



Board for Judicial Administration (BJA) Meeting
Friday, October 16, 2020, 9:00 a.m. – 12:00 p.m.
Videoconference

MEETING MINUTES

BJA Members Present:

Chief Justice Debra Stephens
Judge Greg Gonzales, Member Chair
Judge Tam Bui
Judge David Estudillo
Judge Doug Federspiel
Judge Michelle Gehlsen
Judge Rebecca Glasgow
Justice Steven González
Judge Dan Johnson
Judge David Kurtz
Judge Mary Logan
Judge David Mann
Judge Bradley Maxa
Terra Nevitt
Judge Rebecca Pennell
Judge Judith Ramseyer
Judge Rebecca Robertson
Dawn Marie Rubio
Kyle Sciuchetti
Judge Charles Short

Guests Present:

Jim Bamberger
Esperanza Borboa
Barbara Carr
Timothy Fitzgerald
Patti Kohler
Sophia Byrd McSherry
Robert Mead
Judge Kevin Ringus
Justice Mary Yu

Administrative Office of the Courts

(AOC) Staff Present:

Nicole Ack
Crissy Anderson
Judith Anderson
Jeanne Englert
Sondra Hahn
Penny Larsen
Dirk Marler
Ramsey Radwan
Caroline Tawes
Frank Thomas

Call to Order

Chief Justice Stephens called the meeting to order at 9:03 a.m.

Information Sharing

Chief Justice Stephens introduced Nicole Ack, new Court Program Analyst at AOC and staff for the Public Trust and Confidence Committee.

Jim Bamberger continues to implement emergency civil legal aid projects, including the Eviction Resolution pilot program in six counties.

Rich Johnson has announced his retirement from his position as Court Administrator/ Clerk of the Court of Appeals Division I effective March 31, 2021.

The Court of Appeals Division I began in-person oral arguments in July, which were live streamed on TVW. Their courtroom and procedures have been redesigned.

Federal Way Municipal Court just finished their fourth jury trial since the pandemic began.

The Court Recovery Task Force has sent out surveys. The responses will be compiled and shared.

The WSBA is working on its long-range plans. The WSBA was able to offer the summer bar exam. They are preparing for the February exam in Tacoma and Spokane.

The WSBA is recruiting for a member-at-large for the Board of Governors. The deadline is October 30.

Spokane Municipal Court received a Department of Justice grant to expand their Community Court to the East Central neighborhood.

The Court of Appeals judges held a virtual retreat last week.

Sophia Byrd McSherry will be the acting director of the Office of Public Defense.

Judge Pennell said oral arguments via Zoom are well-received and have increased access to justice.

The Office of Justice Programs awarded AOC \$1,750,000 for the Family Drug Courts Expansion Program.

The AOC plans to request more CARES funding. Dawn Marie Rubio encourages courts to submit an applications for costs associated with COVID-19.

Dirk Marler thanked the education staff for their work on contract negotiations arising from canceled programs this year. He discussed the CLJ-CMS efforts.

Presentation: Minority and Justice Commission

Justice Yu reviewed the Minority and Justice Commission (MJC) initiatives included in the meeting materials.

The MJC is working with judges and professional associations in response to the Supreme Court letter on race. The MJC is offering to build a consortium of associations to help collaborate on this work and avoid duplication of efforts.

Justice Yu thanked MJC co-chair Justice G. Helen Whitener, and Chief Justice Stephens thanked the MJC for their work.

Presentation: Public Trust and Confidence Committee

The Public Trust and Confidence Committee (PTC) is continuing the Judges in the Classroom program. There was a large number of participants in this program before the pandemic, and the PTC is working on a virtual version of the program.

Chris Gaddis, Pierce County Superior Court, is working on the Jury Diversity Project.

The Legislative Scholars Program was virtual this year and a large number of teachers attended.

Task Force Reports

Court Recovery Task Force (CRTF): The bulk of this Task Force work has been distributed among smaller committees with members from the CRTF as well as the community and topic area specialists.

The Lessons Learned Committee has sent a survey to all court administrators asking about changes in space, accommodations, and technology due to the pandemic. Responses will be compiled and distributed. This information will create a baseline of practices. The Committee is currently working on surveys for court users.

At the October 9 meeting, the CRTF voted to endorse a proposal from the Appellate Committee that will allow Administrative Procedures Act (APA) and Land Use Petition Act (LUPA) appeals to go directly to the Court of Appeals. There is a meeting with the BJA Legislative Committee next week.

Other CRTF committees are developing resources, guidelines, and checklists. The Washington Courts COVID web site is being updated.

The BJA plans to implement an award for justice system innovations in response to COVID-19. Nominations will be ongoing, and a schedule will be announced.

The CRTF discussed the August Summit responses. There will be more outreach from the CRTF, including inviting Tribal Courts representatives.

The CRTF will be sending out surveys on Therapeutic Courts and court security.

The materials from the Summit and CRTF meetings are posted on the web site. Those interested in the video presentation from the Summit may access a request form and agreement on the BJA web site.

Court Security Task Force: The Task Force submitted a motion to withdraw the court security funding decision package from consideration. They plan to submit it again later.

There was a discussion to either move the motion to the November BJA meeting or incorporate ties to the pandemic into the decision package to make more funding options available. This decision package was the top priority in the Budget and Funding Committee recommendations.

After a discussion, the motion was withdrawn and the Court Security Task Force budget package decision will be moved to the November BJA meeting. Chief Justice Stephens requested feedback from the BJA members. This will also be added to the October 26 Legislative Committee agenda.

Court System Education Funding Task Force:

The Education Task Force submitted a final report in the materials and recommended the Task Force be dissolved since it successfully secured online training funding.

It was moved by Judge Federspiel and seconded by Judge Gonzales to dissolve the Court System Education Funding Task Force. The motion carried unanimously.

Budget and Funding Committee 2021–2023 Biennial Budget Requests

To develop the priority recommendations, the BFC took into account the pandemic and the impact on the state budget. Judge Logan reviewed the top 10 priority recommendations. Updated information was sent to the BJA members prior to this meeting.

Ramsey Radwan discussed the revenue forecast and potential budget reductions in the executive branch. He suggested the BJA members wait until the November BJA meeting to set 2021–23 budget request priorities.

Standing Committee Reports

Court Education Committee (CEC): A summary was included in the meeting materials.

Dr. Scott Hillstrom has been hired as the Distance Learning Program Coordinator. Judith Anderson said the education team at AOC have done a great job of responding to the pandemic and resulting conference cancellations. The Judicial College will be online this year, and an online faculty development program has been created.

Legislative Committee (LC): The LC report was included in the meeting materials. Their next meeting is October 26 and they will discuss strategies for working with the Legislature.

Policy and Planning Committee (PPC): Recommendations from the PPC on increasing BJA membership diversity were included in the meeting materials. The PPC would like to formalize the expectation that BJA members personally reach out to a variety of candidates for BJA membership by including this expectation in the BJA member responsibilities. Penny Larsen suggested taking time each year in a BJA meeting to discuss the diversity recommendations, and asked for comments on the recruitment flyer developed by the PPC.

Judge Federspiel would like to see demographics on the Washington State Bar Association, Washington state, and the judiciary to aid in this discussion. Penny Larsen could add profiles of the BJA members.

September 18, 2020 Meeting Minutes

It was moved by Judge Ramseyer and seconded by Justice González to approve the September 18, 2020, BJA meeting minutes. The motion carried unanimously.

Other

The next BJA meeting will be on November 20, 2020. As this will be a joint meeting with the Court Management Council and there will be a large number of agenda items, this may be a longer meeting.

There being no further business, the meeting was adjourned at 12:02 p.m.

Recap of Motions from the October 16, 2020 Meeting

Motion Summary	Status
Dissolve the Court System Education Funding Task Force.	Passed
Approve the September 18, 2020, BJA meeting minutes.	Passed

Action Items from the October 16, 2020 Meeting

Action Item	Status
The Court Security Task Force budget package decision will be moved to the November BJA meeting. Chief Justice Stephens requested feedback from the BJA members	

Action Item	Status
<u>September 18, 2020, BJA Meeting Minutes</u> <ul style="list-style-type: none">• Post the minutes online.• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials.	Done Done