



Board for Judicial Administration (BJA) Meeting
Friday, May 17, 2024, 9:00. – 12:00 p.m.
Videoconference

MEETING MINUTES

BJA Members Present:

Chief Justice Steven González, Chair
Judge Alicia Burton, Chair
Judge Tam Bui
Judge Kristin Ferrera
Judge Rebecca Glasgow
Judge Marilyn Haan
Judge Cindy Larsen
Judge Mary Logan
Justice Raquel Montoya-Lewis
Terra Nevitt
Judge Rebecca Pennell
Judge Rebecca Robertson
Dawn Marie Rubio
Judge Diana Ruff
Judge Michael Scott
Judge Jeff Smith
Judge Karl Williams

Guests Present:

Elena Becker
Melissa Beaton
Karl Hart
Jessica Humphreys
Judge Carolyn Jewett
Sara Robbins
Michael Roosevelt
Bailey Zydek

**Administrative Office of the Courts
(AOC) Staff Present:**

Nicole Ack
Scott Ahlf
Sarah Boege
Joli Brown
Carolyn Cole
Jeanne Englert
Heidi Green
Scott Hillstrom
Karl Jones
Kyle Landry
Penny Larsen
Carl McCurley
Stephanie Oyler
Haily Perkins
Andrew Peterson
Laurie Sale
Caroline Tawes
Frank Thomas
Lorrie Thompson
Andrea Valdez

Call to Order

Judge Burton called the meeting to order at 9:02 a.m. and welcomed new members Judge Ferrera and Judge Larsen.

BJA Equity Impact Assessment Tool Presentation

Judge Burton introduced Michael Roosevelt, an educator who has developed *Beyond Bias: Assuring Fairness in the Courts*, a comprehensive fairness and diversity curriculum used across California. Michael Roosevelt presented the BJA Equity Impact Assessment tool (EIAT) for use in courts. This tool aligns with the BJA goal of a commitment to implement an equity analysis process for BJA projects and overall work.

The presentation was recorded.

A summary of the presentation is available as an addendum to these minutes.

BJA Task Forces and Workgroups

Alternatives to Incarceration Task Force

The Alternatives to Incarceration Task Force report was included in the meeting materials.

This Task Force is seeking to extend its term for another year. Their work is continuing and the members need more time to promote their work and possibly develop another piece of legislation and a funding request.

It was moved by Chief Justice González and seconded by Judge Glasgow to extend the Alternatives to Incarceration Task Force term by one year. The motion carried with one abstention.

Remote Proceedings Workgroup

The Remote Proceedings Workgroup is also seeking a one-year extension. The extension is needed to complete the best practice guidelines, to potentially submit a funding request for remote technology resources, and to field potential follow-up questions from the Supreme Court regarding the Remote Proceeding Court Rules proposals.

The Workgroup will have a presentation at the June meeting.

It was moved by Chief Justice González and seconded by Judge Scott to extend the Remote Proceedings Workgroup term by one year. The motion carried unanimously.

Electronic Monitoring and Victim Notification Technology (EMVNT) Workgroup

A report was included in the meeting materials. A presentation of the final documents will be presented at the June meeting.

Standing Committee Reports

Budget and Funding Committee

Participants were reminded to submit legislative proposals by July 12, 2024. Proposals should further the Principal Policy Goals of the Judicial Branch and are submitted at the request of a court, board, commission, association, or BJA committee.

Court Education Committee (CEC)

A report was included in the meeting materials.

Judge Pennell is finishing her term as chair of the CEC. The CEC is preparing a set of court education policies, including working on remote screening of court education sessions. Future goals include increased funding for CEC projects and coordination among all programs to help distribute funding. Scholarships are available to attend CEC events but there is no mechanism for letting people know about scholarships.

Legislative Committee (LC)

A report and proposal form were included in the meeting materials.

Haily Perkins thanked Judge Scott for his service as chair of the LC. Policy proposal forms are due on July 12, 2024. Please contact Haily Perkins if you did not receive the May 17, 2024, email and proposal form.

The Interbranch Advisory Committee Report is due to the Legislature in November. There will also be a vote in September on whether to continue the Interbranch Advisory Committee.

Policy and Action Committee (PAC)

A report was included in the meeting materials.

Judge Jewett thanked the PAC for coordinating today's presentation.

Voices for Justice: Collecting Court User Feedback Presentation

Carl McCurley, manager of the Washington State Center for Court Research (WSCCR) at AOC, presented information on the Data for Justice initiatives. WSCCR is the foremost systematic expert to help courts understand who is court involved and the impact on individuals, and they help courts build capacity to deliver equal justice. To help courts with their programs and policies and the impacts of those programs and policies, WSCCR has launched a series of initiatives called Data for Justice. The purpose is to obtain useful information from court data.

WSCCR researchers Sarah Boege, Andrew Peterson, and Joli Brown have been developing a court user feedback program, called Voices for Justice, under the Data for Justice umbrella. Information was included in the meeting materials.

Sarah Boege and Karl Jones reviewed the Court User Feedback Program. This program provides an opportunity for courts to get feedback from court users. Feedback provides a better understanding of the experience of court-involved people. The WSCCR team will support courts in getting feedback. Courts can prove what is working well and improve what is not working well, and provide evidence for why they need additional resources.

The program is court-led and customized to the court. Courts may receive general feedback or feedback focused on a specific program or population. Courts may do a survey, use focus groups, interviews, and/or observations. The WSCCR team can conduct surveys or interviews or support the court and provide implementation support. There is no charge to courts; this program is funded by the state. Please contact Sarah Boege if you have questions or to discuss this program. WSCCR has additional resources.

Judge Burton thanked the WSCCR team for their presentation.

Office of Civil Legal Aid (OCLA) Presentation

Sara Robbins is the new OCLA Director.

After four months in this position, she shared some share initial thoughts on where OCLA is and where it is going. A high priority for OCLA is ensuring proper staffing, proper oversight, and manageable workloads. OCLA is hiring for a few positions that will help with infrastructure needs: a director of operations and program counsel for civil legal aid and the children's representative program.

Sara Robbins discussed the importance of *The Civil Legal Needs Study*. She will be convening stakeholders to discuss whether the 2015 report needs to be updated or if something different needs to be done.

Chief Justice González thanked Sara Robbins for accepting the Director position. He is looking forward to an update and a rethinking of what civil legal needs might look like.

Appellate Members Information Sharing

Supreme Court

The Supreme Court has returned from traveling to present oral arguments at Sunnyside High School. The Court will not be traveling in fall as they hope to be moving back into the Temple of Justice in August 2024. The Rules Committee met this week and recommended the Remote Proceeding Rule Proposals and the public defender caseload standards be discussed at the June 5, 2024 en banc. Previously approved recommendations on alternatives for licensing attorneys from the Washington State Bar Association (WSBA) will be sent back to the WSBA to develop the structure of a program and rule recommendations.

Court of Appeals

Judge Crusier is the new Presiding Chief Judge as well as the Presiding Judge for Division II. Division I is remodeling their courtroom this summer. In September all three Court of Appeals divisions will be traveling for oral arguments to colleges, community colleges, and high schools. They are continuing to transfer caseloads across divisions. The Court of Appeals is working on a pilot to transfer cases at filing. Judge Crusier or Judge Glasgow can answer questions on the pilot project.

The biggest challenge for the Court of Appeals is too few criminal defense attorneys. Briefings are delayed and sanctions are not working. The Court of Appeals is working on getting data from AOC to approach the Office of Public Defense on this issue.

The Court of Appeals judges will hold a retreat in October. Division II has a pilot program to work on pro bono representation on civil cases on appeal. The pilot program will run this summer and there will be a report in the fall.

Legislative changes to the Administrative Procedure Act in 2021 allowed land use decisions to go directly to the Court of Appeals. This change will sunset in 2026. The Court of Appeals will discuss extending the changes with the Superior Court Judges' Association.

Motions

It was moved by Chief Justice González and seconded by Judge Logan to approve the March 15, 2024, meeting minutes. The motion carried with two abstentions.

It was moved by Chief Justice González and seconded by Judge Haan to approve the OCLA BJA representative, Judge Janet Chung. The motion carried unanimously.

It was moved by Chief Justice González and seconded by Judge Haan to approve the 2024–2025 BJA meeting schedule. The motion carried unanimously.

Information Sharing

Interbranch Advisory Committee (IAC), April 19 Meeting Recording and Materials

The IAC meeting went well and included a tour of the Kitsap County Courthouse with new technology updates. The IAC sunset date is approaching, and lawmakers want to know if it needs to be continued. Chief Justice González has found the IAC helpful and is inclined to urge continuing the meetings. A survey will be sent out to help discover what is working well, if something different needs to be done, or if it is no longer needed. The information is needed by this fall. The IAC report is due to the Legislature in November with recommendations. Haily Perkins volunteered to assist with the survey.

Communication Skills to De-Escalate Hostile Customers training

This training was held last Monday. It went well and there was a lot of interest. The June 18, 2024, training will have the same material and presenter. Recordings of the training are available to those who register. Kyle Landry thanked the BJA for supporting this training.

Adjourn

The first part of the June BJA meeting will be an artificial intelligence presentation with Justice Stephens.

The meeting was adjourned at 11:41 a.m.

Recap of Motions from the May 17, 2024 Meeting

Motion Summary	Status
Extend by one year the Alternatives to Incarceration Task Force term.	passed
Extend by one year the Remote Proceedings Workgroup term.	passed
Approve the March 15, 2024 meeting minutes.	passed
Approve the OCLA BJA representative, Judge Janet Chung.	passed
Approve the 2024–2025 BJA meeting schedule.	passed

Action Items from the May 17, 2024 Meeting

Action Item	Status
There will be a presentation from the Remote Proceedings Workgroup at the June meeting.	
<u>March 17, 2024 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.	