



MINORITY AND JUSTICE COMMISSION

ADMINISTRATIVE OFFICE OF THE COURTS, SEATAC, WASHINGTON

FRIDAY, OCTOBER 9, 2015 (8:45 A.M. – 12:00 P.M.)

JUSTICE MARY YU, CO-CHAIR

JUSTICE CHARLES W. JOHNSON, CO-CHAIR

AGENDA

CALL TO ORDER - 8:45 a.m.

- Call to Order and Introductions
- Approval of June 12, 2015, Meeting Minutes

CO-CHAIR REPORT

- **New Membership Guidelines – Amend Bylaws**

STAFF REPORT

- **Minority and Justice Commission Updates**
 - Racial Justice Equity Initiative – ATJ Conference
 - Jury Demographic Survey
 - Tribal State Court Consortium – Regional and Annual Meeting
 - Law Student Liaison Orientation
 - Youth and Justice Forums – Yakima & Tri-Cities (11/7)
 - Seattle Race Conference, 10/10
 - LSAC Grant – Washington State Youth and Justice Stakeholders Meeting, 11/2
- **Gender & Justice and Interpreter Commissions Updates**
 - Model Language Access Plan
 - Incarcerated Women and Girls Committee
 - 2016 National Association of Women Judges' Conference
- **2015-2016 Budget**

COMMITTEE REPORTS & DISCUSSION

- **National Consortium on Race and Ethnic Fairness** – Judge Alicea-Galvan & Judge Smith
- **Education Committee** – Justice Stephens & Marie Eggart
- **Workforce Diversity Committee** – Bonnie Glenn
- **Outreach Committee** – Judge Yule
- **Juvenile Justice Committee** – Annie Lee
 - **Minority Youth and Police Training** – Sgt. Adrian Diaz
- **Law Student Liaisons**

ADJOURNMENT – 12:00 p.m.

NEXT MEETING

Friday, December 4, 2015 – 8:45 a.m.-12:45 p.m.

Administrative Office of the Courts, SeaTac



Washington State Minority and Justice Commission (WSMJC)

Friday, June 12, 2015

11:00 a.m. – 3:00 p.m.

Access to Justice Conference, Wenatchee Convention Center
Wenatchee, Washington



MEETING NOTES

Commission Members Present

Justice Mary Yu, Co-Chair
Justice Charles Johnson, Co-Chair
Judge Lisa Atkinson
Prof. Lori Bannai (via teleconference)
Mr. Jeffrey Beaver
Ms. Ann Benson
Mr. Steve Clem (via teleconference)
Judge Linda Coburn
Prof. William Covington
Sgt. Adrian Diaz (via teleconference)
Mr. Mike Diaz
Judge Lisa Dickinson
Judge Theresa Doyle (via teleconference)
Ms. Marie Eggart (via teleconference)
Prof. Jason Gillmer
Ms. Bonnie Glenn
Mr. Russell Hauge
Mr. Uriel Iñiguez
Ms. Karen Murray
Ms. P. Diane Schneider
Mr. Travis Stearns
Justice Debra Stephens
Judge Kimberly Walden (via teleconference)
Judge Dennis Yule, Ret.

Members Not Present

Judge Veronica Alicea-Galvan
Prof. Robert Boruchowitz
Judge Deborah Fleck
Ms. Yemi Jackson
Ms. Carla Lee
Commissioner Joyce McCown
Judge LeRoy McCullough
Judge Lori Smith
Judge Gregory Sypolt
Mr. John Yasutake

AOC Staff Present

Ms. Cynthia Delostrinos

APPROVAL OF MINUTES

The meeting minutes from the April 10, 2015, meeting were approved.

CO-CHAIRS REPORT

Recap: Supreme Court Symposium on Reentry – May 28, 2015

The event was well attended, presentations were organized, and the program was very educational on the landscape of reentry in Washington State. The program was recorded and can be viewed on TVW's website. Materials from the event will be available on the Minority and Justice Commission's website. Many that attended felt that the most powerful part of the presentation was panel of people who spoke about their experiences having been through the process of reentry.

Perceptions of Justice

At the last Commission meeting we reported back on the Appellate Court conference, but since then, both the SCJA and DMCJA had their conferences where the Perceptions of Justice Presentation was the opening plenary. Towards the end of all of the presentations we asked the judges to give us feedback on things they think they could do to improve perceptions of justice. We will be pulling together a report of all of the things judges said they would be willing to do to effect change in this area. Cynthia will share the report at the next meeting. Judge Coburn and Judge Walden reviewed the responses from the DMCJA conference. Both of them were part of the group of judges helping to prepare Greg Taylor for the presentation. They gave him a warning that there would likely be a small group that was vocally opposed to these type of sessions. The vast majority of the feedback was positive and the presentation was overall well received and positive. They are already thinking about Ideas for next year on how to continue to address specific nuts and bolts issues that judges in the DMCJA like to see in education trainings. It is difficult, hard and uncomfortable to talk about this topic. Each year we get closer and better at talking about the topic. Judge Walden and Coburn would like to gather information from practicing attorneys to talk about specific incidents around bias in the courts that they have been experiencing. Judges are hungry for being told what to do and how to handle situations, even just recognizing when they occur. DMCJA judges are isolated from some of these issues unless someone points it out. Also, it is hard for judges to know the impression they are giving people. They would like to find a safe way to gather information from attorneys that practice in their courts in a safe way.

Budget

At the last meeting, the co-chairs sought new proposals for funding projects that could be completed by June 30, as there was some money left in our budget that had not been allocated. The co-chairs received a number of proposals and decided to use the remaining Commission funds to support a project of Commission member Sgt. Adrian Diaz. Sgt. Diaz has created a training for police officers in how to understand and work effectively with minority youth. His project in Washington will be one of only three in the country to have this specific type of training for officers. The curriculum of the program is based off of a model from Philadelphia, which he learned about through Models for Change.

The training will bring in junior officers who recently have graduated from the police academy, and 30 youth from various community partners from different demographic areas. Most of the training will be done as a group, with the only separated training being that the youth will go through officer implicit bias training and officers will go through adolescent brain development training. The hope is that these training will help participants better understand each other and have a dialogue around understanding racial and cultural issues, as well as age and generational gaps.

The project is already moving forward. The first two workshops are scheduled for August 14, and August 31. Sgt. Diaz is working on selecting the youth who will

them. Dr. Walker reached out to the Commission because after all of the grant funding is expended, there is still about \$1,450 needed to fine-tune and add animation to the videos. Some of you may be familiar with the videos of the Northwest Justice Project. These videos and the animation in them would be similar. Dr. Walker is hoping to have the videos completed by fall judicial conference in October.

The Outreach Committee has not yet had the chance to talk about the request from Dr. Walker. Judge Yule believes it is a worthwhile project to support, and had been involved in this project when it was a part of Models for Change. There is need for this type of aid for parents who may not understand or trust the justice system, many of which are families of color. It is an opportunity for the Commission to have an important input in the videos. It is also possible that it may be difficult to fall within the schedule to accommodate our input. We may find that we don't need to add any input. It was proposed that those on the Outreach Committee follow-up on this request and to review the videos and report back to the Commission.

There was a question about how the videos will be disseminated and whether they will actually be easily accessible. The group that is working on this project is trying to make it so that the videos can be viewed on a smart phone. It was suggested that those working on this project connect with defenders to share the videos with their clients and their client's parents. The videos have been viewed and vetted by juvenile court administrators, youth, parents, and other juvenile justice stakeholders. Clark County, King County, and Pierce County all participated in the Juvenile Justice 101 expansion, which was the force behind the creation of the videos, and Dr. Walker tapped into those groups for review of the video. There was another question about when parents would have access to the videos, because they could be a key to effective communication. Parents will generally look to the defenders offices to learn about the court process – and so it might be on the defenders to communicate that the videos are available to parents. The key is the way the videos are disseminated through multiple sources, and whether they are practically available at juvenile court. Was there any consideration to have the videos translated into other languages? It had not been discussed yet whether translated versions would be made available. How do the videos fit into the purpose and responsibility of this Commission to address racial and ethnic bias? It seems like the videos are just general. Is there a particular component that implicates the mission of our Commission? In a general sense, the videos are an invaluable tool to families who live in poverty, families of color, and all communities that have not had positive experiences with the justice system. People of color are disproportionately affected by the juvenile justice system and may be more likely to not trust the system.

As a Commission we should continue on, figure out how we can be involved in any specific way. Question – what are we being asked to do? However, at this time, the Commission has no more leftover funds from FY14-15. Judge Yule will explain to Dr. Walker that we don't have a budget to spend.

Juvenile Justice Committee

The Committee put together a session for the ATJ Conference on the school-to-prison pipeline. Judge McCullough, Annie, Cynthia, and other community folks put together the workshop which is scheduled for tomorrow morning. The title is "Educational Opportunities for Youth: Access Denied." We have a very good panel of community members who will talk about school discipline and its relationship to the justice system and how we can improve outcomes for kids. We will also have someone from Seattle University School of Law's Journal for Social Justice (SJSJ) talk about the articles that will be coming out in the next SJSJ journal on the school to prison pipeline. Our goal is to connect with the ATJ community around school discipline and the school to prison pipeline. We are hoping that we will have the opportunity as workgroup to set a plan moving forward onto next year.

JOINT MEETING WITH ACCESS TO JUSTICE BOARD

We were presented with the extraordinary opportunity to have the first joint meeting between the Access to Justice Board and the Minority and Justice Commission. All of us have done good work, but unfortunately operate in silos. We have a better and new understanding that we can do more when we collaborate and work together. Today is a great chance to do that. We hope that going forward there will be many more opportunities for collaboration. We will first have Jim Bamberger give a presentation summary of some of the findings from the Civil Legal Needs Study Update, Then Ishbel Dickins will give a summary of some of the work that the ATJ community has been working on, and Cynthia Delostrinos will give a summary of some of the MJC's recent work. At the end there will be an opportunity for discussion and input.

Update to the Civil Legal Needs Study

Study is available here: <http://ocla.wa.gov/wp-content/uploads/2015/06/CLNS14-Executive-Report-05-28-2015-FINAL1.pdf>

Questions from the audience:

- Were the responses matched geographically? Answer – They have not done a geographical analysis yet, but there is the ability to do it.
- Was the survey distributed before or after the health care/ affordable care act? Answer – After the affordable care act.
- Were any surveys given in Spanish? Were the responses proportional to the number of Spanish speakers in the high Spanish-speaking areas of our state? Did you get a representative sample from Spanish speaking areas? Answer – Don't really know, but think they did.
- Are there opportunities to pose queries to the study to get a more detailed analysis of a particular area within the study? Answer- This is an area where we were intentionally different than the 2003 study, were we received the data and that was it. Now, we own the data from Washington State University. While WSU is our contractor, we own the data. They have developed an array of data tools

bias within ourselves, within our Board, within the Alliance, and also within the greater justice community. Priorities will hopefully reflect that moving forward. We have been hosting the Equal Justice Community Leadership Academy and are in our 3rd cohort now. The second cohort has taken on racial inequity in the justice system as something for us to work on. We feel as though we are moving forward in a good way. We welcome the opportunity to partner, and hopefully get feedback, and work together moving forward.

MJ Commission update

During this past year we've held several judicial education trainings. At Judicial College, which all new judicial officers go through, we had a training focused on cultural competency. At the Annual Fall Judicial Conference we had a training called "Race, the Power of an Illusion," which looked at race inequity at a systemic and institutional level. We also did a training and created bench cards for judges on the laws around LFOs, partnering with the ACLU of Washington and Columbia Legal Services. Lastly, we created a series of trainings entitled, "Perceptions of Justice: The Separate Realities of Our Justice System." Back in 2012, the Commission produced a study looking at the perceptions Washington residents had of the justice system. What the study found was that race played a big factor in people's responses. People were divided along racial lines. Using the study as a starting point, we created a training for judges to help them understand the data in the study and why minority groups are distrustful of the system. One of the things we were able to do is get feedback from judges on what they believe they can do to improve the perceptions of justice and the courts. We truly value all of the collaborations with different groups that have really helped us get the work done.

What areas of collaboration are ripe between the Minority and Justice Commission and the ATJ Board?

- The incident in Pasco has been troubling to many on the way it is being handled, contributing to growing tension in the community towards the justice system. Maybe this is something we can work together on addressing. There are a lot of components that are being identified as ways to get involved that don't necessarily disrupt the current process, such as training of officers, addressing the perceptions of the community who at this time does not trust the prosecutor's process.
- We have had a lot of trainings with people who work within the justice system. Maybe we should consider a training for the community on the way the justice system works. Many of us have been having conversations with family or friends and it seems like there is so much confusion about what the legal process is about. People only hear about it from the news. Maybe we can contribute to a healthy dialogue about the justice system?
 - During today's Minority and Justice Commission meeting we talked about two projects. The first was a project to develop videos that would help families who are going through the juvenile justice system better understand the process, which may in turn lead to more trust in the system. The other project we discussed is the work being done with the

Follow-up Steps

Cynthia and Terra will continue to talk about ways we can collaborate in the future.

NEXT COMMISSION MEETING:

Friday, October 9, 2015, from 8:45 a.m. – 12:45 p.m. at the AOC's SeaTac facility.

**WASHINGTON STATE
MINORITY AND JUSTICE COMMISSION
BYLAWS**

PREAMBLE

On October 4, 1990, the Supreme Court established the Washington State Minority and Justice Commission to identify problems and make recommendations to ensure fair and equal treatment in the state courts for all parties, attorneys, court employees and other persons. The Commission was created (1) to examine all levels of the state judicial system in order to particularly ensure judicial awareness of issues affecting persons of color in the judicial system in order to achieve a better quality of justice; and (2) to make recommendations for improvement to the extent it is needed.

ARTICLE I

Purpose

- 1.1 The Minority and Justice Commission is charged with determining whether racial and ethnic bias exists in the courts of the State of Washington and to the extent that bias exists, taking creative steps to overcome it. To the extent that such bias does not exist, the Commission takes creative steps to prevent it.

ARTICLE II

Membership

- 2.1 The Minority and Justice Commission is co-chaired by a Supreme Court Justice, designated by the Chief Justice.
- 2.2 The other co-chair is a Member Chair of the Commission, who shall be elected from the thirty-five (35) Commission members by a majority either when the Commission is renewed by order of the Supreme Court or upon resignation of the Member Chair (Co-chair).
- 2.3 The Commission shall consist of thirty-five (35) members, appointed by the Supreme Court, representing an approximate mix of judges of all levels of court, members of the legal system and private citizens of the State of Washington. Members should be chosen to assure racial, ethnic, gender, cultural and geographic diversity.
- 2.4 Attendance at meetings is expected. If a member misses three (3) consecutive meetings, he or she will be deemed to have resigned from the Commission. If a Commission member knows in advance that she or he is unable to attend three (3) consecutive meetings for any reason, he or she shall notify the Commission Chairs and tender his or her resignation. The Commission Chairs have discretion to choose to accept or decline the resignation.

- 5.2 Commission action shall be by majority vote of the thirty-five (35) Commission members present or participating by teleconference, video conference, or other electronic means approved by the Commission, so long as a quorum is present.
- 5.3 In the absence of a quorum at a regularly scheduled meeting, the Executive Committee may take contingent action on business the Chair(s) determine to require action by the Commission prior to the next regularly scheduled meeting.
- 5.4 No proxy voting shall be allowed.

ARTICLE VI

Meetings

- 6.1 The executive director or designee of the Commission shall serve as recording secretary for the Commission.
- 6.2 Commission meetings shall be held at least six (6) times a year. Additional meetings may be scheduled or specially called at the discretion of the Chair(s). Reasonable notice shall be given to each member. Participation in meetings of the Commission may be held by teleconference, video conference, or other electronic means approved by the Commission. The co-chairs may designate Commission-sponsored events as meetings.

ARTICLE VII

Special Funding

- 7.1 In addition to such funding as shall be available through the AOC budgeting process, the Commission is authorized to seek and accept funding through appropriate processes and from appropriate sources to carry out Commission projects and purposes. Any funds so obtained shall be administered under proper auditing controls by AOC.

ARTICLE VIII

Amendments to Bylaws

- 8.1 These bylaws may be amended or modified at any regular or special Commission meeting, at which a quorum is present, by majority vote. No motion or resolution for amendment may be considered at the meeting in which it is proposed.



Washington State Race Equity & Justice Initiative

The Washington State Race Equity & Justice Initiative (REJI) seeks to help coordinate and grow a sustainable statewide community of legal and justice system partners who can work in solidarity with communities of color who are disproportionately impacted by poverty, criminalization, and other systemic disparities in order to eradicate racialized policies, practices, and systems.

The Initiative's goals are to:

- 1) **Create and Sustain a Statewide Network:** Develop resources and infrastructure to support and grow a highly collaborative, integrated and coordinated Race Equity & Justice statewide network that can share information; help participants align their work around a shared set of ideas, goals and strategies; and more effectively advance racial justice.
- 2) **Offer Research, Data, and Tools:** Conduct and share research and data assessment and analysis as well as suggested tools and best practices to determine where additional study of race equity issues is needed in Washington State and identify actions (such as additional research and/or deliverables) that may assist in addressing race equity issues.
- 3) **Advance Strategies on "Common Ground" Issues:** Identify and promote strategies to address issues that transcend traditional divisions between the civil and criminal justice systems that also reflect existing racialized structures and racial inequities within the justice systems (ex. LFO's, school-to-prison pipeline, criminalization of race and poverty, etc.).
- 4) **Foster Community Engagement:** Direct community engagement and meaningful partnerships in order to grow our network and to ensure that communities who are most affected by poverty and racial inequities are participatory in policies, actions and decisions that may impact them.



COMMISSION MEMBERS

Justice Charles W. Johnson
Co-Chairperson
Washington State Supreme Court

Justice Mary I. Yu
Co-Chairperson
Washington State Supreme Court

Judge Veronica Allica-Galvan
King County Superior Court

Judge Lisa Atkinson
Shoalwater Bay Tribal Court

Professor Lori Bannal
Seattle University School of Law

Mr. Jeffrey A. Beaver
Miller Nash Graham and Dunn

Ms. Ann Benson
Washington Defender Association

Professor Robert C. Boruchowitz
Seattle University School of Law

Judge Linda Coburn
Edmonds Municipal Court

Mr. Steve Clem
Douglase County Prosecuting Attorney

Professor William Covington
University of Washington School of Law

Sergeant Adrian Diaz
Seattle Police Department

Mr. Mike Diaz
Attorney at Law

Judge Lisa Dickinson
Judge Pro Tem

Judge Theresa Doyle
King County Superior Court

Ms. Marle Eggart
Asotin County Clerk's Office

Professor Jason Gillmer
Gonzaga University School of Law

Ms. Bonnie J. Glenn
Rehabilitation Administration

Mr. Russell Hauge
Liquor Control Board

Mr. Uriel Iniguez
Commission on Hispanic Affairs

Ms. Yemi Fleming-Jackson
Microsoft Corporation

Ms. Anne Lao
TeamChild

Ms. Carla C. Lao
King County Prosecuting Attorney's Office

Commissioner Joyce McCown
Court of Appeals, Division III

Judge LeRoy McCullough
King County Superior Court

Ms. Karen Murray
Associated Counsel for the Accused

Ms. P. Diane Schneider
WA State Coalition for Language Access

Judge Lori K. Smith
King County Superior Court

Mr. Travis Stearne
Washington Defender Association

Justice Debra L. Stephens
Washington State Supreme Court

Judge Greg D. Sypolt
Spokane County Superior Court

Judge Kimberly Walden
Tukwila Municipal Court

Judge Dennis D. Yule, Retired
Benton-Franklin County Superior Court

STATE OF WASHINGTON MINORITY AND JUSTICE COMMISSION

September 2, 2015

Dear Presiding Judges and Jury Administrators:

We are writing to ask for your support and assistance in a statewide effort to learn more about jurors in Washington State. To accomplish this task, we have selected a group of geographically diverse courts that regularly conduct a significant number of jury trials. The actual participation of these courts is voluntary, but the more data we can collect, the more complete snapshot we will have of our jurors. Thus, while we recognize the extra time it might take, we are asking each of these courts to administer the enclosed juror survey to every person who reports to the courthouse for jury duty. The juror survey has been created using United States Census questions about race and ethnicity.

We are asking each of you to do the following:

- 1) Provide the attached Juror Survey to all jurors** who physically report to your courthouses for jury duty, regardless of whether they are part of a panel or are actually selected to serve on a jury. Please note that no juror should be required to fill out the survey. We are, however, requesting that you ask jurors to complete it.
- 2) Keep track of the total number of jurors who report for jury service each month.** This statistic will help us calculate the percentage of jurors that respond to the survey.
- 3) Fill out the enclosed Transmittal Form.**
- 4) Mail the Transmittal Form and the completed Juror Surveys to the Administrative Office of the Courts** on a monthly basis for 12 consecutive months. These documents should be sent to:

Cynthia Delostrinos
Administrative Office of the Courts
1206 Quince St SE
PO Box 41170
Olympia, WA 98504

**Administrative Office of the Courts ♦ Post Office Box 41170 ♦
Olympia, Washington 98504-1170
Telephone (360) 705-5327 ♦ Telefacsimile (360) 956-5700
E-mail: Minority.Justice@courts.wa.gov ♦ Website: www.courts.wa.gov**

JURY REPRESENTATION SURVEY – ANSWER ALL OR SOME QUESTIONS

The following information will not in any way affect your eligibility to serve as a juror. The Court is collecting it to learn the demographics of the jury pool. Your participation is voluntary and anonymous.

YOUR PARTICIPATION IS REQUESTED - PLEASE FILL IN APPROPRIATE CIRCLES

1. COURT WHERE YOU ARE SERVING:

- Benton County Dist., Sup. & Muni Court
- Bremerton Municipal Court
- Chelan County Dist., Sup., & Muni Court
- Clark County Dist., Sup & Muni Court
- Cowlitz County District Court
- Federal Way Municipal Court
- Grant County District Court
- Grant County Superior Court
- Grays Harbor District Court
- Island County District Court
- Island County Superior Court
- Jefferson County Dist. & Sup. Court
- Kent Municipal Court
- Kirkland Municipal Court
- Kitsap County Superior Court
- King County District Court
- King County Superior Court - Seattle
- King County Superior Court - Kent
- Lewis County Superior Court
- Mason County Dist., Sup., & Muni Court
- Okanogan County District Court
- Pierce County Dist., Sup., & Muni Court
- Seattle Municipal Court
- Skagit County Superior Court
- Snohomish County Superior Court
- Spokane Cty Dist., Sup., & Muni Court
- Sunnyside Municipal Court
- Thurston County District & Sup. Court
- Vancouver Municipal Court
- Walla Walla County Superior Court
- Whatcom Cty Dist., Sup., & Muni Court
- Whitman County Superior Court
- Yakima County Dist., Sup. & Muni Court

2. GENDER &

- ORIENTATION** (mark all that apply):
- Male Female Transgender
 - Gay Lesbian Bisexual
 - Other: _____

3. YOUR AGE:

- 18-22 58-62
- 23-27 63-67
- 28-32 68-72
- 33-37 73-77
- 38-42 78-82
- 43-47 83-87
- 48-52 88-92
- 53-57 92+

4. MONTH JURY SERVICE BEGAN:

- January May September
- February June October
- March July November
- April August December

5. YEAR JURY SERVICE BEGAN:

- 2015 2016 2017

6. RACE (mark all that apply):

- White Korean
- Vietnamese Japanese
- Asian Indian Chinese
- Filipino Other Asian
- Samoan Other Pacific Islander
- African-American American Indian
or Black or Alaskan Native
- Guamanian Other: _____
or Chamorro

7. ETHNICITY (mark all that apply – based on US Census Bureau definitions):

- Are you Spanish/Hispanic/Latino?
- No, not Spanish/Hispanic/Latino
 - Yes, Mexican, Mexican American
 - Yes, Puerto Rican
 - Yes, Cuban
 - Yes, another Hispanic, Latino, or Spanish origin: _____

EXAMPLE

- = Correct
- = Wrong
- = Wrong
- = Wrong

**Thank you for your cooperation
(one survey per juror please)**

Yakima Valley Youth and Justice Forum

“Liberty and Justice...FOR ALL!”

Agenda

8:00-8:30	<p>Registration Students – Tita Medina, Heritage University Volunteers – Cynthia Delostrinos, J.D., Minority and Justice Commission</p>
8:30-8:45	<p>Welcome! MC: Lisa Castilleja, J.D. – UW School of Law David Wise, Vice President of Marketing, Heritage University Carmen Mendez – Executive Director of Safe Yakima Valley, Alumni of Heritage University</p>
8:45-9:15	<p>K-9 Demonstration Deputy Robert Tucker and Gabby, Narcotics K-9 Handler, Yakima County Sheriff's Office</p>
9:15-10:00	<p>Protecting Your Rights and Improving the Lives of Those in the Community: <i>A Panel With Civil Rights Lawyers</i> Moderators: Graciela Navarro, J.D., Northwest Justice Project & David Solis, J.D., Columbia Legal Services <u>Panelists:</u> Brooke Pinkham, J.D., Northwest Justice Project Blanca Rodriguez, J.D., Northwest Justice Project Lupe Gamboa, J.D.,</p> <p>Q&A & Small Group Discussions – <i>Students will get a chance to discuss questions at their small group tables with volunteers assigned to each group</i> <u>Small Group Questions:</u></p> <ol style="list-style-type: none"> 1. What stood out and/or connected to you most about the presentation? 2. What other civil rights issues concern you that weren't addressed? 3. What questions do you still have for the panelists?

Sponsored By:

The Washington State Minority and Justice Commission - Heritage University -
 Latino/a Bar Association of Washington
 University of Washington School of Law - Filipino Lawyers of Washington
 Stokes Lawrence Velikanje Moore & Shore



WASHINGTON
COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

Callie T. Dietz
State Court Administrator

May 22, 2015

TO: Presiding Judges
County Clerks
Association of Washington Superior Court Administrators
District and Municipal Court Management Association
Washington Association of Juvenile Court Administrators
Court Interpreter Coordinators

FROM: Callie T. Dietz, ^{CTD} State Court Administrator
Administrative Office of the Courts

RE: Provision of Language Access Services Under Title IV of the Civil Rights Act and the Americans with Disabilities Act

The Administrative Office of the Courts (AOC) Court Interpreter Program recently received an inquiry from a state court jurisdiction requesting information regarding a court's responsibility for payment of interpreter services in civil cases. The purpose of this letter is to share the guidance provided as a result of the earlier inquiry.

Attached you will find a letter from the U.S. Department of Justice (DOJ) to all states' chief justices and state court administrators that addresses the expectations of the DOJ regarding provision of interpreter services in civil cases. The AOC distributed this letter to all presiding judges and court administrators on October 24, 2010, and again on October 18, 2012. Also attached is an October 5, 2012, letter from the AOC to the DOJ which describes the Board for Judicial Administration's (BJA) policy regarding courts' obligation to provide, as necessary, interpreting and translation services under Title IV and the Americans with Disabilities Act, notwithstanding the provisions under RCW 2.43.040. The BJA resolution was previously provided to presiding judges, court administrators, and county clerks on July 27, 2012.

The BJA resolution states that it is *"the responsibility of Washington courts to provide interpreter services, at public expense, in all legal proceedings, both criminal and civil."*

STATE OF WASHINGTON

1206 Quince Street SE • P.O. Box 41170 • Olympia, WA 98504-1170
360-753-3365 • 360-956-5700 Fax • www.courts.wa.gov

Memorandum Regarding Provision of Language Access Services Under Title IV of the
Civil Rights Act and the Americans with Disabilities Act
May 22, 2015
Page 2

It is the position of the AOC that the BJA resolution is a clear directive that mirrors the DOJ expectation of the responsibility of courts to provide language access services regardless of one's financial ability to cover the cost of such services. The DOJ letter addresses the matter of a court's additional language access obligations for court programs provided by third parties under items 3 and 4 of the letter. This view by the DOJ creates an obligation on all Washington courts to ensure that a court, its court-ordered programs and approved providers, make language access resources available to limited English proficient (LEP) persons at no additional charge.

The Court Interpreter Program within the AOC has reviewed and identified a need to update the model Language Access Plan (LAP) template, last updated in 2011. The revised model LAP template will be available this fall for use by local courts for their LAP needs. It will contain guidance on state courts' obligations to fully fund interpreter costs in civil cases, regardless of ability to pay, as well as public access to court documents and forms in languages other than English. The updated template model will also have a section about a court's policy and process for handling and monitoring customer grievances related to Title IV language access issues.

As you may be aware, this current legislative session may result in a reduction or loss of funds for the court interpreter reimbursement program. We are aware that the loss of resources may impose an additional burden on local court jurisdictions. However, the opportunity for persons to effectively and meaningfully communicate in court proceedings and to participate in court services is a fundamental principle of justice that must be preserved despite the financial challenge it may create for local governments. Language access plans are key policy and service delivery documents that can serve as a guide to local courts in meeting the needs of individuals accessing the judicial system and may serve as a proactive measure to promote compliance with federal language access policy.

Please feel free to contact Robert Lichtenberg, Language Access Program Coordinator, if you need additional information on language access policies and best practices. Mr. Lichtenberg can be reached via email at Robert.Lichtenberg@courts.wa.gov or by video relay services at 360-350-5373.

Attachments

cc: Honorable Steven González, Washington Supreme Court Interpreter Commission
Mr. Dirk Marler, Director, Judicial Services Division
Ms. Cynthia Delostrinos, Interim Lead, Supreme Court Commissions
Mr. Robert Lichtenberg, Court Interpreter Program Coordinator

Minority and Justice Commission
[PROPOSED] Budget (2015-2016)

PROJECTED SPENDING		Starting balance - \$150,000
Salaries & Benefits	MJC Staff	\$70,000
Commission Meetings	Member & staff travel costs, lodging, and per-diem for all regular MJC meetings.	\$10,000
General Operating Expenses	Printing, teleconferences, office supplies, etc.	\$5,000
Annual Report	Design and printing	\$2,000
Commission Staff & Member Continuing Education	National Consortium & other conferences	\$7,000
EDUCATION	Judicial College	\$1,000
	Institute for New Court Employees	\$1,000
	Spring Conferences <ul style="list-style-type: none"> • DMCJA (\$1500) • SCJA (\$1500) • Appellate Courts (\$1500) 	\$4,500
	Flexible Spending for Other Education Sponsorships	\$2,500
LAW STUDENT LIAISONS	Project/s (\$4500)	\$6000
	Leadership Training & Travel (\$1500)	
YOUTH PIPELINE PROGRAMS	Youth and Justice Forums <ul style="list-style-type: none"> • Yakima (Sept. 2015) • Tri-Cities (Nov. 2015) • Spokane (March/April 2016) • Seattle (April/May 2016) • Tribal Youth (Spring 2016) 	\$5,000 (\$1,000 each)
	Road to a Diverse Bar & Bench (LSAC Grant Supplement \$7500)	\$5,000
	Commission Member Travel for Forums	\$5,000
SYMPOSIUM	TBD	\$6,000
INITIATIVES	Perceptions of Justice Follow-up	\$3,000
	Washington State Race Equity Initiative	\$3,000
	Legal Financial Obligations	\$1,000
	Tribal-State Court Consortium	\$2,500
Other Sponsorships	TBD	\$2,000
RESEARCH	TBD <ul style="list-style-type: none"> • Possibility: Jury Diversification • Civil Legal Needs Study 	\$2,500
COMMITTEE WORK	<ul style="list-style-type: none"> • Outreach, Workforce Diversity, Juvenile Justice, Legislative, Evaluation and Implementation 	\$6,000
TOTAL		\$150,000

Minority and Justice Commission Meeting Schedule 2016

Conference Number: 1-888-757-2790, Participant Code 285042#

Date	Time	Location
Friday, February 5, 2016	8:45 a.m. – 12:45 p.m.	
Friday, April 1, 2016	8:45 a.m. – 12:45 p.m.	
Supreme Court Symposium May 2016 Date TBD	8:30 a.m. – 1:00 p.m.	Temple of Justice Olympia, WA
Friday, June 24, 2016	8:45 a.m. – 12:45 p.m.	
Friday, September 23, 2016	8:45 a.m. – 12:45 p.m.	
Friday, December 2, 2016	8:45 a.m. – 12:30 p.m.	

Please contact Cynthia Delostrinos at Cynthia.Delostrinos@courts.wa.gov or 360-705-5327 if you have any questions.