

# **1. Meeting Minutes**



**JISC DATA DISSEMINATION COMMITTEE**  
**Friday, October, 25 2024, 9:00 a.m. – 10:00 a.m.**  
**Zoom Teleconference**  
**URL: provided via invite**

**MEETING MINUTES**

**Members Present:**

Judge John Hart, Chair  
Judge Valerie Bouffiou  
Ms. Stephanie Kraft  
Judge David Mann  
Ms. Heidi Percy  
Ms. Paulette Revoir

**AOC Staff Present:**

Tessa Clements, Behavioral Health Program  
Supervisor  
Kevin Cottingham, Data Dissemination  
Administrator  
Jan Nutting, Public Records Officer  
Maureen Roberts, MSD Administrative  
Secretary

**Guests Present:**

Ms. Tammie Ownbey

**Call to Order**

Judge Hart called the meeting to order at 9:03 a.m. and welcomed all participants.

**1) Approval of Minutes**

Motion: Ms. Percy moved to approve the August 23, 2024 minutes. Ms. Revoir seconded. The motion carried unanimously.

**2) Changes to CLJ-CMS Retention Schedules**

Mr. Cottingham presented revisions to retention schedules, noting a new section for diversions and deferred prosecutions, which applies to new codes created in response to statutes governing drug diversion. Another major change pertained to records pertaining to domestic violence, which will now be retained for 100 years to comply with a new Secretary of State requirement. Mr. Cottingham stated the amendments were approved unanimously by the workgroup.

Motion: Judge Hart moved to adopt the changes to the CLJ CMS retention schedule as presented by Mr. Cottingham and approved unanimously by the workgroup. Judge Bouffiou seconded. The motion carried unanimously.

**3) Policy for Therapeutic Courts staffed by Non-Judicial Employees**

Judge Hart introduced Tessa Clements, the Behavioral Health Program Supervisor with AOC. Mr. Cottingham explained the nature of the present request, stating that sometimes smaller courts don't have the staff to support Therapeutic Courts. These courts often borrow staff from county organizations. Mr. Cottingham asked whether DDC is interested in expanding its current policy regarding county IT staff to include other non-IT county or city staff who support Therapeutic Courts.

Ms. Percy asked if courts are looking at mental health history, expressing concern that a RACFID gives access to more than just criminal history. Ms. Ownbey asked whether AOC would give access or court clerks would give access just like IT. Mr. Cottingham clarified that mental health records wouldn't necessarily be available, and that local court administrators and clerks would be able to tailor access. Mr. Cottingham said if the DDC wanted to suggest a limited access level, he would have no issue.

Ms. Revoir, noting her position as a CLJ court administrator, explained that some smaller courts rely on non-court staff to run programs and restrictions of access to information might impede work. She stated that she wanted to make sure those users with RACFIDs use them responsibly, but had no problem with the proposal.

Ms. Ownbey asked if she could accidentally give IT staff confidential case access, or if there will be a set access level for users. Mr. Cottingham said he believed the access level would not be tied to the IT staff already covered by the policy, and that court administrators could set specific access for new users.

Ms. Percy asked if access would be limited to cases in Courts of Limited Jurisdiction or if it would include Superior Courts. Mr. Cottingham answered that it applied to JABS which includes records from both levels of courts.

Judge Hart stated that he saw this as recognizing a new pattern of access needs. After 2016, the DDC moved all prosecutors and defenders onto their own sites. Today, all court users have to be court employees, but that the DDC has an exception for IT staff. Mr. Cottingham is asking for a policy exception for non-IT other local staff, which will prevent gaps.

Ms. Percy asked if it can't be accomplished through JIS-Link. Mr. Cottingham acknowledged it could be possible through JIS-Link, but it would be more beneficial to update the policy since these users are performing work at the direction of courts. Judge Hart agreed that it would be beneficial if team members at a court have access to the same information.

Ms. Percy points out that the prosecutor's office is also not court but they have RACFIDs, and asked if the policy would apply to such users. Mr. Cottingham explained that they prosecutors have dedicated JIS-Link sites and would not be subject to this rule.

Motion: Judge Hart moved to allow RACFIDs for individuals that are working in courts for purposes of supporting Therapeutic Courts. Ms. Revoir seconded. The motion carried unanimously.

#### **4) Other Business**

Judge Hart inquired about other business. Mr. Cottingham referenced the other materials in the meeting packet, prepared by request. Hearing nothing further, he expressed sincere appreciation for the work of the Committee and adjourned the meeting at 9:46 a.m.

**2. Washington State Center  
for Court Research and  
Minority & Justice  
Commission Request for  
Master Jury Source List**



# WASHINGTON COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

**Dawn Marie Rubio, J.D.**  
State Court Administrator  
Administrative Services Division Director

**Scott Ahlf**  
Chief Legal Counsel  
Court Services Division Director

**Vonnie Diseth**  
Chief Information Officer  
Information Services Division Director

**Chris Stanley**  
Chief Financial and Management Officer  
Management Services Division Director

February 13, 2025

**TO:** Data Dissemination Committee

**FROM:** Patrizia Chirco, PhD, Jury and Community Senior Research Associate,  
Washington Center for Court Research

Frank Thomas, JD, Senior Court Program Analyst, Minority and Justice  
Commission

Kelley Amburgey-Richardson, JD, Manager, Supreme Court Commissions

Carl McCurley, PhD, Manager, Washington Center for Court Research

Amanda Gilman, PhD, Principal Research Associate, Washington Center for  
Court Research

**RE:** Jury Source List Data

The Washington State Center for Court Research (WSCCR) requests all address data from the jury source lists distributed to superior courts from the Administrative Office of the Courts (AOC) under the research exemption found in GR 31(k). Below we state the subject and purpose of our request. This request is supported by and in service to the Washington State Minority and Justice Commission's statewide jury diversity initiative.

WSCCR currently supports two projects related to jury diversity through the collection of demographic and attitudinal data from respondents to jury summonses – the statewide juror demographic survey under RCW 2.36.280, and the Pierce County jury compensation pilot program. While reviewing the data collected during the first two months of the pilot, WSCCR compared the data to demographic information from the U.S. Census Bureau and noticed that certain zip codes were receiving a disproportionate number of summonses per capita. Because we have no reason to believe Pierce County's jury administration practices meaningfully deviate from any and every jurisdiction in Washington, WSCCR and the Minority and Justice Commission would like to solicit the initial source list address data from AOC. This data will allow the research team to evaluate whether and to what extent representative disparities exist within the initial composition within the jury administration process and serve as a first step in mapping out the causes of geographic over- and under-representation at each stage of the jury administration process.

We believe this request is consistent with the name and address exception, as well as the research exception, explicitly stated in GR 31(k). Furthermore, the research team is committed to maintaining juror anonymity, akin to what is mandated in the collection of the juror demographic data under RCW 2.36.180, by requesting only the data which includes the physical addresses listed on the source lists distributed to superior courts. Names and any other relevant identifying information may be redacted or wholly removed from any data shared with the research team and will not impact the efficacy of our inquiry into geographic representation.

Given these early findings, the project team has started to review summoning practices with keen interest in the functioning of the inputs that courts receive for the purposes of constructing their jury master lists. In particular, we intend to utilize address information to analyze whether certain addresses, and consequently neighborhoods with disparate demographic composition, are overrepresented in juror source lists as a result of or in relation to their proportion in voter registration rolls and identity card holders, which comprise the primary sources for the juror source lists.

After the source lists are compiled each year by Washington Technology Solutions under RCW 2.36.054, they are then sent to the AOC for distribution to the courts. WSCCR researchers would require only access to the street addresses included therein at the time of distribution in order to conduct this analysis; we welcome redaction of any information that might compromise juror anonymity under GR 31, including the prospective jurors' names. We ask that you please consider this purpose's alignment with the research exemption to GR 31(k), the significant research implications of this data, and the ability to preserve juror anonymity in the distribution of this data in granting our request.

Thank you in advance for your consideration.

Best,

Patrizia Chirco, PhD  
Frank Thomas, JD  
Kelley Amburgey-Richardson, JD  
Carl McCurley, PhD  
Amanda Gilman, PhD

**February 27, 2025**

**TO:** Data Dissemination Committee

**FROM:** Kevin Cottingham, AOC Data Dissemination Administrator

**RE:** Washington State Center for Court Research and Minority & Justice  
Commission Request for Master Jury Source List

The Washington State Minority and Justice Commission, in conjunction with AOC's Washington State Center for Court Research, are requesting access to information contained within the Master Jury Source List held by AOC in order to perform research supporting the Pierce County Jury Compensation Pilot Program.

The rule governing access to the Master Jury Source List is admittedly quite brief. In its entirety, the rule states "Master jury source list information, other than name and address, is presumed to be private. Upon a showing of good cause, the court may permit a petitioner to have access to relevant information from the list. The court may require that the information not be disclosed to other persons." The requestors are only seeking access to address information contained in the list, which seems to be quite clearly public information based on the rule.

That said, the requestor is before the DDC because one county interpreted the rule differently and denied the request for their portion of the Master Jury Source List. Assuming their interpretation is correct and the Master Jury Source List is not publicly accessible, GR 31(f)(1) provides a different avenue for the requestor to obtain access to the records.

*A public purpose agency may request court records not publicly accessible for scholarly, governmental, or research purposes where the identification of specific individuals is ancillary to the purpose of the inquiry. In order to grant such requests, the court or the Administrator for the Courts must:*

- (A) *Consider: (i) the extent to which access will result in efficiencies in the operation of the judiciary; (ii) the extent to which access will fulfill a legislative mandate; (iii) the extent to which access will result in efficiencies in other*

*parts of the justice system; and (iv) the risks created by permitting the access.*

*(B) Determine, in its discretion, that filling the request will not violate this rule.*

*(C) Determine the minimum access to restricted court records necessary for the purpose is provided to the requestor.*

*(D) Assure that prior to the release of court records under section (f) (1), the requestor has executed a dissemination contract that includes terms and conditions which: (i) require the requester to specify provisions for the secure protection of any data that is confidential; (ii) prohibit the disclosure of data in any form which identifies an individual; (iii) prohibit the copying, duplication, or dissemination of information or data provided other than for the stated purpose; and (iv) maintain a log of any distribution of court records which will be open and available for audit by the court or the Administrator of the Courts. Any audit should verify that the court records are being appropriately used and in a manner consistent with this rule.*

AOC has carefully considered the present request. The request is in line with the stated goals of the judiciary, as espoused in the Supreme Court's 2020 open letter to the legal community,<sup>1</sup> and even more closely related to General Rule 37, which explicitly states that its purpose is to "eliminate the unfair exclusion of potential jurors based on race or ethnicity". Risks are relatively low here, as AOC believes much of the information to be public based on GR 31(k) (and to take this further, the list itself is generated largely through the use of public Secretary of State voter roll data). The recipients here are all AOC employees whose regular work involves the handling of confidential data in order to perform research. All have signed confidentiality agreements, which is standard practice at AOC.

AOC does not believe that filling this request would violate the rule, and believes that the request present is for the minimum access necessary to accomplish the requestors' stated goals. Requestors are merely asking for address information, and not other information in the Master Jury Source List. Finally, as with all requests for bulk court data, the requestors will sign a data sharing agreement that fulfills the standard criteria listed in GR 31(f)(1)(D).

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<sup>1</sup> Open Letter from Wash. State Sup. Ct. to Members of Judiciary & Legal Cmty. 1 (June 4, 2020), <https://www.courts.wa.gov/content/publicUpload/Supreme%20Court%20News/Judiciary%20Legal%20Community%20SIGNED%20060420.pdf>



### **3. JIS-Link Site ID Policy Change Request**

**February 27, 2025**

**TO:** Data Dissemination Committee

**FROM:** Kevin Cottingham, AOC Data Dissemination Administrator

**RE:** JIS-Link Site ID Policy Change Request

Longstanding AOC practice has been to create separate JIS-Link sites for contracted public defenders or prosecutors who hold contracts with multiple jurisdictions. Due to the difficulty in enforcing this policy and its perceived lack of benefit, AOC requests DDC approval regarding a policy change.

The stated reason for this policy has always been auditability—if AOC were to look into any JABS misuse, activity would be segregated by site, and AOC auditors would be able to clearly follow the trail of use. This, unfortunately, doesn't line up with auditing in reality, where any reasonable auditor would pull all associated activity when investigating misuse. No auditor would assume that a user materially misusing the system would follow such a policy.

Second, this process adds unnecessary complication for all parties at all levels. An attorney working for multiple jurisdictions in a day would need to log out of the system and log back in using a different account for other work, which has occasionally caused technical problems with browsers. If a user went for some period of time without working for a particular jurisdiction, one account might get disabled due to inactivity, and calls to JIS-Link customer service are more difficult when users mix up the particular login causing issues. Finally, all JIS-Link sites are assigned a three-character site ID. Over time, these site IDs have gone from being generally readable (WSP\$ for the State Patrol, for example) to fairly abstract (ZGE\$ for a newly-contracted public defender who does not have a "Z" in his name). This is exacerbated when AOC creates multiple sites per firm. This isn't a huge issue, but users are more able to remember their logins when the site ID means something to them and isn't simply a string of random characters.

Third, this policy is mostly reliant on the actual subscribers for enforcement, and as a result, is not followed uniformly. AOC does not maintain a list of every single contracted firm—firms and contracting jurisdictions reach out to us when they need JABS access. Some percentage simply use existing JABS accounts when picking up a new contract and neither AOC nor the contracting agency would have any reason to know. AOC

knows with certainty that this occurs—one firm contacted during an audit recently turned over all their certificates of eligibility upon request and revealed that they had been contracted to provide prosecutorial services for six separate municipalities. They had JABS access since 2009 but the issue had never come up, and they were using a single JABS site to conduct all their work.

Based on experience, AOC is requesting DDC endorsement of a new policy that would allow JABS users to maintain a single JABS site, which could be used for any valid use.