



## Board for Judicial Administration (BJA)

September 20, 2024 (9 a.m. – 12:00 a.m.)

<https://wacourts.zoom.us/j/88360684645?pwd=qv8YKHn7osKaeBnabbfDeKdPsjcvdO.1>

### MEETING MINUTES

#### BJA Members Present:

Chief Justice Steven González, Chair  
Judge Alicia Burton, Chair  
Sunitha Anjilvel  
Judge Andrea Beall  
Judge Tam Bui  
Judge Kristin Ferrera  
Judge Rebecca Glasgow  
Judge Marilyn Haan  
Judge Cindy Larsen  
Judge Mary Logan  
Judge David Mann  
Justice Raquel Montoya Lewis  
Terra Nevitt  
Judge Diana Ruff  
Dawn Marie Rubio  
Judge Michael Scott  
Judge Karl Williams

#### Guests Present:

Linnea Anderson  
Suzanne Elsner  
David Freeman  
Judge Angelle Gerl  
Jessica Humphreys  
Judge Carolyn Jewett  
Melissa Johnson  
LaTricia Kinlow  
Judge Kathryn Loring  
Therese Murphy  
Sheila Ofrancia

Mary Rathbone  
Kevin Ringus  
Sara Robbins  
Susan Speiker  
Rep. Jamila Taylor  
Comm. Karl Triebel  
Sanjay Walvekar

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

Nicole Ack  
Kelley Amburgey-Richardson  
Jack Bridgewater  
Tessa Clements  
Arina Gertseva  
Heidi Green  
Brittany Gregory  
Melissa Hernandez  
Scott Hillstrom  
Kyle Landry  
Penny Larsen  
Allison Lee Muller  
Carl McCurley  
Jennifer Nguyen  
Stephanie Oyler  
Haily Perkins  
Christopher Stanley  
Caroline Tawes  
Lorrie Thompson  
James Wells

#### Call to Order

Chief Justice González called the meeting to order at 9:00 a.m. and announced he will not be attending the October BJA meeting as he will be out of the country. Chief Justice González is packing his chambers at Town Center 3 in preparation for the move back into the Temple of Justice after renovations. He introduced the new BJA Coordinator, Melissa Hernandez.

Members were asked to submit their votes in today's meeting using the Zoom chat.

Presentation: Juror Orientation Video

A new Juror Orientation video has been developed by Washington State Pattern Jury Instructions Committee, with a new section on unconscious bias. It is online and available for trial courts to use. The link to the video was included in the meeting materials.

Presentation: Washington State Courts Centralization Proposal

Representative Jamila Taylor joined the meeting to discuss a court centralization study commission proposal to improve access to justice.

According to Rep. Taylor, the judicial system is in crises in many ways. Security for all in courts is paramount. There is a need for increased access to courts and court resources. Technology is different from county to county, and different technology systems take time to navigate, especially for solo practitioners. We are at a point where court systems don't communicate well, which affects how judges make decisions and confusion about filing requirements creates a burden on the court system. The goal is to create a court system that allows all communities to be heard.

A GAPS analysis will be instrumental in understanding what the needs are from various stakeholders. Funding is different from county to county and city to city. It will be important to look across other states in the country to understand how unified courts are operating and how those operations can be applied to Washington courts. The AOC's Washington State Center for Court Research and the National Center for State Courts might have helpful information.

Rep. Taylor would like to create a workgroup to discuss centralization and what systems could work for us, what systems can't be centralized, what systems would help build the court system, and what court systems would be affected if unification efforts prove to be successful. Workgroup participants should not be made up of only judges to avoid conflicts with pending cases. Members will be committing to a minimum of a two-year effort. Some legislators are not familiar with the court system and will need to be educated to fund an implementation plan. Justice Montoya-Lewis said it is important to include tribal representation. Brittany Gregory will follow up with Chief Justice González and Judge Burton on workgroup representatives from BJA to assist with drafting study commission legislation. There should be a representative from every court level.

Presentation: Washington Citizens' Commission on Salaries for Elected Officials Report

Every two years the Washington Citizens' Commission on Salaries for Elected Officials meets to discuss the salaries of elected officials and whether a cost of living adjustment (COLA) is necessary. The workgroup that prepared the report has a representative from every court level. The workgroup is requesting a 6.75% biennial increase for all judges plus any COLAs given to public employees. The workgroup will be presenting the report to the Commission on October 9, 2024, at 1:00 p.m. The final salary decision will be on February 5, 2025. Brittany Gregory thanked the AOC communications team for developing the report and thanked AOC staff Heidi Green for supporting the workgroup. The report was included in the meeting materials.

BJA Task Forces and Workgroups

Alternatives to Incarceration Task Force

The Alternatives to Incarceration Task Force presented a budget request, included in the meeting materials. The Task Force's Legal Authority Workgroup decided to postpone their legislative proposal to further develop a response. The Task Force's Education Workgroup has

identified some draft themes and other educational opportunities. A report was included in the meeting materials.

#### Presentation: Remote Proceedings Workgroup

The Workgroup submitted a budget request for updated hybrid courtroom technology to provide efficient remote proceedings. The Workgroup is also working on a benchcard and web page for best practice standards. The Supreme Court adopted the Workgroup's proposed amendment to CR 30. A report was included in the meeting materials.

#### Standing Committee Reports

##### Budget and Funding Committee (BFC)

The BFC met recently to go over proposals to prioritize budget requests. This will be a tight budget year, and the Judicial Branch has been asked to be prudent. Budget proposals were sent to BJA members.

Christopher Stanley reviewed the budget materials, budget forecast, and budget process. Judicial education is the priority in the budget proposal. He emphasized the importance of everyone having the same information and priorities for the budget.

The Legislature is projected to have a \$4 billion deficit. Revenues may continue to drop to a \$5–6 billion deficit. There is another budget forecast on September 27 and November 20, 2024. There may be a negative impact if ballot initiatives pass in November. The biennial budget request was \$48 million total.

Many of the membership requested more time to review the materials and requested a vote via e-mail.

**It was moved by Chief Justice González and seconded by Judge Scott to vote on a motion to approve the budget recommendations via an e-mail. The motion passed by consensus.**

The Supreme Court Budget Committee meets on Monday, September 23, 2024, with a final decision at the October 9, 2024, en banc. The budget proposal goes to the Legislature on October 14, 2024. Electronic voting on the budget recommendations closed on Wednesday, September 25, 2024, at noon.

#### Court Education Committee (CEC)

The CEC refined its policies and standards document and consolidated multiple documents. The latest policy document is posted on the CEC website. Scott Hillstrom thanked departing CEC Chair Judge Pennell and continuing Assistant Chair Margaret Yetter for their grounding and guidance. The CEC is currently working on allocating the FY 2025 budget and a new scholarship policy. A report was included in the meeting materials.

#### Legislative Committee (LC)

Brittany Gregory welcomed Judge Glasgow as the new LC Chair. A summary of the Legislative proposals was included in the meeting materials, as well as a new proposed version of the charter.

The next Legislative session will be a long one, and there are changes in leadership expected. Brittany Gregory has a list of changes and can make them available via email.

**It was moved by Judge Glasgow and seconded by Chief Justice González to approve the Legislative Committee policy requests. The motion passed unanimously.**

**It was moved by Judge Glasgow and seconded by Chief Justice González to approve the Legislative Committee charter amendments. The motion passed unanimously.**

#### Policy and Action Committee (PAC)

The PAC met in June and focused on the equity impact assessment tool. They worked with the Gender and Justice Commission to develop a strategic action plan on a comprehensive workplace harassment program.

#### Court Security Committee

The Court Security Committee discussed the legislative budget request and the need for continuing funding. They plan to include administrative law judges in the judicial privacy legislation, with support from the Office of Administrative Hearings. A report was included in the meeting materials.

#### Public Engagement and Education Committee (PEEC)

Nicole Ack reviewed the purpose of PEEC. The Committee recently wrote the first PEEC charter, and now includes four public members. Their meeting in September was the first in-person meeting in four years. They discussed prioritizing project revision plans and a recently reconfigured landing page.

#### Interbranch Advisory Committee (IAC)

The Legislature initially created the IAC to be discontinued or renewed after two years. A survey was sent to collect opinions on the IAC. Only a few responses were received, and there was some skepticism on how much impact the IAC had made.

Jack Bridgewater, IAC Coordinator at AOC, described the membership of IAC and listed where the eight public meetings had been held.

**It was moved by Chief Justice González and seconded by Judge Scott to communicate to the Legislature that the BJA supports continuation of the IAC. The motion passed by consensus.**

#### Presentation: Family and Juvenile Court Improvement Program

Jennifer Nguyen presented changes to the Family and Juvenile Court Improvement Program (FJCIP) implementation framework for family court. The goal is to expand local FJC capacity to transform the child welfare system and provide consistency across the courts in the program.

The current framework has not been updated for 20 years, and does not consider the complexities of modern dependency cases. The new eight Core Components will help programs adapt to the needs of FJC courts and create more consistent, equitable, and effective support for the program. A report was included in the meeting materials.

**It was moved by Chief Justice González and seconded by Judge Ruff to approve the change of the Family and Juvenile Court Improvement Program standards**

**from Unified Family Courts to the Family and Juvenile Court Improvement Program Framework as presented. The motion passed unanimously.**

#### Motions

**It was moved by Chief Justice González and seconded by Judge Burton to approve the June 19, 2024, meeting minutes as written. The motion passed with one abstention.**

#### Information Sharing

Judge Burton will be a presenter at the September 25, 2024, hearing for public defender caseload standards. The Superior Court Judges' Association and the District and Municipal Court Judges' Association will also be presenting. Judge Burton requested advice on what the BJA wants her to present to the group on their behalf. Anyone who would like to provide input may e-mail Judge Burton.

The Washington State Bar Association has recommended adopting the new public defender caseload standards. There will be another public hearing in November once the comment period has ended.

Judge Scott suggested that unless the BJA formed a workgroup to discuss these issues, the BJA should not take a position. There will be time for additional comments before the Supreme Court votes on the standards. Chief Justice González shared the importance of having the BJA weigh in on the issue. Judge Burton agreed there are issues and concerns, and more study is needed. She suggesting observing for now and creating a letter at a later date if the BJA needs to take a position. Chief Justice González suggested discussing this at a future BJA meeting. Because he is chairing the hearing on September 25, 2024, he will not take part in a BJA discussion.

The November BJA meeting will be in person at the AOC SeaTac office. The Innovating Justice Award and Court Manager of the Year Award will be presented at the November meeting.

Judge Williams invited everyone to the IAC meeting at Pierce District Court next Friday, September 27, 2024, at 9:00 a.m. The meeting will also be streamed on TVW.

#### Adjourn

The meeting adjourned at 11:19 a.m.

#### **Recap of Motions from the September 20, 2024 Meeting**

<b>Motion Summary</b>	<b>Status</b>
Vote on a motion to approve the budget recommendations via an e-mail.	passed
Approve the Legislative Committee policy requests.	passed
Approve the Legislative Committee charter amendments.	passed
Communicate to the Legislature that the BJA supports continuation of the Interbranch Advisory Committee.	passed

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<b>Motion Summary</b>	<b>Status</b>
Approve the change of the Family and Juvenile Court Improvement Program standards from Unified Family Courts to the Family and Juvenile Court Improvement Program Framework as presented.	passed
Approve the June 19, 2024, meeting minutes as written.	passed

**Action Items from the September 20, 2024 Meeting**

<b>Action Item</b>	<b>Status</b>
Brittany Gregory will follow up with Chief Justice González and Judge Burton on court centralization workgroup representatives from BJA and draft legislation.	
Chief Justice González believed it is important for the BJA to weigh in on the indigent defense standards. Judge Burton agreed there are issues and concerns, and more study is needed. Judge Burton requested advice on what the BJA wants her to present to group on their behalf. Anyone who would like to provide input may e-mail Judge Burton.	
Chief Justice González suggested discussing indigent defense standards at a future BJA meeting.	
<u>June 19, 2024 BJA Meeting Minutes</u> <ul style="list-style-type: none"><li>• Post the minutes online</li><li>• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials.</li></ul>	Done Done