



Gender and Justice Commission (GJCOM)

Friday, March 14, 2014, (9:30 a.m. – 12:00 p.m.)

Temple of Justice
Olympia, Washington

MEETING NOTES

Members Present: Chief Justice Barbara A. Madsen, Chair; Ms. Ruth Gordon, Vice-Chair; Judge Michael Evans, Judge Judy Jasprica, Professor Taryn Lindhorst, Judge Eric Lucas, Judge Richard Melnick, Judge Mark Pouley, Ms. Leslie Savina, Judge Ann Schindler Ms. Gail Stone, Judge Tom Tremaine, Mr. David Ward, Ms. Danielle Pugh-Markie (AOC staff), and Ms. Pam Dittman (AOC staff)

Guests: Justice Bobbe Bridge, Retired, Ms. Jessica Birklid, Ms. CaroLea Casas, Ms. Claire Czajkowski, Ms. Callie Dietz, Ms. Trish Kinlow (via phone), Justice Sheryl Gordon McCloud, Justice Susan Owens

Members Absent: Ms. Sara Ainsworth, Ms. Laura Contreras, Dr. Margaret Hobart, Ms. Judith A. Lonquist, Mr. Ron Miles, Judge Marilyn Paja

CALL TO ORDER

The meeting was called to order at approximately 8:55 a.m. Introductions were made. The January 10, 2014 meeting notes were approved.

COMMISSION BUSINESS

CHAIR REPORT

New Member

Ms. Trish Kinlow, Court Administrator, Tukwila Municipal Court, will be joining the Commission as a new member.

Informed Voter Project – Video

The National Association of Women Judges launched its Informed Voter Project (IVP) in 2013. The IVP is a “non-partisan voter education project developed to increase public awareness about the judicial system, to inform voters that politics and special interest attacks have no place in the courts, and to give voters the tools they need to exercise an informed vote in favor of fair and impartial courts.” As part of the project, the short film “Fair & Free” featuring former United States Supreme Court Justice Sandra Day O’Connor was developed and released. News clips are being developed with Justice O’Connor. Additionally, Washington State is one of eight states who signed on to be part of a pilot project promoting the Project. A link to the video will be added to the Commission’s webpage or can be found on the National Association of Women Judges Web site at www.nawj.org.

Action

AOC Staff – Lorrie Thompson will repost the video link on the Washington Courts Facebook page and also send via Twitter.

Commission Staff – Have link posted to Commission website.

Several Commission members indicated they would send the link out via Twitter.

Board for Judicial Administration (BJA) Letter to Commissions

In 2012, the BJA formed the Committee Unification Workgroup which was to look at all committees across the Administrative Office of the Courts (AOC), the Associations, and the Commissions. The Workgroups purpose was to make recommendations to reduce confusion and duplication of efforts associated with the myriad of committees, boards, and commissions. The Workgroup released its findings in October 2013, and noted there were approximately 205 committees supported and managed by AOC and its staff.

In 2014, the BJA released a letter to the Commissions asking for their assistance. Recognizing limited AOC staff and resources, the letter outlines a process to help identify and review committees which may include consolidating or eliminating duplicative committees.

Action

Commission staff will compile the information and work requested and remit to the BJA by June 2014.

2011-2013 Annual Report

The 2011-2013 Gender & Justice Commission Annual Report has been completed. Thanks to Ruth, Pam, and Danielle for writing and designing the report. The reports showcase the important work the Commission and its members accomplish. Copies will be printed and sent to legislators, past and present Commission members, and other interested parties.

Action

Commission Staff – Review again. Post to Commission webpage.

Commission Members – Provide any names and addresses of interested parties to AOC staff that you believe should receive a copy of the report.

Representative Roger Goodman – Domestic Violence Prevention Commission

During the last session, Representative Goodman discussed the possibility of introducing a bill that would create a new domestic violence prevention commission. The Chief met with Representative Goodman to discuss the work the Gender & Justice Commission does and how it may be able to fill the role or expand its role to include prevention issues. The Chief was able to meet with First Lady Trudi Inslee to discuss her interest in domestic violence and prevention issues. Representative Goodman chose to not introduce the bill this session and agreed to continue the discussion with the Chief.

Luncheon Agenda

As part of National Women's History Month, the Commission is hosting a luncheon beginning at 12:30 p.m. in the Chief's Reception Room. We need to adjourn the Commission meeting no later than noon to set-up for the Legislative Luncheon. We have provided a copy of the luncheon agenda and encourage you to speak with the legislators assigned to your table. We will take the opportunity to showcase the work the Commission has done on legislative issues and where continued assistance is needed such as funding for an update to the 1989 Gender Bias Study.

STAFF REPORT

Activities

Danielle Pugh-Markie reported that all Commissions (Interpreter, Minority & Justice, and Gender & Justice) are now back to full staff since Cynthia Delostrinos has returned from maternity leave. Staff include: Danielle as manager over all three Commissions; Cynthia Delostrinos as main support for the Minority & Justice Commission; Bob Lichtenburg and Tina Williamson as support for the Interpreter Commission; Pam Dittman continuing as support of the Gender & Justice Commission and all STOP grant related activities, and Paula Malleck-Odegaard, AOC support staff to all three commissions.

In January, Danielle and Pam travelled to Texas for New Grantee Orientation as a requirement of the Office on Violence Against Women Courts Training and Improvement grant received to create a sexual assault curriculum for judicial officers and implement training on both sides of the state. Upon return, staff attended the 2014 Judicial College as each Commission sponsored sessions relevant to their Commission and mission.

Action

Commission staff will be meeting with AOC education staff to discuss the continued involvement and possible expansion of the sessions. Staff will also meet with faculty later in the year to discuss the sessions.

GJC and STOP Grant Budgets

STOP is a grant program from the Office of Violence Against Women. STOP stands for Services, Training Officers, and Prosecutors. The AOC works with the state Department of Commerce who receives and manages the statewide STOP grant. The AOC receives the five-percent set-aside for courts and manages the funds through the Commission. Yearly, we receive between \$100,000 to \$125,000 to support domestic violence, sexual assault, teen dating violence, and stalking efforts, and project including paying for staff support. These grants run on a federal fiscal year (FFY). Presently, we have grants for FFY11, FFY12, and FFY13 running consecutively. The FFY11 and FFY12 grants expire on May 31, 2014, and the FFY13 grant expires on December 31, 2014.

FFY11 has been spent and the grant closed leaving funds to be expended from FFY12 and FFY13 grants.

Commission members approved to fund:

- Judicial Training – Provide scholarships to judicial officers to attend Enhancing Judicial Skills in DV Cases. Ten judicial officers have requested to attend the training and we will support their travel and pro tem costs.
- Safe Havens Training – Provide scholarships to court teams to attend this training on supervised visitation. A team from Thurston County Family Court is attending. Scholarships will cover travel-related and pro tem costs.
- Support Professor Franks to: 1) present at SCJA conference, 2) meet with legislators regarding revenge porn legislation, and 3) present at a community meeting. Funds will support travel-related costs and meeting space. *(David Ward and Judge Melnick are interested in assisting with these three items.)*
- Support a stakeholders meeting to bring together judicial officers and national experts to develop the judicial officer sexual assault training curriculum. Funds will support facilities and travel-related and pro tem costs. *(Judges Melnick and Lucas are interested in participating in this meeting.)*
- Support three, one-day trainings for interpreters on how to interpret in domestic violence and sexual assault cases. Funds will support facilities and travel-related costs.
- Courthouse Facilitator Training – We received a proposal from Janet Skreen and Cindy Bricker, AOC, to support sending courthouse facilitators to the May 12-13 Children’s Justice Conference in Spokane. This program is sponsored and developed by Department of Social and Health Services (DSHS). The proposal indicates the sessions that link directly to the purpose of STOP grant funds. Funds will support travel-related costs.
- Support judicial officers to attend the National Council of Juvenile and Family Court Judges’ Annual Conference which is being held in July in Chicago. There is a track devoted to domestic violence. Funds would support travel-related and pro tem costs.

- Judicial Training – Provide scholarships to judicial officers to attend Continuing Judicial Skills in DV Cases. The training is in June in Chicago.
- Other ideas:
 - Presenters at Superior Court Judges' Association (SCJA) Spring Conference, District and Municipal Court Judges' Association (DMCJA) Spring Conference, and Fall Conference – To be determined when/if proposals are accepted.
 - Continued Legal Education (CLE) for attorneys if allowed under the grant
 - Regional training focusing on the curriculum the Commission and the National Council of Juvenile and Family Court Judges developed addressing domestic violence and family court issues.
 - Support the King County Annual DV Symposium. Funds to be used for covering pro tem costs for judicial officers who attend.
 - Update the Sexual Orientation bench guide. Staff have been in contact with QLaw who is interested in updating this bench guide.

Action

Commission Staff:

- Provide guiding principles on Safe Havens program to Commission members.
- Check into restrictions on whether we can use STOP grant funds to train attorneys.
- Follow-up with Judge Berns, King County Superior Court, on the DV Symposium and funds for pro tem costs.

Commission Members – Please continue to provide ideas or proposals for use of funding.

GUEST SPEAKER

Commercially Sexually Exploited Children (CSEC) Collaboration

Justice Bobbe Bridge (Retired), Chair, Supreme Court Commission on Children in Foster Care, and intern Jessica Birkliid provided an overview of a collaborative proposal.

A protocol was developed for dealing with cases where the child welfare system intersects with cases that present as domestic violence. Additionally, data indicates that many children being trafficked are coming from the foster care system. The proposal is to cohost a half-day training for judicial officers covering how to identify CSEC, how trafficking may present, best and promising practices, and identify and provide tools for judicial officers and communities to respond. Jessica provided a curriculum modelled from Montana.

Next steps are to gather input from the Commission on the proposed curriculum and facilitators. It was proposed to hold a small group training to see how it goes and change as necessary. We also propose to collaborate on proposals for judicial conferences.

The Commission agreed to the collaboration.

Action

Commission Staff – Continue the conversation with Justice Bridge and Jessica.

Commission Members – Please let staff know if you are interested. Judge Melnick indicated his interest during the meeting.

COMMITTEE REPORTS

- **Communications – Ruth Gordon, Chair**

We will strive to complete annual reports yearly. The Washington Courts website has been updated. It is time to review the Commission's website and update.

Action

Commission Members – Please take a look at the Commission website by May 1, and provide Ruth and staff suggestions on what to remove and/or update.

- **Domestic Violence – Judge Judy Jasprica, Chair**

We are continuing our work with the Center for Court Innovation (CCI) on the sentencing and monitoring project. CCI is currently looking at the survey results and data from AOC to inform us on where to conduct three site visits, which is the next phase of the project.

- **Education – Judge Rich Melnick, Chair**

- Professor Franks will be presenting at the SCJA Spring Conference. The session is entitled “Internet Rights and Wrongs.”
- “Adverse Childhood Experiences” proposal has been accepted for Fall Conference.
- “How Far Would You Go – Woulda, Shoulda, Coulda” was accepted for the District and Municipal Court Managers’ Association (DMCMA) Conference.

It was discussed that we should keep a “bank” of proposals that we can submit as needed. This would allow for staff and members to submit more complete proposals with learning objectives, faculty suggestions, and budget proposals. Several ideas that were put forth were abusive litigation, legal limited technicians, and family law. We need to continue to expand our training to include court staff, courthouse facilitators, pro tem judges, and commissioners.

Proposals should include: Topic/Title; Audience; Potential Faculty; Description; Issues to be Presented; Learning Objectives; Anticipated Costs.

Action

Commission Members – If you have an idea for a proposal, please contact staff.

- **Incarcerated Women & Girls – Sara Ainsworth, Chair. Judge Evans Reported.**

A public records request was sent to see how people were complying with the shackling requirement. The feedback was relatively positive with most county and city jails in compliance. The Committee will be submitting a more formal write-up to the Commission. Additionally, we are looking at forming a subcommittee to discuss this and other issues with some of the jails that appeared to be using shackling more often than others.

- **Legislative Report – David Ward, Chair**

Legislature adjourned on March 13. There were 240 bills passed during the session. One of the most significant bills to pass was HB 1830 that will make fire arm restrictions mandatory when a protection order is issued. This has been true under federal law for 20 years and brings Washington State in line. Additionally, three human trafficking bills passed.

Action

Commission Staff - Follow up on HB 2196 re: concerning the use of the Judicial Information System by courts before granting certain orders. This bill did not pass. Work with the SCJA

- **Tribal State Court Consortium – Judge Tremaine and Judge Pouley**

The Consortium will be hosting an evening session at the 2014 Fall Conference. The session will be discussing the Indian Child Welfare Act (ICWA) and the 2013 Reauthorization of VAWA and implications for tribal courts. Additionally, Judge Tremaine will be presenting at the Washington Association of County Clerks Conference in May. Judge Tremaine is currently the acting President of the NW Tribal Court Judges' Association.

Action

Commission Staff – Send the meeting notes from the 2013 Fall Conference session to Commission members.

Commission Members – Judge Tremaine will be sending an e-mail to tribal court judges in Washington inviting them to the evening session at Fall Conference.

- **Women in the Profession – Judith Lonquist, Chair. Judge Schindler & Gail Stone reported.**

The Committee has two projects. The first project is to look at gender bias in judicial evaluations. The King County Bar Association has spent years refining their judicial evaluation process and survey. The goal is to bring a judicial evaluation to the Commission and propose to use as a state-wide model. The second project is to update the 2001 Glass Ceiling Survey. We will work on this project after the judicial evaluation project has been completed.

Members discussed that the Pierce County Bar Association will be doing the judicial evaluations for district and municipal court judges for the upcoming election, so we may want to see what tool they are using. Also, Chief Justice Faab from Alaska has a retention system and a performance evaluation with an assessment tool for judicial performance.

Commission Members – Contact Pierce County Bar Association and Justice Faab to see if they can provide a copy of judicial evaluation using.

ADJOURNED

The meeting adjourned at approximately 11:55 a.m.