



Strategic Oversight Committee for the Washington State Center for Court Research

Meeting Minutes

October 3, 2022, 2:00 – 3:30 pm

Committee Members

Chief Justice Steven González
*Chief Justice of the Supreme
Court/Judicial Information
System Committee Chair*

Judge Jennifer Forbes
*Superior Court Judges
Association President*

Commissioner Rick Leo
*District and Municipal Court
Judges Association President*

Justice Barbara Madsen
*Commission on Children in
Foster Care Co-Chair*

Justice Sheryl McCloud
*Gender and Justice Commission
Co-Chair*

Justice Mary Yu
*Minority and Justice Commission
Co-Chair*

Judge Mike Diaz
Interpreter Commission Chair

Judge Linda Coburn
*WSCCR Judiciary Research
Advocate*

Dawn Marie Rubio
State Court Administrator

Ellen Attebery
Trial Court Administrator

Members present: Chief Justice Steven González, Justice Barbara Madsen, Justice Sheryl McCloud, Justice Mary Yu, Ellen Attebery, Judge Linda Coburn, Judge Mike Diaz, Judge Jennifer Forbes, Dawn Marie Rubio

Members not present: Commissioner Rick Leo

AOC Staff present: Cynthia Delostrinos, Dr. Carl McCurley, Dr. Megan Berry-Cohen, Dr. Arina Gertseva, Dr. Amanda Gilman, Adrian Johnson, Dr. Mikala Meize-Bowers, Matt Orme, Dr. Andrew Peterson, Rachael Sanford, David Sattler, Wei Wang

The meeting opened at 2:01 pm. Chief Justice González welcomed members and introductions were made.

Data for Justice Developments (Powerpoint)

It has been a year of developing and thinking about ideas from legislators and stakeholders on data collection. There is now a budget request for funding for data collection and courts have shown enthusiasm for this.

The end goal is for courts to self-manage, be dedicated to equal justice, effectiveness, responsiveness, and accountability. There have been many programs where results have varied in these goals, depending on different courts. Organizations perform better if they volunteer for Continuous Quality Improvement (CQI). Data for Justice reduces and removes barriers, it lowers the costs of entry into self-development, and courts can deploy their own quality improvement efforts. Every state needs good justice system management.

Data for justice components include volunteer courts, AOC support for data development, reporting, and data use; education training and technical assistance; court staff development in performance management, and; peer support. Current feedback from courts are: courts want help understanding their program impacts, there is an urgent need for an equal and effective justice system, entrepreneurial judges and court executives, support from

the other branches of government; higher staff job satisfaction, and courts that are increasingly familiar and demonstrably effective.

There is a reliance on laws and rules, but a neglect of management. While leadership is supposed to embrace improvement, it must also interpret the law. This involves changes for the branch and participating courts. These are the elements of change we are talking about. This promotes transparency and increases accountability. These can lead to greater effectiveness.

Some examples of Data for Justice in real life that have set precedent in our system: Thurston County District Court pilot, Court Improvement Program, Juvenile Probation, Juvenile Detention, Therapeutic Courts, Family Treatment Court, and Early Childhood Court programs.

Mikala and Adrian (Data and Using It): Adrian and Mikala spend time with courts on why data is important. It is a cyclical process. Once a court has asked a variety of questions such as rate of completion, inequities, how has COVID affected operations, and best practices, this is where data comes in to show demographics. Data can be summarized into charts, summaries, etc. This information is brought to courts and teams can look at recommendations on improvement and how to respond, what steps need to be taken, and how and if those changes are working.

Data can also be used for funding/program justification, committee meetings, and community support through transparency. Sometimes data is not always accurate or complete. Data development is where we want to use evidence-based practices. Courts lack the capacity for systematic data collection such as number of participant/families served, number of graduates/successful outcomes, and number of terminations/unsuccessful outcomes. There may be some courts that need technical assistance, and there are other courts using paper files. There are also other courts that have a moderate amount of data and need interpretation of data, and some that use their own case management system. This limits what AOC can do in support of local management. However, we know courts want to use the data, but there are challenges.

Megan (Fundamental Gaps in Knowledge): juvenile detention alternatives. There are different definitions of juvenile detention alternatives. Data development is being used to see what the standards are across counties and will help see where courts are. Data has been collected for youth on electronic home monitoring (EHM). There is not a lot of EHM reporting, with only 65% of courts reporting that they have used EHM in the last ten years. Missing information for EHM includes demographics, types of EHM equipment, and amount of time youth is on EHM. Data will be limited until it becomes more standardized.

Amanda (Expert consultation in Policy Development): WSCCR staff assists as consultants on subject matter such as juvenile probation (CMAP), juvenile dependency processes, the Girls Court Advisory Committee, therapeutic courts, pretrial process and reforms, and the juvenile Detention Quality Assurance Committee (DQAC).

Amanda is the designated researcher on the DQAC project, which was requested by WAJCA. DQAC's goals are to encourage all county detention centers across the state to adopt a standardized and validated mental health risk assessment. This can lead to better service delivery and a safer environment for youth. The centers take an inventory of tools currently being used, review existing research, provide recommendations, work with DQAC to assess feasibility of recommendations, facilitate training and technical assistance with local and national experts, and implement tracking.

Arina (Workplace Harassment Study): this data played a critical role in statewide court operations. This study began as a request from the Gender & Justice Commission regarding the issue of harassment in court settings within marginalized groups like women, people of color, and gender. It showed that approximately 57% of study participants experienced discrimination and/or harassment in the past 12 months. Less than half of court employees were looking for assistance to resolve these issues.

To address this, data from the Respectful Workplace study provided the following recommendations:

- Create a diverse, inclusive and respectful environment to promote equity, diversity, and inclusion and foster a culture of trust.
- Deliver regular, research-based workplace harassment prevention trainings that drive real changes.
- Improve transparency and accountability about how reports of workplace harassment are being addressed.
- Courts need to work with researchers to evaluate systems change efforts.

Data alone is not enough to drive change, but research guides and helps formulate recommendations.

Andrew and Rachael (From Idea to Application): courts are just one part of the justice system. To be able to understand their own policies, one area that needs to be examined is disparity. A dashboard was created to look at law enforcement data to see which counties are performing well and which ones are faltering. This creates transparency for the public and can show how disparity moves through the system. This doesn't necessarily cause change, but we have partnered with local community organizations that can work with local law enforcement to help increase communication.

Justice Gordon McCloud asked about the visibility of prosecutorial decision-making. Andrew said some courts are doing this, others are not. This is a challenge. Eventually, we hope to have more data accessibility and more cooperation from all counties.

Staffing and Topic Area (PowerPoint)

An overview of staffing and topics currently being worked on. There have been a lot of staffing changes and new roles. Dr. Lisette Garcia departed WSCCR in August. Cynthia mentioned that Lisette's position, Equity Research position, will be filled soon (see handout).

There have been several publication and presentations over the past 12 months, including the implementation of the Kitsap Girls Court Program and the implementation of the new Juvenile Court Assessment Tool (JCAT).

Where WSCCR is involved:

General Justice System:

- Supreme Court Commissions
- Board for Justice Administration (BJA) Alternatives to Incarceration Taskforce
- BJA Policy and Planning, Court Recovery Taskforce
- Racial Justice Consortium
- Bar Licensing Taskforce
- Data Sharing (DCYF, DOC, DOH, WASPC)

General Trial Court

- Pretrial reform evaluation and research consultation (multi-site)
- Domestic violence workgroup research consultation
- Data for Justice Demonstration projects (Thurston County District Court)
- Therapeutic court development of Continual Quality Improvement (CQI)
- Justice needs estimates

Dependency

- Dependency CQI (Court Improvement Program, Family and Juvenile Court Improvement Program): performance reporting, technical assistance, and development of practices
- Family Treatment Court team implementation, including training, technical assistance, researcher-led CQI, and court practice community
- Early Childhood Court (Safe Babies Court) team implementation, including training, technical assistance, researcher-led CQI, and court practice community
- Dependent children legal representation expansion: evaluation and performance reporting

Juvenile Court

- Probation quality assurance, CQI, performance reporting, technical assistance, and program development

- Detention:
 - CQI with performance reporting, technical assistance, active engagement
 - Electronic Home Monitoring and other alternatives to juvenile detention
 - The impact of COVID on detention (contracted to DCYF/Office of Juvenile Justice [OJJ])
 - Juvenile justice system analysis and reporting (contracted to DCYF/OJJ)
 - Juvenile Law Enforcement data analysis (contracted to DCYF/OJJ)
 - Kitsap Girls' Court implementation evaluation
 - Recidivism

Priorities for New Lines of Work

What's next. WSCCR's priorities were created based on what staff has heard from courts and stakeholders. Justice Yu wants to know the "why" behind these priorities. Carl explained that data can be used to improve knowledge as well as identify the need for improvement. We know that there are differences with gender, race, age, etc. in our court system, but we want to know how this data holds the court system accountable. This is seen most in juvenile detention.

Judge Diaz wanted to add the priority of gathering end-user data. What is the experience of the customer? Carl said he had been consulted on the initial version of interpreter management software and had recommended including data to track performance, but the decision was made to focus on accounting only. However, there are many ways to set up data collection on the customer experience end.

Judge Forbes requested looking at data collection of unrepresented litigants. She and the SCJA are looking at pitching a funding request to the legislature to look at this issue.

Justice Madsen said there is a budget request in for CASA. She would like to make this one of the priorities. Also, she has concerns about showing the correlation between the data development, best practices, and outcomes, in particular the therapeutic courts. Amanda described this in practice with the Sexual Orientation & Gender Identity/Expression (SOGIE).

Cynthia said more research is needed for our courts in terms of disparities. Without staff working with the courts, these changes will be difficult to make. Data for Justice will be in front of the legislature and we would like to have discussions on areas of priorities. Issues such as transparency need to be discussed. Dawn Marie added that data exchanges and partnerships need to be expanded to help identify issues and what our agency can do internally to address these issues.

Review of prior meeting minutes

Adoption of prior meeting minutes by Chief Justice Gonzalez. Minutes were approved. Meeting adjourned at 3:33 pm.