



**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

December 10, 2021

**VIA ZOOM
VIDEO CONFERENCE**

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2021-2022

<i>DATE</i>	<i>TIME</i>	<i>MEETING LOCATION</i>
<i>Friday, July 9, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Aug 13, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Sept 10, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Oct 8, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Nov 12, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Dec 10, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Jan 14, 2022</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Feb 11, 2022</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, March 11, 2022</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, April 8, 2022</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, May 13-14, 2022 TENTATIVE</i>	May 13: 12:00-5:00 p.m. May 14: 9:00-1:00 p.m.	DMCJA Board Retreat Location: TBD
<i>June 2022 – TBD</i>	9:00 a.m. – 12:00 p.m.	DMCJA Spring Program, Location: TBD

AOC Staff: Stephanie Oyler

Updated: September 7, 2021

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**DMCJA BOARD MEETING
FRIDAY, DECEMBER 10, 2021
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE**

PRESIDENT CHARLES SHORT

AGENDA

PAGE

Call to Order

- 1. Welcome and Minutes** – Judge Charles D. Short
A. Minutes for November 12, 2021 Meeting

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2. Reports

- A. Liaisons' Reports
1. District and Municipal Court Management Association (**DMCMA**) – Kris Thompson, President
 2. Misdemeanant Probation Association (**MPA**) – Regina Alexander, Representative
 3. Washington State Association for Justice (**WSAJ**) – Mark O'Halloran, Esq.
 4. Washington State Bar Association (**WSBA**) – Francis Adewale, Esq.
 5. Minority Bar Associations –
 6. Administrative Office of the Courts (**AOC**) – Dawn Marie Rubio, State Court Administrator
 7. Board for Judicial Administration (**BJA**) – Judge Mary Logan, Judge Dan Johnson, Judge Tam Bui, and Judge Rebecca Robertson
 8. CLJ-CMS Project and Rules for E-Filing – Judge Kimberly Walden
 9. Superior Court Judges' Association (**SCJA**) – Judge Jennifer Forbes, SCJA President-Elect
 10. Racial Equity Consortium – Judge Anita Crawford-Willis and Judge Michelle K. Gehlsen
- B. Rules Committee Report – Judge Jeffrey D. Goodwin
1. Rules Committee Meeting Minutes – September 22, 2021
- C. Diversity Committee Report – Judge Karl Williams
- D. Legislative Committee Report – Judge Kevin G. Ringus & Commissioner Paul Wohl
- E. Therapeutic Courts Committee Report – Judge Laura Van Slyck
- F. Public Outreach Committee Report – Judge Michelle K. Gehlsen
- G. Education Committee Report – Judge Jeffrey R. Smith
- H. Treasurer's Report – Judge Karl Williams
- I. Special Funds Report – Judge Jeffrey R. Smith

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10
19

- 3. Break** - 10 minutes

4. Action Items

- A.

5. Discussion A. Rules Committee recommended comments on CR 39 & GR 41. B. Rules Committee – Amendments to GR 19, Remote Appearances C. YMCA Request for Donation D. Spring Program/June Board meeting options E. President’s Fund – Splitting funds between general fund and special fund	22 29 30
6. Information A. New DMCJA Nominations to External Committees: 1. Uniform Infraction Citation Committee, 2 Year Term – Judge Kevin Ringus 2. Pattern Forms Committee, 4 Year Term – Judge George Steele 3. WA Supreme Court Interpreter Commission, 3 Year Term – Judge Lloyd Oaks B. Remote or In-Person Jury Trials Survey - Summary of Responses	 31
7. Adjourn	
Next Scheduled Meeting: Friday, January 14, 2022, 12:30 p.m. – 3:30 p.m., Via Zoom Video Conference	



DMCJA Board of Governors Meeting
Friday, November 12, 2021, 12:30 p.m. – 3:30 p.m.
Zoom Video Conference <https://wacourts.zoom.us/j/97570254401>

MEETING MINUTES

Members Present:

Chair, Judge Charles D. Short
Judge Anita Crawford-Willis
Judge Michelle K. Gehlsen
Commissioner Rick Leo
Judge Catherine McDowall
Judge Lloyd Oaks
Judge Kevin Ringus
Judge Jeffrey Smith
Judge Laura Van Slyck
Judge Mindy Walker
Judge Karl Williams

Guests:

Judge Tam Bui, BJA
Judge Rebecca Robertson, BJA Representative
Judge Jeffrey Goodwin
Judge Kimberly Walden
Regina Alexander (MPA)
Maya Bradshaw, Black Students Law Association –
Seattle U School of Law
Caroline Djamalov, King Co Prosecuting Attorney’s Office
John Laney, Filipino Lawyers of Washington
Doris O’Neal, YWCA

Members Absent:

Judge Thomas Cox
Judge Michael Frans
Judge Drew Ann Henke
Commissioner Paul Wohl

AOC Staff:

Stephanie Oyler, Primary DMCJA Staff
J Benway, Principal Legal Analyst
Tracy Dugas, Court Program Specialist

CALL TO ORDER

Judge Charles D. Short, District and Municipal Court Judges’ Association (DMCJA) President, noted a quorum was present and called the DMCJA Board of Governors (Board) meeting to order at 12:34 p.m.

WELCOME AND MINUTES

Judge Short welcomed everyone to the November 2021 meeting of the DMCJA Board of Governors.

A. Minutes

The minutes from the October 8, 2021 meeting were previously distributed to the members. Judge Short asked if there were any changes that needed to be made to the minutes. Hearing none, the minutes were approved by consensus.

PRESENTATION

A. Survivor First

Judge Short welcomed YWCA Seattle King County Director Doris O’Neal and King County Prosecuting Attorney’s Office Lead Deputy Caroline Djamalov of Gender Based Violence Specialized Services, who gave a presentation on Survivor FIRST (Facilitating Interventions and Resources for Survivors of Trauma).

COMMITTEE AND LIAISON REPORTS

A. Liaison Reports

1. District and Municipal Court Management Association (DMCMA)

DMCMA President Kris Thompson was not present.

2. Misdemeanant Probation Association (MPA)

MPA Representative Regina Alexander reported that MPA recently received a grant from the Traffic Safety Commission that will help them to purchase portable breath tests. The funds will also be used to pay for costs associated with updating the supervision manual, training for how to properly administer portable breath tests, and a guest speaker at their May conference. Regina shared that 28 people graduated from Probation Academy this year, which was held partially in-person and partially remote. MPA is partnering with the American Probation and Parole Association (APPA), which is currently offering two-for-one membership, so she encourages courts to have their probation staff join if they are not currently members. MPA is also working on a program called Building Bridges, which is a network of probation officers across the state who are willing to provide mentorship or assistance, similar to DMCMA's Courts Helping Courts program.

3. Washington State Association for Justice (WSAJ)

WSAJ Representative Mark O'Halloran, Esq. was not present.

4. Washington State Bar Association (WSBA)

WSBA Representative Francis Adewale, Esq. was not present.

5. Minority Bar Associations – Filipino Lawyers of Washington (FLOW)

John Laney, President of the Filipino Lawyers of Washington, introduced himself and shared information about his organization. John Laney reported that during the COVID-19 pandemic, a lot of their usual activities and outreach have been cancelled and they are struggling to maintain engagement with members and stakeholders. John Laney shared that FLOW has many talented members, some of whom are considering a career in the judiciary, and that they would appreciate more opportunities for pro tem trainings, mentorship, and exploring pathways to the bench. John additionally shared that FLOW is looking for ways to be more assertive, including providing their own endorsements. Staff will send information about The Judicial Institute to John to share with FLOW members.

6. Seattle University School of Law

Maya Bradshaw, Vice President of the Black Law Students Association, reported that the association will be holding a symposium on February 25, 2022, at Seattle University. The theme for the event will be Institutional Transformation and the Law, with panels on understanding the limits of formal equality and critical discussion about substantive racial justice initiatives, along with a keynote from Justin Hansford. Staff will distribute information about this event as it approaches.

7. Administrative Office of the Courts (AOC)

State Court Administrator Dawn Marie Rubio was not present.

8. Board for Judicial Administration (BJA)

Judge Rebecca Robertson reported that the Trial Court Security Task Force is beginning to hold meetings with legislators to discuss their request for over \$4 million in funding for courthouse security staff. Judge Robertson shared that the Policy and Planning Committee recently conducted a survey to gauge what kind of funding courts would like to procure, with most courts of limited jurisdiction indicating they needed more funding for therapeutic courts.

Judge Tam Bui reported that Court Education Committee is actively looking at final edits of the subcommittee working on diversity equity and inclusion, which will give definitions for use in training, as well as guiding principles for groups utilizing CEC funding to incorporate these concepts into education, training and presentations. Judge Bui also shared that they are reviewing the 2017 strategic plan because the education landscape has changed so much over time, and they will evaluate what the committee has accomplished, determine what to include in education going forward, and set goals for future years.

9. CLJ-CMS Project and Rules for e-Filing

Judge Kimberly Walden reported that the CLJ-CMS project team is continuing to work with Tyler Technologies, and are going through a testing process right now. Judge Walden shared that the committee is discussing the possibility of utilizing outside software to fill gaps, and how integration would work. Judge Walden noted that they are waiting for a funding decision from the state regarding eFiling before determining how best to move forward with that portion.

Judge Goodwin reported that Rules Committee determined that policy issues with eFiling are too broad for them to consider alone, as well as outstanding concerns regarding funding and the unresolved mandatory vs non-mandatory discussion. Judge Short noted that funding for eFiling is a top priority for DMCAJ this year and that the Legislative Committee and Melissa Johnson, DMCJA lobbyist, have been in discussions with legislators. Judge Short also shared that Vicky Cullinane is no longer employed by AOC, so any JISC questions should come to staff until a replacement is hired.

10. Superior Court Judges' Association (SCJA)

SCJA President-Elect Judge Jennifer Forbes was not present.

11. Racial Equity Consortium

Judge Michelle Gehlsen reported that the Consortium is working on a plan for the next year, with staff putting together a comprehensive work plan for different groups to put pieces of the plan into action.

B. Rules Committee Report

Judge Jeffrey D. Goodwin reported that the Supreme Court put the DMCJA rule proposal for CrRLJ 3.4 up for comment along with the proposal for CrRLJ 3.3. Judge Goodwin shared that DMCJA and SCJA rules committees are collaborating on potential amendments to CrR 3.4 and CrRLJ 3.4, which would move standards for remote hearings out of the existing rules and into a new general rule. Judge Goodwin expects that the committee will have a draft to the board for the December meeting. Judge Short inquired if Rules Committee would be able to provide feedback to Justice Stephens regarding GR 39 and GR 41, and Judge Goodwin responded that he will look into providing comments by their December 6 deadline.

C. Diversity Committee Report

Judge Karl Williams reported that the electronic home monitoring survey has been distributed and noted that some court funding options have changed significantly since the beginning of the COVID-19 pandemic, where there may currently being opportunities for subsidized electronic home monitoring that may not exist once the pandemic has passed and financially disadvantaged people will once again need to determine if they can afford EHM versus jail time.

D. Legislative Committee Report

Judge Kevin Ringus reported that he cannot remember an interim that has been as busy as this year. Judge Ringus shared that Melissa Johnson, DMCJA lobbyist, has been meeting with legislators, and that in addition to those meetings, the Committee has been participating in the following: 3 Blake workgroups, a workgroup for establishing a model interlocal probation agreement as required in HB 1294, 3 workgroups from the protection order bill (HB 1320), discussions regarding SB 5476 (Blake response bill) and continued funding for therapeutic courts, a Jail Standards Task Force, legislative work sessions from

House Public Safety Committee (regarding drug policy) and House Civil Rights and Judiciary Committee (regarding court unification).

E. Therapeutic Courts Committee Report

Judge Laura Van Slyck reported that over \$9 million was requested by applicants for the therapeutic court grants program established in SB 5476, with only \$4.5 million available to distribute. Judge Van Slyck shared that the committee will be meeting on December 1 and will discuss more detailed information about the awards, along with the hope that there could be more supplemental funding this legislative session. Judge Van Slyck noted that she will be presenting information about therapeutic courts and the grant distribution to the House Public Safety Committee at their upcoming work session, along with Judges Ringus and Gehlsen. Judge Van Slyck shared that the Therapeutic Courts Committee members worked together in a spirit of collaboration and goodwill, to assist other courts with their grant applications, which she feels speaks well for the Association, the Committee, and the importance of therapeutic courts. Judge Short noted that he had heard about courts that did not apply for funding because they were intimidated by the idea of starting a therapeutic court, or by the application process, so the need statewide is beyond those that applied during the application period.

F. Public Outreach Committee Report

Judge Michelle K. Gehlsen reported that the committee is continuing to work on subcommittee projects, including a Facebook page and a resources toolkit for judges (which will include sample State of the Courts presentations). Judge Gehlsen requested that any board members who have samples they would like to share should send them to staff.

G. Education Committee Report

Judge Jeffrey R. Smith reported that the committee now has a draft schema for the spring conference, which includes an interesting mix of education topics, and which will be formalized at the meeting early next month. Judge Smith shared that we do not yet have a signed contract but that the hope is to hold the conference at Campbell's in Chelan. Judge Short noted that dates for the conference are currently being held by the resort, but that the current negotiations are focused on providing an adequate escape clause should the in-person event need to be cancelled. Brief discussion ensued about the value of recording Judicial College education sessions.

H. Treasurer's Report

Judge Karl Williams referred members to the meeting packet for details.

I. Special Funds Report

Judge Jeffrey R. Smith reported that the Special Fund has generated \$6.62 in interest.

BREAK

Judge Short recessed the meeting for a 10 minute break.

ACTION

DISCUSSION

A. Representative Hansen and House Civil Rights & Judiciary Committee Work Session: Unifying the Court System

Judge Short shared that DMCJA and SCJA held a joint meeting to discuss a plan for the work session with Representative Hansen, and that a BJA meeting was also convened. Judge Short invited any members who would like to be part of the discussion to contact staff for an invitation to future

discussions on this issue. Judge Short inquired if members had thoughts on what information should be included in the presentation, or if DMCJA should present a one-pager document to the legislative committee. He noted that there is no specific proposal from Representative Hansen about what model he may introduce, but that the National Center for State Courts will be participating in the work session to present about different models. Brief discussion ensued about whether or not the legislature has the authority to make this decision, and Judge Short noted that there would likely need to be constitutional changes.

Judge Short shared that one of the topics he plans to touch on during his presentation is how some projects on topics that are important to the legislature would have to be delayed to implement this kind of substantial change. Judge Ringus noted that Representative Hansen appears to be in an information gathering stage, and that an actual proposal likely won't happen this legislative session because it is a "short" (60 day) session this year. Judge Ringus also noted that we do not know yet what kind of "unification" may be of interest to the legislature, as this could simply mean that they would like to have all courts sharing technology and data. Judge McDowell inquired about what problem the legislature is actually trying to solve with this change, as this would inform what materials DMCJA submits. Judge Short responded that he believes this is the key question, and we are not sure.

Judge Short continued that this issue has been discussed many times over the years, and studies by DMCJA and others have been conducted to determine the impacts of unification. Discussion ensued about specific times that legislators may have been frustrated in recent years because they were not able to access information they needed, or were told that court technology does not work how they thought it did. Judge Bui noted that her impression is that the point of the work session is simply to share information, and that the frustration from legislators may be related to them not fully understanding how the court system works.

B. Legislative Workgroups – ESB 5476 (Blake), HB 1320 (Protection Orders), SB 5307 (Pretrial Release and Detention Act)

This item was addressed earlier on the agenda under Legislative Committee Report.

C. Municipal Court Judges Swearing-In Ceremony – Judge Kevin Ringus

Judge Ringus shared that the event is coming up soon on December 6, 2021 at 8:30 a.m., and that the save-the-date has been sent to the DMCJA listserv. Judge Ringus noted that several judicial positions will be turning over in the next few weeks, so there may be new judges that we are not aware of yet.

D. Spring Program Update

This item was addressed earlier on the agenda under Education Committee Report.

E. President's Fund – Splitting funds between general fund and special fund

Judge Short shared that he had spoken to Tom Creekpau, an AOC employee who handles ethics questions for judges, and that Tom recommended that DMCJA utilize the special fund for gifts and flowers, rather than the general fund. Judge Short noted that in the current budget, DMCJA has allocated \$2000 to the President's Fund but that it does not differentiate between special and general funds, so he suggests that the association allocate \$1500 from the general fund and \$500 from the special fund for these purposes. Staff will discuss the logistics of this idea with the DMCJA bookkeeper and this item will be carried over to the January agenda.

INFORMATION

Judge Short noted that the passing of Judge Steiner has been particularly impactful to members. Judge Smith suggested that DMCJA could establish a scholarship or some other meaningful gesture, such as an annual

leadership award. Discussion ensued about the potential meaning and name of the award, including “Leadership in Adversity” suggested by Judge Oaks. Members determined that they would prefer to establish a new award for this purpose versus re-naming the President’s Award. Commissioner Leo will draft a resolution that would explain the importance of Judge Steiner’s contributions to DMCJA and establish the award in his name. This item will be carried over to the January agenda.

Judge Short brought the following informational items to the Board’s attention.

A. New DMCJA Nominations to External Committees:

1. DSHS General Advisory Committee - Judge Jeffrey J. Baker, Klickitat County District Court
2. Washington Pattern Jury Instructions Committee (WPI) – Judge Whitney Rivera (mid-term replacement for Judge Aimee Maurer)

B. Member Volunteer Service Opportunity – Washington State Supreme Court Gender and Justice Commission

C. Memorial Service Announcement – Honorable Judge Eric Z. Lucas, retired

D. King County Bar Association Announcement – Honorable Judge David Steiner’s Passing

OTHER BUSINESS

The next DMCJA Board Meeting is scheduled for Friday, December 10, 2021 from 12:30 p.m. to 3:30 p.m., held via Zoom video conference.

The meeting was adjourned at 3:20 p.m.



**DMCJA Rules Committee Meeting
Wednesday, October 27, 2021 (12:15 – 1:15 p.m.)**

Via Zoom

MEETING MINUTES

Members Attending:

Judge Samuelson, Acting Chair
Judge Buttorff
Judge McDowall
Judge Meyer
Commissioner Nielsen
Judge Oaks
Judge Padula

AOC Staff:

Ms. J Benway

Members Not Attending:

Judge Goodwin, Chair
Judge Campagna
Judge Eisenberg
Judge Finkle
Judge Gerl
Commissioner Hanlon
Ms. Tina Gill, DMCMA Liaison

Judge Goodwin was unable to attend the meeting, so he requested that Judge Samuelson act as chair. Judge Samuelson called the meeting to order at 12:16 p.m.

The Committee discussed the following items:

1. Welcome & Introductions

Judge Samuelson welcomed the Committee members in attendance.

2. Approve Minutes from the September 22, 2021 Committee Meeting

It was motioned, seconded, and passed that the minutes of the September 22, 2021 Committee meeting be approved. The minutes will be forwarded to the DMCJA Board.

3. Discuss King County Superior Court Bench proposed new General Rule – Jury Selection by Videoconference and proposed amendments to CR 39 – Trial by Jury or by the Court [Comment deadline of December 29, 2021]

The comment deadlines for the proposal to amend CR 39 and the new proposed GR 41 pertaining to jury selection by videoconference were extended to December 29, 2021.

The Committee noted that neither proposal would seem to have a major impact on courts of limited jurisdiction, although the general rule would be applicable to CLJs. Judge Goodwin sent an email to the DMCJA listserv to gauge interest but is not here to discuss it, so this item will be carried over to the next meeting.

4. Discuss Proposed Amendments to CrR/LJ 3.4

Judge Samuelson reported that Judge Goodwin is working with the Superior Court Judges' Association Rules Committee on a joint proposal to amend CrR 3.4 and CrRLJ 3.4. This item will be carried over to the next meeting.

5. Discuss Draft Remote Hearings Rule

Judge Goodwin distributed to the Committee a draft remote hearings rule, meant to be implemented in conjunction with the proposed amendments to CrR/LJ 3.4. The Committee discussed the proposal, which would give guidance to courts interested in providing more remote hearing opportunities, and agreed that a rule would be helpful. Judge Padula agreed to consolidate the Committee's feedback into a revised draft to be sent to the Committee before the next meeting. This item will be carried over to the next meeting.

6. Discuss Potential Statewide Electronic Filing Rule

Judge Short, DMCJA Board President, requested that the Rules Committee consider making a recommendation regarding a statewide rule designed to facilitate electronic filing in courts of limited jurisdiction. The Committee discussed the concerns and determined that this endeavor would be better suited to a multi-stakeholder group that was more comfortable making policy recommendations. The Committee will ask Judge Goodwin to convey this suggestion to Judge Short and request further direction.

7. Discuss Judge Portnoy's Suggested Amendment to CrRLJ 3.2

Judge Portnoy has proposed adding a subsection to CrRLJ 3.2 similar to subsection (j) of CrR 3.2. Judge McDowall said that she would review the proposal and work on draft language to circulate to the Committee. Judge Padula offered to assist. This item will be carried forward to the next Committee meeting.

8. Discuss Judge Portnoy's Suggested New Rule

Judge Portnoy has requested the Committee consider recommending a new rule that would require a written motion for reconsideration of bail or release conditions be filed with a declaration setting forth why the court was wrong or describing the change of circumstances or the new information. The Committee ran out of time before it could consider this item, which will be carried forward to the next Committee meeting.

9. Discuss Proposed Amendment to CRLJ 55

Judge Finkle has requested the Committee consider recommending an amendment to CRLJ 55 to expressly state that a motion for default judgment under subsection (f) must be noted for hearing. Judge Finkle is not here to discuss the proposal, so this item will be carried over to the next meeting.

10. Update Regarding Potential Amendment to CrRLJ 2.1

Ms. Benway stated that the Washington Association of Prosecuting Attorneys submitted a proposal to amend CrRLJ 2.1 by deleting subsection (c) pertaining to citizen complaints. The proposal will be available for comment in January 2022.

11. Other Business and Next Meeting Date

The next Committee meeting is scheduled for Wednesday, November 24, 2021 at 12:15 p.m., via zoom video conference. The Committee discussed changing the date but determined to meet on the 24th.

There being no further business, the meeting was adjourned at 1:15 p.m.

Christina E Huwe
Pierce County Bookkeeping
1504 58th Way SE
Auburn, WA 98092
Phone (360) 710-5937
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SUMMARY OF REPORTS

**WASHINGTON STATE
DISTRICT AND MUNICIPAL COURT JUDGES'
ASSOCIATION**

For the Period Ending November 30th, 2021

Please find attached the following reports for you to review:

- Statement of Financial Position
- Monthly Statement of Activities.
- Bank Reconciliation Reports
- Transaction Detail Report (year-to-date)
- Special Fund Bank Statement
- Current Budget Balance

Please contact me if you have any questions regarding the attached.

PLEASE BE SURE TO KEEP FOR YOUR RECORDS

Washington State District And Municipal Court Judges Assoc.
Statement of Financial Position
As of November 30, 2021

	Nov 30, 21
ASSETS	
Current Assets	
Checking/Savings	
Bank of America - Checking	6,437
Bank of America - Savings	249,039
Washington Federal (Spec Fund)	38,967
Total Checking/Savings	294,442
Total Current Assets	294,442
Fixed Assets	
Accumulated Depreciation	(703)
Computer Equipment	579
Total Fixed Assets	(124)
TOTAL ASSETS	294,318
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Credit Cards	
Credit Cards	
Bank of America C. C.	17
Total Credit Cards	17
Total Current Liabilities	17
Total Liabilities	17
Equity	294,301
TOTAL LIABILITIES & EQUITY	294,318

Washington State District And Municipal Court Judges Assoc.
Statement of Activities
For the Eleven Months Ending November, 30th, 2021

	Jul 21	Aug 21	Sep 21	Oct 21	Nov 21	TOTAL
Ordinary Income/Expense						
Income						
Interest Income	8.85	8.86	8.57	8.79	8.46	43.53
Total Income	8.85	8.86	8.57	8.79	8.46	43.53
Gross Profit	8.85	8.86	8.57	8.79	8.46	43.53
Expense						
Prior Year Budget Expense	1,645.16	5,031.34	0.00	0.00	0.00	6,676.50
Bookkeeping Expense	318.00	318.00	318.00	318.00	318.00	1,590.00
Judicial Assistance Committee	0.00	0.00	1,525.00	750.00	0.00	2,275.00
Judicial College Social Support	2,000.00	0.00	0.00	0.00	0.00	2,000.00
Lobbyist Contract	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	30,000.00
President Expense	0.00	0.00	100.00	0.00	207.45	307.45
Pro Tempore (Chair Approval)	0.00	0.00	394.63	166.00	0.00	560.63
Professional Services	0.00	0.00	0.00	0.00	775.00	775.00
Treasurer Expense and Bonds	0.00	0.00	0.00	10.00	0.00	10.00
Total Expense	9,963.16	11,349.34	8,337.63	7,244.00	7,300.45	44,194.58
Net Ordinary Income	(9,954.31)	(11,340.48)	(8,329.06)	(7,235.21)	(7,291.99)	(44,151.05)
Net Income	<u>(9,954.31)</u>	<u>(11,340.48)</u>	<u>(8,329.06)</u>	<u>(7,235.21)</u>	<u>(7,291.99)</u>	<u>(44,151.05)</u>

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Bank of America - Checking, Period Ending 11/30/2021

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						8,895.66
Cleared Transactions						
Checks and Payments - 5 items						
Check	10/27/2021		City of Tacoma	X	-166.00	-166.00
Check	11/10/2021		Dino W Traverso, P...	X	-775.00	-941.00
Transfer	11/10/2021			X	-103.40	-1,044.40
Check	11/15/2021		Bogard & Johnson, ...	X	-6,000.00	-7,044.40
Transfer	11/29/2021			X	-96.66	-7,141.06
Total Checks and Payments					-7,141.06	-7,141.06
Deposits and Credits - 1 item						
Transfer	11/04/2021			X	5,000.00	5,000.00
Total Deposits and Credits					5,000.00	5,000.00
Total Cleared Transactions					-2,141.06	-2,141.06
Cleared Balance					-2,141.06	6,754.60
Uncleared Transactions						
Checks and Payments - 1 item						
Check	11/25/2021		Pierce County Book...		-318.00	-318.00
Total Checks and Payments					-318.00	-318.00
Total Uncleared Transactions					-318.00	-318.00
Register Balance as of 11/30/2021					-2,459.06	6,436.60
New Transactions						
Checks and Payments - 2 items						
Transfer	12/06/2021				-34.95	-34.95
Check	12/15/2021		Bogard & Johnson, ...		-6,000.00	-6,034.95
Total Checks and Payments					-6,034.95	-6,034.95
Total New Transactions					-6,034.95	-6,034.95
Ending Balance					-8,494.01	401.65

Washington State District And Municipal Court Judges Assoc.

Reconciliation Detail

Bank of America - Savings, Period Ending 11/30/2021

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						254,036.55
Cleared Transactions						
Checks and Payments - 1 item						
Transfer	11/04/2021			X	-5,000.00	-5,000.00
Total Checks and Payments					-5,000.00	-5,000.00
Deposits and Credits - 1 item						
Deposit	11/29/2021			X	2.05	2.05
Total Deposits and Credits					2.05	2.05
Total Cleared Transactions					-4,997.95	-4,997.95
Cleared Balance					-4,997.95	249,038.60
Register Balance as of 11/30/2021					-4,997.95	249,038.60
Ending Balance					-4,997.95	249,038.60

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
 July through November 2021

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>	<u>Balance</u>
Bank of America - Checking				
07/06/2021		Funds Transfer	(949.70)	(949.70)
07/07/2021		Funds Transfer	(490.65)	(1,440.35)
07/07/2021	Michelle Gehlsen		(422.66)	(1,863.01)
07/13/2021	MD Engraving		(417.05)	(2,280.06)
07/20/2021	Pierce County Bookke...		(318.00)	(2,598.06)
07/20/2021	Timothy Jenkins		(69.90)	(2,667.96)
07/20/2021	King County District C...		(244.90)	(2,912.86)
07/21/2021	Bogard & Johnson, LLC		(6,000.00)	(8,912.86)
08/01/2021	Bogard & Johnson, LLC		(6,000.00)	(14,912.86)
08/10/2021	Pierce County Bookke...		(318.00)	(15,230.86)
08/16/2021	AOC		(190.29)	(15,421.15)
08/23/2021	SCJA		(4,841.05)	(20,262.20)
09/10/2021	Okanogan County Dist...		(394.63)	(20,656.83)
09/15/2021	Bogard & Johnson, LLC		(6,000.00)	(26,656.83)
09/15/2021	Pierce County Bookke...		(318.00)	(26,974.83)
09/29/2021	Susanna Neil Kanther-...		(1,525.00)	(28,499.83)
10/05/2021		Funds Transfer	10,000.00	(18,499.83)
10/07/2021		Funds Transfer	(100.00)	(18,599.83)
10/15/2021	D. Gregg Mohr		(750.00)	(19,349.83)
10/15/2021	Bogard & Johnson, LLC		(6,000.00)	(25,349.83)
10/15/2021	Pierce County Bookke...		(318.00)	(25,667.83)
10/27/2021	City of Tacoma		(166.00)	(25,833.83)
11/04/2021		Funds Transfer	5,000.00	(20,833.83)
11/10/2021		Funds Transfer	(103.40)	(20,937.23)
11/10/2021	Dino W Traverso, PLLC		(775.00)	(21,712.23)
11/15/2021	Bogard & Johnson, LLC		(6,000.00)	(27,712.23)
11/25/2021	Pierce County Bookke...		(318.00)	(28,030.23)
11/29/2021		Funds Transfer	(96.66)	(28,126.89)
Total Bank of America - Checking			(28,126.89)	(28,126.89)
Bank of America - Savings				
07/31/2021		Interest	2.24	2.24
08/31/2021		Interest	2.24	4.48
09/30/2021		Interest	2.17	6.65
10/05/2021		Funds Transfer	(10,000.00)	(9,993.35)
10/29/2021		Interest	2.17	(9,991.18)
11/04/2021		Funds Transfer	(5,000.00)	(14,991.18)
11/29/2021		Interest	2.05	(14,989.13)
Total Bank of America - Savings			(14,989.13)	(14,989.13)
Washington Federal (Spec Fund)				
07/31/2021		Interest	6.61	6.61
08/31/2021		Interest	6.62	13.23
09/30/2021		Interest	6.40	19.63
10/31/2021		Interest	6.62	26.25
11/30/2021		Interest	6.41	32.66
Total Washington Federal (Spec Fund)			32.66	32.66
Prepaid Expenses				
07/01/2021		DMCJA Support for Judicial College 2021...	(2,000.00)	(2,000.00)
Total Prepaid Expenses			(2,000.00)	(2,000.00)

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
 July through November 2021

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>	<u>Balance</u>
Credit Cards				
Bank of America C. C.				
07/06/2021		Funds Transfer	949.70	949.70
07/07/2021	Homewetbar Gifts		(490.65)	459.05
07/07/2021		Funds Transfer	490.65	949.70
09/06/2021	Harbor Blooms		(100.00)	849.70
10/07/2021		Funds Transfer	100.00	949.70
10/21/2021	Secretary of State		(10.00)	939.70
11/04/2021	De Laurenti Florist		(93.40)	846.30
11/10/2021		Funds Transfer	103.40	949.70
11/22/2021	TLF Flowers		(96.66)	853.04
11/29/2021		Funds Transfer	96.66	949.70
11/29/2021	Amazon		(17.39)	932.31
Total Bank of America C. C.			932.31	932.31
Total Credit Cards			932.31	932.31
Interest Income				
07/31/2021		Interest	(2.24)	(2.24)
07/31/2021		Interest	(6.61)	(8.85)
08/31/2021		Interest	(2.24)	(11.09)
08/31/2021		Interest	(6.62)	(17.71)
09/30/2021		Interest	(2.17)	(19.88)
09/30/2021		Interest	(6.40)	(26.28)
10/29/2021		Interest	(2.17)	(28.45)
10/31/2021		Interest	(6.62)	(35.07)
11/29/2021		Interest	(2.05)	(37.12)
11/30/2021		Interest	(6.41)	(43.53)
Total Interest Income			(43.53)	(43.53)
Prior Year Budget Expense				
07/07/2021	Homewetbar Gifts	President Expense - Prior Year Budget	490.65	490.65
07/07/2021	Michelle Gehlsen	President Line Item - Gift for Lobbyist	319.70	810.35
07/07/2021	Michelle Gehlsen	President Line Item - Flowers sent to Bellin...	102.96	913.31
07/13/2021	MD Engraving	President Line Item - hanger awards for boa...	417.05	1,330.36
07/20/2021	Timothy Jenkins	Jasp line item	69.90	1,400.26
07/20/2021	King County District C...	Pro Tempore 6/28/21	244.90	1,645.16
08/16/2021	AOC	President Line Item	190.29	1,835.45
08/23/2021	SCJA	1/2 of leftover JASP amount from prior budget	4,841.05	6,676.50
Total Prior Year Budget Expense			6,676.50	6,676.50
Bookkeeping Expense				
07/20/2021	Pierce County Bookke...	June Services	318.00	318.00
08/10/2021	Pierce County Bookke...	July Services	318.00	636.00
09/15/2021	Pierce County Bookke...	August Services	318.00	954.00
10/15/2021	Pierce County Bookke...	September Invoice	318.00	1,272.00
11/25/2021	Pierce County Bookke...		318.00	1,590.00
Total Bookkeeping Expense			1,590.00	1,590.00
Judicial Assistance Committee				
09/29/2021	Susanna Neil Kanther-...	Quarter 3	1,200.00	1,200.00
09/29/2021	Susanna Neil Kanther-...	FJLC Meeting Webinar	325.00	1,525.00
10/15/2021	D. Gregg Mohr	Presentation on Anger Training 10/1/21	750.00	2,275.00
Total Judicial Assistance Committee			2,275.00	2,275.00
Judicial College Social Support				
07/01/2021		DMCJA Support for Judicial College 2021...	2,000.00	2,000.00
Total Judicial College Social Support			2,000.00	2,000.00

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
 July through November 2021

Date	Name	Memo	Amount	Balance
Lobbyist Contract				
07/21/2021	Bogard & Johnson, LLC		6,000.00	6,000.00
08/01/2021	Bogard & Johnson, LLC		6,000.00	12,000.00
09/15/2021	Bogard & Johnson, LLC		6,000.00	18,000.00
10/15/2021	Bogard & Johnson, LLC		6,000.00	24,000.00
11/15/2021	Bogard & Johnson, LLC		6,000.00	30,000.00
Total Lobbyist Contract			30,000.00	30,000.00
President Expense				
09/06/2021	Harbor Blooms	DMCJA sent flowers to Tracy at Judge Sho...	100.00	100.00
11/04/2021	De Laurenti Florist	Condolences for Judge Steiner	93.40	193.40
11/22/2021	TLF Flowers	Judge Lucas Memorial	96.66	290.06
11/29/2021	Amazon	New Judge Books	17.39	307.45
Total President Expense			307.45	307.45
Pro Tempore (Chair Approval)				
09/10/2021	Okanogan County Dist...	8/20/21	394.63	394.63
10/27/2021	City of Tacoma	10/8/21	166.00	560.63
Total Pro Tempore (Chair Approval)			560.63	560.63
Professional Services				
11/10/2021	Dino W Traverso, PLLC	Corp tax return	775.00	775.00
Total Professional Services			775.00	775.00
Treasurer Expense and Bonds				
10/21/2021	Secretary of State		10.00	10.00
Total Treasurer Expense and Bonds			10.00	10.00
TOTAL			0.00	0.00

Other current information not included in reports



Statement of Account

PAGE 1 OF 1

Statement End Date November 30, 2021
 Statement Begin Date November 1, 2021
 Account Number [REDACTED]

To report a lost or stolen card,
 call 800-324-9375.

For 24-hour telephone banking,
 call 877-431-1876.

WA STATE DIST & MUNICIPAL COURT JUDGES' 16341
 JUDGE MICHELLE K GEHLEN
 10116 NE 183RD ST
 BOTHELL, WA 98011-3416

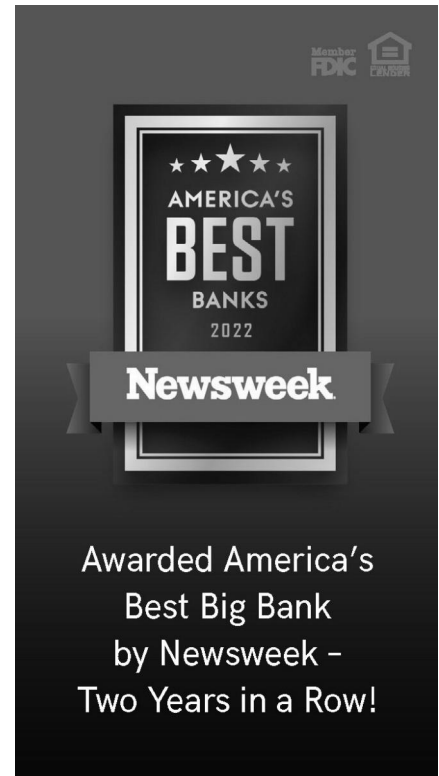
For questions or assistance with your account(s),
 please call 800-324-9375, stop by your local branch,
 or send a written request to our Client Care Center
 at 9929 Evergreen Way, Everett WA 98204.

Business Premium Money Market Summary - # [REDACTED]

Annual Percentage Yield Earned for this Statement Period 0.200%
 Interest Rate Effective 11/01/2021 0.200%
 Interest Earned/Accrued this Cycle \$6.41
 Number of Days in this Cycle 30
 Date Interest Posted 11-30-2021
 Year-to-Date Interest Paid \$78.00

Beginning Balance \$38,960.85
 Interest Earned This Period +6.41
 Deposits and Credits +0.00
 Checks Paid -0.00
 ATM, Electronic and Debit Card Withdrawals -0.00
 Other Transactions -0.00
Ending Balance \$38,967.26

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00



Interest Earned This Period

Date	Description	Amount
11-30	Credit Interest	6.41
Total Interest Earned This Period		6.41

Visa may provide updated debit card information, including your expiration date and card number, with merchants that have an agreement for reoccurring payments. You may opt out of this service by calling 1-800-324-9375.

DMCJA 2021-2022 Adopted Budget

Item/Committee	ALLOCATED	SPENT	REMAINING
Access to Justice Liaison	\$ 100.00		100.00
Audit (every 3 years)			
Bar Association Liaison	\$ 100.00		100.00
Board Meeting Expense	\$ 15,000.00		15,000.00
Bookkeeping Expense	\$ 3,500.00	1,590.00	1,910.00
Bylaws Committee	\$ 250.00		250.00
Conference Calls	\$ 200.00		200.00
Conference Planning Committee	\$ 4,000.00		4,000.00
(reconsider in Spring based on finances)	\$ -		
Contract Grant Writer	\$ 50,000.00		50,000.00
Contract Policy Analyst	\$ 50,000.00		50,000.00
Council on Independent Courts (CIC)	\$ 500.00		500.00
Diversity Committee	\$ 500.00		500.00
"Trial Court Sentencing and Supervision	\$ -		
DMCMA Liaison	\$ 100.00		100.00
DMCMA Mandatory Education	\$ 20,000.00		20,000.00
DOL Liaison Committee	\$ 100.00		100.00
Education Committee	\$ 5,000.00		5,000.00
Education - Security	\$ 2,500.00		2,500.00
Educational Grants	\$ 5,000.00		5,000.00
Judicial Assistance Service Program (JASP) Committee*	\$ 16,000.00	2,275.00	13,725.00
Insurance (every 3 years)			
Judicial College Social Support	\$ 2,000.00	2,000.00	0.00
Judicial Community Outreach	\$ 1,600.00		1,600.00
Legislative Committee	\$ 1,500.00		1,500.00
Legislative Pro-Tem	\$ 2,500.00		2,500.00
Lobbyist Contract	\$ 105,000.00	30,000.00	75,000.00
Long-Range Planning Committee	\$ 750.00		750.00
MPA Liaison	\$ 250.00		250.00
ys (next 12/2021)	\$ 500.00		500.00
Mary Fairhurst National Leadership Grants	\$ 5,000.00		5,000.00
Nominating Committee	\$ 100.00		100.00
President Expense	\$ 2,000.00	307.00	1,693.00
Pro Tempore (committee chair approval)	\$ 10,000.00	561.00	9,439.00
Professional Services (Dino Traverso, CPA)	\$ 1,500.00	775.00	725.00
Public Outreach (ad hoc workgroup)	\$ 150.00		150.00
Rules Committee	\$ 500.00		500.00
SCJA Board Liaison	\$ 250.00		250.00
Therapeutic Courts	\$ 2,500.00		2,500.00

Treasurer Expense and Bonds	\$ 100.00	10.00	90.00
Trial Court Advocacy Board - DORMANT	\$ -		
Uniform Infraction Citation Committee	\$ 1,000.00		1,000.00
Totals	\$310,050.00	\$37,518.00	\$272,532.00
Special Fund	\$ -		
*Includes \$8,000 from the SCJA			
	updated 11/30/2021		

To: Judge Charles Short, DMCJA President, and the DMCJA Board
From: Judge Jeffrey D. Goodwin, DMCJA Rules Committee Chair
RE: CR 39 Amendment
Date: 30 November 2021

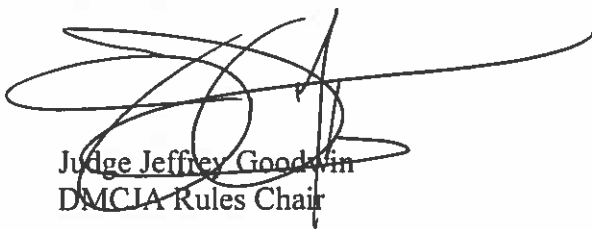
The King County Superior Court has proposed an amendment to CR 39 permitting Superior Court civil bench trials and jury trials through video conferencing. This is an amendment to a Superior Court Civil Rule and only applies to Superior Court cases. The rule is discretionary and states that bench and jury trials may be conducted through a video conference platform.

I recently surveyed our membership regarding their thoughts on remote jury selection and remote trials. While there was some interest in both remote jury selection and remote trials, the majority of responding judges wanted the rule to allow judicial discretion in determining whether to conduct remote trial proceedings.

In addition to judicial philosophy on remote jury proceedings, there are also technology concerns. Many CLJ's across the state do not currently have the technology or funding to implement remote jury proceedings.

The DMCJA Rules Committee expressed concern that adoption of this Superior Court civil rule could lead to a companion rule for CLJs and efforts to apply the new CR 39 provisions to CLJ trials.

Because this proposed amendment applies only to Superior Court civil trials, the DMCJA Rules Committee recommends no position.



Judge Jeffrey Goodwin
DMCJA Rules Chair

GR 9 Cover Sheet for amendment to CR 39

Name of Proponent--King County Superior Court. Many judges were involved in the drafting and more were involved in creating and refining our procedures.

Spokesperson--Judge O'Donnell or Judge Rogers

Purpose--Create standard procedures, consistent with due process and existing rules, for remote civil jury trials. King County Superior Court has now successfully held many, many of these trials and we draw on our experience for this. This has been imperative for access to justice and will be helpful as we anticipate the remote jury trial continues.

Hearing--We take no position.

Expedited Consideration--As long as emergency rules remain in place, no expedited consideration is needed.

**Proposed Amendments to CR 39
TRIAL BY JURY OR BY THE COURT**

(-) **Issues--How Tried.** [Reserved. See RCW 4.40.010 through 4.40.070.]

(a) – (c) [Unchanged.]

(d) **Manner of Trials.**

(1) Generally. Except as otherwise authorized by these rules or by statute, all trials upon the merits shall be conducted in open court and so far as convenient in a regular courtroom.

(2) Video Conference Trials.

A. By the Court. On the court's own initiative, or on motion of the parties or their attorneys of record, a trial by the court may occur over video conference, in which all participants can simultaneously see, hear, and speak with each other. The video and audio should be of sufficient quality to ensure participants are easily seen and understood.

i. Before ordering a video-conference trial by the court, the court shall consider the number of parties, the number of trial witnesses, the type of evidence to be presented, whether the parties have significant non-financial interests at stake, whether the use of remote interpreting services will detract from the presentation of evidence, the parties' ability to conduct a video conference trial, and any other relevant circumstances.

B. By Jury. On the court's own initiative, or on motion of the parties or their attorneys of record, a trial by jury may occur by video conference. Any jury trial occurring by video conference must allow all participants to simultaneously see, hear, and speak with each other. The video and audio should be of sufficient quality to ensure participants are easily seen and understood. Jury trials may only be conducted by video conference:

i. When there is written agreement of the parties. The agreement shall be filed with the court before the start of trial; or

ii. Over objection of a party or parties for good cause in compelling circumstances. In conducting trial by jury over video conference, the court shall ensure appropriate safeguards are in place; and:

1. Shall consider the nature of the case, including the number of parties, number of trial witnesses, the type of evidence to be presented, whether the parties have significant non-financial interests at stake, whether the use of remote interpreting services will detract from the presentation of evidence, the parties' ability to conduct a video conference trial, and any other relevant circumstances; and

2. Shall enter written findings outlining its reasons for conducting trial by video conference. The court shall analyze the length of time trial has been pending, the potential impact of not conducting the trial by video conference, such as the availability of witnesses and preservation of evidence, and any other considerations in support of its decision.

(3) Notice. Whether on its own initiative or by motion of the parties or their attorneys of record, no video conference trial shall be heard unless the court holds a hearing no fewer than 30 days before the trial date. At the hearing, the court shall announce its decision on a trial by video conference and address appropriate safeguards. The parties or their attorneys of record may agree to this hearing occurring within 30 days of trial.

To: Judge Charles Short, DMCJA President, and the DMCJA Board
From: Judge Jeffrey D. Goodwin, DMCJA Rules Committee Chair
RE: Proposed New GR 41
Date: 30 November 2021

The King County Superior Court has proposed a new GR 41 establishing procedures for jury selection by video conference. Because this is a proposed GR, it would be applicable to Courts of Limited Jurisdiction. The rule as proposed is discretionary. GR 41(b).

I recently surveyed our membership regarding their thoughts on remote jury selection and remote trials. While there was some interest in both remote jury selection and remote trials, the majority of responding judges wanted the rule to allow judicial discretion in determining whether to conduct remote trial proceedings.

In addition to judicial philosophy on remote jury proceedings, there are also technology concerns. Many CLJ's across the state do not currently have the technology or funding to implement remote jury selection.

Adoption of this proposed rule would provide guidance to Judges wishing to use remote jury selection and permits discretion for those Judges who do not wish to use remote jury selection. The DMCJA Rules Committee recommends that the DMCJA Board support this proposal.



Judge Jeffrey Goodwin
DMCJA Rules Chair

GR 9 Cover Sheet for new General Rule:
Jury Selection by Video Conference

Name of Proponent--King County Superior Court. Our committee for drafting this rule: Judges Sean O'Donnell, Josephine Wiggs-Martin, Andrea Robertson, Brian McDonald, Melinda Young, Tanya Thorp, Sam Chung, Sandy Widlan and Jim Rogers

Spokesperson--Judge O'Donnell or Judge Rogers

Purpose--Remote voir dire has become a standard business practice for King County Superior Court during the pandemic. Jurors prefer it. Their time is better used. In the old, in-person system, jurors have experienced long "wait" times, missed work, and expenses for childcare and parking in order to travel to court in person, assemble, and await instructions and directions. This new virtual method promises to improve the process and provide a more accessible, affordable, and efficient means for citizens from all walks of life to perform, their civic duty and add their voices to this crucial process.

We believe that lawyers get better information as questionnaires are always given out. Our anecdotal experience is that jurors are more diverse in all aspects, racial, ethnic, economic. There is less "speechifying" by lawyers and more information gathering.

The proposed rule does not conflict with any known statute, case law or court rules. The proposed rule is intended to be harmonious with existing CrR 3.4(d), which currently allows video proceedings to be ordered in preliminary appearances, bail hearings and arraignments, and allows plea hearings by agreement. As the Court knows, a current emergency order allows for remote voir dire.

Hearing--We do not believe that a public hearing is necessary.

Expedited Consideration--As long as the emergency order remains in effect, expedited consideration is not necessary.

**Proposed New
General Rule 41**

Jury Selection by Video Conference

- (a) **Scope of rule.** This rule addresses the procedures for conducting jury selection by video conference.

- (b) **Jury selection by video conference.** In all cases, jury selection may be conducted by video conference in which all participants can simultaneously see, hear, and speak with each other. The video and audio should be of sufficient quality to ensure participants are easily seen and understood.

- (c) **Procedures prior to jury selection.** The court may divide the venire into smaller groups and determine the number of video participants per voir dire session. The court shall confirm with prospective jurors that they can participate in jury selection by video conference. The court shall not excuse potential jurors from jury service who cannot participate in jury selection by video conference due to lack of resources or access and shall arrange for alternative methods, including but not limited to in person voir dire, for such potential jurors.

- (d) **Procedures during jury selection.** When conducting jury selection over video, the court shall:
 - a. Confirm that all potential jurors can see and hear the court and parties;
 - b. Inform potential jurors that their cameras must remain on and that they must remain in camera view throughout jury selection;
 - c. Instruct potential jurors that (i) their full care and attention must be on jury selection, (ii) that all other devices should be turned off during jury selection, and (iii) they should be alone in the space in which they are participating in jury selection unless extraordinary circumstances are present which the court finds sufficient to allow the juror's participation;
 - d. Inform the parties and potential jurors that any visual, video, or audio recording, other than the official record, of the hearing is prohibited absent court permission; and
 - e. Prohibit jurors from using filters or virtual backgrounds or other programs or applications to alter their appearance in any way or the appearance of the space in which they are physically located while participating in jury selection. A juror may use a virtual background with prior approval of the court. Any approved background must be a plain, blurred, or otherwise non-distracting.

- (e) **Public access.** The court shall ensure that all hearings conducted pursuant to this rule are open to the public and that the public shall be able to simultaneously see and hear all participants.

GR 19 VIDEO CONFERENCE PROCEEDINGS REMOTE APPEARANCES

~~The Office of the Administrator for the Courts (AOC) shall promulgate standards for facilities and equipment and provide technical assistance to courts required.~~

(a) Remote Appearances in Criminal Proceedings.

(1) Definitions:

(A) “Remote appearance” means an appearance through a video conference platform or telephonic appearance as approved by the Court.

(B) “Physical appearance” means an appearance as defined in CrR 3.3(a) and CrRLJ 3.3(a).

(2) The remote appearance of attorneys, parties, witnesses and other participants is permitted when authorized by statute, court rule, local rules under GR 7, and order of the court. The physical appearance of any person permitted to appear remotely may be required upon a finding of good cause.

(3) Any person permitted to appear remotely, other than an in-custody criminal defendant, is responsible for their own device and internet access to connect to Court.

(4) Standards for Remote Appearances:

(A) Video Conference Appearances. A remote appearance through video conferencing requires a video and audio connection. The judge, counsel, all parties, witnesses and other participants must be able to see and hear each other during the proceedings and speak as permitted by the judge. The remote connection shall be of sufficient quality to ensure that participants are clearly visible, and the audio connection permits the making of the official court record of the proceedings. The video conference platform and court procedures must allow confidential communications between attorney and client.

(B) Telephonic Appearances. The judge, counsel, all parties, witnesses and other participants must be able to hear each other during the proceedings and speak as permitted by the judge. The audio connection shall be of sufficient quality permit the making of the official court record of the proceedings. Court procedures must allow confidential communications between attorney and client. The court may require reasonable assurance of identity of any person making a telephonic appearance.

(C) Signatures. The electronic, scanned, or facsimile signatures of the defendant, counsel, parties, and the court shall be treated as if they were original signatures. Defense counsel or the court may affix a “/s/” on any documents to indicate the defendant’s signature when the defendant indicates their approval during the hearing.

(D) Interpreters. See GR 11.3

(b) Remote Appearances in Civil Proceedings - Reserved

(c) Effective Date: This rule shall become effective September 1, 2022.



November, 2021

Dear Judge Short,

We would like to thank the Washington District and Municipal Court Judges Foundation for their continued support of Washington YMCA Youth & Government. By participating in Mock Trial, middle and high school teens learn to respect the law and its practitioners and come to understand the role of the judiciary in a democracy. **This marks our 34th year of Mock Trial programming.** We are one of two states where the YMCA sanctions the national bar association affiliated program. This makes us eligible to compete in the annual National High School Mock Trial Championship.

Throughout the onset of the pandemic, our two major program events have not been able to host in-person competitions or conferences. YMCA Youth & Government remains committed to supporting teens throughout the pandemic and beyond. Although Mock Trial looked different over the Zoom courtroom we continued to follow our motto; **Teach democratic values and skills to youth through hands-on experiences.**

It is our goal to sustain our programming and bring back past participants and teams so we can provide civic leadership, engagement and education far into the future regardless of the impacts of the pandemic. To make this possible, we hope you will consider continuing your support with a \$2,000 contribution to our annual campaign this year.

Your assistance, both financially and through the volunteer service of your members, demonstrates an invaluable commitment to working with Washington's teens. At this time it is uncertain whether our state Mock Trial Championships will be held in-person or virtually this March. However, we are confident that we can host a quality experience for all involved. Either way, there will be volunteer opportunities for presiding judges throughout the tournament. Your support in recruitment is greatly appreciated. More detail to come later this year.

Due to the continued effects of the pandemic the financial support of the Washington District and Municipal Court Judges Association is very important. We are grateful to you and the trustees for making the YMCA Youth & Government program a priority in Washington State.

Respectfully,

Amber Wetzel
Executive Director

Dan McGrady
Board Chair

Youth & Government
Mail PO Box 193, Olympia, WA 98507
P 360.357.3475 F 360.753.4615



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Formerly of City of Spokane

Harold Wright Jr.
Pioneer Human Services

Court Type	Responses	Virtual Jury Selection	In Person Jury Selection	No Jury Selection (Suspended)	Virtual Jury Trial	In Person Jury Trials	No Jury Trials (Suspended)*
Municipal Courts	40	8	25	7	1	32	7
District Courts	28	1	25	2	0	26	2
Total	68	9 (13%)	50 (74%)	9 (13%)	1 (2%)	58 (85%)	9 (13%)

*Most current suspensions end 12/31/21 or shortly after