Washington State Supreme Court

Gender and Justice Commission

ANNUAL REPORT

2006

Gender and Justice Commission

http://www.courts.wa.gov/committee/?fa=committee.home&committee_id=85

MISSION

The mission of the Gender and Justice Commission is to promote gender equality in the system of law and justice through:

- Education;
- Coordination and cooperation with other organizations; and
- Programs and projects designed to eliminate gender discrimination and bias.

MEMBERSHIP

The Washington State Supreme Court appoints the Commission chair and members. Maximum Commission membership is 21 representatives from among the following: court of appeals, trial courts, bar associations, clerks of courts, attorneys, trial court administrators, college or university professors, citizens, and the Administrative Office of the Courts.

FUNDING AND STAFFING

The Commission is funded by the Washington State Legislature through the Administrative Office of the Courts (AOC) augmented by federal grants. The Commission has .8 FTE staff and secretarial support from the AOC.

Back row: *Barbara L. Carr, Judge Marlin J. Appelwick, Daniel L. Thieme, Judge Sara Derr, Eileen Concannon, Gloria Hemmen*

Middle row: *Natasha T. Martin, Jeralita Costa, Judge Joan DuBuque, Chief Justice Jane M. Smith, Leslie Owen, Yvonne Pettus, Judie E. Fortier*

Front row: *Grace Huang, Justice Barbara A. Madsen, Judge Linda T. Tompkins*

Not pictured: *Michael J. Killian, Sandra J. Matheson, Judge James M. Riehl, Lindsay T. Thompson*

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Annual Report

Justice Barbara A. Madsen

To: Governor Christine Gregoire
Chief Justice Gerry Alexander
Members of the Washington State Judiciary
Members of the Washington State Legislature
Citizens of Washington State

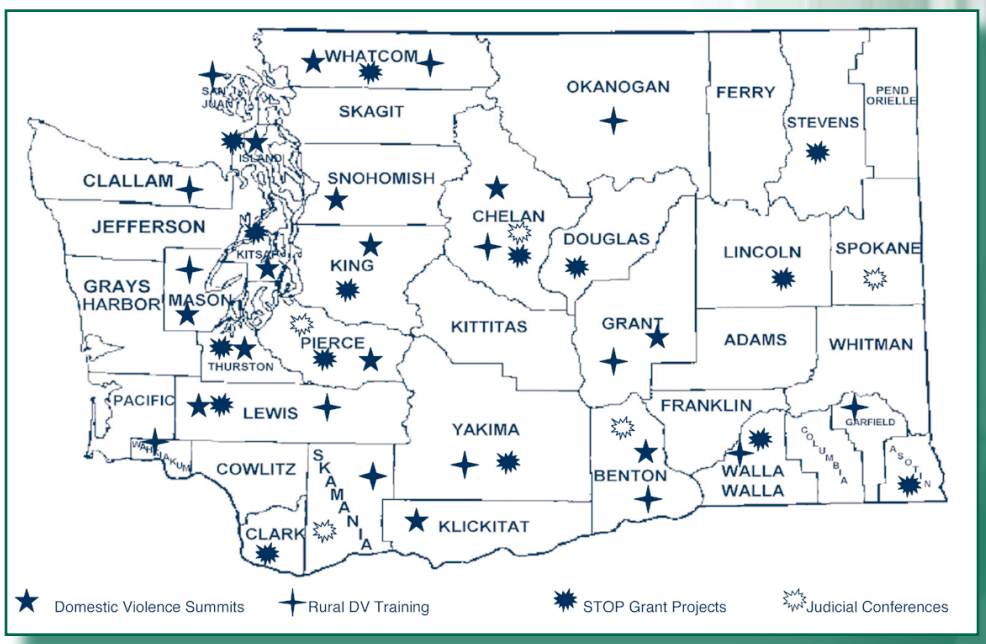
From: Justice Barbara A. Madsen, Gender and Justice Commission Chair

RE: Report on the Work of the Gender and Justice Commission in 2006

On behalf of the Washington State Gender and Justice Commission, I am pleased to provide this annual report on our progress to promote gender fairness, diversity, and equality in our courts and communities. In this report, you will read about the Commission's programs and projects – both accomplished and in progress during 2006.

The Commission was proud when, in 2006, former member Professor Helen Donigan, Gonzaga University School of Law, was invited to the Oxford Round Table on Women's Leadership, Exeter College, England. She chose to report on The Washington State Supreme Court Gender and Justice Commission: A Decade of Leadership. Professor Donigan focused on domestic violence as an example to demonstrate the success of the Commission's work to educate, collaborate, and improve court and community response. As the map below demonstrates, the Commission has sponsored training and projects throughout the state in nearly every county.

Gender and Justice Commission Sponsored DV Grants, Programs, Summits, 1996-2006



In 2007, the Commission will celebrate the 20th anniversary of the establishment of the Washington State Task Force on Gender and Justice in the Courts and two decades of positive efforts to eliminate bias and enhance fairness. With the support of the Washington State Legislature and the Judiciary, we continue our efforts to promote gender equality in the system of law and justice. State funding and federal grants will allow the Commission to provide quality education programs and support innovative projects to promote equality and equal access to justice. Although we have made significant progress toward eliminating gender bias in the courts, our work will not be done until men and women stand before our courts on equal footing.

Thank you for your continuing support!

Overview of Gender and Justice Commission Work

Programs and Projects

Celebrating Our Partnerships

Seattle University Law School Access to Justice Institute (ATJI) hosted the annual Celebrating Our Partnerships Reception on April 20, 2006. Justice Barbara Madsen was honored for inspiring the development of ATJI's Hague Project judicial bench guide chapter on international child abduction and the impact of domestic violence. The chapter was created with the help of student volunteers and is now included in the Washington State Gender and Justice Commission's Domestic Violence Manual for Judges.

Access to Justice Award Recipients, Justice Barbara A. Madsen (left) and Judge Judith Hightower (right) show their awards to Justice Susan Owens.

"As a new administrator, the information regarding my responsibility when dealing with this situation [domestic violence] is very enlightening."

Comment from the program evaluations.

Court Leadership Training: Domestic Violence in the Workplace

One hundred and thirteen (113) court administrative leaders attended the 2006 Court Leadership Program in Spokane, May 16–19, 2006. The Commission provided funding for James Zissler of Littler Mendelson to present a plenary session on Domestic Violence in the Workplace.

Long Range Planning

In order to remain responsive to gender fairness issues facing citizens in Washington Courts, the Commission conducted a one-day long-range planning meeting in May 2006. The Commission heard from Dr. Jodi O'Brien, Department of Society, Justice, and Culture, Seattle University, about Priority Gender Issues: Short and Long Term Judicial Response. Primary issues/trends were identified through literature reviews and direct contact with community organization leaders. Areas for future gender and justice projects in Washington State include: female youth offender incarceration; sexual assault and workplace sexual harassment; gender and diversity bias; and immigrant women.

49th Annual Judicial Conference: Interstate Custody and International Child Abduction: The Hague Convention and Domestic Violence

The Commission sponsored Interstate Custody and International Child Abduction: The Hague Convention and Domestic Violence, a three-hour education program at the 49th Washington Judicial Conference in Spokane on September 26, 2006. Justice Barbara Madsen, Judge Ann Schindler, and Judge Joan DuBuque joined six other expert faculty to provide the judicial audience an overview of the complicated state and federal laws addressing child custody and parental kidnapping. They discussed the options available to judges for addressing situations where a domestic violence victim has fled across state or national boundaries for reasons of safety.

Color of Justice Program

Judges Linda Tompkins and Sara Derr worked with the Spokane Chapter of Washington Women Lawyers, Gonzaga University Law School, and Spokane Public School District 18 to present a Color of Justice Program on October 21, 2006, at Gonzaga University Law School. This program was based on a model developed by the National Association of Women Judges to encourage minority youth to consider careers as judges and lawyers.

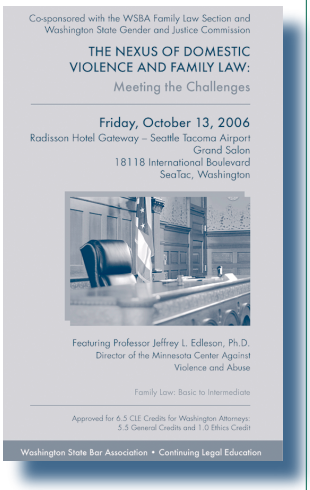
Dr. Jeffrey Edelson presents *Parental Kidnapping, Domestic Violence, and the Child.*

Local Domestic Violence Summits

The Commission provided support for three community-sponsored Domestic Violence Summits in 2006. Programs for Peaceful Living hosted Lieutenant Mark Wynn for a two-day training on the dynamics of domestic and sexual violence, March 9-10 in White Salmon. The Kitsap County Domestic Violence Task Force presented Deadly Silence – Anatomy of a Crime on October 20. In Mason County, Turning Pointe Domestic Violence Services sponsored the Domestic Violence in the Workplace Summit on October 30.

Continuing Legal Education: The Nexus of Domestic Violence and Family Law: Meeting the Challenges

The Washington State Bar Association (WSBA) Family Law Section and the Gender and Justice Commission collaborated to present The Nexus of Domestic Violence and Family Law: Meeting the Challenges, a one-day, WSBA Continuing Legal Education (CLE) program on October 13, 2006 at SeaTac.



Co-sponsored with the WSBA Family Law Section and Washington State Gender and Justice Commission

THE NEXUS OF DOMESTIC VIOLENCE AND FAMILY LAW:
Meeting the Challenges

Friday, October 13, 2006
Radisson Hotel Gateway – Seattle Tacoma Airport
Grand Salon
18118 International Boulevard
SeaTac, Washington

Featuring Professor Jeffrey L. Edleson, Ph.D.
Director of the Minnesota Center Against Violence and Abuse

Family Law: Basic to Intermediate

Approved for 6.5 CLE Credits for Washington Attorneys:
5.5 General Credits and 1.0 Ethics Credit

Washington State Bar Association • Continuing Legal Education

Fifteen faculty members, including Justice Barbara Madsen, Judge Linda Tompkins, and Judge James Riehl, discussed topics ranging from Ethical and Legal Implications of Domestic Violence to How to Structure a Parenting Plan. Dr. Jeffrey Edelson's presentation on What a Family Law Attorney Needs to Know About How Domestic Violence Between Parents Impacts Children was funded by the STOP Grant to the Courts.

Washington Women Lawyers Leadership Symposium

The Commission provided scholarships for eight law school students, government lawyers, and public interest attorneys to attend the Washington Women Lawyers Leadership Symposium, Leadership and Women in the Law: The Changing Profile of the 21st Century Attorney, November 17, 2006, at the Bell Harbor Conference Center. Commission member Eileen Concannon served on the planning committee. Justice Madsen presented on the projects sponsored by the Gender and Justice Commission.

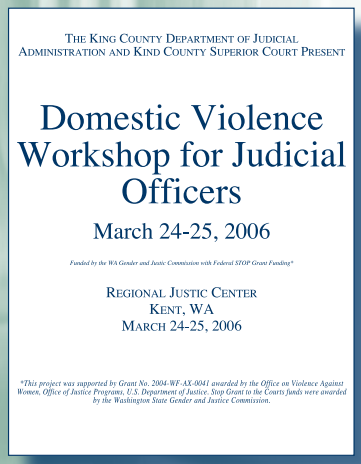
Legislative Committees

The Commission was invited to participate in three Legislative projects in 2006. The **Informal Shared Parenting Workgroup** reviewed the Washington State Parenting Act and considered ways to reduce conflict in divorce cases and serve children's best interests while protecting victims of domestic violence and ensuring the rights of parents. The **Domestic Violence Hope Card Committee** examined the feasibility of producing a laminated wallet size version of the court order for protection, and recommended state resources would be better used to improve the system of support to victims with protection orders. The **Human Trafficking Task Force** began a five-year project to provide guidance to state leaders in responding to the crime of human trafficking and provide services to human trafficking victims. The task force is required to measure the state's progress in preventing human trafficking; identify programs that provide services to victims of human trafficking; make recommendations for a coordinated support system for victims; examine model state legislation; oversee the ongoing efforts of state agencies to develop human trafficking protocols; review mandatory reporting laws; and

Overview of Gender and Justice Commission Work, cont.

Recognition of and sensitivity to victim and family issues in a multicultural environment has resulted in a close review of how we do business versus how we should be doing business. As a result, other projects and partnerships are being discussed to assist victims in accessing the criminal justice and court systems in different ways.

Gloria Hintze, Manager, Yakima County Superior Court


THE KING COUNTY DEPARTMENT OF JUDICIAL ADMINISTRATION AND KIND COUNTY SUPERIOR COURT PRESENT

Domestic Violence Workshop for Judicial Officers

March 24-25, 2006

*Funded by the WA Gender and Justic Commission with Federal STOP Grant Funding**

REGIONAL JUSTIC CENTER
KENT, WA
MARCH 24-25, 2006

**This project was supported by Grant No. 2004-WF-AX-0041 awarded by the Office on Violence Against Women, Office of Justice Programs, U.S. Department of Justice. Stop Grant to the Courts funds were awarded by the Washington State Gender and Justice Commission.*

consider other relevant topics. Commission members Grace Huang served on all three projects, and Gloria Hemmen served on the latter two.

The Domestic Violence Manual for Judges

New sections were added to the Domestic Violence Manual for Judges on assessment of risk posed to children by domestic violence; domestic violence in the lesbian, gay, bisexual, and transgender community; the overlap between state law and immigration law; and the Hague Convention on International Child Abduction. The Domestic Violence Manual for Judges, 2006 will be published and distributed in 2007.

Office on Violence Against Women STOP Grants to the Courts

Since 2001, $580,536 in Violence Against Women Office (VAWO) STOP (Services-Training-Officers-Prosecutors) Grants to the Courts have been administered by the Gender and Justice Commission under the auspices of the Board for Judicial Administration. The Commission's Grant Evaluation Committee has reviewed 61 proposals for court projects and awarded funding for 35 projects. Seven court projects were completed in 2006; nine projects are funded through April 2007; and a Request for Proposal was issued for up to ten new projects in 2007-2008.

Projects completed in 2006 include:
(1) **Asotin County District Court** implemented a domestic violence advocacy project, which provided domestic violence education for court personnel and legal clinics that served 166 victims. (2) **Clark County Superior Court** provided regional training on domestic violence for 28 judicial officers from Clark and neighboring counties. They adapted the Pierce County protection order videotape and translated it into Russian and Spanish. See www.clark.wa.gov/courts/dvvidio.html. (3) **King County Judicial Administration and the Superior Court** provided a two-day Domestic Violence Judicial Workshop at the Regional Justice Center in Kent. Training included an update on the Domestic Violence/Child Protective Services (DV/CPS) protocol. Travel scholarships were awarded to seven judicial officers from outside of King County. (4) **Walla Walla County Superior Court** continued the Domestic Violence Protection Order Clinic and added services to help victims with Parenting Plans. They reported assisting 293 people in filling out court orders for protection. (5) The Washington State Supreme Court and the Department of Children's Administration continued the **Coordinated Response to Child Maltreatment and Domestic Violence Protocol Project (DV/CPS Protocol).** STOP Grant funds supported regional judicial-led meetings and consultants to assist in developing and reviewing local protocols and conducting local trainings. (6) **Whatcom County Superior Court** implemented a court-based Domestic Violence Advocate Program and served 123 victims with the protection order process. (7) **Yakima County Superior Court** developed practices and procedures to begin coordinating court Orders for Protection and reconciling conflicting orders.

In 2006, contracts were awarded to nine (9) courts for the following projects:

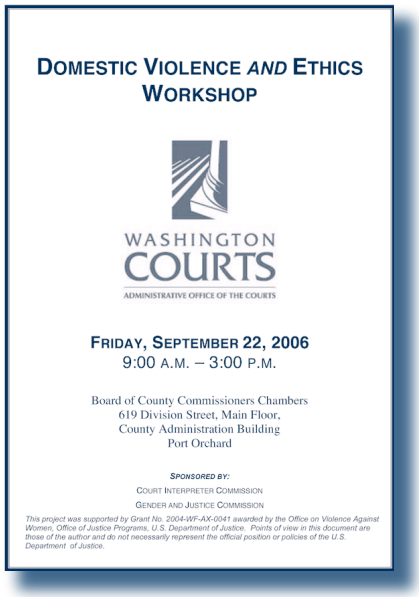
(1) **Asotin County District Court** is continuing the protection order clinics for victims of domestic violence, sexual assault, and stalking and increasing court/judicial education. (2) **Chelan County Superior Court** is establishing a court-based domestic violence advocacy program. (3) **Kitsap County Clerk's Office** is setting up a court clerk's office in the new Kitsap Special Assault Investigation & Victim's Services (SAIVS) Center. (4) The **Lewis County Clerk** and the Superior Court are producing manuals of educational materials in English and Spanish, to assist domestic violence victims in navigating the court system and accessing resources. They are also increasing court/judicial education. (5) **Pierce County Superior Court** is developing a system (policies and proto-

cols) to identify and fast-track cases in the Unified Family Court where there are domestic violence law enforcement reports, convictions, and protection orders. (6) **Walla Walla County Superior Court** is continuing the Domestic Violence Parenting Plan Clinics to assist domestic violence victims. (7) **Whatcom County District Court** is providing training to coordinate domestic violence response between courts and probation officers in Whatcom County and surrounding areas. (8) **Whatcom County Superior Court** is continuing the court-based domestic violence advocacy project. (9) The **Yakima County Clerk** is establishing a Domestic Violence Unit with staff duties dedicated to audit, identify, and reconcile conflicting domestic violence orders and develop a court docket management system. Funds from the previous grant were reallocated to purchase the imaging software required for this project.

STOP Grant funds in 2006 also augmented the Washington State Trial Court Coordination Grant to fund the **Pierce County Protection Order Coordination Project**. Commission member Yvonne Pettus reported Pierce County Superior Court, Pierce County District Court, and Tacoma Municipal Court worked with the Law Enforcement Support Agency (LESA) to audit the existing protection orders, no-contact orders, and unlawful-harassment orders to ensure accuracy and completeness of the order information in the Judicial Information System, the LESA physical files, and the Washington State Patrol system. The project allowed Tacoma Municipal Court and Pierce County District Court to image no-contact orders so judicial officers in the three courts could view the orders.

Stop Grant funds provided travel scholarships for four members of a six-person team to attend **Domestic Violence and Firearms: A National Summit For Community Safety**, Sept. 25-27, 2006, Los Angeles, CA. As a result of attending the summit, the Thurston County Superior Court has developed a court policy regarding seizure of firearms in civil domestic violence cases and criminal cases and two judicial education programs on this topic are scheduled for 2007.

In coordination with the Washington State Interpreter Commission, the Gender and Justice Commission allocated STOP Grant funds for five one-day workshops on **Domestic Violence and Ethics**. Workshops were held on July 7 in Spokane and September 22 in Port Orchard. In 2007, Judge Riehl will present at workshops Everett, Seattle, and Richland.


DOMESTIC VIOLENCE *AND* ETHICS WORKSHOP

WASHINGTON COURTS
ADMINISTRATIVE OFFICE OF THE COURTS

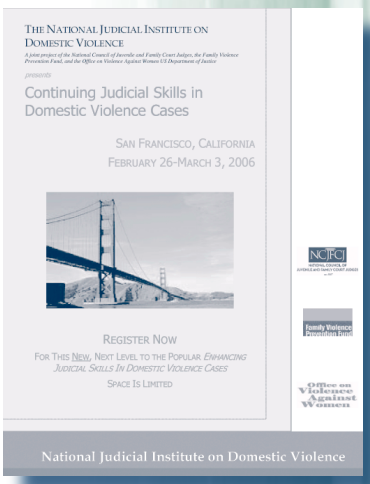
FRIDAY, SEPTEMBER 22, 2006
9:00 A.M. – 3:00 P.M.

Board of County Commissioners Chambers
619 Division Street, Main Floor,
County Administration Building
Port Orchard

SPONSORED BY:
COURT INTERPRETER COMMISSION
GENDER AND JUSTICE COMMISSION

This project was supported by Grant No. 2004-WF-AX-0041 awarded by the Office on Violence Against Women, Office of Justice Programs, U.S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

In 2006, thirteen judicial officers were awarded scholarships to attend the National Judicial Institute's advanced, five-day training **Continuing Judicial Skills in Domestic Violence Cases**. This program included in-depth sessions on immigration and trafficking, rural courts, batterers' treatment, and interstate and international custody. Since STOP Grant funds were made available to the Washington courts in 2001, 113 judicial officers have received scholarships to attend national workshops on domestic violence. Attendees continue to send us positive comments and practical ideas for future work. Seven Washington State judicial officers have been recruited to serve as program faculty.


THE NATIONAL JUDICIAL INSTITUTE ON DOMESTIC VIOLENCE

A joint project of the National Council of Juvenile and Family Court Judges, the Family Violence Prevention Fund, and the Office on Violence Against Women US Department of Justice

presents

Continuing Judicial Skills in Domestic Violence Cases

SAN FRANCISCO, CALIFORNIA
FEBRUARY 26-MARCH 3, 2006

REGISTER NOW

FOR THIS NEW, NEXT LEVEL TO THE POPULAR *ENHANCING JUDICIAL SKILLS IN DOMESTIC VIOLENCE CASES*

SPACE IS LIMITED

NCJFCJ

Family Violence Prevention Fund

Office on Violence Against Women

National Judicial Institute on Domestic Violence

I would like to thank the Gender and Justice Commission for the opportunity to attend the March session of Continuing Judicial Skills in Domestic Violence Cases. As was the case with the Enhancing Judicial Skills course which I attended in September, this was a valuable learning experience which has provided me with information and ideas that I will use on a daily basis. It also has provided me with some extremely useful information, which I plan to make available to my fellow judges.

Judge Michael G. McCarthy, Yakima County District Court.

HONORS

The Washington Judges Foundation presented the 2006 Judge William Nevins Award to **Judge Marlin J. Appelwick** for his outstanding contribution to public legal education. **Eileen M. Concannon** is president-elect of the King County Bar Association and Vice President of Washington Women Lawyers. She received the Washington Women Lawyers' President's Award and was elected to become Fellow of the American Bar Foundation in recognition of contributions to the legal profession and community. **Judge Joan DuBuque** was selected to be a seminar leader for the National Judicial Institute's Enhancing Judicial Skills in Domestic Violence Cases workshops. She participated in an American Bar Association-National Council of Juvenile and Family Court Judges Roundtable in Washington, D.C. to develop visitation guidelines in Domestic Violence cases. **Judie E. Fortier** was re-elected Northwest Regional Director, 2006-2008, of the National Organization for Women. **Justice Barbara A. Madsen** was elected Director for District 13 of the National Association of Women Judges. **Sandra J. Matheson** was elected to the Board of Directors of the Washington State Society of Certified Public Accountants and the Board of the Employee Benefits Research Institute. **Judge James M. Riehl** serves as chair of the National Conference of Specialized Court Judges of the American Bar Association and chair of the editorial board of the Judges Journal for the Judicial Division of the ABA. He is a member of the Board of Trustees of the National Judicial College.

Washington State Supreme Court Gender and Justice Commission

MEMBERS 2006

CHAIR:
Honorable Barbara A. Madsen
Washington State Supreme Court

MEMBERS:
Honorable Marlin J. Appelwick
Court of Appeals, Division I

Ms. Barbara L. Carr**
Jefferson County Juvenile Court

Professor Margaret Chon*
Seattle University School of Law

Ms. Eileen M. Concannon
Riddell Williams P. S.

Ms. Jeralita "Jeri" Costa
Indeterminate Sentencing Review Board

Honorable Sara Derr**
Spokane County District Court

Honorable Joan DuBuque**
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Spokane County Clerk

Ms. Judie E. Fortier
Citizen

Ms. Jennefer Henson*
Des Moines Municipal Court

Ms. Grace Huang
Washington State Coalition Against Domestic Violence

Honorable Michael Killian
Franklin County Clerk

Professor Natasha T. Martin
Seattle University School of Law

Ms. Sandra J. Matheson
Washington State Office of Retirement Systems

Ms. Leslie Owen
Northwest Justice Project

Ms. Yvonne Pettus**
Tacoma Municipal Court

Honorable James M. Riehl
Kitsap County District Court

Honorable Ann Schindler*
Court of Appeals, Division I

Honorable Jane M. Smith**
Colville Tribal Court of Appeals

Mr. Daniel L. Thieme
Littler Mendelson

Mr. Lindsay T. Thompson
Thompson Gipe PC

Honorable Linda G. Tompkins
Spokane County Superior Court

Ms. Gloria Hemmen, Executive Director
Administrative Office of the Courts

** Retired 2006*
*** Appointed 2006*