-tenths of one percent of the total operating budget of Washington State.³

Included in this percentage is the full operating budgets for the Washington Supreme Court, its administrative departments, the Court of Appeals and half of the salaries of superior court judges statewide. In superior courts, in addition to half of all judicial salaries, juvenile departments receive approximately 35% of their funding from the state's Juvenile Rehabilitation Administration.⁴

- All additional costs of operating the trial courts are borne by the state's 39 counties and numerous cities. District courts are funded exclusively by the counties. Municipal courts are funded exclusively by cities.
- Together, counties and cities support approximately 90 percent of the cost of the state's judicial system.⁵
- While criminal justice costs (costs for jails, prosecution, courts, public defense, and law enforcement) account for an average of 70 percent of county budgets, the amount dedicated to the trial courts seldom totals more than six percent of a local city or county budget.
- Filing fees, infraction penalties and statutory assessments, which are shared by local and state government, constituted nearly \$176 million dollars in 2002.

³ Source: 2001-03 Washington State Omnibus Operating Budget, Total Budgeted Funds

⁴ Source: AOC analysis of JRA Budget

⁵ Source: Washington State Auditor's Office

Of that amount, nearly \$66 million was forwarded by the state's trial courts to the state Public Safety and Education Account.⁶

- According to the Bureau of Justice Statistics, U.S. Department of Justice, Washington State ranks 50th in state government contribution to funding judicial and legal services.⁷ The total cost of Washington's trial courts, including indigent defense, is \$428 million per year of which 10.6 percent is funded by the state.
- While the state percentage of funding is limited, state actions and policies directly affect the operation of the trial courts. For example:
 - In 2002, the Washington State Patrol was responsible for 88% of DUI charges and 70% of traffic infraction charges filed in Washington State District Courts (figures reflect state and county filings only).
 - Many state agencies such as the Attorney General, the Department of Social and Health Services, Department of Ecology and others use the trial courts to file both criminal and civil litigation.
 - The number of judges and their salaries are established by the state
 - Statutory changes in criminal sentencing, DUI sanctions, juvenile dependency and other social policy areas are regularly enacted by the Legislature, and impact the courts' workload and operation.

To learn more about court funding in Washington State, visit the Washington State Court Funding Task Force at http://www.courts.wa.gov/programs_orgs/pos_bja/?fa=pos_bja.funding

⁶ Source: State Treasurer's Office FY 02 data and 2001 data derived from AOC remittance reports

⁷ Source: State & Local Government Burden of Total Direct Expenditure on Judicial & Legal Services, Fiscal Year 1999, Bureau of Justice Statistics, U.S. Department of Justice.