

E2SHB 1320 Research & Information Sharing Group Meeting Minutes

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Gender and Justice Commission (GJC)
E2SHB 1320 – Research & Information Sharing Work
Group meeting (Zoom)
Monday, September 20, 2021
4:00 PM – 5:00 PM



MEETING NOTES

Stakeholders Present:

Dr. Avanti Adhia
 Tiffany Deaton
 Judge Michelle Demmert
 Vonnie Diseth
 Kaeli Flannery
 Dr. Amanda Gilman
 Charlotte Jensen
 Mike Keeling
 Ret. Judge Barbara Mack
 Dirk Marler
 Donna McNamara
 Dr. Marna Miller

Erin Moody
 Judge Karen Moore
 M. Abbas Rizvi
 Sandra Shanahan
 Judge Cindy Smith
 Judge Tanya Thorp
 Patrick Wells

Staff:

Kathryn Akeah
 Moriah Freed
 Laura Jones

AGENDA

1. Updates on surveys
 - a. State and tribal court judges, administrators, clerks
 - b. Victim advocate/attorney survey
2. Discussion of working draft
 - a. What additional information do we need?
 - b. Volunteers who could begin drafting background for the topics below and other identified gaps, due by Oct. 18th (NCIC, TAP, VAWA)
3. Next meeting (Oct 4th) proposed topic: AOC Data Systems

SURVEY UPDATES

Surveys are underway—survey to courts will be sent out by Wednesday, 9/22 and the victim advocate/attorney survey was sent out on 9/13. Both contain questions relevant to our December deliverable. We will plan to share and discuss the results at an upcoming meeting

Saving the research questions for later- TBD after Dec. deliverables

OVERVIEW OF ISSUES / WORKING DRAFT / DATA SYSTEMS

Several of our tribes in WA State participate in Tribal Access Program (TAP), allows tribes to enter into NCIC federal database. Although law enforcement can see them, state courts cannot see their orders unless the tribal court works directly with the corresponding court system.

Problem is three sovereigns (Tribal, state, fed), and that one having to rely on the good will of another is not a good process. Judges should have the best information possible to be able to make informed decisions based on all the information. Tribal courts usually know that a state court order has been issued, but it's a one-way street—state courts do not see their orders.

- Not isolated to tribes. Also applies to orders from other states, military courts.

How do we bridge this gap?

The other issue is data sovereignty. One fix to solve this issue is to “domesticate” tribal protection orders through the county. But with this approach, tribe doesn't own its own data and there's no record of it being a tribal court order in national databases.

- One approach is for tribal court to enter a protection order into NCIC and also send to the sheriff's department to be “domesticated” and entered into state system. Requires more time and also duplicates orders.
- Checking multiple databases takes a lot of time

Suggestion to look at how other states with big tribal presence deal with this issue. Do other states have these issues?

- Anecdotally, other states do not have the TAP problem we do

Question: When a person is doing a check in JIS for protection orders, what is looked up? Do judges just want to know that there is a protection order, or a full history?

- Just protection order at this point.
- How are parties correlated between JIS and NCIC if checking multiple databases?

Isn't part of the problem for the state accessing NCIC the security requirements? JIS doesn't meet higher level of security.

- Training and certification and auditing requirements would need to be met by each individual court.
- In JIS, don't get records until three identifiers, have to do sleuthing sometimes
- 26.09 requirements for parenting plan different than what looking for in protection order
- NCIC security requirements fluctuate and change.

King County Prosecuting Attorney's Office has NCIC access. DCYF has NCIC access. There is no solution or best practice that doesn't require work. What is the best thing we can do?

One of the things- differentiate systems we're talking about. Enforcement vs. knowledge of an order. May know it exists, that acted on is a different system.

Keep it really simple. Really about the best information when you're getting an ex parte request for a protection order. Try to have as much information as you can, not going to have every piece of information.

- Example of why this is important: Tribal court issues order, county issues order. Law enforcement shows up to the scene and has to figure out whose order is in effect. Volatile situation. DV perpetrators are masters at manipulating conflicting orders.

Need a couple of different perspectives from state court: When you get this, what are your steps? Both WA state courts and tribal courts not unified.

Not necessarily understand everything, but understand framework for deliverable.

Lacking basic information about AOC databases. Potential presentation, any written materials on AOC databases? (Anticipated that there will be a presentation/discussion on this at the next meeting)

WASPC is the state patrol database, it talks to NCIC. Maybe that's the answer? If NCIC security requirements too rigorous, can we look at state law enforcement database?

- Law enforcement (WASPC) complies with criminal justice information services (CJIS) security requirements, but also get to create some of their own. Whereas tribes have to adopt federal. States treated different because part of compact.
- One tribe told that there was an AG opinion that tribes did not have authority to enter data into WASPC—does that opinion exist?

Think about this issue from your role. What processes/information could you write up?

If we don't have time today, but at next meeting, would be great to figure out who you are and why you're here. Introductions on the agenda for our next meeting.

VOLUNTEERS TO ASSIST WITH DRAFTING

Judge Moore: Happy to volunteer. Provide her information we'd like her to look into by Friday.

Sandra Shanahan: Happy to draft guiding principle- WHY this is an important issue. How it impacts clients, how it can go sideways.

ADJOURNMENT

Next meeting at 4 pm on Monday, October 4th.



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Monday, October 4, 2021
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 Dr. Marna Miller
 Erin Moody

M. Abbas Rizvi
 Sandra Shanahan
 Judge Jackie Shea-Brown
 Judge Cindy Smith
 Judge Tanya Thorp
 Patrick Wells

Staff:

Kathryn Akeah
 Kelley Amburgey-Richardson
 Moriah Freed
 Laura Jones

AGENDA

1. Introductions
2. Overview of AOC’s data systems (Mike Keeling)
3. Q&A

INTRODUCTIONS

Participants shared their name, entity representing on this stakeholder group, and why interested in this issue

JUDICIAL INFORMATION SYSTEMS OVERVIEW– MIKE KEELING

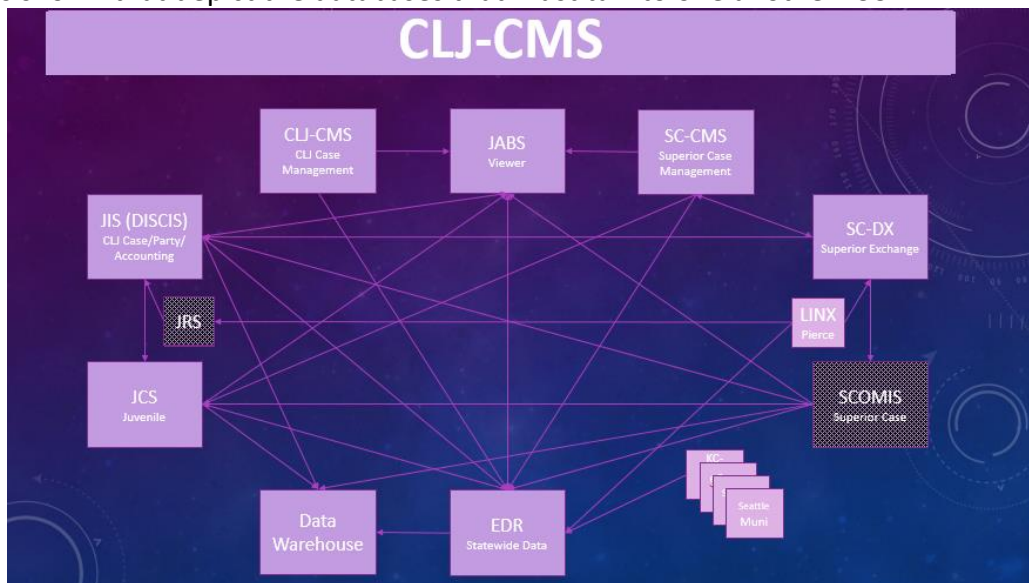
****PowerPoint sent to the group listserv****

Judicial Information Systems (JIS) is an umbrella term that refers to a suite of judicial information systems. (“JIS” is also often used casually to denote all judicial information systems and can be confused with the suite of systems or the specific JIS DISCIS application.) Includes:

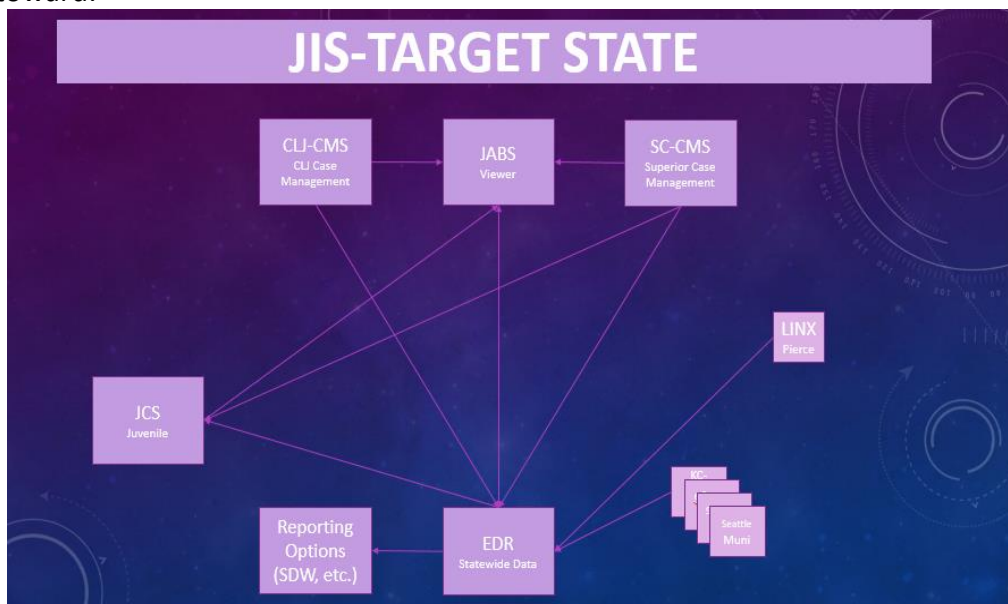
- Legacy systems that will be retired:
 - SCOMIS/JRS- Superior Courts
 - JIS(DISCIS)- Trial Courts

- COTS and standard systems
 - JCS (Juvenile Courts)
 - SC-CMS- Superior Courts
 - ACORDS/AC-ECMS- Appellate Courts
 - CLJ-CMS- Courts of Limited Jurisdiction
- Supporting systems:
 - JABS- Judicial Access Browser System
 - Data Warehouse
 - EDR- Enterprise Data Repository
 - Statewide Data Warehouse

Graphics shown that depict the databases that must talk to one another- CURRENT:



Moving toward:



DISCUSSION

Is the Enterprise Data Repository (EDR) the nucleus for information about protection orders?

- EDR = data, not documents- does not contain the official court record
- What is the data that it holds?
 - 250 data fields- limited set of data to share with judicial partners to promote public safety. Compared to CMS with thousands of data fields, this is very small
 - AOC has data standards they can share that include a list of these data fields
 - Still in the works – looking beyond to identifying associates of a participant, making sure data meets verification rules, meaningful reporting

Not getting rid of JIS, it is being modernized. One of our problems is language use. Need to provide a good, clear understanding of the technical language.

Could information from Tribal courts be one of the small boxes from graphics that feeds into the EDR? Is that possible?

- Yes, technically not different from what they would do with a county, but capacity is an issue
 - Back-up for partners waiting for EDR is 4-5 years
 - If you add Tribal courts, where do they go in the queue?
 - 2-year minimum effort to integrate to EDR (King County took 6 years)
 - Need to report to legislature about the gap in capacity and what it would take to fix it, an opportunity to request more support for AOC, need a cogent request.
- What if we are just talking about the entry of protection orders, not integration into CMS?
- How sensitive is this data? How will it be protected?

EDR relevant to our second deliverable about data. It's like a filing cabinet—can file whatever we want there. How do we look at it? What would it take for Tribes to be a user?

Two options to see Tribal Court orders:

- Tribal courts enter into state system
- State courts look at NCIC
 - With this option could also see military protection orders and those from other states

Can EDR pull from NCIC?

- No plans to do that in the future

Is the EDR data in real-time or is there a lag?

- Lag of 1 hour – 2 days
- In an emergency situation, data not available in real time

What would it take? Outline the steps and resources needed. If we cannot answer this question by Dec. 1, that is telling

- Not technically complicated, more practically complicated
- How do we move that into something more concrete?
- AOC could pull together staff, look at options and lay out the pros and cons of each.
- The more we know about the challenges, the better. We may only get so far, be able to explain why we didn't get there.

ADJOURNMENT

Next meeting at 4 pm on Monday, October 18th.

2-3 volunteers to review and summarize the court survey responses to share at our next meeting. Surveys close today. Laura Jones to reach out to those who are interested.

Thank you to all!



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 Dirk Marler
 Dr. Marna Miller
 Erin Moody
 Dawn Marie Rubio

Sandra Shanahan
 Judge Cindy Smith
 Judge Tanya Thorp
 Mary Welch
 Patrick Wells

Staff:

Kathryn Akeah
 Laura Jones

AGENDA

1. Report backs from volunteer researchers/drafters:
2. Pending items
3. Where are there gaps in information?

REPORT BACKS RE: RESEARCH & DRAFTS

Survivor perspective (Sandra Shanahan)

- Worked on the draft with Abbas Rizvi
- Its purpose is to conceptualize the issue around survivors and make sure their voices are centered in this process
 - System integrity/credibility so judges can make informed decisions about cases
 - Importance of firearm prohibitions
 - Discourage misuse of court system by court users in abusive litigation
 - Decrease the number of conflicting orders- add more
- Look at this from the perspective of full faith and credit. Federal law expects that orders will be enforced across states and courts— there needs to be ease of access to these orders so people can act on them.
- Please send her feedback
 - Judge Smith to send her comments

Victim Advocate/Attorney Survey Responses (Laura Jones)

- Roughly 60/40 split, with just over half of respondents saying they had not experienced issues with conflicting orders, and just under half reporting issues with conflicting orders from state and Tribal, military courts, or courts from other states.
- The advocates and attorneys that indicated there was an issue or issues work in 16 different counties.
- Narrative is where more detail was provided about the impact of conflicting orders. Many centered on making the difficulty conflicting orders create for enforcement, eg.:
 - “I have heard the judge explain that if there [*sic*] are multiple orders in place, the respondent must follow the most restrictive order. However, that is easy for the judge to say and not so easy for law enforcement to determine. Conflicting orders and confusing and when there [*sic*] is confusion, I believe victim safety is more likely to be compromised.”
- Narratives also conveyed confusion: ... “the procedures I’ve seen applied have felt ad hoc, inconsistent, unpredictable, and tough to navigate, even as an attorney who practices in this area of law.”
- Discussion about the impact of the language that we use. When we asked questions about conflicting orders, meant protection orders. But there are other types of orders distributing property, involving visitation, etc. in family law cases. If we don’t title what they are, we’re not talking about the same thing.

Superior Court Survey Responses (Judge Thorp)

Summary to be sent out following the meeting

- Low response rate (14/39 counties) from 5 judicial officers, 9 court administrators. Difficult to identify trends with few responses.
- All survey responders review JIS/JABs. A couple of counties also check Odyssey.
- Emphasize requirement and need for courts to check database.
- One county indicated NCIC/WASPC access, but it is the county attorneys
- No county had a way to identify pre-existing orders
- Thurston County indicated a conflict orders process
 - Action Item: Can we get more information about what this entails?
- One county has relationship with military courts
- Majority want tribal court information
- Smaller counties- one place to look. Great for state courts, but with the systems we have, either state or tribal court is going to have to do more than one thing.
- Over half of responders’ courts don’t have advocacy services
 - Potential Recommendations/Best Practices:
 - Update petition form for Tribal, military, other states’ orders. Ask a more express and clear question.
 - Ask parties on the record about any other court involvement
 - Additional recs from stakeholders on the best way to follow up on a conflicting order
 - CR 82.5 only applies to superior courts - recommend similar rule for military and non-WA courts, expand to CLJs

- Cross reference section of RCW that refers to communication with Tribal courts in custody UCCJA

Courts of Limited Jurisdiction Survey Responses (Judge Smith, sharing information from Judge Demmert)

- 31 courts responded
- 33% had access to NCIC/WASPC, 66% did not. Staff with access varied: prosecutors, probation, lead court clerk, judges
- 95% of responders check JIS for conflicting orders, 5% check NCIC
- 60% of people who answered were interested in NCIC access
- Comment: Letter written last year from DMCJA president addressing concerns with NCIC access.

Judicial Information System (Kathryn Akeah)

- Thank you to AOC for presenting on this topic at our last meeting
- What exists now, where AOC heading in the future
- Includes acronyms, graphics- really speak to how complex the system is
- Includes placeholders for AOC re: cost/staffing, additional ideas
- Want to illustrate how complex it is. Very simplistic view of the real world.
- Question from one of stakeholder unable to attend meeting: There was much discussion in the last meeting about a central repository for the storage of the **protection order documents**. Is that not possible with the technology that already exists to upload the orders to JABS? This is not currently being done, but I 'think' there was such a feature that AOC was going to offer some years ago in this regard.
 - If one of our members has a question, may be something we want to put into this report
 - Laura Jones to forward that question to AOC for consideration at team meeting

PENDING ITEMS

National Crime Information Center information forthcoming (Judge Moore)

Information from Other States forthcoming (Brittany Gregory)

Additional information from AOC - forthcoming, have team meeting scheduled

Tribal court survey responses – not closed yet

Tribal Access Program

- Lead on implementing Tribal Access program (TAP)- Marcia Good, good resource
- Security concerns not insurmountable. Explore what it would take if state courts wanted to access NCIC. Some of the security requirements are more relaxed than they used to be.

- Not saying it is the solution, but we should understand what it would take.
- If there are changes at the federal level that we may want to advocate for that would make that easier, that could also be another recommendation

DISCUSSION RE: GAPS

- What information do we need? (Whole docket? Entire protection order? Data elements (e.g. protected party, respondent, etc.)?)
 - For tribal court with JABs access, could see protected parties, what was active and could follow-up for more information if needed to know more.
 - Or is that enough? Don't want to have to call up county for that information
 - If cannot know what order says, will have to continue the case. This is a collateral consequence.
 - We all agree this is a gap, how best do we fill this? How do we know what judges need?
 - Phased approach: Recommendations say what's needed now and in the future. Ideally, want to see terms of orders. Crowd source what the preliminary data points that every judicial officer will want to see up front and build toward future of viewable documents.
 - Cannot let perfect be enemy of the good.
 - Would want this to work both ways
 - That may be the way we start moving
 - JIS Data standards- look at data points that are available.
 - Action Item: This was sent to Laura Jones, who will share out
 - Helpful that you wish a judge would have known?
- Data sovereignty- System that is built has to be one that is agreed to in way of government to government relationship. That should be in the framework of the report.

What do we see in NCIC? Just the data fields or the order?

ADJOURNMENT

Next meeting at 4 pm on Monday, November 1st



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Monday, November 1, 2021
4:00 PM – 5:00 PM



MEETING NOTES

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 Judge Michelle Demmert
 Kaeli Flannery
 Dr. Amanda Gilman
 Brittany Gregory
 Mike Keeling
 (Ret.) Judge Barbara Mack
 Dirk Marler

Commissioner Barbara McInville
 Dr. Marna Miller
 Erin Moody
 Tiffany Runge
 Sandra Shanahan
 Judge Tanya Thorp

Staff:

Kathryn Akeah
 Laura Jones

AGENDA

1. Review draft report outline, volunteers?
2. Information follow-up:
 - a. Other states
 - b. Tribal court survey results
 - c. AOC summary of information-sharing options
3. Discussion: Other state order processing
4. Discussion: What would be *ideal/perfect* for a judicial officer to see and what would be *good* for a judicial officer to see?

INTRODUCTIONS

Commissioner Barbara McInville joining work group

Brittany Gregory, AOC’s Associate Director of Judicial and Legislative Relations

DRAFT REPORT OUTLINE

DRAFT- Outline for our section of the legislative report uploaded to Box in HB 1320/Research & Information Sharing (R&IS) Group/Drafting – Information Sharing Issue

Organizational structure and framing of issues that we are contemplating for the report, as well as who has/is drafting various sections

Remaining gaps identified:

- Additional information re: military orders, orders from other states— issues and/or successful processes
- NCIC Information – upcoming meeting this Friday, 11/5 @ 11:30 am with Marcia Good and colleagues
- Tribal court survey results information could be included in potential solutions and tribal court perspectives sections of the outline
- Action Items: Judge Thorp to follow up with Commissioner McInville re: military, Laura following up with Spokane

INFORMATION FOLLOW-UP

Other States (Brittany Gregory)

- Asked to look into information-sharing in OR, ID, AZ, and NM
- Memo summarizing findings uploaded to Box
- All states had versions of a forum
- **Oregon**
 - Tribal Court/State Court Forum launched in 2015, meets annually to create/institutionalize collaborate relationship between judicial systems in OR
 - Nine federally recognized tribes
 - SB 183 – process for enforcement of “foreign judgment”
- **Arizona**
 - Arizona State and Tribal Court Forum – 1990, meets three times each year to allow cooperation and communication among state, tribal, and federal judges
 - AZPOINT- Arizona Protective Order Initiation and Notification Tool
- **Idaho**
 - Information from website, meeting scheduled with someone from Idaho AOC upcoming
 - Tribal State Court Forum meets annually
 - Idaho Tribal-State Court Bench Book
- **New Mexico**
 - Tribal-State Judicial Consortium- 2003
 - Full faith & credit/state services committee
 - Model form
- Questions/discussion:
 - Issues of conflicting orders and what they do there?
 - Some states don't have model order, some states do.
 - One of the issues we've encountered is that two orders with same parties, one in state court and one in tribal court- how do we prevent those orders from being issued in the first place?
 - Only AZ had an answer for that with AZPOINT. Action Item: Explore AZPOINT a bit more
 - Most efforts on full faith & credit, in WA this has not been a debate

- Did we ask these courts if they have access to NCIC? Information-sharing might not be an issue if they have that access.
 - Action Item: Brittany to follow-up about this
- Is AZPOINT sponsored by Arizona's AOC or is it an outside contractor that runs the software?
 - Action Item: Brittany to follow-up about this
- Suggestion to follow up with National American Indian Court Judges Association (NAICJA)
- We sent out an inquiry via CCI's National DV Court Forum list serv re: information-sharing between state and tribal courts via registries/databases and received no responses

Tribal court survey results (Laura Jones)

- 12 survey responses, 10 from tribes in WA
- Survey responders included primarily judges, some other court staff
- 75% of responders indicated that their court has access to NCIC or WASIC, processes for order entry varied: court personnel enter or send to tribal police to enter
- Approximately 36% of responders indicated that their courts file tribal protection orders with a state court for entry into JIS. The method for transmission varied—e-mail, fax, e-filing, put in sheriff's box
- Approximately 2/3 of survey responders indicated that they would be interested in the ability to enter tribal orders into JIS due to victim safety, preventing double entry, allowing state court judges to see this information, and to not have conflicting orders
- Approximately 1/3 of survey responders indicated they were not interested in the ability to enter tribal orders into JIS because it would be cumbersome, out of their jurisdiction, prefer that tribal police handle order entry, or would not have access when they begin entering into NCIC
- 1/3 of survey responders have access to view the Washington State judicial database, and 2/3 would like to have access
- About 50% of responders indicated experiencing issues with entering or having Tribal court orders entered into a criminal justice system database

AOC summary of information-sharing options (Dirk Marler)

- Walked through document put together by AOC team re: possible solutions to:
 - How can Washington state court judges of all levels see the existence of, and parties to, tribal court, military, and other jurisdiction protection orders to check for conflicting orders and history?
 - How can state courts query the national crime information center to check for tribal, military, and other jurisdictions' protection orders prior to issuing protection orders?
- Option 1: Status Quo+ whereby tribal courts continue sending protection orders to county clerks to enter into their case management systems, variations on that-additional requirement/incentive beyond what's in the current statute. That mechanism already exists.

- Option 2: E-filing, did not appear to be a viable option
- Option 3: Mandate each court to access NCIC database. Could view all protection orders that way, similar concerns to those raised in DMCJA letter
- Option 4: Grant access to tribal court to enter orders into case management system- enter into various case management systems, different for levels, counties
- Option 5: JABS connect to NCIC database- technically feasible, need additional information
- Option 5: EDR access NCIC directly- technically feasible, require AOC to store that data in EDR
- Option 7: User interface for tribal court protection orders

Thank you for this comprehensive and thoughtful presentation.

Look back at state court surveys- high percentage of responders wanted to have access to NCIC, may not be aware of what's required at the individual level.

Discussion: Judicial officers document what they review or consider for issuing orders. This could be a problem with NCIC and the need to destroy certain reports. Pierce Co. has a DV coordinator, looks for conflicting orders in the county – civil PO, superior court family, DV advocate works with people to get on the contested PO process, mirror no contact order. Thurston Co. – only county reporting a process to handle conflicting processes. Amazing what is covered under just one jurisdiction.

Action Item: Information obtained from Thurston County re: its conflicting order process. We will upload to Box.

ADJOURNMENT

Because we did not get to the last two agenda items, those discussion questions will be sent out via the list serv with responses requested by COB on Friday, 11/5/21

Meeting with Marcia Good this Friday, 11/5 at 11:30 am



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Friday, November 5, 2021
11:30 AM – 12:30 PM



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 Dr. Marna Miller

Erin Moody
 M. Abbas Rizvi
 Sandra Shanahan
 Judge Cindy Smith
 Judge Tanya Thorp

Staff:

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 Laura Jones

OVERVIEW, INTRODUCTIONS

Introductions of federal personnel:

- Mercedes Egan- Protection Order point person, CJIS
- Marcia Good- Lady Justice, TAP
- Chris Chaney- FBI general counsel, works on TAP issues

Background provided for the work group

TRIBAL ACCESS PROGRAM

- TAP was created to help give tribal government agencies, criminal justice and courts, a way to enter and access data in the FBI CJIS NCIC Protection Order File. Tribal Court access via CJIS, use same authority that state courts can use to access the system (“CSA”), enter or look up POs or criminal history of DV. Agencies have to look at the file to get information, need to be a “criminal justice agency.”
- Currently there are 14 WA tribes with TAP access
- Can use TAP to enter tribal court issued protection order, valid nationwide, continues to protect victims when traveling, local police in any jurisdiction can verify protection order instantly
- Who typically has access at a tribe? Tribal police, tribal prosecutor’s office, criminal division of tribal courts, probation and parole programs, different for each tribe.
- Data in NCIC is named based. Name, DOB, biographic info.

- NCIC has 21 “Files”: Protection orders, suspected terrorists, stolen vehicles, stolen firearms, wanted persons, identity theft, foreign fugitive, license plate, boats, etc. Any name search would return info on respondent and protected person.
- Pulls all ordered protection orders except extreme risk protection orders (but new file going live August 2022 will include them).
- Temporary protection orders are still in system too, but do not have Brady indicator to disqualify from firearm purchase.
- NCIC is a real time system, information is visible as soon as it is put in.
- Orders cleared stay in the system as historical inactive status.
- If you do a protection order query, can see cleared and expired. If do person name-based query, only see valid ones.
- TAP is not a database. It is a means of access. If Tribe A is selected to participate and wants agencies to participate, work with them to access members (ORI numbers), then tribes utilize those to access the system. [Tribal Access Program \(TAP\) | TRIBAL | Department of Justice](#)
- 3 legged stool: access, do the hardware/software, provide training and technical assistance

NCIC REQUIREMENTS

Are there different standards of access? Is access tied to what you’re looking at?

- Restricted/unrestricted files

This legislation relates to civil orders, is there a different set of requirements for a court to access if only protection orders vs. full query on all databases?

- Would know what level of access after applying for an Originating Agency Identify (ORI) to get access
- Encouraged us to compile questions in e-mail

Technical requirements are high speed internet access (TAP program is web-based)

State system CJIS agency (CSA) may have additional requirements. Washington State Patrol memo on WACIC access is the same thing:

- Access terminal
- Fingerprint
- Background check
- Training
- Audit once every 3 years (following policies and procedures? Computerized right now)

Not looking at NCIC means not seeing other states’ protection orders either

Tribal court in CA with one part-time judge and one part-time clerk has access to TAP. Not that big of a lift because support the tribal courts in their efforts. Make sure that staff have training, proper screening.

DISCUSSION/QUESTIONS

Aware of other states seeing tribal court orders in judicial databases?

Have heard of tribal courts faxing to state courts to be entered into state database, but hasn't heard how successful. Same issue, still missing NCIC orders.

Aware of other states where tribes can enter in directly?

Marcia – no. Not aware of any tribes with permission to enter into state database. WA has interesting standalone. Good idea at the time, but without interoperability missing others.

Are other states experiencing similar issues?

California. There it is a court issue and a law enforcement issue, not checking NCIC, just their state database

Almost like we need best practices of systems to check before enter PO. People are so mobile, move all the time. You really have to look at multiple locations. NCIC and state database

Examples of NCIC linking to state judicial system?

- Know of several states that go the other way, entering PO information into state system pushes to NCIC to save from dual entry. Could enter into a state database and ask to transmit.
- Every state has one CJIS agency, everything has to go through them. In Washington, that is WSP.

AOC not currently subject to CJIS requirements, but this would make AOC subject to CJIS.

Any information related to decisionmaking has to go into the court file. Any printouts the judge sees go into file. Open courts constitutional jurisprudence for state. To follow CJIS requirements, data has to be destroyed

Aware of state court that check state judicial database and also NCIC? Yes. Standard best practice. State court access to NCIC through state CSA, each court has to have own ORI. Your ORI is like your signature block

Authority for court access to FBI CJIS is [28 CFR § 20.3\(g\)\(1\)](#)

Talk to state CJIS officer, have to build a backend to talk with JIS/JABS. It's a question of how much we can automate it. This information helpful that should not be looking to going directly to CJIS/FBI, but engage with someone at WSP re: feasibility between AOC and state state patrol, and state patrol to CJIS, and the return trip for that information. At the end of the day, have built viewer system to pull information from multiple different systems and present at one time to judicial officer. Question is whether feasible to add one more datasource?

CJIS information provided to courts by prosecutors. Judicial officers have a need to physically place in court file the docs they've relied on to make a decision. May also raise other concerns with respect to CJIS security requirements.

ADJOURNMENT

Our next meeting will be on Monday, 11/15 at 4:00 pm. This is our last meeting before our recommendations are due to the Legislature.



Gender and Justice Commission (GJC)
E2SHB 1320 – Research & Information Sharing Work
Group meeting (Zoom)
Monday, November 15, 2021
4:00 PM – 5:00 PM



MEETING NOTES

Stakeholders Present:

Val Barschaw
 Judge Michelle Demmert
 Vonnie Diseth
 Nikki Finkbonner
 Kaeli Flannery
 Dr. Amanda Gilman
 Charlotte Jensen
 (Ret.) Judge Barbara Mack
 Dirk Marler

Commissioner Barbara McInville
 Dr. Marna Miller
 Erin Moody
 Judge Cindy Smith
 Patrick Wells

Staff:

Kathryn Akeah
 Laura Jones

AGENDA

Today’s agenda is to discuss/provide feedback on the working draft of our legislative report

Legislative Update:

Brief presentation about GJC’s stakeholder groups to Senate Law & Justice Committee this morning, brief overview

DISCUSSION – FEEDBACK ON WORKING DRAFT

Some information is incomplete:

- E.g. AOC pros and cons, but only from one perspective without tribal or state survey comments/results
- Met with Marcia Good and colleagues about CJIS and TAP, but need more time to dive deeper into WSP requirements

Productive meeting with Marcia Good, et. al.:

- Learned a lot from tribal court perspective and their access to NCIC and related data bases. Need to talk with WSP for questions related to Washington.
- State courts can access only parts of NCIC if they want—need to work with state CSA (WSP)
- Also, state courts most likely can keep some data, not destroy all, but need to follow up with CSA (WSP)
- Under the impression that any CJ, electronic or physical, must be protected and destroyed

- Response from feds made it sound like some leeway. Need to follow up—next step would be reaching out to Jim Anderson at WSP. Judge Mack offered to connect, but we may not have time before this report is due.
- When one of the group members worked at the prosecutor’s office, there was a designated person to provide to the court. Why couldn’t one person be designated to do this in each jurisdiction?
- Things have changed with COVID-19, measures might be less restrictive. E.g. of T-1 line, TAP program has become web-based.

Double Entries (p. 13 of working draft)

- When transfer to LE, they don’t have discretion to not enter or choose not to enter
- What does LE on the street see in NCIC? Two orders? Conflicting orders?
- Better to have entered twice than not at all
- Is it a big deal if orders are entered twice?
 - It is more a burden on staff and not all state courts have good working relationships with tribal courts and vice versa.

Is JIS going away?

- JIS is all of the systems that AOC provides to all of the courts.
- Some people refer to DISCIS as JIS itself. DISCIS is the smaller system, JIS is the collective bigger system. DISCIS being replaced in the next 5 years, but not getting rid of JIS itself.
 - CLJ-CMS is what the new application will be called

NCIC:

Connecting JIS to NCIC is a big deal and may not be feasible. Court to law enforcement database. Don’t have all the answers we need about feasibility. Maybe we should call that out a bit more.

- California system is thinking about connecting their judicial information system with the law enforcement database, but not clear on WA connecting JIS or JABS to NCIC. Pilot project to assess the feasibility of state courts meeting NCIC requirements to be able to connect

Clarify the draft, two alternatives:

1. NCIC connect to JIS
2. Pilot project- some state courts volunteer for NCIC access, see how complicated or not it is

****Do we take out the language about connecting JIS and NCIC?**

Weave in Marcia’s comment about best practices to look everywhere that you can.

The reason why it’s been such an issue for tribal courts, is that after they issue an order, the respondent goes into state court as the petitioner, which creates a dangerous situation for the victim. Power imbalances. Not just a court thing, it’s a victim safety concern.

Pierce County doesn't get information from JBLM. Judge Thorp, Commissioner McInville talked about getting in touch with JBLM folks. Difficult to get documents because chain of command protective of service members.

Action Item: Judge Mack to connect Commissioner McInville with JBLM legal advocate.

Recommendations re: court forms & CR 82.5 – should these be included, or are they outside the scope of the report?

- Court forms are AOC function. Court rules are court function, wouldn't be legislature to take action. Need to clarify.
- Forms and training included in the bill.
- There is another committee looking at forms, due next year
 - What steps does working group need to take to get request to that group?
 - Each group has a representative on the pattern forms committee. If recommendations come from this group, then they figure out how big of a deal it is.
 - Some members of the group recall a request at one time from CLJs for a similar rule to 82.5, but it didn't go through. In general, there is an effort to make rules consistent across court levels.

Distinction between now and spring deliverables are between practices and data gathering.



Laura forwarded Erin's email with questions/comments about the draft to group, in case others have answers to questions.

ADJOURNMENT

Deadline for feedback on the working draft of the report is COB this Friday, 11/19

This is our last meeting before the report is due

Gratitude to all for participating, providing valuable input. Washington is a leader nationally. What we produce could be a useful example to other states.

	Gender and Justice Commission (GJC) E2SHB 1320 - Research & Information Sharing Work Group meeting (Zoom) Monday, January 3, 2022 3:00 PM – 4:00 PM	
MEETING NOTES		

Stakeholders Present:

Dr. Avanti Adhia
 Val Barschaw
 Keith Curry
 Vonnie Diseth
 Nikki Finkbonner
 Dr. Amanda Gilman
 James Hayes
 Judge Barbara Mack (ret.)
 Dirk Marler
 Commissioner Barb McInville
 Dexter Mejia
 Dr. Marna Miller

Erin Moody
 Judge Karen Moore
 Ashley Rousson
 Dawn Marie Rubio
 Sandra Shanahan
 Chief Judge Cindy Smith
 Judge Tanya Thorp
 Patrick Wells

Staff:
 Moriah Freed
 Laura Jones

AGENDA

1. Introduce new stakeholders
2. Overview of our June 2022 deliverable and scope
3. Anticipated format for deliverable: Please see https://www.courts.wa.gov/programs_orgs/pos_bja/?fa=pos_bja.courtRecoveryTF
4. AOC data re: protection orders: Please see this memo: <https://courts.wa.gov/s/5uebreo5j91ionq2pogicivryxawvru4>
5. What other research is available re: protection orders?

INTRODUCTIONS AND PROJECT OVERVIEW

Project Overview of Deliverables - Erin Moody

- There are two deliverables stemming from the 1320 project. The first report to the Legislature has been delivered. The second directive is a report to the courts.
- This group will be working on recommendations for the June 2022 report to the courts.
 - “[D]eveloping best practices in data collection and sharing, including demographic information, in order to promote research and study on protection orders and transparency of protection order data for the public...”
- The beginning of the project looked specifically at how information is shared court to court – not just state courts, but also between state and tribal courts, federal courts,

and other jurisdictions. The second phase of the project will look outward at how the data can be visible not just to other courts but the public, and how information courts generate can better serve the public.

Materials to Review before February 7th Meeting - Erin Moody

- In preparation of the group’s work, Laura Jones has circulated 3 materials for review before the February 7th meeting:
 - Overview of our June 2022 deliverable and scope
 - The report delivered to the courts will be much more usable by the courts, and differently formatted – bullet points and high-level information. Stakeholders were asked to review the new anticipated deliverable format ahead of the February 7th meeting. Please see reports section:
https://www.courts.wa.gov/programs_orgs/pos_bja/?fa=pos_bja.courtRecoveryTF
 - Stakeholders were also asked to read the AOC data re: protection orders memo before the February 7th meeting come to the meeting with questions:
<https://courtswa.box.com/s/5uebreo5j91ionq2poqicivryxawvru4>
 - Practical questions from the memo
 - Questions about where there might be gaps in the data AOC is reporting, particularly from stakeholders familiar with current protection order research.

Introductions - All

- There are a number of new stakeholders joining this phase of the project.
- Stakeholders, leads, and staff on today’s call introduced themselves, including whether or not they were involved in the first phase of the project.

WHAT OTHER RESEARCH IS AVAILABLE RE: PROTECTION ORDERS

Review of Current Literature - Ashley Rousson

- A scoping review of the literature was discussed in preparation for the workgroups. With the focus of this group specifically on data sharing and data collection, the information is more difficult to find, such as data sharing and collection best practices.
- It would be helpful to know what the group would like to learn from the published literature to further narrow down the scope.

AOC Data - Amanda Gilman



- Dr. Amanda Gilman has been working with the AOC data manager to pull additional data.
- Items to look at – Just because the data fields are present doesn’t mean they are being fully completed.
 - Val Barschaw – in Odyssey, the software does not always allow the user to select a judge for the PO and it defaults to “Odyssey Judge.”

Outreach to Courts

- In addition to reviewing published research, Ashley Rousson and others are beginning to identify who might be a source of information in the Washington court system about how data is being managed and what the work processes are in protection order cases.
 - This most likely will be a survey to courts with follow-up outreach.

NEXT STEPS AND ADJOURNMENT

- Please send questions about the AOC memo by 1/31 in advance of the next meeting to Laura Jones (Laura.Jones@Courts.wa.gov) so that they can be shared to AOC staff in advance.
- If you are aware of data gaps please send them to Laura Jones (Laura.Jones@Courts.wa.gov).
- The next meeting is on February 7th from 4:00 PM – 5:00 PM. Please review above-referenced materials in advance.

 <p>WASHINGTON COURTS</p>	<p>Gender and Justice Commission (GJC) E2SHB 1320 - Research & Information Sharing Work Group Meeting (Zoom) Monday, February 7, 2022 4:00 PM –54:00 PM</p>	 <p>GENDER AND JUSTICE COMMISSION GENDER EQUALITY IN THE JUSTICE SYSTEM</p>
<p>MEETING NOTES</p>		

Stakeholders Present:

Dr. Avanti Adhia
Val Barschaw
Vonnie Diseth
Nikki Finkbonner
James Hayes
Elizabeth Hendren
Charlotte Jensen
Dirk Marler
Commissioner Barb McInville
Dr. Marna Miller
Erin Moody

Judge Karen Moore
M. Abbas Rizvi
Ashley Rousson
Sandra Shanahan
Judge Jackie Shea-Brown
Judge Tanya Thorp
Mary Welch

Staff:

Laura Jones
Moriah Freed

AGENDA

1. Discussion re: AOC protection order data (Charlotte Jensen)
2. Feedback/discussion re: draft survey to court staff, including the following questions:
 - Who is our target audience?
 - Input on court staff roles (Q8)
 - For AOC: which data systems should be included in Q10, Q11?
 - Framing of Q17
 - “Other questions” section of draft

AOC PROTECTION ORDER DATA DISCUSSION – PERSON BUSINESS RULES

Overview of JIS Person Records – Charlotte Jensen

- The document “person business rules” (PBR) is referenced in the Administrative Office of the Courts (AOC) memo. This is the first step when a case is filed. These rules identify when a case is required to have a unique person record in the Judicial Information System (JIS) person database for each person named in that case – petitioner, respondent, and minor or family household member, if identified.
 - PBR 1.40 – Cause of action to require a well identified party and a unique person record.
- The next step is to go into the person database to see if there is an existing person record in JIS. PBR 3.30 begins guiding the user in creating the record – this covers what

can be used as matching criteria between any identifying information. Three items of sameness are required between matching items on a petition to a JIS person database name.

- Name, date of birth (DOB), physical description (gender, tattoo, eye color, etc.), address history, driver's license number, and any other identifiers like state ID, Department of Corrections (DOC) number, FBI number.
- If a name cannot be found within the person database, search Department of Licensing (DOL). The same matching criteria applies if searching DOL record. The information is "scraped over" to create a new person in JIS.
- The clerk goes through this process for each individual named in a petition.
- The business rules are in place to ensure a person is not connected to an incorrect record, or a duplicate person is not created.
 - Key piece is to require matching across records, i.e. Adam J Smith and Adam James Smith in two different court cases. One option is to create an "AKA" with a link to the source record of the true name, which is the first name that was entered.
 - Person business rules are strict on AKA names. An AKA name cannot have a different driver's license number from the true name.
 - A search will show all cases involving source name and AKA names.
- If a field is left blank, JIS will not let you save the record. If the information is not available, there is a code placeholder.
- If there is an update to the record, there is a person business rule that requires the information be updated.
- If an individual is not in JIS or DOL, a new person is created. The goal is to have one record with the entire case history.

Involved Parties & Case Initiation – Charlotte Jensen

- At case initiation, only the petitioner and respondent will have person records. As the case progresses and other individuals are added, these people are added to the case record using a person record. Once the additional people are added to the case record, it can be saved and proceed.
- Data specific to POs must be included. This information is included in the memo provided to the group in advance of the meeting, available on Box.
- Case "DV y/n" indicator used to not be updateable. The default flag field is now changeable.
 - Unsure about maintaining a history of these changes, such as a time stamp.
- There is a history of how the POs are entered, such as decisions with date and time.

Discussion - All

- Stakeholders asked for clarification on the "DV y/n" indicator. The initial entry is decided based upon information provided by the petitioner. The civil coding system does not have a distinction between an intimate partner violence (IPV) and violence by a family

or household member currently. This distinction exists only in the criminal coding system.

- The criminal coding is recorded only if the prosecutor provides this information. Clerk only records information as presented.
- RCW charging statute makes this distinction, not a different code in JIS.
- There is a requirement that the petitioner provide this information in the original petition as defined in RCW 26.50.010(6) & (7).
 - This information is not currently being captured.
 - Pattern Forms Committee currently working on this issue.
 - If IPV information is captured, where will the data be stored?
- Statutes that direct distinguishing between IPV and family/household violence are RCW 10.01.240 (criminal) and RCW 26.50.020(5) (civil)
- Criminal charges typically see a specific statutory cite in support of a charge. Case initiation looks different in criminal case versus civil PO.
- It is likely a new code will be needed for IPV.
 - IPV code does exist.
 - In Odyssey, whether the relationship is family/household member or intimate partner is not a mandatory data field so there will be a data gap. It is not considered part of a well identified person. A similar option to enter family relationship is required in JIS.
 - Further costly development would be required to make it a required field on Odyssey.
 - If the family relationship is available, such as former spouses, the relationship will show on the domestic violence inquiry tab.
- Human piece to data capture - despite training, human errors happen in data entry.
- Because some courts have their own case management systems (CMS), they are responsible for making statutory requirements to comply with legislation. It might be possible a CMS cannot collect the data piece. Just because the statute says it and JIS or Odyssey accepts it, a local court's CMS might not work. If it can't be collected, it can't be reported.

DRAFT SURVEY TO COURT STAFF



Feedback on Question Wording and Audience

- Stakeholders were asked to review the draft survey to court staff in preparation of today's meeting. Comments can be sent to Laura Jones in the next day or two if they are not covered today.
- The leads are mainly seeking feedback on questions 8, 10 and 11.
- Clarification requested on what "data tracking system" refers to specifically (Question 11).
 - The question is targeting where (what programs) the data is being entered or tracked.

- Intent of the question is to help courts identify best practices for collecting data to facilitate research of who they are serving and how well they are serving them re: civil POs. Interested in courts using what is accessible for them to accomplish this. No idea of a specific system that should be used. Want to make sure survey is readable and understandable to court staff.
- Distinction between CMS (data input) and what application is used to view information (i.e. JABS). Some court staff predominately will do data input, and others will view information depending on role, i.e. judges versus clerks.
- Question 11 revision – change “data tracking” to “what other systems or programs do you use to obtain civil PO information.”
 - Brings up a question of audience. Questions might be different between a judge who does not enter information, and a clerk who does. Trying to tease out how do courts track information that is required by statute but not allowed in current CMS?
- AOC will talk internally and provide feedback via email.
- Stakeholders were asked to provide feedback on the draft survey to Laura Jones by 2/10 or 2/11.

NEXT STEPS AND ADJOURNMENT

- Next meeting – March 7th at 4:00 PM.
- Agenda and any follow up will be sent soon.

	Gender and Justice Commission (GJC) E2SHB 1320 - Research & Information Sharing Work Group Meeting (Zoom) Monday, March 7, 2022 4:00 PM –5:00 PM	
MEETING NOTES		

Stakeholders Present:

Dr. Avanti Adhia
 Keith Curry
 Vonnie Diseth
 Nikki Finkbonner
 Dr. Amanda Gilman
 James Hayes
 Charlotte Jensen
 Shannen Keene
 Dirk Marler
 Commissioner Barbara McInville

Erin Moody
 Judge Karen Moore
 Ashley Rousson
 Sandra Shanahan
 Judge Cindy Smith
 Judge Tanya Thorp

Staff:
 Laura Jones

AGENDA

1. Brief update on survey status
2. Discussion regarding data gaps

SURVEY STATUS

Laura Jones provided an update regarding status of the survey we hope to send out to courts (judges, clerks, administrators). Thank you to all who provided feedback and edits, and a huge thank you to Ashley for putting the survey together. We are aiming to send out next week, leaving open for 2 weeks to give time to review and summarize the results before our April meeting.

Amanda Gilman also gave an update on what we’ve learned about courts providing their data to AOC—do receive it from all superior courts, but not all district courts. Spreadsheet showing which courts provide their data shared and will be uploaded to Box. Helpful information in conjunction with the survey.

DATA GAPS

Sandra Shanahan provided a brief overview of a document that she put together and that was shared out to the group that outlined potential research questions and data priorities based on advocacy experience. Characterized as stream of consciousness of research questions she’d love to have answered/blueprint for what we should know. For example, if there are disparate

outcomes if people are represented or not, for those with language access issues, when children are involved or not. Integrated systems that inform our practices and processes.

The group discussed as follows:

- Striking that there is important data outlined here, but that a case management system is not going to be able to collect it. Try to identify ways to be able to do that with existing data.
- Can we standardize codes/definitions across the state to compare apples to apples? If we define differently we won't capture it.
- AOC working through process of what existing codes are, and may help drive other questions about how we can get to this information by using our existing pool. Also identifying gaps in codes that need to be pulled.
- Coding is different in superior courts vs. CLJs. How do you reconcile that? It's going to take people doing the data entry to come to the table to understand why it's important and if it can be done. Some items in the document would require additional work on the clerk's part. Don't want to put the onus on the clerk to determine what should be entered.
- Moving toward more electronic systems etc., could our systems be automated to collect certain kinds of data? Passive data collections without staff on hand?
- Many of the kinds of data outlined in the document would be contained in findings. Data is not collected on findings, but if a judge checks a box, that information may be available in the future. Lots of future potential.
- What of those codes that we currently have are mandatory? Can we look at changing some that are not to make them required?
- What do we have now? Part of it is being able to determine gaps we have that we could fill now.
- What level of detail does a judge have? Balance of privacy. Help present this survey in a way that we are going to get a robust response.
 - For the survey, purpose to identify where system not working for those who are supposed to be using it. Skip logic so responders only answer applicable questions.
- Don't lose sight of "the dream." It's an important piece of this work that we could aspire to.
- Courts are underfunded. We can say we're really busy, but not as compelling as intentional data collection system. In best interest to have best data so can grow to accommodate need.
- Saw next steps as a couple of stages. Perhaps there are folks that could identify for the purposes of the work group what we want to focus on content-wise. What we'd want to narrow in on.
- Question about new directive in SHB 1901- good opportunity to highlight need for additional data, but actually having the data is going to be problematic. Challenge to measure data that is yet to be collected.



NEXT STEPS/ACTION ITEMS:

- AOC (Charlotte Jensen) to finish review. Work with James Hayes and identify where resources are going to be required.

- Sandra to restructure the document- groupings that Judge Smith was talking about, e.g. what is possible now and what is on the “dream list.” View as concentric circles. Want to look toward the future, and what we can do with little effort.
- Talk about first concentric circle at next meeting- just having that baseline information about codes out there will help to make our questions and outreach more informed.

NEXT STEPS AND ADJOURNMENT

Next meeting – March 21st at 4:00 PM
(Note: This meeting was cancelled)

	Gender and Justice Commission (GJC) E2SHB 1320 – Research & Information Sharing Work Group Meeting (Zoom) Monday, April 18th, 2022 4:00 PM – 5:00 PM	
MEETING NOTES		

Stakeholders Present:

Kelley Amburgey-Richardson
 Crissy Anderson
 Vonnie Diseth
 Nikki Finkbonner
 Chris Gaddis
 Dr. Amanda Gilman
 James Hayes
 Charlotte Jensen
 Dee Koester
 Judge Barbara Mack
 Dirk Marler

Dr. Carl McCurley
 Commissioner Barbara McInville
 Dr. Marna Miller
 M. Abbas Rizvi
 Ashley Rousson
 Sandra Shanahan
 Chief Judge Cindy Smith
 Patrick Wells

Staff:

Moriah Freed
 Laura Jones

Meeting Agenda & Welcome

Meeting Agenda

1. Approach to SHB 1901 directive re: coercive control
2. Survey Results Overview (Ashley Rousson)
3. Brief presentation “1320 Data Priorities and Data Realities” followed by discussion

Meeting called to order at 4:03 PM

APPROACH TO SHB 1901 DIRECTIVE RE: COERCIVE CONTROL

Background and Context – Laura Jones

- Charlotte Jensen’s memo was shared with the group in advance of the meeting.
- Laura Jones provided context. In SHB 1901, there was a new directive for the group to consider a study regarding coercive control. Have been working with HB 1320 leads, WSCCR, and Charlotte Jensen to see if the directive is possible. Right now, the data is not tracked and so it is not possible. The leads are planning to submit a letter to the legislature explaining the current state of data collection. The letter would also highlight how a qualitative assessment would help with DV data collection on coercive control.
- Dr. Carl McCurley, with WSCCR, explained the issue of how data entry in one jurisdiction might not mean the same in another jurisdiction, and will require data quality checks. Could enlist volunteer courts to review useful sample and review records from one jurisdiction across multiple jurisdictions.

Proposed Directive Solutions – Charlotte Jensen

- The circulated memo specifically speaks to how to capture coercive control information across different case management systems currently in use.
- There is a governance process that all code requests must go through. Any form requiring tracking must have the correct codes on it to assist with data entry.
- Currently, the DV indicator is a unique field in JIS, and is also available in Odyssey. To add a similar field for coercive control, it would take a lot of work on the JIS screen. Would require an internal conversation to see if this is feasible.
- Important to consider “downstream effect” of reconfiguring JIS screen. Would require conversations with AOC Directors, Vonnie Diseth and Dirk Marler.

SURVEY RESULTS OVERVIEW – ASHLEY ROUSSON

- One surprising high number was the amount that law enforcement is involved in the civil protection order process.
- Interested in variety of applications people are using to input and view data.
- Training / work process is the main area that has room for growth, according to the survey. Most of the “problems” are from the information people can get from petitioners.
- Service of orders appears to be a problem.
- The fields required at different points in the protection order process change, and is affecting information collected.
- Paper forms are still dominant.
- It comes across that clerks are determining their own processes for protection orders and passing them along verbally or through training. There are fewer formal processes or trainings.
- It seems that people interfacing with petitioners (i.e. clerks) have the relationship information between parties, but there either is not a place for the information on the forms or it is not being entered, and therefore gets lost in the protection order process.
 - Not clear why information is not being entered. Most likely only entering required information, or no prompt in the CMS even if information is available on petition.
 - Relationships recorded in law enforcement report and petition itself, but often left out when entered into CMS.
- In the admin answers, there was higher representation from CLJs.
- A few common themes came out of the Judicial Officer responses:
 - Judicial officers have more training
 - Law enforcement information sheet came up in open ended answers frequently.
 - Law enforcement cannot serve an order without a date of birth – came up as a recurring issue.
- Just because it is on the pattern form does not mean it is an information piece collected.



- Charlotte Jensen added that we have to consider the purpose of case management system (CMS), and time to enter data not required for CMS to do its job. Have to consider staffing when asking CMS to fulfill a role it was not originally intended for.
- There was common feedback in the survey that if certain information was accessible to petitioners, it would easily streamline the process.
- Staffing as a common issue.

PRESENTATION: 1320 DATA PRIORITIES AND DATA REALITIES – Sandra Shanahan

- Sandra Shanahan has been working with James Hayes and Charlotte Jensen to discuss what information is realistic to capture. A PowerPoint was shared summarizing these discussions.
- Three “buckets” for data capture
 - Equity, access to justice, and harm reduction data
 - Efficiency, capacity and judicial economy-related data
 - Continuous improvement/reform related data
- Current data realities – Case management system not created for data collection; coding limitations
- It was suggested that the group have a discussion to decide on desired data points to track using these guiding principles.
- Shared king county [“data dashboard.”](#) and a sample PO data dashboard to show example data point visualization.

NEXT STEPS AND ADJOURNMENT

Next Meeting is on Monday, May 2nd from 4:00 pm – 5:00 pm

	<p>Gender and Justice Commission (GJC) E2SHB 1320 – Research & Information Sharing Work Group Meeting (Zoom) Monday, May 2nd, 2022 4:00 PM – 5:00 PM</p>	
<p>MEETING NOTES</p>		

Stakeholders Present:

Crissy Anderson
Chris Gaddis
Dr. Amanda Gilman
Nikki Finkbonner
James Hayes
Charlotte Jensen
Shannen Keene
Rachel Lindley
Ret. Judge Barbara Mack
Commissioner Barbara McInville
Dr. Marna Miller

Erin Moody
Rachel Lindley
Ashley Rousson
Sandra Shanahan
Judge Cindy Smith
Judge Tanya Thorp
Patrick Wells

Staff:
Moriah Freed
Laura Jones

MEETING AGENDA & WELCOME

1. Review the working draft for our deliverable:
<https://courtswa.box.com/s/rb5g79r2k263w3h2b1zmb88ykf6rnpk>

Following our meeting, we plan to edit and circulate a revised working draft with feedback due from all of you by May 20th

2. Establish data collection priorities and what is needed to accomplish

Meeting called to order at 4:03 PM

WORKING DRAFT OF DELIVERABLE

The working draft has consolidated and distilled the information we are getting, and identified what is not available.

Granular coding and mutual exclusivity will need “unpacking”

There are 3 main areas where we could like to collect data and need to select data priorities:

- Equity, access, justice
- Efficiency capacity judicial economy
- Improvement / reform of processes

DATA COLLECTION PRIORITIES

Equity, Access to Justice & Harm-Reduction

- How many “touches” with the court system does it take for someone to get a PO, and does this differ by demographics. Falls under judicial economy, but might have overlap with equity.
 - Worth noting that certain “priorities” might overlap with different categories
 - I.e. change “Outcomes” to “Outcomes / length of time involved in process”
 - High level tracking at this time – use of event codes
 - Would the group also be interested in number of appearances if an order is not ultimately issued?
- Certain tracking items, such as firearm surrender compliance and minor litigants, as items already collected. What we’re not getting right now is specific information about remote appearances; findings; individual outcomes. Events and proceedings are captured.
 - Also can consider where data is collected but not mandated, or data could be more robust as a recommendation.
- Suggested prioritizing of remote appearances. How successful are remote appearances, where are they successful or problematic, etc.
- Inclusion of children; firearms surrender; (one more suggestion, maybe minor litigants?). Are these things currently collected and how could they be improved?
 - Family relationships. Currently a frequently requested data piece.
 - Currently cannot proceed unless field has content, even if it is ‘unknown’.
 - Odyssey makes this more difficult, and the data field can be missed as a result. If this is an important data point, could be specified for input.
 - Person business rules specify this information should be input.
 - The group agreed to emphasize the robust data collection of family relationships.
 - There are already pre-established relationship pairs. The group could identify additional relationship pairs.
 - Clerks will not use the petition to input the data. The relationship data needs to be coded and not buried in the protection order petition.
 - Specialized training should be developed to assist clerks, etc. on how to find data needed for input and training for consistency across jurisdictions.
 - Code manual – opportunity to define certain relationships for consistency
 - Responses to survey emphasized a need for plain language in communicating with the public.
 - Asked for clarification in discussing the following terms:
 - Outcomes – disposition of the case. This is currently tracked.
 - Findings – found the person engaged in abusive litigation, coercive control, etc. More case specific identifiers.
 - Summary of priorities for Equity, Access and Harm Reduction:

- More detailed data collection on demographics, including more robust relationship between parties.
- To prioritize:
 - Remote appearances
 - Findings – database not currently built
- Representation – Tracked in some situations, and in others might only be in minutes but not data. Nuances that make data collection difficult.
 - “Flagged” as important

Efficiency, Capacity and Judicial Economy



- Number of appearances – also note that is appears under equity. Intentional duplication.
- Parallel matters – Will appear under person if using same unique identifier or AKA. Cases can be linked if someone identifies that they are related i.e. PO and family law case. Can be tracked on a larger scale.
 - Adding as a further out suggestion because other groups would need to be consulted. For example, names are not available for certain case types, like dependencies.
- Failure of service was a recurrent theme in survey responses. Would be great to capture, such as a box on pattern form. Continuances due to issues with service.
- Reason for Denial, e.g. a dismissal/denial when a petitioner fails to appear is different than a denial due to not meeting preponderance standard
 - Denial based upon merits versus other reasons
 - Could be added as data to prioritize and possibly a form change.
- Priorities
 - Failure of service / continuances
 - Tracking continuance reasons ties in with LRA group’s directive to consider best practices when concurrent criminal and civil proceedings

Improvement/reform of process

- E-submission and remote access – mandated changes, would be good to collect data
- Staffing
- Could suggest increasing standardization and simplicity for coding fidelity and data entry-consistency
- It was suggested to combine this third group into the 2 other buckets and explain the overlap. Indicate that data consistency underlies everything. The group agreed with this suggestion.

NEXT STEPS AND ADJOURNMENT

Next (and last) meeting is on Monday, June 6th from 4:00 pm – 5:00 pm

	<p>Gender and Justice Commission (GJC) E2SHB 1320 – Research & Information Sharing Work Group Meeting (Zoom) Monday, June 6th, 2022 4:00 PM – 5:00 PM</p>	
<p>MEETING NOTES</p>		

Stakeholders Present:

Dr. Avanti Adhia
Kelley Amburgey-Richardson
Crissy Anderson
Vonnie Diseth
Chris Gaddis
Dr. Amanda Gilman
James Hayes
Shannen Keene
Dirk Marler

Commissioner Barbara McInville

Dr. Marna Miller
Ashley Rousson
Sandra Shanahan
Judge Cindy Smith
Judge Tanya Thorp

Staff:

Laura Jones

MEETING AGENDA & WELCOME

1. Demo the deliverable site. Feedback due by COB tomorrow.
2. Provide an opportunity for feedback/questions

DELIVERABLE DEMO

Laura Jones walked the group through the deliverable site, scrolling through each of the subgroups’ sections and highlighting recommendations and resources developed for this project.

FEEDBACK/QUESTIONS

Concern raised that the (Litigant Rights & Access Group) deliverable has forms/templates not vetted by the Washington State Pattern Forms Committee. Laura to follow up re: caveat language.

Stakeholders expressed need for an actionable recommendation related to data that is currently available. What are things that courts can implement now?

Feedback that clerks, admin should be included in future discussions about data collection. For example, in priorities, method of service will be the most difficult to capture.

Question about whether there was a timeframe associated with the recommendations (there is not). Some stakeholders expressed the desire for a timeline to keep the work moving forward. Hope that this is a conversation starter within courts.

Push for visualization of AOC statewide data regarding protection orders in a dashboard, e.g. dependency dashboard. Several stakeholders on board because this is something actionable. This will require funding.

Feedback that recommendations should highlight some inner circle data points, e.g. relationship between parties.

Judicial officer feedback that deliverable site “imminently usable”

NEXT STEPS AND ADJOURNMENT

Thank you to everyone for your participation throughout the course of this project.

Aiming to send out to the courts by next Friday, June 17th. Feedback is due by COB tomorrow, June 7th. It can be provided via e-mail to Laura or via Box.