



**Board for Judicial Administration (BJA) Meeting**  
**Friday, October 18, 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 Vickie Churchill  
Ms. Callie Dietz  
Judge Stephen Dwyer  
Judge Janet Garrow  
Judge Judy Rae Jasprica  
Judge Jill Johanson  
Judge Kevin Korsmo (by phone)  
Judge Linda Krese  
Judge Michael Lambo  
Ms. Paula Littlewood  
Justice Susan Owens  
Mr. Patrick Palace  
Judge Kimberley Prochnau  
Judge Jeffrey Ramsdell  
Judge Ann Schindler (by phone)  
Judge Charles Snyder  
Judge Scott Sparks

**Guests Present:**

Mr. Jeff Amram (by phone)  
Mr. Jim Bamberger  
Mr. Michael Fenton  
Ms. Sophia Byrd McSherry  
Ms. Joanne Moore  
Ms. Aimee Vance

**AOC Staff Present:**

Ms. Jennifer Creighton  
Ms. Beth Flynn  
Mr. Steve Henley  
Ms. Shannon Hinchcliffe  
Mr. Dirk Marler  
Ms. Mellani McAleenan  
Mr. Ramsey Radwan

September 20, 2013 Meeting Minutes

**It was moved by Judge Sparks and seconded by Judge Lambo to approve the September 20, 2013 BJA meeting minutes. The motion carried.**

BJA Public Trust and Confidence Committee Membership Adjustment

**It was moved by Judge Churchill and seconded by Judge Garrow to create a TVW ex officio position on the BJA Public Trust and Confidence Committee. The motion carried.**

BJA Public Trust and Confidence

**It was moved by Judge Garrow and seconded by Judge Churchill to appoint Mr. Dennis Rabidou to the BJA Public Trust and Confidence Committee. The motion carried.**

### 2014 BJA Meeting Schedule

Ms. Hinchcliffe explained that there are two different 2014 meeting schedules included in the meeting materials. One is the same format as the 2013 meeting schedule but the other is for bi-monthly meetings. Ms. Hinchcliffe explained that going to a bi-monthly schedule allows for staff to hold pre-meeting briefings with each BJA member. There would be a more formalized feedback loop with bi-monthly meetings. Monthly meetings make it difficult for staff to turn things around quickly. The drawback to bi-monthly meetings is having to be very mindful of how things are scheduled because if there is an item on for discussion one month and the decision will be made at the next meeting it puts the BJA on a three-month track for decision-making.

There was a question about if any of the meetings will be held in Olympia in 2014. Chief Justice Madsen explained that she will not be giving a State of the Judiciary Address in 2014 so it is not necessary to meet in Olympia but it could be done if the BJA members would like to meet in Olympia.

There were several comments about the meeting schedules:

- Conference calls could be conducted if decisions need to be made quickly using the bi-monthly schedule but it was noted that judges have busy schedules and the number of conference calls would need to be limited.
- It was pointed out that with bi-monthly meetings things might be completed more quickly because there would be more time to discuss the issues in-depth. With monthly meetings the discussion is limited and takes place for several months before a decision is made.
- There was concern about the length of a full-day meeting and possibly losing focus in the afternoon.
- It was suggested that more focus needs to be spent on how the agenda is developed and using the meeting time more efficiently. Having full-day meetings might not result in more efficient meetings.

This will be an action item on the November meeting agenda.

### Legislative Update

Ms. McAleenan stated that the BJA needs to begin preparing for the 2014 legislative session. Bills introduced in a long session remain alive in short sessions. The interpreter bill is still alive, and the BJA should provide the Legislature with some guidance. The bill was amended and does not include full funding by 2017. As it stands, the bill increases the requirements of providing interpreters and states that Washington State will reimburse courts up to 50% of their interpreter costs. The BJA needs to decide what to tell the committee chairs and bill sponsors regarding the bill.

After discussion, most BJA members were in support of Ms. McAleenan having conversations with legislators stating that the BJA is very supportive of the policy because it is the right thing to do but it is very difficult for the cities and counties to provide interpreters without funding. If the Legislature is not willing to add the funding back into the bill then the bill should not be passed.

Ms. McAleenan updated the BJA on the status of the juvenile records bill. Many people support the policy of the bill but the fiscal impact of the bill on the Judicial Information System is significant. Ms. Dietz and Ms. McAleenan met with Representative Ruth Kagi, and other Administrative Office of the Courts (AOC) staff have also met with legislative staff and advocates to explain the reasoning behind the \$518,000 fiscal note. Upon much review, there does not appear to be an inexpensive or uncomplicated way to implement the bill as drafted. Ms. McAleenan is meeting with legislators about the bill, which is in House Rules. It is possible that the Department of Social and Health Services (DSHS) will also run this or a similar bill as request legislation. Ms. McAleenan has talked with DSHS and the Governor about the implications of doing so, but DSHS has not been as amenable to working with AOC on bill language as Representative Kagi has been. Legislative staff will report to Representative Kagi and then Ms. McAleenan will follow-up with Representative Kagi.

Ms. McAleenan and other AOC staff met with Mason County Superior Court judges who are talking with their county commissioners regarding how they want to proceed regarding a new judge. It is possible they will be requesting legislation for a new judge but they have not made the decision to move forward on that yet.

#### BJA Committee Unification Workgroup Report

Judge Sparks thanked Ms. Creighton and Ms. Mary Beth Brown for staffing the BJA Committee Unification Workgroup. It was a large project and every time he has had the opportunity to work with the professionals at AOC he has been very impressed. He also thanked all of the Workgroup members for their work on the recommendations.

The Workgroup looked at 204 committees that judges serve on and the AOC staffs. The report in the meeting materials does a good job of explaining the process the Workgroup went through to reach their recommendations. A lot of the members had first-hand knowledge of many of the committees and the AOC staff worked with the committee staff to gather additional information. Using that information the Workgroup members were able to understand what each committee does and what its purpose is.

The BJA can only force BJA committees to do what it wants. It cannot force other entities to do anything but it can make suggestions and the Workgroup recommendations contain suggestions.

The Workgroup made three recommendations: 1) That the BJA implement the recommendations for the BJA committees. 2) That the BJA urge the other entities that create judicial branch committees to follow the Workgroup's recommendations and implement the charter idea. 3) That the BJA request AOC to create a web-based application where information for the various committees is available in an easy to find location.

Judge Sparks urged the BJA members to review the recommendations between now and the November meeting where the recommendations will be placed on the agenda as an action item.

**There being no further business, it was moved by Judge Churchill and seconded by Judge Snyder to adjourn the meeting. The motion carried.**

**Recap of Motions from October 18, 2013 meeting**

<b>Motion Summary</b>	<b>Status</b>
Approve the September 20, 2013 BJA meeting minutes.	Passed
Create a TVW Ex Officio position on the BJA Public Trust and Confidence Committee.	Passed
Appoint Mr. Dennis Rabidou to the BJA Public Trust and Confidence Committee	Passed
Adjourn the meeting.	Passed

**Action Items from the October 18, 2013 meeting**

<b>Action Item</b>	<b>Status</b>
<u>September 20, 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>	Done Done
<u>TVW Ex Officio Position</u> <ul style="list-style-type: none"> <li>• Notify Ms. Margaret Fisher and Justice Mary Fairhurst about the approved TVW ex officio position on the BJA Public Trust and Confidence Committee</li> </ul>	Done
<u>BJA Public Trust and Confidence Committee Appointment</u> <ul style="list-style-type: none"> <li>• Send appointment letter to Mr. Dennis Rabidou</li> </ul>	Done
<u>2014 BJA Meeting Schedule</u> <ul style="list-style-type: none"> <li>• Add to the November meeting agenda for action</li> </ul>	Done
<u>Interpreter Legislation</u> <ul style="list-style-type: none"> <li>• For now, Ms. McAleenan will tell legislators that the BJA is very supportive of the policy and it is the right thing to do but it is very difficult for the counties to do this without funding. If the legislators are not willing to add the funding back in then the BJA would like the bill to die.</li> <li>• Add to November agenda (as part of BJA Legislative Agenda) to firm up the BJA's position</li> </ul>	In Progress  Done
<u>BJA Committee Unification Workgroup Recommendations</u> <ul style="list-style-type: none"> <li>• Add to the November BJA meeting agenda as an action item</li> </ul>	Done