

Special technology edition!



Case management being prepared for superior courts

In Lewis County Superior Court, staff members schedule hearings by making multiple entries into multiple systems, have to make duplicate entries during calendar preparation, and have no program for managing mandatory arbitration.

A few miles to the north in Thurston County Superior Court, “we spend the majority of our staff time manually scheduling, re-scheduling, sending notices, moving sessions, etc.,” said Court Administrator Marti Maxwell. “A case management system has been the number one item on the court’s wish list for a number of years.”

That wish can soon be checked

SC-CMS
SUPERIOR COURT
CASE MANAGEMENT SYSTEM

off both courts’ lists – Lewis and Thurston county superior courts and county clerk offices have been chosen as pilot sites for a new statewide superior court case management system (SC-CMS) that will be available to

all superior courts and county clerks’ offices in the state.

A joint project of the superior court and county clerk community and the Administrative Office of the Courts (AOC), the new system is now being prepared for configuration to meet the needs of the courts and county clerks after three years of intense study, multiple decision-making points and

(Continued on page 4)

Security changes coming to JIS and AOC web sites

One of the worst data breaches in U.S. government history started with a simple phishing email from a Russian hacker to a worker at the South Carolina Department of Revenue.

In a phishing email, a hacker sends an innocent or interesting looking email that can appear to have come from a friend or colleague. If the receiver opens the email and clicks on

a link or responds to its questions, the hacker can gain enough information to determine sign-on names, passwords and more.

In South Carolina, the Revenue worker responded to the phishing email and hackers gained access to 3.8 million social security numbers as well as bank account numbers, credit card

(Continued on page 8)

Inside

AOC has been reorganized -- Here’s why ... Page 2

Quick guide to the SC-CMS ... Page 5

Tips for improving your own IT security ... Page 9

“Rural” doesn’t mean low-tech ... Page 10

Washington courts on social media ... Page 11

Help on the way for appellate court content management ... Page 11



What’s troubling Judge Thompson? (New feature) ... Page 12

Court administrative records requests -- GR 31.1 plan is underway ... Page 14

News briefs ... Page 15

People in the news ... Page 16

We Are AOC

(Adopting Organizational Change)

By State Court Administrator Callie Dietz and
Supreme Court Chief Justice Barbara Madsen

“Our dilemma is that we hate change and love it at the same time; what we really want is for things to remain the same but get better.” -- Sydney J. Harris

It may not be apparent except to those who work closely with the Administrative Office of the Courts (AOC), but the agency launched a reorganization in October, and we are well aware of what Mr. Harris meant by saying that we both love and hate change.

None of us is totally comfortable with change, even that which is for the good. Rather, we hope that things will continue to improve automatically.

But because we know improvement without change rarely happens, we have spent a little over a year analyzing, planning and executing this reorganization so AOC can better serve the courts and can operate more efficiently from within.

The services provided by AOC have not changed. However, new configurations within the agency “regroup” responsibilities for better communication, coordination and service.

Why change?

Before the former state Court Administrator Jeff Hall left the AOC, he conducted an employee satisfaction survey of the AOC staff.

The survey revealed that staff often did not know how their work contributed to the overall goals of the agency. This response confirmed what some outside observers had already noticed—individually, AOC performance has always been excellent but the work was being done in silos, often not shared internally or with stakeholders who were not directly involved in a project or committee.

This concern, along with the ever growing demand on the shrinking resources of the AOC, made a compelling case for organizational change.

When Callie took over as State Court Administrator, a major commitment involved assessing AOC with a focus on building collaboration, encouraging coordination and finding ways to consolidate functions.

Teamwork approach

The AOC reorganization is not a major change but rather a strategic readjustment of valuable resources. The considerations for each adjustment were made over the past 14 months based on research and conversations with court officials, association leadership, branch agency heads and AOC staff.

Staff members have a solid knowledge and skill base and changes are meant to reconfigure the work so managers and staff have better opportunities to interact and communicate with each other.

We are developing a teamwork approach incorporating feedback and suggestions from those we serve with the wisdom and dedication of staff who want results.

There are four divisions at AOC with sections that focus on supporting core functions of the judicial branch:

- Administration Division, directed by State Court Administrator Callie Dietz;
- Judicial Services Division, directed by former judge Dirk Marler;
- Information Services Division, directed by Chief Information Officer Vonnie Diseth;
- Management Services Division, directed by Chief Financial Officer Ramsey Radwan.



Washington State
Court Administrator
Callie Dietz



Washington Supreme
Court Chief Justice
Barbara Madsen

(Continued next page)

What's new?

New under the Administration Division is the **Office of Court Innovation** which houses cutting-edge programs focusing on the future and ways to improve court services. These units include the Washington State **Center for Court Research** (WSCCR), the Washington State **Gender and Justice Commission**, the Washington State **Minority and Justice Commission**, the Supreme Court **Commission on Children in Foster Care**, the **Court Interpreter Commission** and others.

Newly expanded is the Office of **Communications and Public Outreach** which is now using social media and is working on an improved Washington Courts web presence.

Coordination of the **Board for Judicial Administration** (BJA) and the Office of **Judicial and Legislative Relations** have also been streamlined. This division also houses the Office of **Human Resources**.

New to the Judicial Services Division is the Office of **Trial Court Services and Judicial Education**. The office will provide staff support of court associations, development and production of judicial needs and court staffing estimates, best practices, customer services "Help Desk" and judicial education.

Our hope is these groups, in constant contact with court officials, will coordinate efforts and talk about issues of concern to all so services will be built even more on feedback and input from our customers.

Also new to this division is the Office of **Court Business and Technology Integration** which utilizes the expertise of staff in court business protocol and practice to drive changes recommended to the technology staff. Business analysis, development of web applications

and use of the court business office model will ensure all modifications in technology are made with business processes used by courts.

In this division, the Office of **Legal Services and Appellate Court Support** remains unchanged.

The Information Services Division (ISD) has a wide scope of responsibilities including balancing two major projects — the Superior Court Case Management System (SC-CMS) and the Electronic Content Management System for appellate courts — while preparing to analyze

As we continue to live longer and increase in the quality of life, courts will be called upon more and more to work with an aging population in ways that are non-traditional and will require more knowledge than most of us currently have.

the technology needs and business protocols for our courts of limited jurisdiction in the near future.

New to ISD is the **Office of IT Security** which will join the other units within ISD focusing on policy and planning, operations, architecture and strategy, infrastructure, data and development, and project management and quality assurance.

The Management Services Division (MSD) coordinates budget, fiscal and related activities such as accounts receivable and payable, revenue monitoring and forecasting, budget preparation and presentation.

New to MSD is the Office of **Guardianship and Elder Services** which will continue to provide public guardianship services and management of the certified professional guardianship program but will also expand to analyze and assist courts in

identifying needs for elderly persons coming to court.

As we continue to live longer and increase in the quality of life, courts will be called upon more and more to work with an aging population in ways that are non-traditional and will require more knowledge than most of us currently have.

MSD will also house fiscal note development for legislative sessions and the logistics of event planning for conferences. Within the Office of **Contracts, Procurement and Data Dissemination**, staff maintain a procurement management procedure, contracting protocol and coordination of data dissemination. Additionally, a staff person will evaluate current grants and research areas of need to locate grants that can add or enhance these services.

This teamwork approach reminds us nothing is static and we have an opportunity to evolve into our new roles with a shared vision of what the results can be.

What's next?

The changes took place on October 1, 2013 and we are still determining new processes and protocols. As we work through these new ways of thinking and directing our efforts, AOC will have the opportunity to consider how and why we perform tasks the way we do.

Our goal has been to foster a relationship of self-directed teams which can find the best solutions to issues affecting our courts and the judicial branch.

By moving to this model, staff can feel empowered to apply their innovative ideas and initiative to a structure that supports them and gives them the opportunity to do their best.

Superior court case management, continued from Page 1

working to gain funding for the statewide system.

Other sites will follow Lewis and Thurston, becoming early adopters, as the SC-CMS proceeds with a five-year roll out to nearly all superior courts and county clerk offices in the state.

“We are so pleased to reach this point in the SC-CMS project,” said Vonnie Diseth, Chief Information Officer for AOC. “Staff members at superior courts, county clerks’ offices, AOC, and from around the state are working together and making amazing strides in ensuring the system will improve case management for courts across the state.”

A lot happening

It’s been a busy year for the SC-CMS project, with major turning points this summer and fall.

For background, the SC-CMS project was launched in 2010 at the request of the superior court community including judges, county clerks and court administrators. The community asked the Judicial Information System Committee (JISC) to authorize AOC to develop or acquire a modern case management system capable of streamlining and coordinating the case work of the courts as well as providing better access to records and data.

The system will replace the 35-year-old Superior Court Management Information System (SCOMIS), which was designed primarily to store information rather than manage it. The system will also replace the Judicial Receipting



In October, representatives from superior courts, county clerks’ offices and AOC met with SC-CMS project leaders from Tyler for a “fit” analysis, to evaluate how courts’ current technology and business processes fit with the new case management system, and to start identifying where configuration and adjustments will be needed.



System (JRS) but will not replace the Juvenile & Correction System (JCS).

For more in-depth background on the project, see the March 2012 edition of Full Court Press at <https://inside.courts.wa.gov> under “Court News.”

Activity over the past 12 months includes:

- Late summer/fall 2012** — A Court User Workgroup (CUWG) was formed to provide subject matter expertise on court business processes and requirements, as well as insight on potential impacts, opportunities and constraints associated with transition to the new system. CUWG members (see box on page 7 for membership) review



and agree upon process changes, innovation and standardization and then communicate these needed changes to their staff, colleagues and associations. The hard working CUWG has validated well over 50 business process flows in preparation for SC-CMS transition.

- June 2013** — Legislators authorized funding for the SC-CMS project to go forward.

- March 2013** — Tyler Technologies was chosen as the vendor to provide its Odyssey case management system to Washington superior courts. Odyssey has been implemented statewide in courts in Indiana, North Dakota, New Mexico,

(Continued next page)

South Dakota and Oregon, and implemented in county courts in many other states.

■ **July 25** — The contract with Tyler was signed and executed. Through negotiation, a number of additional software modules such as Financial Manager, Document Management, SessionWorks-Judge Edition, and eFiling, were added to the project scope at less cost than originally bid.

■ **August** — The Project Steering Committee (see box on page 7 for membership) chose Thurston and Lewis counties as pilot sites for the Odyssey implementation. The committee reviewed applications from 10 counties and evaluated readiness assessment questionnaires as well as non-technical criteria such as geographical proximity to each other and to AOC (to make pilot implementation in two courts and county clerks' offices more feasible).

■ **September** — Tyler staff members arrived at AOC in Olympia. At least two will reside in Washington for the duration of the 5-year project, while others will stay for weeks or months at a time working with courts and county clerk offices and AOC staff members.

■ **October/November** — Two extensive "fit" analyses were conducted to determine how the technology and business processes of the courts and county clerks' offices fit with the Odyssey system, and where configuration or process changes will be needed for implementation to proceed. "This was about learning what the landscape looked like," said Marie Constantineau, Deputy Project Manager.

■ **Coming in December** — Tyler is scheduled to produce a detailed report on the outcome of the fit analyses, as well as plans and recommendations for immediate next steps.

"Everyone is working at 120 percent," said Dexter Mejia, Manager of AOC's Court Business Office, which is coordinating the work of the CUWG. "We've made a lot of progress, and we have a long road ahead."

(Continued next page)

Your quick guide to



Who's at the helm?

Overseeing the SC-CMS project are:

- The Judicial Information System Committee (JISC)
- The Project Steering Committee
- The Court User Workgroup (CUWG)
- Tyler Technologies project experts
- The SC-CMS team at AOC

(For the membership of these groups, see page 7)

News

- Lewis and Thurston counties have been chosen as pilot sites for the SC-CMS and will help project teams work through configuration issues.
- Yakima, Benton, Franklin, Klickitat and Walla Walla counties have been chosen as early adopter sites and will help continue configuration work.

The timeline

Now - 2018: Design and development

Feb. - June 2015: Pilot implementation

Sept. - Dec. 2015: Early adopter implementation

April - Nov. 2016: King County implementation

March 2016 - 2019: Statewide roll-out

Tracking SC-CMS progress

■ **The main project web page** at <http://www.courts.wa.gov/?fa=home.sub&org=sccms&layout=2> contains an implementation map, project news, technical specs, FAQs, background and more. It will be regularly updated.

■ **The project page** at <https://inside.courts.wa.gov> (under JIS projects) includes additional technical reports.

■ **Watch the web page** for phone-in town hall meetings, listserv development, and other interactive opportunities.

■ **Each edition of Full Court Press** will include a status update on the project.

Who to contact

Send all questions or comments to sccmsproject@courts.wa.gov and your questions will be directed to the best team member to respond.

SC-CMS, continued from previous page

Why Odyssey?

A detailed list of requirements needed in a modern case management system by Washington's superior courts and county clerks was developed by judges, county clerks, and court administrators, AOC managers and technical experts for courts and AOC.

The new system was required to ensure judicial officers and court staff could direct and monitor court case progress, schedule case events, enforce court business rules, view case schedules, status, progress and case party information, and efficiently communicate court schedules and orders.

It would also enable county clerks to quickly and efficiently maintain court records, report and view case dockets, schedules, status, progress, and case party information, enforce court business rules and address statutory requirements, effectively manage clerk resources, streamline business processes, enable public access, and migrate away from SCOMIS without losing functionality.

One requirement for a successful vendor was demonstrated experience and success in configuring and implementing a statewide court case management system. A "request for proposal" was released in June 2012 seeking companies with case management products that could meet the many requirements, and Tyler Technologies was among those responding.

Based in Texas, Tyler provides technology products solely for government offices and agencies, and the company has a division focused on courts (city, county and state). Its Odyssey Case Manager program for courts is used in 21 states, with 11 of those being statewide.

Selection committee members worked through many months of meetings, demonstrations of the system here in Washington, and site visits to states using the top two vendor products.

The selection team recommended Tyler's product and the JISC approved that recommendation in March 2013.

"The decision to contract with Tyler was a big

victory representing more than three years of focused work and dedication by the superior court community and AOC," said SC-CMS Project Manager Maribeth Sapinosa.

More detailed background on requirements for a vendor and a system, and Tyler's response, can be found at the SC-CMS web page on Inside Courts at <https://inside.courts.wa.gov/index.cfm?fa=controller.showPage&folder=jisProjects/sccms&file=projectHome>.



An implementation map is maintained at the main project web site at www.courts.wa.gov, click on "Judicial Information System" and "Superior Court Case Management System."

<https://inside.courts.wa.gov/index.cfm?fa=controller.showPage&folder=jisProjects/sccms&file=projectHome>

Preparing for liftoff

Lewis and Thurston county superior court and county clerk staff members are well underway in preparing to pilot the new case management system.

"We've participated in online training to become familiar with the program, provided information to Tyler as to our needs, and attended a two-week Fit assessment," said Lewis County's Susie Parker. "We will continue to meet with the Court User Workgroup as we move closer to implementation. Our local IT department has been instrumental in providing information and working

with Tyler to prepare for integration."

Thurston County Superior Court is making similar strides.

"Our judges and staff participated in the recent Fit Assessment process," said Marti Maxwell of Thurston County Superior Court. "Everyone came back ready to take the application out of the box and start using it immediately. They understand there is a lot of hard work ahead and they are ready to get started."

Pilot site implementation is scheduled to begin in February 2015.

Between now and pilot implementation, teams of workers from Tyler, the courts, county clerk offices and AOC will be preparing and configuring Odyssey for Washington superior courts and county clerks' offices, as well as finding court processes that need to be altered to

(Continued on next page)

work with the new system.

When will SC-CMS come to my court?

The full roll-out of Odyssey to all superior courts and county clerk offices in the state is expected to take five years. The project team is currently developing the statewide rollout plan and is generally agreed that the rollout will be geographical groupings of contiguous counties.

The high-level timeline (it will most likely need adjustment over the months and years) looks like this:

◆ **October 2013 – April 2018:** Ongoing design and development.

◆ **February – June 2015:** Pilot implementation in Thurston and Lewis counties.

◆ **September – December 2015:** Early adopter implementation in

Yakima, Benton, Franklin, Klickitat, and Walla Walla counties.

◆ **April – November 2016:** King County implementation.

◆ **March 2016 – January 2019:** Statewide rollout. The order in which the system is implemented statewide will be determined by the Project Steering Committee

Though the system will take time to deploy to all superior courts and county clerks' offices in the state, the benefit of a statewide system includes the addition of highly useful integrated modules such as Financial Manager, Document Management, and SessionWorks – Judge Edition at no extra cost, as well as comprehensive system maintenance and updates and operation assistance.

“We are thrilled to be able to work with Tyler to make sure the program meets the needs of the

courts,” Parker said. “This will allow the county clerk and court administration to work in one program to better manage cases and workflow.”

Maxwell said her court staff members are ready for the change.

“Our staff is especially enthusiastic and ready to welcome the changes in how they manage cases and scheduling,” Maxwell said. “We believe that moving to a statewide integrated case management system means all of our superior courts can improve customer service and case processing.”



Overseeing SC-CMS

From the Judicial Information System Committee (JISC):

Kitsap County Superior Ct Judge
Jeanette Dalton

Snohomish County Superior Ct
Judge Thomas Wynne

King County Clerk Barb Miner

Thurston County Superior Ct.

Administrator Marti Maxwell

Kittitas County JCA William Holmes

Kirkland Municipal Ct. Administrator

Aimee Vance

Project Steering Committee:

Kitsap County Superior Ct Judge
Jeanette Dalton

King County Clerk Barb Miner

Pierce County Clerk Kevin Stock

Thurston County Clerk Betty Gould

Kitsap County Superior Ct

Administrator Frank Maiocco

King County Superior Ct Chief

Administrative Officer Paul Sherfey

Island County Superior Ct.

Administrator/JCA Brooke Powell

Kirkland Municipal Ct Administrator

Aimee Vance

Issaquah Municipal Ct Administrator

Lynne Campeau

Court User Workgroup:

King County Superior Ct. Judge

Palmer Robinson

Benton/Franklin Counties Superior

Ct Judge Bruce Spanner

Chelan County Clerk Kim Morrison

Stevens County Clerk Patty Chester

Walla Walla County Clerk Kathy

Martin

Sarina Aiello, King County Clerk's

Office

Benton/Franklin Superior Ct.

Administrator Pat Austin

Lea Ennis, King County Superior Ct

Information Technology Director

Grays Harbor County Superior Ct.

Admin. Pamela Hartman-Beyer

Carol Vance, Benton/Franklin

Non-voting members:

Cynthia Marr, Pierce County

Bob Taylor, WSBA

Christina Kale, ATJ

Additional Subject Matter

Experts:

Cowlitz County Superior Ct. Judge

Gary Bashor

King County Clerk's Office Deputy

Director Teresa Bailey

AOC:

State Court Administrator Callie

Dietz

Information Services Division

Director Vonnie Diseth

Judicial Services Division Director

Dirk Marler

SC-CMS Project Manager Maribeth

Sapinoso, PMP

JIS security changes, continued from Page 1

numbers and other business information. The impact of the costly breach will be felt for years to come.

It could have been stopped with one simple security step – a program that calls a user’s cell phone and requires him or her to answer before allowing a log-on to proceed. A hacker would have to be in possession of a person’s cell phone before gaining access to their records and accounts.

The world of cyber criminals and cyber security is quickly growing more sophisticated, and Washington courts have not been immune to the whirlwind.

In February 2013, the Administrative Office of the Courts (AOC) learned it had been the victim of a data breach of some older files on the agency’s public web site through a vulnerability in an Adobe program. (Adobe announced the problem and provided a “patch,” but AOC’s data breach had already occurred.) While not nearly as costly as the South Carolina breach — no court records and no personal financial records were involved – up to 160,000 social security numbers and up to 1 million drivers’ license numbers could have been accessed.

(You can find out more about the breach and AOC’s steps to aid anyone who might have been affected at <http://www.courts.wa.gov/newsinfo/?fa=newsinfo.displayContent&theFile=dataBreach/home>.)

In response to this breach and information on evolving cyber security threats, new security measures to guard the Judicial

Information System (JIS) are being enacted and will impact users of the system now and in future months. Many security changes have been enacted behind the scenes at AOC over the past several months, but security steps are now moving into a realm where users of the JIS system will notice changes and, in some cases, need to take action as well.



“We regret that some changes and extra security steps can inconvenience our users,” said state Court Administrator Callie Dietz, “but safe-guarding our data from aggressive hackers is a never-ending process and is critical to protecting the people who use our courts and our systems.”

Happening now or very soon

Security upgrades that have been and will be enacted to protect the JIS were taken after AOC contracted with an IT security company regarding the latest cyber threats and best methods to secure systems. The range of actions included steps that could be taken quickly at AOC, steps that would involve or impact JIS customers, and longer-term security projects that will continue in the coming months and years.

Overseeing the ongoing security measures will be a new Court IT

Security Officer, Terry Overton, recently hired by AOC.

Changes affecting JIS users now and in the near future include:

- **December 5** — Inside Courts users will be automatically timed out (logged off) if they have been inactive for a period of time. The system will also automatically log users out each day at 3 a.m., and will erase “cookies” at the end of each session (cookies are small information files stored on the terminal that can be used for authentication). A great deal of sensitive information is located on the Inside Courts web site and this feature will help protect the site from a user who walks away from a logged-on terminal.

- **December 12** — Changes in password requirements. Strong passwords are a first line of defense against hacking. Just mixing capital letters, lower-case letters and special symbols into passwords exponentially increases the number of potential passwords a hacker would have to go through to gain access. Beginning Dec. 12, all new RACF ID passwords (as well as network passwords used by AOC and appellate court staff and BOXI users) will be required to include at least one capital letter OR one special symbol — @, # or \$ — as well as one lower-case letter and at least one number. Passwords are still required to be exactly eight characters.

- **By end of year** — Mandatory IT security training for Supreme Court, Court of Appeals and AOC staff members will be required

(Continued on next page)

by the end of 2013. Cyber criminals often hack into organizations by targeting individuals (as with the phishing email to the South Carolina worker) and awareness of how hackers operate and basic computer security measures have proven effective in reducing vulnerability.

Changes to come

Longer-term security upgrades will include strengthening the log-on process for the Judicial Access Browser System (JABS), which contains a great deal of

sensitive information, and likely additional steps to other JIS programs used by the courts and by JIS customers.

Detailed information regarding each upgrade will be sent to users before the change is enacted.

“Hackers continue to evolve in their ability to penetrate IT defenses, and we must provide well-managed security protection for our systems and data,” Dietz said. “We appreciate the patience of our customers and ask for your help in spreading the word to staff members and other affected users of the system.”

A few security tips for work or home

Computer hackers and hacking software are becoming increasingly sophisticated. Security measures that will protect you and your systems in the workplace can also help you at home.

The Department of Homeland Security's Computer Emergency Readiness Team has created a tips page designed for non-technical users and includes such topics as dealing with cyber attacks like phishing, malware, identity theft, and viruses; keeping communications safe by protecting email and social networking communications; general security tips such as keeping children safe online, explaining anti-virus software, choosing passwords and other good security habits; security for mobile devices; security tips for online browsing, and more.

Find the site at <http://www.us-cert.gov/ncas/tips>.

Some tips offered by Homeland Security include:

- ◆ **Avoid phishing attacks by raising your suspicion levels** -- Do not give sensitive information to anyone by email, phone or in person unless you are sure they are indeed who they claim to be and that they should have access to the information. Some hackers pretend to be new employees or a worker at a related organization or a friend of a colleague or from a charity responding to a recent disaster.

- ◆ **Be extremely cautious opening emails, particularly those with attachments** -- While email attachments are a popular and convenient way to send documents, they are also a common source of viruses. Use caution when opening attachments, even if they appear to have been sent by someone you know.



"I don't know how my site keeps getting hacked. Everybody I give my password to says it's very secure."

- ◆ **Choose good passwords and protect them** -- Hackers use several programs to guess or “crack” passwords, so choose good passwords and keep them confidential. Don't use passwords based on personal information (like a birthday or address); don't use words that can be found in a dictionary of any language; use a mixture of capital and small letters and numbers and special characters; try using a mnemonic such as ILbb23 (I Love basketball plus your high school jersey number).
- ◆ **If you need to write your password down, don't keep anywhere near your computer.**
- ◆ **Lock your computer** and disengage from the Internet whenever you step away from it;
- ◆ **Use and maintain** anti-virus software, a firewall, and anti-spyware software;
- ◆ **Don't advertise that you are away from home** -- Some email accounts offer an autoresponder that creates an “away” message if you are going to be away from your email for an extended time. While this can be helpful, be careful how you phrase your message so you don't alert hackers you'll be away from home. Also take care advertising your location on social media sites -- perhaps waiting until you return to post those vacation photos.

“Rural” does not mean low-tech

Rural courts harness technology to serve their widespread communities

Douglas County District Court has one judge and courtrooms in East Wenatchee and Bridgeport, 75 miles apart.

The adult jail for the court is in Okanogan, 90 miles from East Wenatchee.

The juvenile detention is in Wenatchee.

Judge Judith McCauley is also a commissioner for Superior Court in Waterville, 25 miles away, where the prosecuting attorney is located.

Superior Court Judge John Hotchkiss holds a regular calendar for truancy and civil hearings in district court (East Wenatchee location).

To make all this work, the courts and county offices not only make use of technology, they approach it in a highly coordinated manner to get the maximum benefit out of their tech tools — particularly video conferencing and document scanning.

“We do video court every day as needed,” said Judge McCauley. “All of this is just our particular situation and Douglas County’s court system works well.”

Douglas County District Court started using video conferencing for in-custody hearings in 1994, and the superior court followed suit in 2001. Adopting the technology was a joint effort of the district and superior courts, the county clerk, the county commissioners and the county auditor.

The video connection allows conferences between East Wenatchee, Waterville, Bridgeport and Okanogan. All four locations can be on the video at one time.

The decision to scan all court files was the next logical step to allow ready access to files for district and superior court judges to hear cases regardless of which courtroom is used. “All our files are imaged and available to both courts,

which allows court hearings to be paperless,” McCauley said.

Since the files and video are available all the time, video is now used for any type of case that needs to be

heard. District court has regularly scheduled video court for Bridgeport for first appearances, protection orders, mitigation and contested hearings.

“The ability to do court in Bridgeport by video is a substantial cost saving and the people who appear by video enjoy the TV court as well as the convenience of court in their home town,” said Douglas County District Court Administrator Marcella Presler.

For the clerk’s office, scanning has the added benefit of multiple users having access to a file at the same time and allows for efficient work flow.

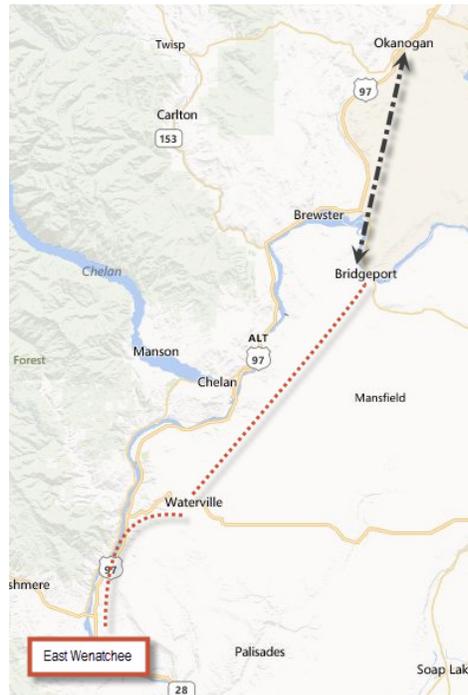
“Scanning has proved a real benefit in responding to public disclosure requests,” Presler said. “No more lost or misplaced files.” It also freed up rooms which had previously been used to store filing cabinets.

Coordination among and between courts and county officials has made many of the strides possible. Chelan and Douglas County Clerks Kim Morrison and Juanita Koch have worked closely with the courts, and Chelan County District Court judges Alicia Nakata and Nancy Harmon have worked with the

judges and staff of Douglas county courts on imaging projects.

“Douglas County has made wonderful strides in using technology to bridge the distances in a rural county,” said Washington Supreme Court Chief Justice Barbara Madsen, who visited the county and courts in July at McCauley’s invitation.

“I was impressed by their innovative use of technology, and the coordination and cooperation they have developed which makes the technology that much more effective.”



Judge Judith McCauley and Douglas County District Court

Social media: One more useful tool for getting the word out

With increasingly more courts and justice agencies utilizing social media to get their messages and information to a busy public, Washington's Administrative Office of the Courts (AOC) has chosen to join them.

The Washington Courts Facebook, Twitter and YouTube pages were launched in late October and feature news and information involving AOC, the Supreme Court, courts around Washington as well as items of interest regarding the judicial branch.

The pages are maintained by AOC's Office of Communications and Public Outreach.

"Social media is no longer a fad," said AOC Communications Manager Wendy Ferrell. "It is used by millions of people and studies show a growing number get a large percentage of their news from social media rather than traditional outlets. Using this tool allows us to get our news out to this growing audience."

The growing trend in judicial branch involvement in social media is being tracked and supported by the National Center for State Courts (NCSC) on a new web



page that identifies courts and agencies using social media, and includes tips and information for courts interested in getting started. The page is located at <http://www.ncsc.org/Topics/Media/Social-Media-and-the-Courts/Social-Media/Home.aspx>

The Washington Courts Facebook page can be found at www.facebook.com/washingtoncourts. AOC is happy to include news and items of interest from courts across Washington. Send an email to Lorrie.Thompson@courts.wa.gov with items you'd like to post.

Streamlined content management coming to the appellate courts

A new enterprise content management system has been chosen for implementation in the Washington Supreme Court and the three divisions of the Court of Appeals.

The system will streamline content management processes for the appellate courts.

Currently, each of the courts utilizes a different document management system, none of which interfaces with the Appellate Courts Records and Data System

(ACORDS) which manages appellate court case data.

The Judicial Information System Committee (JISC) approved the choice of ImageSoft, a Michigan company, to deploy a comprehensive Appellate Court Enterprise Content Management System (AC-ECMS) for the appellate courts. ImageSoft will transition the courts to a single, unified ECM system.

The system will serve as a central repository fully integrated with the Administrative Office

of the Courts (AOC's) existing line-of-business systems and will harness high-speed document scanning, workflow management and electronic document retention. Another component will enable secure, legally compliant electronic signing of documents as part of the workflow, eliminating the need to print a document, sign and rescan it.

The project kicked off in October and will be deployed incrementally with all phases expected to be completed in 2015.

What is troubling Judge Thompson?

By Barbara Harper, MA

Judge Marshall Thompson is one of three judges in a municipal court that has an extraordinarily heavy caseload each year.

He has always been well thought of by his colleagues and court staff. He is hardworking, and most often cheerful. Others have noticed a change in Judge Thompson in the past year. He served a two year term as presiding judge under GR29.

When it was his turn to resume the presiding judge's responsibilities he declined, saying he did not like the administrative duties and would prefer to focus on courtroom responsibilities.

Judge Thompson is beginning to exhibit difficulty focusing on his courtroom responsibilities. He is inattentive during court proceedings. He sometimes appears confused and increasingly relies on prewritten scripts to conduct routine hearings. If he loses his place during his recitation of the script, or if asked a question during his recitation, he recommences reading the entire text from the beginning.

At times he appears to have difficulty orienting himself to his surroundings.

On several occasions, he has failed to reconcile information he

has received while on the bench with the file materials before him. For example, if he asks a defendant his full and true name and receives a response that does not match the information on the citation he often returns documents to the clerk unsigned and unread and fails to keep accurate records as to what he is told in court.

Some mornings he comes to the courthouse smelling of alcohol and appears muddled and out of sorts. When asked if he is feeling ill he only comments that "he didn't sleep well last night."

Lately Judge Thompson has been making statements and engaging in conduct that manifests either bias or

insensitivity, including the use of offensive slang words.

He has been known to mock the sexual orientation of certain parties appearing before him.

The court clerks do not want to appear in court with him because they have to be hyper vigilant to catch his numerous mistakes. They have stopped correcting him because he now becomes verbally abusive when they try to assist him.

Given this set of circumstance, what would you assume is causing Judge Thompson's uncharacteristically



Contact JASP at (206) 727-8268 or email JASP@courts.wa.gov. The call or email is received by the WSBA Lawyer's Assistance Program which then relays the contact to the JASP. Referral to a peer counselor begins within a day or two.

Additional questions can be directed to:

- JASP Chair Judge Chris Culp (cculp@co.okanogan.wa.us);
- Vice Chair Judge Susan Woodard (susan.woodard@yakimawa.gov);
- JASP coordinator Shannon Hinchcliffe, (360) 705-5226, Shannon.Hinchcliffe@courts.wa.gov.

Services provided by the JASP are confidential under DRJ 14(e) which provides that conversations "shall be privileged against disclosure without the consent of the judicial officers to the same extent... as confidential communication between a client and psychologist."

(Continued on next page)

Judicial Assistance Services Program, continued from previous page

unprofessional behavior?

What can you do?

NOTE: Judge Thompson is not a real person -- he has been created up to provide an example of what colleagues might see when a judge is struggling.

Rather than try to ascertain the cause of a judge's problem, make a call to the Judges Assistance Services Program (JASP). Your call will be confidential. A professional will evaluate your information and contact a JASP trained peer counselor to offer assistance to Judge Thompson.

You will not hear from the JASP as to the outcome of the call, nor will your name be mentioned. That is how DRJ 14 (e) works. You can be assured the JASP will do everything we can to help.

If you are Judge Thompson calling for help you will receive a confidential call from a peer counselor, and/or the phone numbers of professionals in your area who can help.

If your situation is an emergency please call 911.

This is the first of a series of articles authored or provided by the Judicial Assistance Services Program, a joint committee of superior, district and municipal court judges and trained peer counselors. JASP uses peer counselors to help prevent or alleviate problems before they jeopardize a judicial officer's career. Like all members of the legal profession, judicial officers sometimes face problems with stress, depression, balancing work and family, alcohol or drug abuse and compulsive behavior.

As a judge, the problems you face are more likely to go unnoticed and untreated because of the very nature of your role in the legal system.

- ◆ You work in isolation;
- ◆ Colleagues and associates may be reluctant to talk with you;
- ◆ You may be hesitant to seek help due to fear,

denial, and embarrassment -- even hopelessness;

- ◆ You may be concerned that your problems may become known and negatively impact your status, reputation, even your future on the bench.

The goal of the JASP is to make judicial officers aware that help is within easy reach. JASP trained peer counselors are empathetic listeners skilled in talking through problems with colleagues, and when necessary, helping them obtain professional assistance.



A call to the JASP is all it takes to put the confidential wheels in motion. If you self-refer, a JASP peer counselor will return your call within a few days to talk or set up a time to meet.

If you are a third party caller JASP staff will return your call, take the details of your concern, and set up a call to

the judicial officer in question. Your name will not be used. You will not hear back concerning the outcome of the call.

If you are concerned about a colleague or think you may need help, please consider calling. Your personal and/or professional problems do not have to be faced alone.

Barbara Harper serves as a Clinical Consultant to JASP on an independent contractor basis. She is the former Director of Lawyer Services for the WSBA, which includes its LAP program—a nationally recognized leader in providing similar services to attorneys in Washington State. Future articles in this series will be written by other members of the Judicial Assistance Services Committee or will be reprinted upon permission from other sources.





Dispatches from the BJA

Administrative Records: Guide for implementing GR 31.1 is underway

Though Washington courts have been providing many administrative records upon request for many years, the passage of General Court Rule (GR) 31.1 by the state Supreme Court in October establishes an official framework for responding to these records requests.

Work now moves on to implementation of the new rule because, while the concepts of disclosure are simple, the details of what, how, who, when and how much can be daunting.

The Board for Judicial Administration (BJA) is taking the lead on implementation with an oversight group and three committees that will spend the next year or more developing a guidebook — a proposed implementation plan including best practices, a model public records policy, model procedures, templates for requests and responses, training recommendations and more.

GR 31.1 will not become effective until the BJA and Supreme Court have approved a final implementation plan.

“The BJA is excited to take on this important work and provide help to the courts as our branch continues moving forward with its commitment to openness,” said Supreme Court Chief Justice Barbara Madsen, chair of the BJA. “Washington courts have long

been on the forefront of operating openly, and this will be another significant step in enhancing public confidence in our justice system.”

The road to here

In 2010, the BJA began addressing what was considered to be a gap in existing state law regarding judicial branch administrative records. Following a 2009 state Supreme Court decision verifying court administrative records were not specifically addressed by the Public Records Act (RCW 42.56), which pertains to the other branches of government, some community members and public records advocates suggested adding the judicial branch to the Act.

The BJA created a Public Records Workgroup which proposed a new court rule addressing access to administrative records. Both the workgroup and the BJA determined the records were better dealt with by court rule than by inclusion in the PRA.

The court rule (at that time, GR 31A) was proposed by the workgroup and published for comment in June 2011. Because of significant input from a public hearing and many written comments, the rule was revised and re-published for additional input in September 2012 and again in early 2013.

The final rule, GR 31.1, was approved by the Supreme Court on Oct. 18.

The rule defines administrative records and addresses such documents and topics as financial records; chamber records (which are not subject to disclosure); records requests indicating harassment, intimidation and security threats; documents on employees’ personal electronic devices; deliberative process documents; designation of a public records officer; timeframes for responding; fees for copying and other costs; and more.

For the full text of the rule, visit http://www.courts.wa.gov/court_rules/?fa=court_rules.adopted

What’s next?

The implementation oversight group and its committees have begun meeting to develop, review and revise plans and documents that will go the Supreme Court for final approval.

The group and committees (see box on next page for membership) include:

- **Core Work Committee** — Will draft guidelines for procedures, templates, best practices, FAQs and training materials. Committee will meet monthly with subcommittees meeting as needed.

(Continued on next page)

■ **Executive Oversight Committee** — Will review documents of the Core Work Committee, recommend changes, resolve issues and make recommendations to BJA.

■ **External Review Committee** — Will review draft materials from a user or public viewpoint and recommend changes.

■ **BJA Implementation Oversight Group** — Will review the recommendations of the Oversight Committee, propose changes, resolve issues and make recommendations for an implementation plan and materials to be approved by the Supreme Court.

The BJA and committees are working on a

timeframe for completion of the implementation plan and products.

“We recognize this is another requirement on courts that are already overworked and under-staffed,” Madsen said, “but openness of government, including the judicial branch, has been a core principle in Washington since it became a state. With this step, we are continuing to keep the promise that the courts belong to the people.”

“Dispatches from the BJA” will bring you regular updates on activities of the Board for Judicial Administration. Watch for more dispatches in each edition of Full Court Press.

Hard at work creating implementation guides

An oversight group and three committees have been assigned by the BJA to develop plans, guidelines, templates, best practices, training recommendations and other documents to help courts implement GR 31.1.

The members of those committees include:

BJA Implementation Oversight Group

King County District Court Judge Janet Garrow
Court of Appeals Division I Judge Ann Schindler
Whatcom County Superior Court Judge Charles Snyder

Executive Oversight Committee

Cowlitz County Superior Court Judge Michael Evans
King County Superior Court Judge Kimberley Prochnau
Court of Appeals Division II Judge Bradley Maxa
Olympia Municipal Court Judge Scott Ahlf
Bellingham Municipal Court Commissioner Pete Smiley
Thurston County Prosecutor Jon Tunheim
Deputy Attorney General Christina Beusch

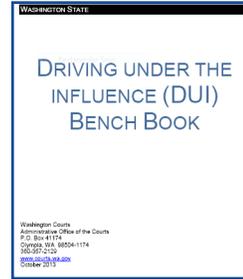
Core Work Committee

Office of Civil Legal Aid Executive Director Jim Bamberger
Attorney Charles Bates, AOC
Supreme Court Clerk Ron Carpenter
Marysville Municipal Court Administrator Suzanne Elsner
Thurston County District Court Administrator Theresa Ewing
Chelan Co. Juvenile Court Administrator Phil Jans
King County Superior Court Deputy Chief Administrative Officer Linda Ridge
Office of Public Defense Deputy Director Sophia Byrd McSherry
State Law Librarian Kay Newman
SeaTac Municipal Court Administrator Paulette Revoir
Court of Appeals Division III Clerk Renee Townsley
Snohomish County Superior Court Administrator Bob Terwilliger

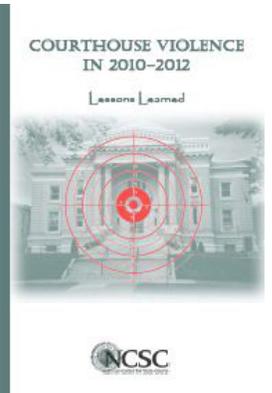
External Review Committee

AOC Court Access Programs Manager, Shirley Bondon
Michele Earl-Hubbard, Washington Coalition for Open Government
WSBA general counsel Jean McElroy
Allied Daily Newspapers of Washington Executive Director Rowland Thompson

The DUI Benchbook for Washington courts has been significantly revised and updated by a committee of judicial officers, court officials and community members led by Lake Forest Park Municipal Court Judge Linda Portnoy. The update of the 2004 benchbook was funded by a grant from the Washington Traffic Safety Commission. It can be found online at <https://inside.courts.wa.gov>, under “Judges’ Resources” and “Benchbooks.”



A new report on courthouse violence by the National Center for State Courts has been released and includes advice for avoiding and surviving courthouse attacks. The report, “Courthouse Violence in 2010-2012: Lessons Learned,” includes input from Grays Harbor County Superior Court Judge Dave Edwards, who was stabbed during a courthouse assault on March 9, 2012. It was funded with a grant from the State Justice Institute. You can find the report online at <http://www.ncsc.org/Services-and-Experts/Areas-of-expertise/Emergency-planning-and-security/Courthouse-Violence-Lessons-Learned.aspx>, which includes a video dramatization that also offers advice for surviving an attack.



The Administrative Office of the Courts is seeking educational session proposals for the 56th Judicial Conference tentatively scheduled for September 21 – 24, 2014. Educational proposals should come from a commission, committee, or group and meet the needs of all levels of court and provides thought-provoking, educational content. To submit a proposal, please click here: <https://www.surveymonkey.com/s/2014annualrfp> Proposals are being accepted until January 10, 2014.



Columbia Legal Services Children and Youth Project has released a new resource for the legal community on helping homeless youth: “Homeless Youth Handbook -- Legal Issues and Options.” More than 27,000 homeless youth attend schools in Washington, including more than 2,000 who are not in the custody of a parent or guardian. The handbook is presented both in pdf format (easily printed) or as a searchable web page, and is a joint project of Columbia Legal Services, Starbucks and Baker & McKenzie. Find it here: <http://www.homelessyouth.org/handbook/about-handbook>



More than 130 foster children were adopted during community events in Washington courts for the 2013 National Adoption Day celebration. It was the 9th annual statewide celebration of the event, which is intended to increase awareness of the many foster children in Washington available and waiting to be adopted into new families. A final report on the 2013 celebration will be available soon at www.courts.wa.gov/newsinfo/adoptionDay/?fa=adoptionDay.home



News Briefs

People in the News

Court of Appeals Division II Judges Christine Quinn-Brintnall and Joel Penoyar have announced their retirement from the court. Quinn-Brintnall is serving her third term on the bench and said she is stepping down for health reasons. She will retire effective Jan. 2, 2014. Penoyar has served as a judge in Washington courts since 1976, and will retire effective Feb. 28, 2014.



Kitty-Ann van Doorninck

Pierce County Superior Court Judge Kitty-Ann van Doorninck was named recipient of the Washington Judges' Foundation 2013 Judge William Nevins Award. Van Doorninck volunteers for "We The People," a high school civics competition, and is a senior fellow in American Leadership Forum, among other activities. The award is presented to a person who contributes to youth education or public understanding of the role of the judiciary.



Sharon Armstrong

King County Superior Court Judges Laura Inveen and Sharon Armstrong (retired) received Outstanding Judge awards from the Washington State Bar Association (WSBA) at its annual dinner in September. The award is presented for outstanding service to the bench and for special contribution to the legal profession at any level of court. Judge Inveen has served on the bench for 21 years and implemented one of the state's first juvenile drug courts. Judge Armstrong served the bench for 27 years, holding numerous leadership positions and served for 12 years on the Washington Pattern Instruction Committee.



Laura Inveen

Chelan County Superior Court Judge T.W. "Chip" Small received the Norm Maleng Leadership Award at the WSBA September awards dinner. The honor is awarded jointly by the WSBA and the Access to Justice Board in honor of King County Prosecutor Norm Maleng's legacy as an innovative and optimistic proponent of justice. Judge Small pioneered the idea of a Diversity Justice Day for Youth in Chelan and Douglas counties which in 2013 attracted 250 students to meet and learn from judges, attorneys, probation officers and other members of the legal community. Small also mentors high school students and helped found the Chelan/Douglas Counties Volunteer Services organization.



Thurston County Superior Court Judge Thomas McPhee (retired) received the 2013 Washington Association for Justice Judge of the Year Award. McPhee served on the bench for 22 years and was a strong advocate for dispute resolution in all civil cases.

More than 20 district and municipal court judges were sworn into office at the Temple of Justice in Olympia on Monday, Dec. 9 by Washington Supreme Court Chief Justice Barbara Madsen. All CLJ judges who were elected or reelected to the bench in 2013 were invited to participate in the ceremony.

