

# **BOARD FOR JUDICIAL ADMINISTRATION**



**WASHINGTON  
COURTS**

## **MEETING PACKET**

**FRIDAY, AUGUST 16, 2013  
9:00 A.M.**

**AOC SEATAC OFFICE  
18000 INTERNATIONAL BOULEVARD, SUITE 1106  
SEATAC, WASHINGTON**

# Board for Judicial Administration Membership

## VOTING MEMBERS:

**Chief Justice Barbara Madsen**, Chair  
Supreme Court

**Judge Kevin Ringus**, Member Chair  
District and Municipal Court Judges' Association  
Fife Municipal Court

**Judge Vickie Churchill**  
Superior Court Judges' Association  
Island County Superior Court

**Judge Janet Garrow**  
District and Municipal Court Judges' Association  
King County District Court

**Judge Judy Rae Jasprica**  
District and Municipal Court Judges' Association  
Pierce County District Court

**Judge Jill Johanson**  
Court of Appeals, Division II

**Judge Kevin Korsmo**  
Court of Appeals, Division III

**Judge Linda Krese**  
Superior Court Judges' Association  
Snohomish County Superior Court

**Judge Michael Lambo**  
District and Municipal Court Judges' Association  
Kirkland Municipal Court

**Justice Susan Owens**  
Supreme Court

**Judge Kimberley Prochnau**  
Superior Court Judges' Association  
King County Superior Court

**Judge Ann Schindler**  
Court of Appeals, Division I

**Judge Charles Snyder**, President  
Superior Court Judges' Association  
Whatcom County Superior Court

**Judge Scott Sparks**  
Superior Court Judges' Association  
Kittitas County Superior Court

**Judge David Svaren**, President  
District and Municipal Court Judges' Association  
Skagit County District Court

## NON-VOTING MEMBERS:

**Judge Veronica Alicea-Galvan**, President-Elect  
District and Municipal Court Judges' Association  
Des Moines Municipal Court

**Ms. Callie Dietz**  
State Court Administrator

**Judge Stephen Dwyer**  
Presiding Chief Judge  
Court of Appeals, Division I

**Ms. Paula Littlewood**, Executive Director  
Washington State Bar Association

**Mr. Patrick Palace**, President-Elect  
Washington State Bar Association

**Ms. Michele Radosevich**, President  
Washington State Bar Association

**Judge Jeffrey Ramsdell**, President-Elect  
Superior Court Judges' Association  
King County Superior Court



**Board for Judicial Administration (BJA) Meeting**  
**Friday, August 16, 2013 (9:00 a.m. – Noon)**  
 AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

**AGENDA**

<b>1. Call to Order</b>	Chief Justice Barbara Madsen Judge Kevin Ringus	9:00 a.m.
<b>2. Welcome, Introductions and Presentations</b>	Chief Justice Barbara Madsen Judge Kevin Ringus	9:00 a.m.
<b>Action Items</b>		
<b>3. July 19, 2013 Meeting Minutes</b> Action: Motion to approve the minutes of the July 19, 2013 meeting	Chief Justice Barbara Madsen Judge Kevin Ringus	9:15 a.m. Tab 1 Page 5
<b>4. GR 31.1 Timeline</b> Action: Motion to approve the proposed timeline for the GR 31.1 work	Mr. Ramsey Radwan	9:20 a.m. Tab 2 Page 14
<b>Reports and Information</b>		
<b>5. Administrative Office of the Courts Orientation</b>	Ms. Callie Dietz Mr. Dirk Marler Ms. Vonnie Diseth Mr. Ramsey Radwan	9:30 a.m.
<b>Break</b>		11:00 a.m.
<b>Action Items</b>		
<b>6. BJA Structure Workgroup Recommendations</b> Action: Motion to adopt the BJA Structure Workgroup Recommendations	Chief Justice Barbara Madsen Judge Kevin Ringus	11:15 a.m. Tab 3 Page 20
<b>7. Other Business</b> Next meeting: September 20 AOC SeaTac Office, SeaTac	Chief Justice Barbara Madsen Judge Kevin Ringus	11:55 a.m.
<b>8. Adjourn</b>		12:00 p.m.

Persons with a disability, who require accommodation, should notify Beth Flynn at 360-357-2121 or [beth.flynn@courts.wa.gov](mailto:beth.flynn@courts.wa.gov) to request or discuss accommodations. While notice five days prior to the event is preferred, every effort will be made to provide accommodations, when requested.

# Tab 1



**Board for Judicial Administration (BJA) Meeting**  
**Friday, July 19, 2013 (9:00 a.m. – 11:30 a.m.)**  
AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

**MEETING MINUTES**

**BJA Members Present:**

Chief Justice Barbara Madsen, Chair  
Judge Kevin Ringus, Member Chair  
Judge Veronica Alicea-Galvan  
Judge Vickie Churchill  
Ms. Callie Dietz  
Judge Janet Garrow  
Judge Judy Rae Jasprica  
Judge Kevin Korsmo  
Judge Linda Krese  
Judge Michael Lambo  
Ms. Paula Littlewood  
Judge Kimberley Prochnau  
Ms. Michele Radosevich  
Judge Jeffrey Ramsdell  
Judge Ann Schindler  
Judge Charles Snyder (by phone)  
Judge Scott Sparks  
Judge David Svaren

**Guests Present:**

Mr. Pat Escamilla (by phone)  
Mr. Michael Killian (by phone)  
Ms. LaTricia Kinlow  
Ms. Marti Maxwell  
Ms. Sophia Byrd McSherry  
Ms. Joanne Moore

**Public Present:**

Mr. Tom Goldsmith  
Mr. Rowland Thompson

**AOC Staff Present:**

Ms. Beth Flynn  
Mr. Steve Henley  
Ms. Mellani McAleenan  
Mr. Ramsey Radwan

Chief Justice Madsen called the meeting to order.

BJA Member Chair Election

**It was moved by Judge Sparks and seconded by Judge Kress to elect Judge Kevin Ringus as the BJA Member Chair. The motion carried.**

May 17, 2013 Meeting Minutes

**It was moved by Judge Garrow and seconded by Judge Sparks to approve the May 17, 2013 BJA meeting minutes. The motion carried.**

GR 31.1 Executive Oversight Committee and Core Work Committee Update

Mr. Radwan reported that Administrative Office of the Courts (AOC) staff are moving forward on finding members for the work groups and working closely with Mr. Charley Bates to make sure everything is lined up so the meetings can begin. A lot of the work will be done by the Core Work Committee and Ms. Shannon Hinchcliffe and Ms. Regina McDougall have assisted in identifying potential committee members. At this point in time, about 21 out of 27 members of the committees have agreed to participate and are ready to begin work on the implementation of GR 31.1.

Staff for the three implementation groups will primarily be Mr. Charley Bates and Ms. Jan Nutting. Mr. Bates will do a lot of the work to provide information to the committee members.

The BJA GR 31.1 Implementation Oversight Group will keep the BJA informed of the progress of the GR 31.1 implementation. A timeline will be brought to the BJA in August or September.

Ms. Kinlow requested that the wording on page 2 of the Proposal for the GR 31.1 Implementation Work Group be revised from “district court administrator” to “courts of limited jurisdiction administrator” under “Core Work Committee Composition” in the bullet about the co-chairs.

**It was moved by Judge Schindler and seconded by Judge Krese to change the wording on page 2 of the Proposal for the GR 31.1 Implementation Work Group from “district court administrator” to “courts of limited jurisdiction administrator” under “Core Work Committee Composition” in the bullet about the co-chairs. The motion carried.**

Mr. Radwan stated that he would like the BJA to appoint BJA members today, if possible, to the GR 31.1 Implementation Oversight Group. He would like to get the implementation process rolling before Fall Conference. Mr. Radwan stated that Judge Snyder, Judge Garrow and Judge Schindler volunteered to serve on the BJA GR 31.1 Implementation Oversight Group.

**It was moved by Judge Korsmo and seconded by Judge Kress to appoint Judge Snyder, Judge Garrow and Judge Schindler to the BJA GR 31.1 Implementation Oversight Group. The motion carried.**

#### BJA Structure Workgroup Recommendations

Judge Svaren gave a brief overview of the BJA Restructure Workgroup and reviewed the workgroup’s recommendations.

**Size of the BJA:** The workgroup decided that a smaller BJA would be beneficial. Right now, the BJA has 15 voting members and the workgroup thought a smaller board would be more beneficial and recommended nine voting members. After hearing from BJA members, the workgroup’s recommendation is now 12 voting members.

**Court Level Veto:** The current BJA rule, BJAR 3(c), has potential for a veto if a level of the court does not have at least one vote in the affirmative. With a smaller BJA, the workgroup determined that would be counter-productive and noted that the veto power has never really been used.

**Legislative Matters:** It has been recognized that the BJA should be the voice of the judiciary. There is always the potential that one court level will not agree with the BJA position. That court level could go to the Legislature directly if the court level keeps the other parties informed of their actions.

**Court Education:** The BJA would be charged with oversight of court education.

**BJA Standing Committees:** The workgroup initially suggested having three standing committees: Budget, Legislative, Policy and Planning. A fourth one was added: Court Education. The standing committees would have the ability to create subcommittees and ad hoc committees bringing in judges, administrators and clerks with expertise in the subject being reviewed by the committee. The Executive Committee would be comprised of the BJA co-chairs and the chairs of the standing committees.

**Meeting Frequency:** The meetings would be held every two months.

**Agenda:** The agenda would be determined by the co-chairs but any BJA member or association president can have an item placed on the agenda.

The recommendations have changed since December and that is where they stand at this time.

Ms. Dietz stated that it was suggested by one of the BJA's retiring members to explain how the committee system and the planning cycle would work. Ms. Dietz presented a few examples to demonstrate how those committees and subcommittees would work.

The presentation illustrated how the standing committees could interact with the planning cycle using two examples. The first example was of a complex issue that would take about two years to complete. The Policy and Planning Committee would establish a Planning Advisory Committee. The Planning Advisory Committee would do outreach to stakeholders and consider a number of issues that could be chosen as priorities for board initiatives. The Policy and Planning Committee would adopt one or two issues that could be good candidates for board initiatives. Or, they could ask the Planning Advisory Committee to go back and look at other issues. The Policy and Planning Committee would bring their recommendations to the BJA. If the BJA decided to adopt the issue recommended as an initiative—work on jury issues, for example—the Policy and Planning Committee would develop a proposal for a steering committee on jury issues. Phase I would be for that steering committee to conduct research and outreach to stakeholders and subject matter experts, and to create a set of recommendations. They would report those recommendations for jury system improvements back to the full BJA. The BJA could refer that report to the standing committees for review. If the recommendations are adopted by the BJA, Phase II would be to create an implementation committee to guide the process of putting the recommendations into effect.

The biggest emphasis in this model is how the process would involve a lot more members of the judicial community and our stakeholders than are currently involved in workgroups. One of the greatest strengths is that it models a back and forth dialogue between the BJA, the court associations, and other stakeholders. There is outreach at the start when issues are being identified and priorities selected to be initiatives of the BJA. Then it comes back to the BJA for approval. Again, during the study phase stakeholders and subject matter experts create a plan of action, then that comes back to the BJA. Finally, the implementation stage is carried out through a group of stakeholders. It gives the stakeholders a greater opportunity to work with the BJA in creating and implementing policies which we think will make the policies better and will generate more support in the field.

If the BJA met every other month, it would give time for the standing committees and other committees to meet during the other months.

**Judge Svaren moved and Judge Churchill seconded that the proposed BJA Bylaws, Article VIII, should be revised to remove the provision that “The presidents of the judicial associations shall not vote.” The motion carried with Chief Justice Madsen and Judge Korsmo opposed and Judge Snyder abstained.**

**It was moved by Judge Svaren and seconded by Judge Garrow to retain the voting language in Article XI of the current BJA Bylaws that creates the court level veto and add the language to the proposed BJA Rules in Rule 4 (d) and Article 13 of the BJA Bylaws. The motion carried with Judge Korsmo, Chief Justice Madsen and Judge Garrow opposed and Judge Snyder abstained.**

**It was moved by Judge Churchill and seconded by Judge Jasprica to revise Article III in the BJA Bylaws so the membership will conform to the earlier motion regarding association presidents and strike “ex officio liaisons.” In addition, the Bylaws need to indicate that the membership will consist of the Chief Justice, another member of the Supreme Court, three members from the COA, five members of the SCJA (one of whom is president), and five members of the DMCJA (one of whom is president). The changes would also have to be made on page 33 and on pages 14 and 15. There was no appellate vote in the affirmative so the motion failed. Judge Sparks, Judge Korsmo, Chief Justice Madsen and Judge Schindler were opposed and Judge Snyder abstained.**

**It was moved by Judge Kress and seconded by Judge Sparks to make one of the four voting members of the SCJA and DMCJA the president. Judge Lambo, Judge Churchill, Judge Jasprica, Judge Prochnau, and Judge Garrow opposed and Judge Snyder abstained. The motion passed 6-5.**

**It was moved by Judge Svaren to send the recommendations to the judiciary in amended form for comment. The motion died for lack of a second.**

**It was moved by Judge Sparks and seconded by Judge Churchill to send the revised restructure proposal to the presidents of the judicial associations, the Chief Justice and the Presiding Chief Judge of the COA and give notice that this is what the BJA is proposing to vote on at the September 20 meeting. The motion was amended to add: if there are any suggestions or comments they need to be sent to the BJA by September 13. There was no appellate vote in the affirmative so the motion failed. Judge Korsmo, Chief Justice Madsen, and Judge Schindler opposed the motion.**

**Judge Snyder moved and Judge Garrow seconded putting the BJA structure recommendation as amended on the August BJA meeting agenda for action. The motion carried.**

The BJA agreed to allow AOC staff to make revisions as needed to conform the rules and bylaws to the amendments. Staff was asked to develop several options to phase in implementation of the new membership requirements in the event the restructure proposal is adopted.

### Study on the Courts of Limited Jurisdiction in the State of Washington

Judge Svaren is the Chair of the Regional Courts Study Oversight Committee and he gave a brief overview of the history of regional courts studies in Washington. In 2005 the BJA adopted a policy that called for a restructure of the courts of limited jurisdiction. The recommendation included having facilities in convenient locations, elected judges, standardized levels of services, and mixed state and local funding.

In 2008 the BJA drafted legislation to address regional courts. The legislation would have made regional courts optional, provided fiscal incentives, and required elected judges. Because of the economic climate, the Legislature did not take up the legislation.

In 2011 the BJA created a Regional Courts Workgroup that included judges along with county and city staff. The group recommended hub courts and various models that included contracting between district and municipal courts and having stand-alone courts. The idea was to complete pilot studies to determine how effective the different models are. Realizing that some of these models were already occurring, and based on information from Mr. Jeff Hall that funding might be available from the State Justice Institute, the workgroup recommended that the AOC should seek funding for a study to be done by the National Center for State Courts (NCSC) to evaluate existing models for the delivery of municipal court services in Washington.

The AOC developed and submitted a research grant request, which was approved in May 2012. A contract was entered into with the NCSC. The researchers came to Washington in August and met with a lot of different stakeholders, including the Regional Courts Study Oversight Committee. The researchers examined workload and fiscal efficiency, independence, professionalism, access to the court, consistency, accountability, and satisfaction. The study was hampered by a lack of useful, quality data about our limited jurisdiction courts. The researchers were able to reach some limited conclusions:

- There are some concerns about judicial independence between the municipalities and the courts.
- There are isolated concerns regarding judicial conduct, especially with respect to part-time judges, but judicial conduct is not a significant systemic issue.
- Issues of court performance are mixed. Limits on data prevented in-depth analysis.

The researchers made the following recommendations:

- There needs to be a specific, objective measure of performance and collection of data so there is something objective to use to compare courts and delivery models. They suggested using CourTools.
- A systematic approach needs to be developed to identify volunteer municipalities to join in demonstration projects to experiment with different models. These would be evaluated and would help other municipalities make decisions about entering into agreements to consolidate court services.

The Oversight Committee was somewhat disappointed in the report. The lack of good data made it impossible to provide in-depth quantitative analyses.

During discussion following the presentation, it was suggested that if the BJA wants to go forward with performance measures, that could be done through the BJA Best Practices Committee because they have been working on performance measures.

It was suggested that in addition to using CourTools, Washington courts could use BOXI reports to analyze what courts are doing prior to implementing best practices. That would provide a base measurement to know where courts currently stand.

There was a question about the need for more analysis since Washington allows regionalization. It appears that some municipalities have gone to regionalization and it has been done because of cost.

Chief Justice Madsen would like the committee to meet again and to offer its recommendations as to the next steps in this process.

#### Budget Update

Judicial branch budget details indicating the amount requested and the amount received from the Legislature were distributed. The biggest concern for AOC is a fund transfer of \$3 million from the JIS Account. The transfer is a net zero revision to the operating budget, however the unexpected use of the JIS fund balance will decrease funding flexibility in the future. The Legislature reauthorized the fee for the Judicial Stabilization Trust Account. AOC did not receive funding for the video remote project. Pass-through programs remain at current funding levels. Funding is stable and contracts for the pass-through funds will go out next week. A portion of the Appellate ECMS funding was received, a supplemental budget request will be submitted for the remaining portion. The Superior Court Case Management System was fully funded as requested but AOC will submit a supplemental request now that the contract has been negotiated. AOC did receive funding for replacement of internal and external equipment and the INH project. New superior court judges in Whatcom and Benton/Franklin counties were funded. The Supreme Court did not receive their \$50,000 funding request. The Office of Public Defense received funding to expand their Parents Representation Program. Division 1 of the Court of Appeals received funding for a commissioner position previously cut and fencing at Division III.

There being no further business the meeting was adjourned.

#### **Recap of Motions from July 19, 2013 meeting**

<b>Motion Summary</b>	<b>Status</b>
Elect Judge Kevin Ringus as the BJA Member Chair.	Passed
Approve the May 17, 2013 BJA meeting minutes.	Passed
Revise wording on page 2 of the Proposal for the GR 31.1 Implementation Work Group from "district court administrator" to "courts of limited jurisdiction administrator" under "Core Work Committee Composition" in the bullet about the co-chairs.	Passed
Appoint Judge Charles Snyder, Judge Janet Garrow and Judge Ann Schindler to the BJA GR 31.1 Implementation Oversight Group.	Passed

<b>Motion Summary</b>	<b>Status</b>
Revise the proposed BJA Bylaws, Article VIII, to remove the provision that "The presidents of the judicial associations shall not vote."	Passed with Judge Korsmo and Chief Justice Madsen opposed and Judge Snyder abstained.
Retain voting language in Article XI of the current BJA Bylaws that creates the court level veto and add the language to the proposed BJA Rules in Rule 4 (d) and Article 13 of the BJA Bylaws.	Passed with Judge Korsmo, Chief Justice Madsen and Judge Garrow opposed and Judge Snyder abstained.
Revise Article III in the BJA Bylaws so the membership will conform to the earlier motion regarding association presidents and strike "ex officio liaisons." In addition, indicate that the membership will consist of the Chief Justice, another member of the Supreme Court, three members from the COA, five members of the SCJA (one of whom is president), and five members of the DMCJA (one of whom is president). The changes would also have to be made on page 33 and on pages 14 and 15.	Failed with Judge Sparks, Judge Korsmo, Chief Justice Madsen and Judge Schindler opposed. Judge Snyder abstained. There was no appellate vote in the affirmative so this motion failed.
Make one of the four voting members of the SCJA and DMCJA the association president.	Passed with Judge Lambo, Judge Churchill, Judge Jasprica, Judge Prochnau and Judge Garrow opposed. Judge Snyder abstained.
Send the revised restructure proposal to all judges for comment.	The motion died for lack of a second.
Send the revised restructure proposal to the presidents of the judicial associations, the Chief Justice and the Presiding Chief Judge of the COA. Give notice that this is what the BJA is proposing to vote on at the September 20 meeting. Amended to add: if there are any suggestions or comments they need to be sent to the BJA by September 13.	Failed with Judge Korsmo, Chief Justice Madsen, and Judge Schindler opposed. The motion failed because there was no appellate vote.
Put the revised BJA restructure proposal on for action at the August BJA meeting.	Passed

**Action Items from the July 19, 2013 meeting**

<b>Action Item</b>	<b>Status</b>
<u>May 17, 2013 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>	<p>Done</p> <p>Done</p>
<u>GR 31.1 Implementation Work Group</u>	
<ul style="list-style-type: none"> <li>• Change wording as indicated in the motion</li> <li>• Send appointment letters</li> <li>• Move forward on this</li> </ul>	<p>Done</p> <p>In Progress</p>
<u>BJA Member Chair</u>	
<ul style="list-style-type: none"> <li>• Order Judge Ringus' signature stamp</li> </ul>	Done

Board for Judicial Administration Meeting Minutes

July 19, 2013

Page 8 of 8

<b>Action Item</b>	<b>Status</b>
<u>BJA Restructure</u> <ul style="list-style-type: none"><li>• Make revisions as indicated in the motions</li><li>• Add to August BJA meeting agenda</li></ul>	Done Done
<u>CLJ Study</u> <ul style="list-style-type: none"><li>• Meet one more time and make recommendation to the BJA regarding next steps</li><li>• Add to future BJA meeting agenda</li></ul>	In Progress

# Tab 2

## GR31.1 Implementation Timeline

### August 2013

#### Core Work Committee

- Convene Work Committee; elect co-chairs
- Refine work plan
- Refine timeline
- Review previously developed materials
- Proposed rule reviewed and areas highlighted for further discussion
- Establish distribution of work

### September 2013

#### BJA Implementation Oversight Group (Group)

- Convene Group
- Develop Group time line
- Review materials provided to date

#### Executive Oversight Committee (EOC)

- Convene Committee, elect committee chair
- Develop EOC work plan and timeline
- Review timeline, work plan and work of the Core Committee

#### Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed

#### External Review Committee (Committee)

- Convene Committee
- Review Committee role
- Define method for communicating suggestions

### October 2013

#### Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed

### November 2013

#### Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Brief BJA Implementation Oversight Group and Executive Oversight Committee

### December 2013

#### Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Brief External Review Committee
- Provide update to BJA and Supreme Court

### January 2014

#### Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Brief BJA Implementation Oversight Group and Executive Oversight Committee
- Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed

**February 2014**

## Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Brief External Review Committee

**March 2014**

## Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Brief BJA Implementation Oversight Group and Executive Oversight Committee
- Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed
- Provide update to BJA and Supreme Court

**April 2014**

## Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Brief External Review Committee (convene if necessary)

**May 2014**

## Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Brief BJA Implementation Oversight Group and Executive Oversight Committee
- Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed

**June 2014**

## Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Convene External Review Committee
- Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed
- Provide update to BJA and Supreme Court

**July 2014**

## Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Briefing provided for BJA Implementation Oversight Group and Executive Oversight Committee
- Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed
- Convene External Review Committee

**August 2014**

## Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Convene External Review Committee

Final review and ratification by the BJA

**September 2014**

Final review and approval of “best practices” (all materials and processes) by the Supreme Court

## Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed

**October, November, and December 2014**

Court and state judicial branch agency implementation, following distribution of final/approved materials

Core Work Committee available to assist, continues to meet as needed

- Brief External Review Committee
- Brief BJA Implementation Oversight Group and Executive Oversight Committee

**January 2015**

GR 31.1 becomes effective

# BOARD FOR JUDICIAL ADMINISTRATION GR31.1 IMPLEMENTATION WORK GROUP

*Date of last update: 08-09-2013*

Name / Title	Court / Judicial Entity & Address	Telephone/E-Mail
<b><i>BJA Implementation Oversight Group</i></b>		
Judge Janet Garrow Approved unanimously 07-19-2013	King County East Division - Bellevue Facility 585 112th Ave SE Bellevue, WA 98004	206-205-5701 <a href="mailto:janet.garrow@kingcounty.gov">janet.garrow@kingcounty.gov</a>
Judge Ann Schindler Approved unanimously 07-19-2013	Court of Appeals Division I 600 University St One Union Square Seattle, WA 98101-1176	206-464-7659 <a href="mailto:Ann.Schindler@courts.wa.gov">Ann.Schindler@courts.wa.gov</a>
Judge Charles Snyder Approved unanimously 07-19-2013	Whatcom County Superior Court 311 Grand Ave, Ste 301 Bellingham, WA 98225-4048	360-738-2457 <a href="mailto:csnyder@co.whatcom.wa.us">csnyder@co.whatcom.wa.us</a>
<b><i>Executive Oversight Committee</i></b>		
Judge Michael Evans	Cowlitz County Superior Court 312 SW 1st Ave, Fl 2 Kelso, WA 98626-1739	360-577-3085 <a href="mailto:evansm@co.cowlitz.wa.us">evansm@co.cowlitz.wa.us</a>
Judge Kimberley Prochnau	King County Superior Court 516 3rd Ave, Rm C-203 Seattle, WA 98104-2361	206-477-1367 <a href="mailto:kimberley.prochnau@kingcounty.gov">kimberley.prochnau@kingcounty.gov</a>
Judge Bradley Maxa	Court of Appeals Division II 950 Broadway Ste 300, MS TB-06 Tacoma, WA 98402-4454	253-593-2975 <a href="mailto:bradley.maxa@courts.wa.gov">bradley.maxa@courts.wa.gov</a>
TBD – Judge		
TBD – Judge		
TBD – County Prosecutor	Stew Menefee 102 W. Broadway Montesano 98563	360-249-3951 <a href="mailto:SMenefee@co.grays-harbor.wa.us">SMenefee@co.grays-harbor.wa.us</a>
Christina Beusch Deputy Attorney General	Office of the Attorney General 1125 Washington Street SE PO Box 40100 Olympia, WA 98504-0100	360-664-3801 <a href="mailto:ChristinaB@atg.wa.gov">ChristinaB@atg.wa.gov</a>
<b><i>Core Work Committee</i></b>		
Mr. Jim Bamberger Director, OCLA	Office of Civil Legal Aid P.O. Box 41170 Olympia, WA 98504-1170	360-704-4135 <a href="mailto:Jim.Bamberger@ocla.wa.gov">Jim.Bamberger@ocla.wa.gov</a>
Mr. Charles Bates AOC Committee Member, Staff	Administrative Office of the Courts P.O. Box 41170 Olympia, WA 98504-1170	360-705-5305 <a href="mailto:charles.bates@courts.wa.gov">charles.bates@courts.wa.gov</a>
Mr. Ron Carpenter Clerk, Supreme Court	Supreme Court Clerk's Office P.O. Box 40929 Olympia, WA 98504-0929	360-357-2077 <a href="mailto:Ron.Carpenter@courts.wa.gov">Ron.Carpenter@courts.wa.gov</a>

Ms. Suzanne Elsner Court Administrator President Elect, DMCMA	Marysville Municipal Court 1015 State Ave. Marysville, WA 98270-4240	360-363-8054 <a href="mailto:selsner@marysvillewa.gov">selsner@marysvillewa.gov</a>
Ms. Theresa Ewing Court Administrator	Thurston County District Court 2000 Lakeridge Dr. SW, Bldg. 3 Olympia, WA 98502-6001	360-786-5450 <a href="mailto:ewingt@co.thurston.wa.us">ewingt@co.thurston.wa.us</a>
Mr. Phil Jans Juvenile Court Administrator	Chelan County Juvenile Court 316 Washington St, Ste 202 Wenatchee, WA 98801-2853	509-667-6350 <a href="mailto:phil.jans@co.chelan.wa.us">phil.jans@co.chelan.wa.us</a>
Ms. Marti Maxwell Court Administrator	Thurston County Superior Court 2000 Lakeridge Dr SW, Bldg 2 Olympia, WA 98502	360-786-5559 <a href="mailto:maxwellm@co.thurston.wa.us">maxwellm@co.thurston.wa.us</a>
Ms. Sophia Byrd McSherry Deputy Director	WA State Office of Public Defense P.O. Box 40957 Olympia, WA 98504-0957	360-586-3164 x 107 <a href="mailto:Sophia.ByrdMcSherry@opd.wa.gov">Sophia.ByrdMcSherry@opd.wa.gov</a>
Ms. Kay Newman State Law Librarian	Supreme Court State Law Library P.O. Box 40751 Olympia, WA 98501-2314	360-357-2156 <a href="mailto:kay.newman@courts.wa.gov">kay.newman@courts.wa.gov</a>
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Ms. Renee Townsley Clerk/Administrator	Court of Appeals, Div. III 500 N. Cedar St. Spokane, WA 99201-1905	509-456-3082 <a href="mailto:Renee.Townsley@courts.wa.gov">Renee.Townsley@courts.wa.gov</a>
Mr. Bob Terwilliger Court Administrator	Snohomish County Superior Court 3000 Rockefeller Ave, MS 502 Everett, WA 98201-4046	425-388-3421 <a href="mailto:Bob.Terwilliger@snoco.org">Bob.Terwilliger@snoco.org</a>
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Ms. Jean McElroy General Counsel, WSBA	Washington State Bar Association 1325 4 <sup>th</sup> Avenue, Suite 600 Seattle, WA 98101-2539	206-727-8277 <a href="mailto:jeanm@wsba.org">jeanm@wsba.org</a>
Mr. Rowland Thompson Executive Director, ADNW	Allied Daily Newspapers of Washington P.O. Box 29 Olympia, WA 98507	360-943-9960 <a href="mailto:anewspaper@aol.com">anewspaper@aol.com</a>
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# Tab 3

## **Board for Judicial Administration Rules**

PROPOSED REVISIONS AS AMENDED JULY 19, 2013

**Provides for:**           **Presidents as Voting Members**  
                                  **Twelve Members**  
                                  **Court Level Veto**  
                                  **Current Members to Complete Terms**

### **Preamble**

The power of the judiciary to govern itself is inherent to the status of the judicial branch as a constitutionally equal and independent branch of government. The Board for Judicial Administration is established to provide effective leadership to the state courts in providing for the administration of justice in Washington State.

### **Rule 1. Board for Judicial Administration**

The Board for Judicial Administration is created to enable the judiciary to speak with one voice, to adopt statewide policies to support the effective operations of the courts, to provide strategic leadership for the judicial branch, to determine state budgetary priorities for the courts, to oversee the provision of continuing education of judicial and non-judicial court personnel, to provide overall direction to the Administrative Office of the Courts, and to communicate with other branches of government.

### **Rule 2. Duties**

The Board for Judicial Administration shall develop policies to support the effective operation of Washington courts, shall coordinate and develop policies for the provision of continuing education of judicial and non-judicial court personnel, shall provide general direction to the Administrative Office of the Courts, shall review items affecting

the budget of the Administrative Office of the Courts and make recommendations to the Supreme Court Budget Committee, shall provide leadership for long-range planning and the development of strategic initiatives for the judiciary, and shall develop and communicate the position of the Washington State judiciary on legislation affecting the administration of justice.

### Rule 3. Composition

#### a. Membership.

(1) The board shall consist of the Chief Justice of the Supreme Court, three judges of the Court of Appeals, four judges of the superior courts including the president of the Superior Court Judges' Association, and four judges of the courts of limited jurisdiction including the president of the District and Municipal Court Judges' Association, at least one of the four being a district court judge and at least one being a municipal court judge. ~~The president of the Superior Court Judges' Association and the president of the District and Municipal Court Judges' Association shall serve as ex officio liaisons.~~

#### b. Selection.

(1) The Chief Justice, the president of the Superior Court Judges' Association and the president of the District and Municipal Court Judges' Association shall serve during tenure in ~~that~~ office. The court of appeals judges shall be selected by a process established by the Court of Appeals. The superior court judges shall be selected by a process established by the Superior Court Judges' Association. The district court and municipal court judges shall be selected by a process established by the District and Municipal Court Judges' Association.

(2) Criteria for selection shall include demonstrated interest in and commitment to judicial administration, demonstrated commitment to improving the courts, and

diversity of representation with respect to race, gender, professional experience, and geographic representation.

c. **Terms of Office.**

- ~~(1) The Chief Justice, the shall serve during tenure in that office.~~
- ~~(1) The~~ president of the Superior Court Judges' Association and the president of the District and Municipal Court Judges' Association shall each serve ~~as ex-officio liaisons~~ during tenure in office.
- (2) The terms of all members on the board at the time of adoption of this rule shall not be affected by this rule.
- (3) Of the judges of the Court of Appeals the first two vacancies occurring due to the end of terms shall be filled by appointment to terms ending on June 30, 2017, and the third such vacancy shall be appointed to a full term. Of the first two vacancies of judges of the superior court occurring due to the end of terms, one shall be filled by appointment to a term ending on June 30, 2017, and the second shall be eliminated. Of the first two vacancies of judges of the district or municipal courts occurring due to the end of terms, one shall be filled by an appointment to a term ending on June 30, 2019, and one shall be eliminated. The second two such vacancies shall be filled by appointment to terms ending on June 30, 2019. Of the judges of the Court of Appeals one shall be appointed to a term ending on June 30, 2015 and two shall be appointed to a term ending on June 30, 2017. Of the judges of the superior court two shall be appointed to a term ending on June 30, 2015, and two shall be appointed to a term ending on June 30, 2017. Of the judges of the district and municipal courts, two shall be appointed for a term ending on June 30, 2015 and two shall be appointed for a term ending on June 30, 2017.
- (4) Thereafter, vacancies shall be filled for terms of four years that commence on July 1 of odd-numbered years.

- (5) A person may not serve more than two full terms consecutively but may serve additional terms provided a period of four years transpires between periods of service.
- (6) A vacancy shall occur when the term of a member ends or a member resigns or is absent for three consecutive meetings or four meetings within twelve months. In the event ~~of~~ a vacancy occurs during a term the position shall be filled for the duration of the term by a process established by the relevant court or judicial association.

#### Rule 4. Operation

##### a. Leadership.

- (1) The board shall be chaired by the Chief Justice in conjunction with a Member Chair who shall be elected by the board. The duties of the Chief Justice Chair and the terms and duties of the Member Chair shall be specified in the bylaws.
- (2) The Member Chair position shall be filled in alternate terms by a superior court judge and a district or municipal court judge. The Member Chair shall be selected by the members for a two-year term commencing on July 1 of every odd-numbered year.

##### b. Meetings.

- ~~(1)~~ ~~(1)~~ Meetings of the board shall be held at least every two months and ~~may~~ ~~shall~~ be convened by either chair.
- ~~(2)~~ Any board member, ~~the presiding chief judge of the Court of Appeals, the president of the Superior Court Judges' Association, or the president of the District and Municipal Court Judges' Association~~ may submit issues for the meeting agenda.
- ~~(3)~~ The board shall establish within its bylaws procedures governing the conduct of meetings.

##### c. Committees.

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- (1) The board shall have the power to create an executive committee, standing committees, and other subordinate entities through procedures set out within its bylaws.
- (2) The board may delegate its authority to an executive committee.
- (3) Any committee or other subordinate entity must be authorized by a majority approval of the board of a charter that specifies the body's charge, membership and term.
- (4) Committees other than standing committees may include members who are not members of the board. The board should engage participation of other judges, members of the legal community, subject matter experts, legislators, clerks of court, court administrators, and members of the public as needed.

d. **Voting and Quorum.**

- (1) All decisions of the board shall be made by simple majority vote of those present and voting provided there is one affirmative vote from the limited jurisdiction courts, the superior courts and the appellate courts.~~voting.~~
- ~~(2) The president of the Superior Court Judges' Association and the president of the District and Municipal Court Judges' Association shall not vote.~~
- (2) Seven members will constitute a quorum provided at least one judge from each level of court is present.
- ~~(1)~~

e. **Compensation.**

Members shall not receive compensation for service but shall be granted equivalent pro tempore time and shall be reimbursed for travel expenses.

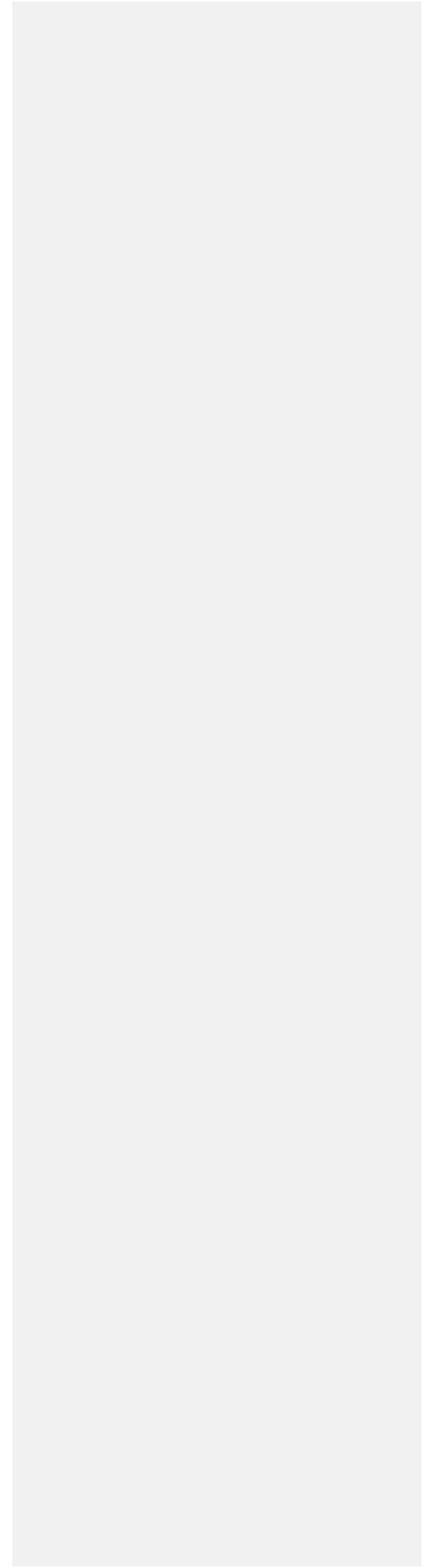
**Rule 5. Staff**

Staff for the Board for Judicial Administration shall be provided by the Administrative Office of the Courts.

**Rule 6. Effective Date**

These rules shall be effective \_\_\_\_ , \_\_\_\_ , \_\_\_\_.

Amended \_\_\_\_ , \_\_\_\_ , \_\_\_\_.



## **Board for Judicial Administration Bylaws**

PROPOSED REVISIONS AS AMENDED JULY 19, 2013

### **ARTICLE I**

#### **Purpose**

The Board for Judicial Administration was created to enable the judiciary to speak with one voice, to adopt statewide policies to support the effective operations of the courts, to provide strategic leadership for the judicial branch, to coordinate and develop policies for the provision of continuing education of judicial and non-judicial court personnel, to determine state budgetary priorities for the courts, to provide general direction and oversight of the Administrative Office of the Courts, and to communicate with other branches of government regarding legislation.

### **ARTICLE II**

#### **Duties and Powers**

The Board for Judicial Administration shall develop policies to enhance the administration of justice in Washington courts, shall coordinate and develop policy for the provision of continuing education of judicial and non-judicial court personnel, shall provide general oversight of the Administrative Office of the Courts, shall review items that would affect the budget of the Administrative Office of the Courts and provide recommendations to the Supreme Court Budget Committee, shall provide leadership for long-range planning and the development of strategic initiatives for the judicial branch, and shall develop and communicate the position of the Washington State judiciary on legislation affecting the administration of justice.

The board: may develop internal policies and procedures for its own operations; may adopt resolutions regarding matters relevant to the administration of justice; may publish policies for the statewide operations of the courts of Washington, recognizing that the direct management of the courts is a local responsibility; may establish standing

committees within its bylaws; and may create ad hoc committees, advisory committees, steering committees and task forces.

### **ARTICLE III**

#### **Membership**

The membership of the board is established by Board for Judicial Administration Rule 3. Membership consists of the Chief Justice, three judges of the Court of Appeals, one being from each division of the court, four superior court judges including the president of the Superior Court Judges' Association, and four district or municipal court judges including the president of the District and Municipal Court Judges' Association. Board membership shall include at least one district court judge and one municipal court judge at all times. ~~The president of the Superior Court Judges' Association and the president of the District and Municipal Court Judges' Association shall each serve as ex officio liaisons during tenure in office.~~

Members shall be selected by the Supreme Court, the Court of Appeals, the Superior Court Judges' Association and the District and Municipal Court Judges' Association in accord with Board for Judicial Administration Rule 3 and processes established by those entities.

### **ARTICLE IV**

#### **Officers and Representatives**

The Chief Justice shall serve as chair of the board in conjunction with a Member Chair. The Member Chair shall be elected by the board and shall serve a two year term effective July 1 of every odd numbered year. The Member Chair position shall be filled alternately between a member who is a superior court judge and a member who is either a district or municipal court judge.

The president of the Superior Court Judges' Association and the president of the District and Municipal Court Judges' Association are representatives of those entities and shall advise the board on the interests and positions of the associations.

#### **ARTICLE V**

##### **Duties of Officers**

The Chief Justice Chair and the Member Chair shall jointly preside at all meetings of the board, performing the duties usually incident to such office, and shall be the official spokespersons for the board. The Chief Justice Chair and the Member Chair shall designate the chairs and membership of standing committees, and nominate for the board's approval the chairs and membership of all other committees.

#### **ARTICLE VI**

##### **Vacancies**

A vacancy shall occur when the term of a member expires or a member resigns or is absent for three consecutive meetings or four meetings within twelve months. If a vacancy occurs in any position the chairs shall inform the relevant court or judicial association and request that a new member be selected to complete the term of the position left vacant in accordance with a process established by that court or judicial association.

#### **ARTICLE VII**

##### **Executive Committee**

There shall be an executive committee composed of the co-chairs and the chairs of each standing committee. The executive committee is authorized to consider and take action on emergency matters arising between board meetings, subject to ratification of the board. If any level of court is not represented on the executive committee a member

from that level of court may be added by nomination by the chairs and approval of the board.

**ARTICLE VIII**  
**Other Committees**

The board may create standing committees by amendment of these bylaws, and subordinate committees and entities by the approval of a charter specifying the charge, membership, and term of the body to be created.

A standing committee is a committee charged with oversight of a major area of functional responsibility necessary to the exercise of duties assigned to the board. Standing committees are comprised solely of members of the board. The Chief Justice Chair and the Member Chair shall designate the chairs and membership of standing committees for terms of two years and may assign members to fill vacancies. Standing committees are permanent. A standing committee may form subordinate committees and entities with approval of the board in order to address specific needs. Subordinate committees or entities may be authorized for a period of up to two years and may be reauthorized following review and approval of a revised charter.

The Chief Justice Chair and the Member Chair may authorize a continuance of the term of any subordinate entity for up to three months when necessary to complete its charge.

**ARTICLE IX**

**Standing Committees**

The board shall have four standing committees: a Court Education Committee, a Budget Committee, a Legislative Committee, and a Policy and Planning Committee.

The *Court Education Committee* shall oversee the planning, implementation, coordination, and approval of board financed education and training of court personnel

throughout the state, shall promote desirable minimum educational and curriculum standards for court judicial and non-judicial personnel, shall develop and promote instructional standards for education programs, shall establish educational priorities, and shall promote interjurisdictional education.

The *Budget Committee* shall be responsible for conducting a review of budget requests impacting the budget of the Administrative Office of the Courts, excepting the budget requests of the Supreme Court, the Court of Appeal, the State Law Library, the Office of Civil Legal Aid, and the Office of Public Defense. The committee will conduct its review and develop recommendations in accord with a budget review process adopted by the Board. The committee may recommend changes to the budget review process.

The *Legislative Committee* shall be responsible for development and communication of the position of the Washington State judiciary on legislation affecting the administration of justice. The committee is responsible for coordinating with the judicial associations and the Court of Appeals regarding legislation and should attempt to ascertain the position of the associations and Court of Appeals on legislation. When the position of a judicial association or the Court of Appeals and the position of the board diverge the committee should request that the association or Court of Appeals afford an opportunity to reconcile the divergent positions.

The *Policy and Planning Committee* shall be responsible for development of policies supporting effective governance of the courts of Washington and developing priorities of the Administrative Office of the Courts. The committee shall provide leadership for long-range planning and shall implement a process to regularly identify major issues facing the judicial system and propose strategic initiatives designed to address them.

## **ARTICLE X**

### **Meetings**

There shall be regularly scheduled meetings of the board at least every other month. Reasonable notice of meetings shall be given each member.

Special meetings may be called by any member of the board. Reasonable notice of special meetings shall be given each member.

Any board member, ~~the presiding chief judge of the Court of Appeals, the president of the Superior Court Judges' Association, or the president of the District and Municipal Court Judges' Association~~ may submit issues for the meeting agenda.

Meetings shall be held in two sessions. The first session shall be informational, including reports and presentations. The second session will include member deliberations and votes, with participation only of members in attendance and staff. All sessions shall be open to observation by the public.

All committees and subordinate entities created by the board shall report to the board annually unless otherwise directed.

The Administrative Office of the Courts, the Judicial Information System Committee, the Washington State Bar Association, the Gender and Justice Commission, the Minority and Justice Commission, the Access to Justice Board, the Civil Legal Aid Oversight Committee, and the Office of Public Defense Advisory Committee shall be asked annually to report on the work of the respective organization.

Representatives from organizations such as the Washington State Bar Association, the Washington State Association of County Clerks, the Office of Public Defense, the Office of Civil Legal Aid, the Association for Washington Superior Court Administrators, the District and Municipal Court Management Association, and the Washington Association of Juvenile Court Administrators shall be invited as guests when matters affecting such an organization are on the agenda.

## **ARTICLE XI**

### **Records**

The board shall adopt a policy and procedure for electronic publication of its official records, including resolutions, policies, meeting agendas, minutes, outcome of votes, appointments, committee charters, reports, and other official records of the board.

## **ARTICLE XII**

### **Quorum**

Seven members of the board shall constitute a quorum provided at least one representative from each of the appellate, superior, and district or municipal levels of court are present.

## **ARTICLE XIII**

### **Voting**

Each member shall have one vote. ~~The presidents of the judicial associations shall not vote.~~ All decisions of the board shall be made by simple majority of those present and voting provided there is one affirmative vote from the limited jurisdiction courts, the superior courts and the appellate courts.

Members may participate by telephone or other form of remote participation but no member shall be allowed to cast a vote by proxy.

## **ARTICLE XIV**

### **Amendments and Repeal of Bylaws**

These bylaws may be amended or modified at any regular or special meeting of the board, at which a quorum is present, by majority vote. No motion or resolution for amendment may be considered at the meeting in which they are proposed.

# Tab 4

BOARD FOR JUDICIAL ADMINISTRATION RULES (BJAR)

TABLE OF RULES

Rule

Preamble

- 1 Board for Judicial Administration
- 2 Composition
- 3 Operation
- 4 Duties
- 5 Staff

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BJAR  
PREAMBLE

The power of the judiciary to make administrative policy governing its operations is an essential element of its constitutional status as an equal branch of government. The Board for Judicial Administration is established to adopt policies and provide strategic leadership for the courts at large, enabling the judiciary to speak with one voice.

[Adopted effective January 25, 2000.]

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BJAR 1  
BOARD FOR JUDICIAL ADMINISTRATION

The Board for Judicial Administration is created to provide effective leadership to the state courts and to develop policy to enhance the administration of the court system in Washington State. Judges serving on the Board for Judicial Administration shall pursue the best interests of the judiciary at large.

[Amended effective October 29, 1993; January 25, 2000.]

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BJAR 2  
COMPOSITION

- (a) Membership. The Board for Judicial Administration shall consist of judges from all levels of court selected for their demonstrated interest in and commitment to judicial administration and court improvement. The Board shall consist of five members from the appellate courts (two from the Supreme Court, one of whom shall be the Chief Justice, and one from each division of the Court of Appeals), five members from the superior courts, one of whom shall be the President of the Superior Court Judges' Association, five members of the courts of limited jurisdiction, one of whom shall be the President of the District and Municipal Court Judges' Association, two members of the Washington State Bar Association (non-voting) and the Administrator for the Courts (non-voting).
- (b) Selection. Members shall be selected based upon a process established by their respective associations or court level which considers demonstrated commitment to improving the courts, racial and gender diversity as well as geographic and caseload differences.
- (c) Terms of Office.

(1) Of the members first appointed, one justice of the Supreme Court shall be appointed for a two-year term; one judge from each of the other levels of court for a four-year term; one judge from each of the other levels of court and one Washington State Bar Association member for a three-year term; one judge from the other levels of court and one Washington State Bar Association member for a two-year term; and one judge from each level of trial court for a one-year term. Provided that the terms of the District and Municipal Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2011 shall be for two years and the terms of the Superior Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2013 shall be for two years each. Thereafter, voting members shall serve four-year terms and the Washington State Bar Association members for three-year terms commencing annually on June 1. The Chief Justice, the President Judges and the Administrator for the Courts shall serve during tenure.

(2) Members serving on the BJA shall be granted equivalent pro tempore time.

[Amended effective October 29, 1993; February 16, 1995; January 25, 2000; June 30, 2010.]

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BJAR 3  
OPERATION

(a) Leadership. The Board for Judicial Administration shall be chaired by the Chief Justice of the Washington Supreme Court in conjunction with a Member Chair who shall be elected by the Board. The duties of the Chief Justice Chair and the Member Chair shall be clearly articulated in the by-laws. The Member Chair shall serve as chair of the Long-range Planning Committee. Meetings of the Board may be convened by either chair and held at least bimonthly. Any Board member may submit issues for the meeting agenda.

(b) Committees. Ad hoc and standing committees may be appointed for the purpose of facilitating the work of the Board. Non-judicial committee members shall participate in non-voting advisory capacity only.

(1) The Board shall appoint at least three standing committees: Long-range Planning, Core Missions/Best Practices and Legislative. Other committees may be convened as determined by the Board.

(2) The Chief Justice and the Member Chair shall nominate for the Board's approval the chairs and members of the committees. Committee membership may include citizens, experts from the private sector, members of the legal community, legislators, clerks and court administrators.

(c) Voting. All decisions of the Board shall be made by majority vote of those present and voting provided there is one affirmative vote from each level of court. Eight voting members will constitute a quorum provided at least one judge from each level of court is present. Telephonic or electronic attendance shall be permitted but no member shall be allowed to cast a vote by proxy.

[Adopted effective January 25, 2000.]

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BJAR 4  
DUTIES

(a) The Board shall establish a long-range plan for the judiciary;

(b) The Board shall continually review the core missions and best practices of the courts;

(c) The Board shall develop a funding strategy for the

judiciary consistent with the long-range plan and RCW 43.135.060;

(d) The Board shall assess the adequacy of resources necessary for the operation of an independent judiciary;

(e) The Board shall speak on behalf of the judicial branch of government and develop statewide policy to enhance the operation of the state court system; and

(f) The Board shall have the authority to conduct research or create study groups for the purpose of improving the courts.

[Adopted effective January 25, 2000.]

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BJAR 5  
STAFF

Staff for the Board for Judicial Administration shall be provided by the Administrator for the Courts.

[Adopted effective January 25, 2000.]

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## **BOARD FOR JUDICIAL ADMINISTRATION BYLAWS**

### **ARTICLE I**

#### **Purpose**

The Board for Judicial Administration shall adopt policies and provide leadership for the administration of justice in Washington courts. Included in, but not limited to, that responsibility is: 1) establishing a judicial position on legislation; 2) providing direction to the Administrative Office of the Courts on legislative and other administrative matters affecting the administration of justice; 3) fostering the local administration of justice by improving communication within the judicial branch; and 4) providing leadership for the courts at large, enabling the judiciary to speak with one voice.

### **ARTICLE II**

#### **Membership**

Membership in the Board for Judicial Administration shall consist of the Chief Justice and one other member of the Supreme Court, one member from each division of the Court of Appeals, five members from the Superior Court Judges' Association, one of whom shall be the President; five members from the District and Municipal Court Judges' Association, one of whom shall be the President. It shall also include as non-voting members two members of the Washington State Bar Association appointed by the Board of Governors; the Administrator for the Courts; and the Presiding Chief Judge of the Court of Appeals, the President-elect judge of the Superior Court Judges' Association and the President-elect judge of the District and Municipal Court Judges' Association.

### **ARTICLE III**

#### **Officers and Representatives**

The Chief Justice of the Supreme Court shall chair the Board for Judicial Administration in conjunction with a Member chair. The Member chair shall be elected by the Board and shall serve a two year term. The Member chair position shall be filled alternately between a voting Board member who is a superior court judge and a voting Board member who is either a district or municipal court judge.

### **ARTICLE IV**

#### **Duties of Officers**

The Chief Justice Chair shall preside at all meetings of the Board, performing the duties usually incident to such office, and shall be the official spokesperson for the Board. The Chief Justice chair and the Member chair shall nominate for the Board's approval the chairs of all committees. The Member chair shall perform the duties of the Chief Justice chair in the absence or incapacity of the Chief Justice chair.

### **ARTICLE V**

#### **Vacancies**

If a vacancy occurs in any representative position, the bylaws of the governing groups shall determine how the vacancy will be filled.

## **ARTICLE VI** **Committees**

Standing committees as well as ad hoc committees and task forces of the Board for Judicial Administration shall be established by majority vote.

Each committee shall have such authority as the Board deems appropriate.

The Board for Judicial Administration will designate the chair of all standing, ad hoc, and task force committees created by the Board. Membership on all committees and task forces will reflect representation from all court levels. Committees shall report in writing to the Board for Judicial Administration as appropriate to their charge. The Chair of each standing committee shall be asked to attend one BJA meeting per year, at a minimum, to report on the committee's work. The terms of standing committee members shall not exceed two years. The Board for Judicial Administration may reappoint members of standing committees to one additional term. The terms of ad hoc and task force committee members will have terms as determined by their charge.

## **ARTICLE VII** **Executive Committee**

There shall be an Executive Committee composed of Board for Judicial Administration members, and consisting of the co-chairs, a Judge from the Court of Appeals selected by and from the Court of Appeals members of the Board, the President Judge of the Superior Court Judges' Association, the President Judge of the District Municipal Court Judges' Association, and non-voting members to include one Washington State Bar Association representative selected by the Chief Justice, President-elect judge of the Superior Court Judges' Association, President-elect judge of the District and Municipal Court Judges' Association and the Administrator for the Courts.

It is the purpose of this committee to consider and take action on emergency matters arising between Board meetings, subject to ratification of the Board.

The Executive Committee shall serve as the Legislative Committee as established under BJAR 3(b)(1). During legislative sessions, the Executive Committee is authorized to conduct telephone conferences for the purpose of reviewing legislative positions.

## **ARTICLE VIII** **Regular Meetings**

There shall be regularly scheduled meetings of the Board for Judicial Administration at least bi-monthly. Reasonable notice of meetings shall be given each member.

## **ARTICLE IX** **Special Meetings**

Special meetings may be called by any member of the Board. Reasonable notice of special meetings shall be given each member.

## **ARTICLE X** **Quorum**

Eight voting members of the Board shall constitute a quorum provided each court level is represented.

## **ARTICLE XI** **Voting**

Each judicial member of the Board for Judicial Administration shall have one vote. All decisions of the Board shall be made by majority vote of those present and voting provided there is one affirmative vote from each level of court. Telephonic or electronic attendance shall be permitted but no member shall be allowed to cast a vote by proxy.

## **ARTICLE XII** **Amendments and Repeal of Bylaws**

These bylaws may be amended or modified at any regular or special meeting of the Board, at which a quorum is present, by majority vote. No motion or resolution for amendment may be considered at the meeting in which they are proposed.

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Approved for Circulation--7/27/87  
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Amended 9/13/00  
Amended 5/17/02  
Amended 5/16/03  
Amended 10/21/05  
Amended 03/16/07

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## BOARD FOR JUDICIAL ADMINISTRATION

### PROCESS AND GUIDELINES FOR RESOLUTION REQUESTS

The Board for Judicial Administration (Board) was established to adopt policies and provide strategic leadership for the courts at large, enabling the Washington State judiciary to speak with one voice. To fulfill these objectives, the BJA may consider adopting resolutions on substantive topics relating to the administration of justice.

Resolutions may be aspirational in nature, support a particular position, or serve as a call to action. Resolutions may support funding requests, but do not stand alone as a statement of funding priorities or indicate an intent by the Board to proactively seek funding. Resolutions are not long-term policy statements and their adoption does not establish the Board's work plan or priorities.

The absence of a Resolution on a particular subject does not indicate a lack of interest or concern by the Board in regard to a particular subject or issue.

In determining whether to adopt a proposed resolution, the Board shall give consideration to the following:

- Whether the Resolution advances the Principal Policy Objectives of the Judicial Branch.
- The relation of the Resolution to priorities delineated in existing strategic and long range plans.
- The availability of resources necessary to properly act upon the resolution.
- The need to ensure the importance of resolutions adopted by the Board is not diluted by the adoption of large numbers of resolutions.

In order to ensure timely and thorough consideration of proposed resolutions, the following guidelines regarding procedure, form and content are to be followed:

- Resolutions may be proposed by any Board member. The requestor shall submit the resolution, in writing, with a request form containing a brief statement of purpose and explanation, to the Associate Director of the Board for Judicial Administration.
- Resolutions should not be more than two pages in length. An appropriate balance must be struck between background information and a clear statement of action. Traditional resolution format should be followed. Resolutions should cover only a single subject unless there is a clear and specific reason to include more than one subject. Resolutions must be short-term and stated in precise language.

- Resolutions must include a specific expiration date or will automatically expire in five years. Resolutions will not be automatically reviewed upon expiration of their term, but may be reviewed upon request for reauthorization. Resolutions may be terminated prior to their expiration date as determined by the Board.
- The Associate Director shall refer properly submitted resolutions to appropriate staff, and/or to an appropriate standing committee (or committees) for review and recommendation, or directly to the Board's Executive Committee, as appropriate. Review by the Board's Executive Committee will precede review by the full Board membership. Such review may be done via e-mail communication rather than in-person discussion when practical. Resolutions may be reviewed for style and content. Suggestions and comments will be reported back to the initiating requestor as appropriate.
- The report and recommendation of the Executive Committee shall be presented to the BJA membership at the next reasonably available meeting, at which time the resolution may be considered. Action on the proposed resolution will be taken in accordance with the BJAR and bylaws. The Board may approve or reject proposed resolutions and may make substantive changes to the resolutions.
- Approved resolutions will be numbered, maintained on the Board for Judicial Administration section of the Washington Courts website, and disseminated as determined by the Board for Judicial Administration.

**PRINCIPAL POLICY OBJECTIVES  
OF THE WASHINGTON STATE JUDICIAL BRANCH**

1. **Fair and Effective Administration of Justice in All Civil and Criminal Cases.** Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.
2. **Accessibility.** Washington courts, court facilities and court systems will be open and accessible to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.
3. **Access to Necessary Representation.** Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.
4. **Commitment to Effective Court Management.** Washington courts will employ and maintain systems and practices that enhance effective court management.
5. **Appropriate Staffing and Support.** Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.

# BOARD FOR JUDICIAL ADMINISTRATION

## RESOLUTION REQUEST COVER SHEET

(INSERT PROPOSED RESOLUTION TITLE HERE)

SUBMITTED BY: (INSERT NAME HERE)

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(1) **Name(s) of Proponent(s):**

(2) **Spokesperson(s):** (List who will address the BJA and their contact information.)

(3) **Purpose:** (State succinctly what the resolution seeks to accomplish.)

(4) **Desired Result:** (Please state what action(s) would be taken as a result of this resolution and which party/-ies would be taking action.)

(5) **Expedited Consideration:** (Please state whether expedited consideration is requested and, if so, please explain the need to expedite consideration.)

(6) **Supporting Material:** (Please list and attach all supporting documents.)