

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, OCTOBER 18, 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
Washington State Bar Association

Mr. Anthony Gipe, President-Elect
Washington State Bar Association

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



Board for Judicial Administration (BJA) Meeting
Friday, October 18, 2013 (9:00 a.m. – 11:00 a.m.)
 AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

AGENDA

1. Call to Order	Chief Justice Barbara Madsen Judge Kevin Ringus	9:00 a.m.
2. Welcome and Introductions	Chief Justice Barbara Madsen Judge Kevin Ringus	9:00 a.m.
Action Items		
3. September 20, 2013 Meeting Minutes Action: Motion to approve the minutes of the September 20, 2013 meeting	Chief Justice Barbara Madsen Judge Kevin Ringus	9:05 a.m. Tab 1 (Page 6)
4. BJA Public Trust and Confidence Committee Membership Adjustment Action: Motion to add a permanent TVW Ex Officio member to the membership of the BJA Public Trust and Confidence Committee	Ms. Shannon Hinchcliffe	9:10 a.m. Tab 2 (Page 13)
5. BJA Public Trust and Confidence Committee Appointment Motion to appoint Mr. Dennis Rabidou to the BJA Public Trust and Confidence Committee	Ms. Shannon Hinchcliffe	9:15 a.m. Tab 3 (Page 17)
Reports and Information		
6. 2014 BJA Meeting Schedule	Ms. Shannon Hinchcliffe	9:20 a.m. Tab 4 (Page 19)
7. 2013 Legislative Update	Ms. Mellani McAleenan	9:25 a.m. Tab 5 (Page 22)
Break		9:55 a.m.
8. BJA Committee Unification Workgroup Report	Judge Scott Sparks	10:05 a.m. Tab 6 (Page 84)

9. Other Business Next meeting: November 15 AOC SeaTac Office, SeaTac	Chief Justice Barbara Madsen Judge Kevin Ringus	10:50 a.m.
10. Adjourn		11:00 a.m.
Persons with a disability, who require accommodation, should notify Beth Flynn at 360-357-2121 or 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, September 20, 2013 (9:00 a.m. – Noon)
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
Ms. Callie Dietz
Judge Stephen Dwyer
Judge Janet Garrow
Judge Jill Johanson
Judge Kevin Korsmo (by phone)
Judge Linda Krese
Judge Michael Lambo
Justice Susan Owens
Mr. Patrick Palace
Judge Kimberley Prochnau
Ms. Michele Radosevich
Judge Jeffrey Ramsdell
Judge Ann Schindler
Judge Charles Snyder
Judge Scott Sparks
Judge David Svaren

Guests Present:

Mr. Jim Bamberger
Justice Mary Fairhurst (by phone)
Ms. Sonya Kraski
Ms. Aimee Vance

Public Present:

Mr. Christopher Hupy
Mr. Mark Mahnkey

AOC Staff Present:

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

August 16, 2013 BJA Meeting Minutes

It was moved by Judge Garrow and seconded by Judge Sparks to approve the August 16, 2013 BJA meeting minutes. The motion carried.

BJA Public Trust and Confidence Committee Membership Adjustment and Update

Justice Fairhurst said she would like to add an ex officio member, David Johnson from TVW, to the BJA Public Trust and Confidence Committee membership. He has been serving on the committee as a representative of the public. His term is about to expire and his service has proven to be invaluable. TVW's involvement and support is enhanced by Mr. Johnson's participation. Justice Fairhurst is hoping to convert a public position to a TVW ex officio position or add a new position. She prefers to have two public members and have a permanent ex officio position. The committee has found their public members to be very helpful. This will be added as an action item on the October BJA agenda.

The BJA Public Trust and Confidence Committee has worked on several projects over the last year. One was developing templates to use when approaching budget makers. In addition, talking points were developed to assist in having conversations with budget makers.

Another project was participating in the Legislative Scholars program which was held in July. The training is for a full week and the BJA Public Trust and Confidence Committee provides training for a half day. Ms. Margaret Fisher and Justice Fairhurst provide the training along with attorney Hugh Spitzer. The training includes information about the Washington Constitution, civics, a tour of the Temple of Justice and ends with a dinner at Justice Fairhurst's house.

The Committee is currently working on a public education campaign. They are developing the video, "Misperceptions of the Washington State Courts" which will include interviews with people on the street about myths and misperceptions regarding the courts. The video will also include judicial folks correcting those misperceptions. They are working with TVW and no public funding will be used to create the video. The Committee is in the process of identifying who will respond to the myths.

The Committee is also working on unique issues facing rural courts. They are using Survey Monkey to determine the issues rural courts encounter. In addition they are working on the roll-out of the plain language forms and collecting materials for law and constitution day activities.

Chief Justice Madsen thanked the Committee for their work and said the BJA very much appreciates everything they do.

BJA Regional Courts Oversight Committee

Judge Svaren stated that in July he reported on the National Center for State Courts' (NCSC) study of regionalization and the conclusion was that there was inadequate information to make a hard and fast recommendation with respect to regional courts. They did make two recommendations: 1) since there were no performance standards in place, there was no way to evaluate the courts and they suggested putting a set of performance standards in place; and 2) in order to determine what form of regionalization might be acceptable, they need to have an evaluation project to determine how regionalization might work.

Chief Justice Madsen recommended during the July BJA meeting that the Oversight Committee meet one more time and determine how to go forward. The Committee met by phone and recommends that the BJA determine what goals would be achieved by regionalization and if regionalization would result in those goals being met. In addition, the Committee recommends the BJA Best Practices Committee to work on performance standards.

A few BJA members stated that regionalization could save resources and that there is already a mechanism in place to allow for regionalization. If the goal is to have more courts regionalize, there needs to be some incentive.

Other members stated that there was evidence of judges not being able to act independently which has been an ongoing issue. The BJA had a goal of judges being elected to preserve judicial independence.

Chief Justice Madsen stated that this concludes the work of the Oversight Committee. There were no motions to accept the recommendations from the Committee. Chief Justice Madsen asked Administrative Office of the Courts (AOC) staff to develop a proposal for looking at the history of regionalization and bring that back to the BJA to determine what the next steps should be.

Judicial Assistance Services Program

Judge Lambo is a peer counselor for the Judicial Assistance Program. It is a judges helping judges program for judges going through a personal crisis or feeling overwhelmed. Sometimes a judge may appear to staff, lawyers appearing before them, or to other judges to be overwhelmed by stress. A judge or people around the judge can contact the service and the service will contact the judge. Discipline Rules for Judges 14(e) makes the communication between the judge and peer judge completely confidential. When someone calls the number, that person contacts the chair, vice chair and psychologist with the program. They will attempt to make contact with the judge. It is difficult to contact the judges because most judges are very well educated, well respected, and confident. It is difficult to see members of the judiciary who are all very intelligent, accomplished people leave the bench because they cannot talk to anyone about an issue. Peer counselors go through yearly training and past trainings have included judicial balance, active listening, and aging issues.

Judge Lambo's task is to make the BJA aware of this program and he is hoping the BJA members can talk to their staff and the lawyers in their court about it.

Legislative Report

Ms. McAleenan said she will be scheduling a meeting in October with the BJA Legislative Executive Committee to prepare for the upcoming 60-day legislative session which begins on January 13. It is possible there will be legislation regarding DUIs, therapeutic courts, mental health reporting for firearms, guardianship issues, and cities and counties to pursuing state funding for public defense.

The BJA needs to start talking about what should be done with the interpreter bill. Technically, the bill is still alive and Ms. McAleenan would like a recommendation from the BJA Legislative Executive Committee regarding how to move forward with the bill. The House stripped the funding out of the bill and it passed in the House and went to Senate. Both versions failed to get a hearing in the Senate.

The judicial needs estimate is in final stages of completion and will be distributed soon. If any courts are interested in pursuing additional judicial positions, they should contact Ms. McAleenan.

Budget Report

Mr. Radwan reported that it is time to start thinking about the 2015-2017 budget. A calendar was distributed outlining key dates throughout the budget process. When the instructions come out in January the dates will be revised if needed. The BJA will review preliminary budget requests that impact the AOC budget in March 2014. In April, budget requests that impact trial courts will be reviewed by the BJA. The BJA will make recommendations to the Supreme Court regarding the budget requests they review and they will also prioritize them. The BJA cannot stop a funding request from going to the Supreme Court Budget Committee but the BJA recommendations will be taken into account by the Supreme Court Budget Committee.

Overall, revenues are going up but this will be one of the most strategic budgets and budget requests since Mr. Radwan has been at AOC. Because revenue is slightly increasing there is a

lot of pent up demand for funding within the judicial branch and statewide as well. The demand will be very high and there will be a lot of competition. If it is planned well, there will be a very well thought-out request to move forward.

Chief Justice Madsen sent out instructions for the 2014 supplemental budget process. Some technical budget requests will be submitted to correct mistakes in the budget. If anyone has any new funding ideas, those decision packages are due October 1.

BJA Long Range Planning Committee

Judge Ringus stated that as BJA Member Chair, he becomes Chair of the BJA Long Range Planning Committee. The only thing to report at this time is that they will begin to get the planning effort organized after the final report of the BJA Committee Unification Workgroup is released.

BJA Dues Update

Ms. McAleenan reported that historically the BJA has requested voluntary dues contributions. The dues have been set at \$55 per judge since the early 1990s. Typically, a dues request is sent out every two years, as needed. The funds are spent on things that are not necessarily appropriate to spend state funds on such as legislative and Salary Commission travel and legislative dinners. There is currently about \$14,000 in the account and the last time a dues request was sent was in November 2012. They had close to a 50% response rate and no reminders have been sent. There is usually about a 70% response rate and Ms. McAleenan would like to send a second notice. The second notice would only be sent to judges who have not paid. She would like to collect the money now so she will not have to ask people who have already paid to pay again.

In addition, she would like the presidents of the judicial associations to talk to their judges and encouraged them to participate. She will provide a list of judges who have not contributed to the association presidents.

The consensus was to send a second notice to the judges who have not paid.

BJA Best Practices Committee Update

Mr. Elliott is the AOC staff to the BJA Best Practices Committee and Judge Jean Rietschel is the Chair. The Committee is working their way through a prioritized list of measures developed by the BJA. The Committee spent eight years working on performance standards for superior courts. Seven measures have been adopted and one has been rejected. They are currently testing some of the measures.

The Committee would like to develop best practices to support the audit measurement.

Many of the Best Practices Committee members have expired terms because of the potential for a BJA restructure. They will begin the reappointment and recruitment process in a few months.

AOC Reorganization

Ms. Dietz stated that one of the things she was tasked with when she was hired was looking at the operations of AOC to see if there is any way to increase efficiencies. She has been at AOC for 14 months now and has met with judges, administrators and clerks to discuss what services they need from AOC. She used that information to reorganize AOC. AOC will be providing the same services she described to the BJA last month but some are distributed between the four divisions differently. The meeting materials contain the new structure. The reorganization implementation date is October 1.

One of the changes that impacts the BJA is that Ms. Hinchcliffe will now be staffing the BJA.

Ms. Dietz explained that some of the IT security measures that will be done in the future could cause a little angst but are necessary for ensuring our systems are secure. AOC will communicate with users to explain the changes and how they could impact users.

Thurston County Superior Court and Lewis County Superior Court have been selected as Superior Court Case Management System (SC-CMS) pilot sites.

GR 31.1 Implementation Date

Chief Justice Madsen said that Mr. Radwan put together a plan for the BJA's consideration regarding the implementation of GR 31.1. The Implementation Committee has just begun to meet and Chief Justice Madsen would like the BJA to decide on the implementation date. That date will be taken back to the Supreme Court for their consideration. This will be discussed during a future BJA meeting.

Other Business

Judge Ringus thanked and acknowledged Ms. Radosevich for her role on the BJA and as President of the WSBA. He also welcomed Mr. Palace to the BJA in his new role as the President of the WSBA.

It was moved by Judge Lambo and seconded by Judge Sparks to adjourn the meeting.

Recap of Motions from September 20, 2013 meeting

Motion Summary	Status
Approve the August 16, 2013 BJA meeting minutes.	Passed
Adjourn the meeting.	Passed

Action Items from the September 20, 2013 meeting

Action Item	Status
<u>August 16, 2013 BJA Meeting Minutes</u> <ul style="list-style-type: none">• Post the minutes online• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials	Done Done

Board for Judicial Administration Meeting Minutes

September 20, 2013

Page 6 of 6

Action Item	Status
<u>BJA Public Trust and Confidence Committee</u> <ul style="list-style-type: none">• Add Membership Update to October BJA agenda as an action item	Done
<u>BJA Regional Courts Oversight Committee</u> <ul style="list-style-type: none">• AOC staff will develop a proposal for looking at the history of regionalization and bring that back to the BJA to determine what the next steps should be	In Progress
<u>Legislative Report</u> <ul style="list-style-type: none">• Schedule meeting in October for BJA Legislative Executive Committee	Done
<u>BJA Dues</u> <ul style="list-style-type: none">• Send second notices• Determine if there is a way to pay the dues online	In Progress In Progress
<u>GR 31.1 Implementation Date</u> <ul style="list-style-type: none">• Add this to a future meeting agenda	

Tab 2

**Board for Judicial Administration
Public Trust and Confidence Committee
Members**

Members are appointed for two-year terms with the option to renew once.

Chair

Justice Mary Fairhurst
Washington State Supreme Court
Temple of Justice
PO Box 40929
Olympia, WA 98504-0929

Members

Ms. Kirsten Barron
Barron Smith Daugert PLLC
300 N Commercial St
PO Box 5008
Bellingham, WA 98225
(Representing Access to Justice)
Term: January 1, 2010 to December 31, 2013

Ms. JulieAnne Behar
Voter Education & Outreach Coordinator Office of
the Secretary of State
Elections Division
Olympia WA
(Representing the public)
Term: September 21, 2012 to December 31, 2014

Judge Bill Bowman
Maleng Regional Justice Center
401 4th Ave N, Rm 2D
Kent, WA 98032-4429
Term: January 1, 2013 to December 31, 2014

Judge James Docter
Bremerton Municipal Court
550 Park Ave
Bremerton, WA 98337
Term: January 1, 2013 to December 31, 2014

Ms. Marilyn Finsen
Snohomish County Superior Court
3000 Rockefeller Ave MS 504
Everett, WA 98201-4046
Term: January 1, 2010 to December 31, 2013

Mr. David Johnson
Director of Education Resources, TVW
1058 Capital Way S
Olympia, WA 98501
(Representing public)
Term: January 1, 2010 to December 31, 2013

Honorable Michael Killian
Franklin County Clerk
1016 N 4th Ave Ste 306
Pasco, WA 99301-3706
Term: January 1, 2013 to December 31, 2014

Ms. Kay Newman
Washington State Law Library
Temple of Justice
PO Box 40751
Olympia, WA 98504-0751
Term: Permanent Ex-Officio

Mr. Andrew Sachs
Wrenn Law Group
601 Union St Ste 5305
Seattle, WA 98101-2341
(Representing WSBA)
Term: May 1, 2012 to December 31, 2015

Judge Laurel Siddoway
Court of Appeals, Division III
500 N Cedar St
Spokane, WA 99201-1095
Term: January 1, 2011 to December 31, 2014

Judge Elizabeth Stephenson
King County District Court
South Division
601 S.W. 149th Street
Burien, WA 98146
Term: January 1, 2011 to December 31, 2014

Honorable Sharon Vance
Skamania County Clerk
PO Box 790
Stevenson, WA 98648
Term: January 1, 2012 to December 31, 2013

Ms. Shirley Zimmerman
Ferndale Municipal Court Administrator
5694 2nd Ave
PO Box 291
Ferndale, WA 98248
Term: January 1, 2013 to December 31, 2014

AOC Staff

Ms. Margaret Fisher
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

Tab 3

**Board for Judicial Administration
Nomination Form for BJA Committee Appointment**

BJA Committee: Public Trust and Confidence Committee
(i.e. Best Practices, Court Security, Justice in Jeopardy, Long-Range Planning, and Public Trust and Confidence)

Nominee Name: Dennis Rabidou

Nominated By: AWSCA
(i.e. SCJA, DMCJA, BCE, etc.)

Term Begin Date: January 1, 2014

Term End Date: December 31, 2015

Has the nominee served on this subcommittee in the past? Yes No

If yes, how many terms have been served and dates of terms: _____

Additional information you would like the BJA to be aware of regarding the nominee:

Dennis is nominated to replace Marilyn Finsen following the end of her term, ending December 31, 2013.

Please send completed form to:

Beth Flynn
Administrative Office of the Courts
PO Box 41174
Olympia, WA 98504-1174
beth.flynn@courts.wa.gov

Tab 4

**Board for Judicial Administration
2014 Meeting Schedule**

Date	Location
January 17	SeaTac (9:00 a.m. – 12:00 p.m.)
February 21	SeaTac (9:00 a.m. – 12:00 p.m.)
March 21	SeaTac (9:00 a.m. – 12:00 p.m.)
April 18	SeaTac (9:00 a.m. – 12:00 p.m.)
May 16	SeaTac (9:00 a.m. – 12:00 p.m.)
June 20	SeaTac (9:00 a.m. – 12:00 p.m.)
July 18	SeaTac (9:00 a.m. – 12:00 p.m.)
August 15	SeaTac (9:00 a.m. – 12:00 p.m.)
September 19	SeaTac (9:00 a.m. – 12:00 p.m.)
October 17	SeaTac (9:00 a.m. – 12:00 p.m.)
November 21	SeaTac (9:00 a.m. – 12:00 p.m.)
December 12	SeaTac (Joint meeting with Court Management Council) (9:00 a.m. – 12:00 p.m.)

SeaTac Location: AOC SeaTac Facility
SeaTac Office Center-South Tower
18000 International Blvd., Suite 1106
SeaTac WA 98188-4251

**Board for Judicial Administration
2014 Meeting Schedule**

Date	Location
January 17	SeaTac (9:00 a.m. – 3:00 p.m.)
March 21	SeaTac (9:00 a.m. – 3:00 p.m.)
May 16	SeaTac (9:00 a.m. – 3:00 p.m.)
July 18	SeaTac (9:00 a.m. – 3:00 p.m.)
September 19	SeaTac (9:00 a.m. – 3:00 p.m.)
November 21	SeaTac (9:00 a.m. – 3:00 p.m.)

SeaTac Location: AOC SeaTac Facility
SeaTac Office Center-South Tower
18000 International Blvd., Suite 1106
SeaTac WA 98188-4251

Tab 5

HOUSE BILL 1542

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Santos, Ryu, Moscoso, Kirby, Roberts, Appleton, Upthegrove, Stanford, Goodman, Bergquist, Pollet, and Fitzgibbon; by request of Board For Judicial Administration

Read first time 01/30/13. Referred to Committee on Judiciary.

1 AN ACT Relating to the provision of and reimbursement for certain
2 court interpreter services; and amending RCW 2.43.030, 2.43.040, and
3 2.42.120.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 2.43.030 and 2005 c 282 s 3 are each amended to read
6 as follows:

7 (1) Whenever (~~(an interpreter is appointed to assist a non-English-~~
8 ~~speaking person in))~~ a non-English-speaking person is a party, is
9 subpoenaed or summoned, or is otherwise compelled to appear at any
10 stage of a legal proceeding, the appointing authority shall(~~(, in the~~
11 ~~absence of a written waiver by the person,))~~ appoint a certified,
12 registered, or ((a)) qualified interpreter to assist the non-English-
13 speaking person (~~(throughout))~~ in the proceeding(~~(s))~~).

14 (a) Except as otherwise provided for in (b) of this subsection, the
15 interpreter appointed shall be a qualified interpreter.

16 (b) Beginning on July 1, 1990, when a non-English-speaking person
17 is a party to a legal proceeding, (~~(or))~~ is subpoenaed or summoned by
18 an appointing authority, or is otherwise compelled by an appointing
19 authority to appear at a legal proceeding, the appointing authority

1 shall use the services of only those language interpreters who have
2 been certified or registered by the administrative office of the
3 courts, unless good cause is found and noted on the record by the
4 appointing authority. For purposes of chapter 358, Laws of 1989, "good
5 cause" includes, but is not limited to, a determination that:

6 (i) Given the totality of the circumstances, including the nature
7 of the proceeding and the potential penalty or consequences involved,
8 the services of a certified interpreter are not reasonably available to
9 the appointing authority; ~~((or))~~

10 (ii) The current list of certified interpreters maintained by the
11 administrative office of the courts does not include an interpreter
12 certified in the language spoken by the non-English-speaking person; or

13 (iii) The current list of registered interpreters maintained by the
14 administrative office of the courts does not include an interpreter
15 registered in the language spoken by the non-English-speaking person.

16 (c) Except as otherwise provided in this section, when a non-
17 English-speaking person is involved in a legal proceeding, the
18 appointing authority shall appoint a qualified interpreter.

19 (2) If good cause is found for using an interpreter who is not
20 certified or registered, or if a qualified interpreter is appointed,
21 the appointing authority shall make a preliminary determination, on the
22 basis of testimony or stated needs of the non-English-speaking person,
23 that the proposed interpreter is able to interpret accurately all
24 communications to and from such person in that particular proceeding.
25 The appointing authority shall satisfy itself on the record that the
26 proposed interpreter:

27 (a) Is capable of communicating effectively with the court or
28 agency and the person for whom the interpreter would interpret; and

29 (b) Has read, understands, and will abide by the code of ethics for
30 language interpreters established by court rules.

31 **Sec. 2.** RCW 2.43.040 and 2008 c 291 s 3 are each amended to read
32 as follows:

33 (1) Interpreters appointed according to this chapter are entitled
34 to a reasonable fee for their services and shall be reimbursed for
35 actual expenses which are reasonable as provided in this section.

36 (2) In all legal proceedings in which the non-English-speaking
37 person is a party, ~~((or))~~ is subpoenaed or summoned ~~((by the appointing~~

1 authority)), or is otherwise compelled (~~by the appointing authority to~~
2 ~~appear, including criminal proceedings, grand jury proceedings,~~
3 ~~coroner's inquests, mental health commitment proceedings, and other~~
4 ~~legal proceedings initiated by agencies of government~~) to appear, the
5 cost of providing the interpreter shall be borne by the governmental
6 body initiating the legal proceedings or, in cases that are not
7 initiated by a governmental body, the governmental body under the
8 authority of which the legal proceeding is conducted.

9 ~~(3) ((In other legal proceedings, the cost of providing the~~
10 ~~interpreter shall be borne by the non-English speaking person unless~~
11 ~~such person is indigent according to adopted standards of the body. In~~
12 ~~such a case the cost shall be an administrative cost of the~~
13 ~~governmental body under the authority of which the legal proceeding is~~
14 ~~conducted.~~

15 ~~(4))~~ The cost of providing the interpreter is a taxable cost of
16 any proceeding in which costs ordinarily are taxed.

17 ~~((5))~~ (4)(a) Subject to the availability of funds specifically
18 appropriated therefor, the administrative office of the courts shall
19 reimburse the appointing authority for up to one-half of the payment to
20 the interpreter where an interpreter is appointed by a judicial officer
21 in a proceeding before a court at public expense and:

22 ~~((a))~~ (i) The interpreter appointed is an interpreter certified
23 by the administrative office of the courts or is a qualified
24 interpreter registered by the administrative office of the courts in a
25 noncertified language, or where the necessary language is not certified
26 or registered, the interpreter has been qualified by the judicial
27 officer pursuant to this chapter;

28 ~~((b))~~ (ii) The court conducting the legal proceeding has an
29 approved language assistance plan that complies with RCW 2.43.090; and

30 ~~((c))~~ (iii) The fee paid to the interpreter for services is in
31 accordance with standards established by the administrative office of
32 the courts.

33 (b) By January 1, 2017, the state must reimburse the appointing
34 authority for one-half of the payment to the interpreter when an
35 interpreter is appointed by a judicial officer in a proceeding before
36 a court at public expense.

37 (5) The appointing authority shall track and provide interpreter

1 cost and usage data, including best practices and innovations, to the
2 administrative office of the courts at least annually in a manner that
3 is determined by the administrative office of the courts.

4 **Sec. 3.** RCW 2.42.120 and 2008 c 291 s 2 are each amended to read
5 as follows:

6 (1) If a hearing impaired person is a party or witness at any stage
7 of a judicial or quasi-judicial proceeding in the state or in a
8 political subdivision, including but not limited to civil and criminal
9 court proceedings, grand jury proceedings, proceedings before a
10 magistrate, juvenile proceedings, adoption proceedings, mental health
11 commitment proceedings, and any proceeding in which a hearing impaired
12 person may be subject to confinement or criminal sanction, the
13 appointing authority shall appoint and pay for a qualified interpreter
14 to interpret the proceedings.

15 (2) If the parent, guardian, or custodian of a juvenile brought
16 before a court is hearing impaired, the appointing authority shall
17 appoint and pay for a qualified interpreter to interpret the
18 proceedings.

19 (3) If a hearing impaired person participates in a program or
20 activity ordered by a court as part of the sentence or order of
21 disposition, required as part of a diversion agreement or deferred
22 prosecution program, or required as a condition of probation or parole,
23 the appointing authority shall appoint and pay for a qualified
24 interpreter to interpret exchange of information during the program or
25 activity.

26 (4) If a law enforcement agency conducts a criminal investigation
27 involving the interviewing of a hearing impaired person, whether as a
28 victim, witness, or suspect, the appointing authority shall appoint
29 and pay for a qualified interpreter throughout the investigation.
30 Whenever a law enforcement agency conducts a criminal investigation
31 involving the interviewing of a minor child whose parent, guardian, or
32 custodian is hearing impaired, whether as a victim, witness, or
33 suspect, the appointing authority shall appoint and pay for a qualified
34 interpreter throughout the investigation. No employee of the law
35 enforcement agency who has responsibilities other than interpreting may
36 be appointed as the qualified interpreter.

1 (5) If a hearing impaired person is arrested for an alleged
2 violation of a criminal law the arresting officer or the officer's
3 supervisor shall, at the earliest possible time, procure and arrange
4 payment for a qualified interpreter for any notification of rights,
5 warning, interrogation, or taking of a statement. No employee of the
6 law enforcement agency who has responsibilities other than interpreting
7 may be appointed as the qualified interpreter.

8 (6) Where it is the policy and practice of a court of this state or
9 of a political subdivision to appoint and pay counsel for persons who
10 are indigent, the appointing authority shall appoint and pay for a
11 qualified interpreter for hearing impaired persons to facilitate
12 communication with counsel in all phases of the preparation and
13 presentation of the case.

14 (7)(a) Subject to the availability of funds specifically
15 appropriated therefor, the administrative office of the courts shall
16 reimburse the appointing authority for up to one-half of the payment to
17 the interpreter where a qualified interpreter is appointed for a
18 hearing impaired person by a judicial officer in a proceeding before a
19 court under subsection (1), (2), or (3) of this section in compliance
20 with the provisions of RCW 2.42.130 and 2.42.170.

21 (b) By January 1, 2017, the state shall reimburse the appointing
22 authority for one-half of the payment to the interpreter when a
23 qualified interpreter is appointed as described under (a) of this
24 subsection.

--- END ---

Multiple Agency Fiscal Note Summary

Bill Number: 1542 HB	Title: Court interpreter services
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Estimated Cash Receipts

NONE

Local Gov. Courts *						
Local Gov. Other **		(596,558)		729,511		4,707,718
Local Gov. Total		(596,558)		729,511		4,707,718

Estimated Expenditures

Agency Name	2013-15			2015-17			2017-19		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	.5	84,528	84,528	.5	1,434,528	1,434,528	.5	5,484,528	5,484,528
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Office of Administrative Hearings	.0	0	0	.0	0	0	.0	0	0
Board of Industrial Insurance Appeals	.0	0	0	.0	0	0	.0	0	0
Department of Labor and Industries	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
Employment Security Department	.0	0	0	.0	0	0	.0	0	0
Total	0.5	\$84,528	\$84,528	0.5	\$1,434,528	\$1,434,528	0.5	\$5,484,528	\$5,484,528

Local Gov. Courts *						
Local Gov. Other **		1,727,090		1,727,090		1,727,090
Local Gov. Total		1,727,090		1,727,090		1,727,090

Estimated Capital Budget Impact

NONE

* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

Prepared by: David Dula, OFM	Phone: (360) 902-0547	Date Published: Final 3/ 1/2013
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID 34816

FNS029 Multi Agency rollup

Judicial Impact Fiscal Note

Bill Number: 1542 HB	Title: Court interpreter services	Agency: 055-Admin Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Account	FY 2014	FY 2015	2013-15	2015-17	2017-19
Counties					
Cities					
Total \$					

Estimated Expenditures from:

STATE	FY 2014	FY 2015	2013-15	2015-17	2017-19
State FTE Staff Years	.5	.5	.5	.5	.5
Account					
General Fund-State 001-1	42,264	42,264	84,528	1,434,528	5,484,528
State Subtotal \$	42,264	42,264	84,528	1,434,528	5,484,528
COUNTY	FY 2014	FY 2015	2013-15	2015-17	2017-19
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2014	FY 2015	2013-15	2015-17	2017-19
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					
Local Subtotal \$					
Total Estimated Expenditures \$	42,264	42,264	84,528	1,434,528	5,484,528

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Legislative Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Preparation: David Elliott	Phone: 360-705-5229	Date: 02/07/2013
Agency Approval: Dirk Marler	Phone: 360-705-5211	Date: 02/07/2013
OFM Review: David Dula	Phone: (360) 902-0547	Date: 02/07/2013

Request # administrat-2

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

This bill would expand payment for interpreter services to include additional legal proceedings where a non-English speaking person is a party, subpoenaed, summoned or otherwise compelled to appear.

Section 1 would amend RCW 2.43.030 to require appointment of an interpreter when a non-English speaking person is a party, subpoenaed, summoned or otherwise compelled to appear, and clarify the elements of "good cause" for using a non-certified or non-registered interpreter to include the circumstance that there are no interpreters registered in the language spoken by the non-English speaker.

Section 2 would amend RCW 2.43.040 to conform to the language of Section 1 and require that the cost of providing an interpreter is to be paid by the governmental body under the authority of which the legal proceeding is conducted.

Section 2 (4) (b) by January 1, 2017 the state must reimburse the appointing authority for one-half of interpreter payments.

Section 2 (5) requires appointing authorities to track and provide interpreter cost and usage data to Administrative Office of the Courts (AOC).

Section 3 would amend RCW 2.42.120 so that by January 1, 2017 the state must reimburse the appointing authority for one-half of interpreter payments

II. B - Cash Receipts Impact

None

II. C - Expenditures

The bill will have an impact on state expenditures estimated at \$1.1 to \$1.35 million per year in 2017, rising to \$2.2 to \$2.7 million per year in 2018 and beyond. These funds would be expended as grants to local jurisdictions to reimburse 50 percent of their interpreter costs. In addition there would be an additional .5 FTE estimated to cost \$42,264 per year for salary and benefits beginning with the effective date of the bill.

The first year of state reimbursement impact would be the 2017 fiscal year (FY), the state expenditure would begin on January 1, which is the half-way point in the FY so in 2017 the expenditure estimate will range from \$1.1 to \$1.35 million, in FY 2018 and beyond the full expenditure would occur.

REIMBURSEMENT OF INTERPRETER COSTS:

The expenditure estimate was obtained using two methods to provide the estimated range of expenditure costs and then removing the current Administrative Office of the Courts (AOC) budget for reimbursement. At present AOC budgets \$610,000 for interpreter services.

Method one found an estimated total expenditure for interpreter costs of \$5.6 million. A survey of local court interpreter practices was conducted in the fall of 2012. The survey included questions about funds spent by local courts for criminal and civil interpreter services. Approximately 150 of 200 courts responded including 33 of 39 counties representing about 75 percent of the state's population. Total future spending is likely higher than the survey provides. The survey result shows interpreter spending of \$5,660,731 annually, the state 50 percent reimbursement would be \$2,830,366. This is the least amount likely to be spent under the proposal. This number underestimates the expenditure of all civil interpreter costs because it only includes the current costs, and the only currently required civil interpreters are for participants that are declared indigent.

Method two found an estimated total expenditure of \$6.5 million for interpreter costs. To find this estimate a ratio of proceedings covered by current statute to proceedings that would be added was found. According to 2011 caseload data approximately one-third more non-covered superior court proceedings would be added. By applying that ratio to the total reported spending on criminal interpretation it is possible to derive an estimate for spending on non-covered proceedings. ($\$4,905,417 * 133\% = \$6,524,276$) The state expenditure cost for one-half of the costs anticipated by the proposal would be \$3,262,138 per year.

The range of estimates for total state cost for reimbursement is between \$2.8M (method one) and \$3.3M (method two) per year, removing the current \$610,000 in reimbursement funding provides a future state expenditure estimate of \$2.2 to \$2.7 million.

Additional Administrative Office of the Courts (AOC) program staff:

Managing the court interpreter reimbursement program at current levels requires a significant amount of staff time. Staff develops and monitors contracts, evaluates and verifies data that is reported, audits participating courts to ensure accuracy in reported numbers, and provides technical support to participating courts. Full expansion of the program will require .5 FTE additional staff. This is estimated to cost \$42,264 per fiscal year beginning in FY 2014. Local governments will be expected to implement the changes in the bill on the effective date, Administrative Office of the Courts (AOC) will see increased need for registration and certification of interpreters and technical support to local jurisdictions at that time.

Please see also the local government note on the bill.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	.5	.5	.5	.5	.5
Salaries and Wages	35,748	35,748	71,496	71,496	71,496
Employee Benefits	6,516	6,516	13,032	13,032	13,032
Professional Service Contracts					
Goods and Other Services					
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services				1,350,000	5,400,000
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
Total \$	42,264	42,264	84,528	1,434,528	5,484,528

III. B - Expenditure By Object or Purpose (County)

<i>County</i>	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

III. C - Expenditure By Object or Purpose (City)

<i>City</i>	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

III. D - FTE Detail

Job Classification	Salary	FY 2014	FY 2015	2013-15	2015-17	2017-19
Senior Court Program Analyst	71,496	0.5	0.5	0.5	0.5	0.5
Total FTE's	71,496	0.5	0.5	0.5	0.5	0.5

Part IV: Capital Budget Impact

SOURCES:

Administrative Office of the Courts (AOC) interpreter survey conducted fall of 2012

Current Administrative Office of the Courts (AOC) interpreter services budget

Administrative Office of the Courts (AOC) caseload data for 2011

Individual State Agency Fiscal Note

Bill Number: 1542 HB	Title: Court interpreter services	Agency: 100-Office of Attorney General
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Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Preparation: Pamela Anderson	Phone: 360 664-4963	Date: 02/28/2013
Agency Approval: Brendan VanderVelde	Phone: 360 586-2104	Date: 02/28/2013
OFM Review: David Dula	Phone: (360) 902-0547	Date: 02/28/2013

Request # 13-062 B-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

No fiscal impact. This legislation will not generate any costs or savings for the Attorney General's Office.

Section 1 amends RCW 2.43.030 adding, in several places, "registered" interpreters to the type of interpreters who may be appointed to serve in legal proceedings. Such interpreters are registered by the Administrative Office of the Courts (AOC).

Section 1(1) adds language requiring the appointment of an interpreter whenever a non-English speaking person is compelled to appear at any state of a legal proceeding. Language authorizing the non-English speaking person to waive appointment of an interpreter is stricken.

Section 1(1)(b)(iii) adds the absence of an interpreter registered in the language spoken by the non-English speaking person from the AOC's list of registered interpreters to the list of factors that establish good cause for appointing someone other than a AOC certified or registered interpreter in a legal proceeding.

Section 2 amends RCW 2.43.040.

Section 2(2), which relates to payment of the costs of an interpreter in legal proceedings, strikes "the appointing authority" as a modifier for the entity compelling the appearance of a non-English speaking person, so that any compelled appearance of a non-English speaking person in a legal proceeding will trigger the government's payment obligation. This section also adds language that provides, when cases are not initiated by a governmental body, the governmental body under the authority of which the legal proceedings is conducted shall pay the costs of providing the interpreter.

Section 2(3), which provided for the non-English-speaking person to pay the cost of the interpreter in other situations, is stricken.

Section 2(4)(b) is a new section, providing that, by January 1, 2017, the state must reimburse the appointing authority for one-half of the payment to the interpreter when an interpreter is appointed by a judicial officer in a proceeding before the court at public expense.

Section 3 amends RCW 2.42.120, adding a new subsection 7(b), providing that, by January 1, 2017, the state must reimburse the appointing authority for one-half of the payment to the interpreter when a qualified interpreter is appointed as described under (a) of this subsection.

This bill is assumed effective 90 days after the end of the 2013 legislative session.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Request # 13-062 B-1

None.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

None.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

Individual State Agency Fiscal Note

Bill Number: 1542 HB	Title: Court interpreter services	Agency: 110-Office of Administrative Hearings
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Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Preparation: Jane Habegger	Phone: 360-407-2756	Date: 02/27/2013
Agency Approval: Larry Dzieza	Phone: 360-407-2717	Date: 02/27/2013
OFM Review: Chris Stanley	Phone: (360) 902-9810	Date: 02/27/2013

Request # -1

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part IV: Capital Budget Impact

NONE

Individual State Agency Fiscal Note

Bill Number: 1542 HB	Title: Court interpreter services	Agency: 190-Board of Indust Insurance Appeals
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Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Preparation: William Chase	Phone: 360-753-2790	Date: 02/26/2013
Agency Approval: Bob Liston	Phone: 360-753-6823	Date: 02/26/2013
OFM Review: Tristan Wise	Phone: (360) 902-0538	Date: 02/26/2013

Request # 2-1

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part IV: Capital Budget Impact

NONE

Individual State Agency Fiscal Note

Bill Number: 1542 HB	Title: Court interpreter services	Agency: 235-Department of Labor and Industries
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Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Preparation: Melody Porter	Phone: 360-902-6648	Date: 02/22/2013
Agency Approval: Victoria Kennedy	Phone: 360-902-4997	Date: 02/22/2013
OFM Review: Tristan Wise	Phone: (360) 902-0538	Date: 02/24/2013

Request # HB 1542-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

See attached

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

None

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None

Part II: Explanation

This bill modifies provisions governing the appointment of and reimbursement for certain court interpreter services. This does not impact the Department of Labor and Industries.

II. A – Brief Description of What the Measure Does that Has Fiscal Impact

None.

II. B – Cash Receipt Impact

None.

II. C – Expenditures

None.

Part IV: Capital Budget Impact

None.

Part V: New Rule Making Required

None.

Individual State Agency Fiscal Note

Bill Number: 1542 HB	Title: Court interpreter services	Agency: 240-Department of Licensing
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Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Preparation: Don Arlow	Phone: (360) 902-3736	Date: 02/25/2013
Agency Approval: Sam Knutson	Phone: (360) 902-3644	Date: 02/25/2013
OFM Review: Jim Albert	Phone: (360) 902-0419	Date: 02/25/2013

Request # 1542 HB-1

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part IV: Capital Budget Impact

NONE

Part II: Explanation

This bill clarifies the elements of "good cause" for using a non-certified or non-registered interpreter when a non-English speaking person is a party, subpoenaed, summoned or otherwise compelled to appear in a legal proceeding, to include the circumstance that there are no interpreters registered in the language spoken by the non-English speaker. This bill also requires that the cost of providing an interpreter is to be paid by the governmental body under the authority of which the legal proceeding is conducted, and provides that by January 1, 2017 the state must reimburse courts in some cases for one-half of interpreter payments.

The Department of Licensing already pays the cost of interpretive services when needed for an administrative hearing. The provisions of this bill will not have a fiscal impact on the department.

Part III: Expenditure Detail

None

Part IV: Capital Budget Impact

None

Part V: New Rule Making Required

None

Individual State Agency Fiscal Note

Bill Number: 1542 HB	Title: Court interpreter services	Agency: 300-Dept of Social and Health Services
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Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Preparation: Edward Giger	Phone: 360-902-8067	Date: 02/22/2013
Agency Approval: Kelci Karl-Robinson	Phone: 360-902-8174	Date: 02/22/2013
OFM Review: Carl Yanagida	Phone: (360) 902-0553	Date: 02/22/2013

Request # 13HB1542-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This bill has no fiscal impact on the Department as the Administrative Office of the Courts is responsible for all potential costs.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1542 HB	Title: Court interpreter services	Agency: 310-Department of Corrections
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Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Preparation: Cari Tikka	Phone: 360-725-8274	Date: 02/27/2013
Agency Approval: Sarian Scott	Phone: (360) 725-8270	Date: 02/27/2013
OFM Review: Kate Davis	Phone: (360) 902-0570	Date: 02/27/2013

Request # 102-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 1(1) amends RCW 2.43.030 to require appointment of an interpreter when a non-English speaking person is a party, subpoenaed, summoned, or otherwise compelled to appear at any stage of a legal proceeding.

Section 1(1)(b)(iii) allows for an exception or “good cause”, for using a non-certified or non-registered interpreter to include the circumstance that there are no interpreters registered in the list maintained by the Administrator of the Courts (AOC) in the language spoken by the non-English speaker.

Section 2(2) amends RCW 2.43.040 to conform to the language of Section 1 and require that the cost of providing an interpreter is to be paid by the governmental body under the authority of which the legal proceeding is conducted.

Section 2(4)(b) requires the state by, January 1, 2017, to reimburse the appointing authority for one-half of interpreter payments when the interpreter is appointed by a judicial officer.

Section 2(5) requires appointing authorities to track and provide interpreter cost and usage data to AOC at least annually.

Section 3(7)(b) amends RCW 2.42.120 to require the state to reimburse the appointing authority for one-half of interpreter payments.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None.

The Department of Corrections (DOC) impact is general fund state.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

No fiscal impact.

The legislation under House Bill 1542 requires courts to appoint a certified or registered interpreter at public expense in all legal proceedings in which a non-English-speaking person is a party or is compelled to appear. It also requires the state to pay 50 percent of the cost of interpreters beginning January 1, 2017. In addition, courts are required to track and provide interpreter cost and usage data annually to the AOC.

Assumptions:

1. Interpreter services are appointed by the court.
2. DOC assumes, as is currently practice, that the cost for the court interpreter services will not be borne by DOC. Costs can be added to the offender legal financial obligation.
3. DOC assumes we will not be required to track and provide interpreter cost and usage data to AOC.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

None.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

None.

Individual State Agency Fiscal Note

Bill Number: 1542 HB	Title: Court interpreter services	Agency: 468-Environmental & Land Use Hearings
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Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Preparation: Bill Lynch	Phone: (360) 664-9179	Date: 02/26/2013
Agency Approval: Bill Lynch	Phone: (360) 664-9179	Date: 02/26/2013
OFM Review: Linda Steinmann	Phone: 360-902-0573	Date: 02/26/2013

Request # -1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

HB 1542 addresses the provision and reimbursement for court interpreter services for non-English speaking persons and persons who are impaired because of a communication disability such as being deaf or blind.

In any judicial or quasi-judicial proceeding involving an impaired person with a communication disability, the presiding officer of the appointing authority must appoint and pay for a qualified interpreter to interpret the proceedings. Subject to the availability of funds, the Administrative Office of the Courts must reimburse the appointing authority for up to one-half of the payment to the interpreter. HB 1542 modifies this existing law by requiring the state to reimburse the appointing authority for one-half of the payment to the interpreter by January 1, 2017.

In a legal proceeding involving a non-English speaking person, the cost of providing the interpreter services depends on the party initiating the hearing. If the proceeding is initiated by a governmental agency, the governmental agency bears the cost of providing the interpreter services. If the non-English speaking person initiates the proceeding, the cost of providing interpretive services is borne by the non-English speaking person unless that person is indigent. If the non-English speaking person is indigent, then the government body under the authority of which the legal proceeding is conducted bears the cost of the interpreter services.

HB 1542 modifies the existing law regarding interpretive services for non-English speaking persons by no longer requiring a non-English speaking person who initiates the legal proceeding to pay for interpreter costs if that person is not indigent. In all cases initiated by the non-English speaking person, the government body under whose authority the legal proceeding is conducted bears the cost of interpretive services. By January 1, 2017, the state must reimburse the appointing authority for one-half of the payment to the interpreter. In addition, the appointing authority must track and provide interpreter services cost and usage data, including best practices and innovations, to the Administrative Office of the Courts at least annually in a manner determined by the Administrative Office of the Courts.

The Pollution Control Hearings Board and Shorelines Hearings Board are quasi-judicial agencies located within the Environmental and Land Use Hearing Office. The most likely situation involving interpreters that could impact these boards is an appeal of a penalty by a non-English speaking person. Although there has been an occasional case involving a non-English speaking person (typically the owner of a small business that is out of compliance with an environmental requirement), the Board thinks this may less than once per year. Penalty cases typically last one day, so the PCHB would potentially be responsible for paying for one-half day of interpreter services less than once per year. If for some reason there were more appeals filed by non-English speaking persons, or if the complexity of the hearings were more difficult, costs to the PCHB would rise accordingly.

It is not clear under the legislation whether the Administrator for the Courts will be providing software for the purposes of tracking and providing data. HB 1542 also mentions the use of best practices and innovations, but does not state if there is some training or materials provided in association with the best practices and innovations. For a small agency, increased costs without reimbursement are always a concern.

The Growth Management Hearings Board hears appeals associated with the Growth Management Act, and also hears

any appeals of most local shoreline master programs. There has been little need in the past for interpreter services by the GMHB. Therefore the impacts to the GMHB are also nominal. The concerns expressed by the PCHB regarding tracking and reporting information, and using best practices are also applicable to the GMHB.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1542 HB	Title: Court interpreter services	Agency: 540-Employment Security Department
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Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates,

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Preparation: Candria Rauser	Phone: 360-902-9564	Date: 02/26/2013
Agency Approval: Randi Warick	Phone: 360-902-9423	Date: 02/26/2013
OFM Review: Carl Yanagida	Phone: (360) 902-0553	Date: 02/26/2013

Request # UI - 29-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This legislation requires interpreters to be appointed in legal proceedings involving individuals who do not speak English and removes the requirement that these individuals must pay for their own interpreters in actions not initiated by the government. By January 1, 2017, the state must pay one-half the cost of interpreters appointed by a judicial officer, including those for the hearing impaired.

Section 1 amends RCW 2.43.030 to require a certified, registered interpreter to be appointed whenever a non-English-speaking person is a party, is subpoenaed or summoned, or is otherwise compelled to appear at any stage of a legal proceeding. The non-English-speaking person may not waive their right to an interpreter. A good cause exception to these requirements is added: an interpreter does not need to be appointed when the current list of registered interpreters maintained by the Administrative Office of the Courts does not include someone fluent in the required language.

Section 2 amends RCW 2.43.040 to require the governmental body to pay for the interpreter for a non-English-speaking person. By January 1, 2017, the state must reimburse the appointing authority for half of the interpreter cost, and the appointing authority must provide interpreter cost and usage data to the administrative office of the courts, at least annually.

Section 3 amends RCW 2.42.210 to require the state to reimburse the appointing authority for half of the payment to the interpreter when a qualified interpreter is appointed for a hearing impaired person.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

No Cash Receipts Impact.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

This legislation requires interpreters be appointed in legal proceedings involving non-English-speaking people and that governmental entities pay for the cost of an interpreter even when the legal proceeding is initiated by the non-English-speaking person. This change will have no direct impact on Employment Security, but it could have fiscal impacts on other governmental entities that Employment Security contracts with to conduct legal proceedings involving the testimony of parties, including witnesses, who are not fluent in English.

The administrative appeals of Employment Security Department (ESD) decisions are adjudicated before the Office of Administrative Hearing (OAH). Since OAH already provides interpreter services free of charge, ESD doesn't anticipate

a fiscal impact associated with this legislation.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

No Rule Making Required.

LOCAL GOVERNMENT FISCAL NOTE

Revised

Department of Community, Trade and Economic Development

Bill Number: 1542 HB	Title: Court interpreter services
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities:** For increased costs as a result of increased appointment of interpreters; for reimbursement of half the cost of interpreter services beginning January 1, 2017; for no longer being able to bill non-indigent persons for interpreter services
- Counties:** Same as above
- Special Districts:**
- Specific jurisdictions only:**
- Variance occurs due to:**

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time:

Estimated revenue impacts to:

Jurisdiction	FY 2014	FY 2015	2013-15	2015-17	2017-19
City	(38,776)	(38,776)	(77,552)	545,700	2,415,458
County	(259,503)	(259,503)	(519,006)	183,811	2,292,260
TOTAL \$	(298,279)	(298,279)	(596,558)	729,511	4,707,718
GRAND TOTAL \$					4,840,671

Estimated expenditure impacts to:

Jurisdiction	FY 2014	FY 2015	2013-15	2015-17	2017-19
City	405,866	405,866	811,732	811,732	811,732
County	457,679	457,679	915,358	915,358	915,358
TOTAL \$	863,545	863,545	1,727,090	1,727,090	1,727,090
GRAND TOTAL \$					5,181,270

Part III: Preparation and Approval

Fiscal Note Analyst: Graham Parrington	Phone: 360-725-5033	Date: 03/01/2013
Leg. Committee Contact: Sara Campbell	Phone: 360-786-7119	Date: 02/07/2013
Agency Approval: Darleen Muhly	Phone: (360) 725-5030	Date: 03/01/2013
OFM Review: David Dula	Phone: (360) 902-0547	Date: 03/01/2013

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

This bill would expand payment for interpreter services to include additional legal proceedings where a non-English speaking person is a party, subpoenaed, summoned or otherwise compelled to appear.

SECTIONS THAT WOULD HAVE LOCAL IMPACT:

Section 1 would amend RCW 2.43.030 to require appointment of an interpreter when a non-English speaking person is a party, subpoenaed, summoned or otherwise compelled to appear, and clarify the elements of "good cause" for using a non-certified or non-registered interpreter to include the circumstance that there are no interpreters registered in the language spoken by the non-English speaker.

Section 2 would amend RCW 2.43.040 to conform to the language of Section 1 and require that the cost of providing an interpreter be paid by the governmental body under the authority of which the legal proceeding is conducted. The subsection providing that non-indigent, non-English speakers bear the cost of interpretation in legal proceedings initiated by agencies of government is removed.

Subsection 2(4)(b) would establish that by January 1, 2017, the state must reimburse the appointing authority for one-half the cost of interpreter payments.

Subsection 2(5) would require appointing authorities to track and provide interpreter cost and usage data to the Administrative Office of the Courts (AOC).

Subsection 3(7)(b) would amend RCW 2.42.120 to require the state to reimburse the appointing authority for one-half of the cost of interpreter payments for hearing impaired persons that are witness or party to a court case, or "quasi-judicial proceeding" by January 1, 2017.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

This bill would increase county expenditures by \$457,679 and city expenditures by \$405,866 due to an increased number of civil proceedings in which court interpreters would be required to be appointed to non-English speaking persons, beginning FY 2014.

DISCUSSION:

AOC calculated savings based on the difference between estimated costs for current practice (Method 1 costs of \$5.6 million) and estimated costs under this bill (Method 2 costs of \$6.5 million) resulting in increased statewide local government costs of \$863,545 (\$6,524,276 minus \$5,660,731). AOC estimated current costs using 2012 survey data from approximately 150 of 200 courts, representing 75 percent of the state's population. To estimate costs under the bill, AOC assumed a 33 percent increase from 2011 criminal interpretation costs of \$4.9 million.

AOC court survey data suggests that counties currently bear 53 percent of total interpreter costs, and cities currently bear 47 percent of total interpreter costs. Therefore, expenditures would increase by \$457,679 ($\$863,545 \times 0.53$) for counties and \$405,866 ($\$863,545 \times 0.47$) for cities annually, beginning fiscal year 2014. These figures do not reflect any of the changes in revenues that are associated with this bill.

According to AOC staff and AOC court survey data, a significant portion of courts already appoint interpreters even when not required by current statute. This is reflected in AOC's fiscal note, with Method 1 showing a higher number (\$5.7 million) for total spending on interpreter services than the base number AOC used in Method 2 (\$4.9 million). (This base number only includes cases requiring an interpreter under current statute.)

There may also be some costs to local government related to tracking and reporting interpreter cost and usage data to AOC. Data were not available to predict these costs, but they are assumed to be minor.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

This bill would result in both lost revenue from payments by non-indigent persons requiring interpretation beginning FY 2014 and revenue gain from state reimbursements beginning January 2017. State reimbursements would exceed losses from direct payments, resulting in net revenue increases starting in FY 2017.

For fiscal years 2014 through 2016, this bill would reduce county revenue by \$259,503 and city revenue by \$38,776. Once state reimbursements begin, revenue gains will exceed losses, resulting in net annual revenue increase of \$1,146,130 to counties and \$1,207,729 to cities. FY 2017 net revenue reflects a lower increase (\$443,314 to counties and by \$584,476 to cities) because state reimbursements begin halfway through this fiscal year.

DISCUSSION:

Beginning January 1, 2017, local jurisdictions would be reimbursed through grants for half the total cost of appointing interpreters. Using the higher figure from AOC's Method 2 estimate as a projection of future spending on court interpreters under this bill, local jurisdictions would receive \$3.3 million in grants annually beginning in January 1, 2017. The current \$610,000 in reimbursements from AOC is subtracted to give the estimated increase in revenue. (FY 2017 figures assume only six months increased collections.) Using AOC's survey data, roughly 53 percent of interpreter costs are borne by counties, and 47 percent by cities, including criminal and civil matters.

However, local courts currently recover at least \$298,279 annually from non-indigent people requiring an interpreter, according to AOC court survey data, 87 percent of which is recovered by district and superior courts, and 13 percent by municipal courts. Applying these percentages to the total recovered by local courts yields a \$259,503 ($\$298,279 \times 0.87$) loss of revenue annually for county courts, and a \$38,776 ($\$298,279 \times 0.13$) loss of revenue annually for municipal courts. This amount is subtracted from projected revenues for fiscal years 2014 and beyond. Therefore, net revenue impacts for cities and counties would be:

COUNTIES:

- FY 2014 through FY 2016: $-\$259,503 (\$298,279 \times 0.87)$
- FY 2017: $\$443,314 ((\$3,262,138/2) \times 0.53) - ((\$610,000/2) \times 0.53) - (\$298,279 \times 0.87)$
- FY 2018 and beyond: $\$1,146,130 ((\$3,262,138 \times 0.53) - (\$610,000 \times 0.53) - (\$298,279 \times 0.87))$

CITIES:

- FY 2014 through FY 2016: $-\$38,776 (\$298,279 \times 0.13)$
- FY 2017: $\$584,476 ((\$3,262,138/2) \times 0.47) - ((\$610,000/2) \times 0.47) - (\$298,279 \times 0.13)$
- FY 2018 and beyond: $\$1,207,729 ((\$3,262,138 \times 0.47) - (\$610,000 \times 0.47) - (\$298,279 \times 0.13))$

SOURCES:

Administrative Office of the Courts (AOC) Fiscal Note
AOC
AOC court survey data
Senate Bill Report
Office of Public Defense
Association of Washington Cities
Washington State Court Interpreters and Translators Society
Washington State Association of Counties
House Bill Report for HB 1542
House Judiciary Committee Bill Analysis for HB 1542

HOUSE BILL 1651

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Kagi, Walsh, Freeman, Roberts, Farrell, Zeiger, Goodman, Pollet, Sawyer, Appleton, Bergquist, Hunt, Moscoso, Jinkins, Ryu, and Morrell

Read first time 02/04/13. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to access to juvenile records; amending RCW
2 13.50.050 and 10.97.050; creating new sections; and providing an
3 effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) The primary goal of the Washington state juvenile justice
7 system is the rehabilitation and reintegration of former juvenile
8 offenders. The public has a compelling interest in the rehabilitation
9 of former juvenile offenders and their successful reintegration into
10 society as active, law-abiding, and contributing members of their
11 communities. When juvenile court records are publicly available,
12 former juvenile offenders face a substantial barrier to reintegration,
13 as they are denied housing, employment, and education opportunities on
14 the basis of these records.

15 (2) The Washington state Constitution establishes that the public
16 has the right to an open court system. However, the public's right of
17 access to court records is not absolute and may be limited to protect
18 other interests. The legislature intends that juvenile court

1 proceedings be openly administered but that the records of these
2 proceedings be presumptively closed and not disseminated.

3 (3) Given the rehabilitative goals of the juvenile justice system,
4 the scientifically documented differences between the brain development
5 of juveniles and adults, and the differences between the structure and
6 goals of the juvenile justice system and the adult criminal justice
7 system, the legislature declares that it is the policy of the state of
8 Washington that the interest in juvenile rehabilitation and
9 reintegration constitutes compelling circumstances that outweigh the
10 public interest in continued availability of juvenile court records.

11 **Sec. 2.** RCW 13.50.050 and 2012 c 177 s 2 are each amended to read
12 as follows:

13 (1) This section governs records relating to the commission of
14 juvenile offenses, including records relating to diversions.

15 (2) The official juvenile court file of any alleged or proven
16 juvenile offender shall be ~~((open to public inspection, unless sealed
17 pursuant to subsection (12) of this section))~~ confidential, unless the
18 juvenile has been adjudicated of a serious violent offense, as defined
19 in RCW 9.94A.030, in which case, the official juvenile court file shall
20 be open to the public in its entirety.

21 (3) Access to the confidential official juvenile court file of any
22 alleged or proven juvenile offender shall be limited to the court,
23 prosecuting attorney, the parties and their attorneys, and only as
24 provided in subsection (4) of this section, juvenile justice or care
25 agencies.

26 (4) A juvenile justice or care agency shall have access to the
27 confidential official juvenile court file only when an investigation or
28 case involving the juvenile in question is being pursued by the
29 juvenile justice or care agency or when the juvenile justice or care
30 agency is responsible for supervising the juvenile.

31 (5) Upon application of any interested party, after a hearing with
32 notice to all parties, and for good cause shown, the court may release
33 individual records and reports, or certain information contained
34 therein, to the petitioner, limited to the specific purpose expressly
35 authorized by the court, and upon the court's written finding that:

36 (a) Anyone present when the motion was heard had an opportunity to

1 address the motion to open the juvenile court file to public
2 inspection;

3 (b) The court has weighed the competing privacy interests of the
4 juvenile with the interests identified by petitioners as they apply to
5 the specific court record, with the presumption in favor of
6 confidentiality;

7 (c) The court has determined that a compelling reason exists for
8 such inspection and that the release or disclosure is necessary for the
9 protection of a compelling public or private interest; and

10 (d) The order of the court is no broader in its application or
11 duration than necessary to serve its purpose.

12 ~~((+3))~~ (6) All records ~~((other than))~~ retained or produced, which
13 are not part of the official juvenile court file, are confidential and
14 may be released only as provided in this section, RCW 13.50.010,
15 13.40.215, and 4.24.550.

16 ~~((+4))~~ (7) Except as otherwise provided in this section and RCW
17 13.50.010, records retained or produced by any juvenile justice or care
18 agency may be released to other participants in the juvenile justice or
19 care system only when an investigation or case involving the juvenile
20 in question is being pursued by the other participant or when that
21 other participant is assigned the responsibility for supervising the
22 juvenile.

23 ~~((+5))~~ (8) Except as provided in RCW 4.24.550, information not in
24 an official juvenile court file concerning a juvenile or a juvenile's
25 family may be released to the public only when that information could
26 not reasonably be expected to identify the juvenile or the juvenile's
27 family.

28 ~~((+6))~~ (9) Notwithstanding any other provision of this chapter,
29 the release, to the juvenile or his or her attorney, of law enforcement
30 and prosecuting attorneys' records pertaining to investigation,
31 diversion, and prosecution of juvenile offenses shall be governed by
32 the rules of discovery and other rules of law applicable in adult
33 criminal investigations and prosecutions.

34 ~~((+7))~~ (10) Upon the decision to arrest or the arrest, law
35 enforcement and prosecuting attorneys may cooperate with schools in
36 releasing information to a school pertaining to the investigation,
37 diversion, and prosecution of a juvenile attending the school. Upon
38 the decision to arrest or the arrest, incident reports may be released

1 unless releasing the records would jeopardize the investigation or
2 prosecution or endanger witnesses. If release of incident reports
3 would jeopardize the investigation or prosecution or endanger
4 witnesses, law enforcement and prosecuting attorneys may release
5 information to the maximum extent possible to assist schools in
6 protecting other students, staff, and school property.

7 ~~((+8))~~ (11) The juvenile court and the prosecutor may set up and
8 maintain a central recordkeeping system which may receive information
9 on all alleged juvenile offenders against whom a complaint has been
10 filed pursuant to RCW 13.40.070 whether or not their cases are
11 currently pending before the court. The central recordkeeping system
12 may be computerized. If a complaint has been referred to a diversion
13 unit, the diversion unit shall promptly report to the juvenile court or
14 the prosecuting attorney when the juvenile has agreed to diversion. An
15 offense shall not be reported as criminal history in any central
16 recordkeeping system without notification by the diversion unit of the
17 date on which the offender agreed to diversion.

18 ~~((+9))~~ (12) Upon request of the victim of a crime or the victim's
19 immediate family, the identity of an alleged or proven juvenile
20 offender alleged or found to have committed a crime against the victim
21 and the identity of the alleged or proven juvenile offender's parent,
22 guardian, or custodian and the circumstance of the alleged or proven
23 crime shall be released to the victim of the crime or the victim's
24 immediate family.

25 ~~((+10))~~ (13) Subject to the rules of discovery applicable in adult
26 criminal prosecutions, the juvenile offense records of an adult
27 criminal defendant or witness in an adult criminal proceeding shall be
28 released upon request to prosecution and defense counsel after a charge
29 has actually been filed. The juvenile offense records of any adult
30 convicted of a crime and placed under the supervision of the adult
31 corrections system shall be released upon request to the adult
32 corrections system.

33 ~~((+11))~~ (14) In any case in which an information has been filed
34 pursuant to RCW 13.40.100 or a complaint has been filed with the
35 prosecutor and referred for diversion pursuant to RCW 13.40.070, the
36 person the subject of the information or complaint may file a motion
37 with the court to have the court vacate its order and findings, if any,

1 and, subject to subsection (~~((+23+))~~) (26) of this section, order the
2 sealing of the official juvenile court file, the social file, and
3 records of the court and of any other agency in the case.

4 (~~((+12+))~~) (15)(a) The court shall not grant any motion to seal
5 records for class A offenses made pursuant to subsection (~~((+11+))~~) (14)
6 of this section that is filed on or after July 1, 1997, unless:

7 (i) Since the last date of release from confinement, including
8 full-time residential treatment, if any, or entry of disposition, the
9 person has spent five consecutive years in the community without
10 committing any offense or crime that subsequently results in an
11 adjudication or conviction;

12 (ii) No proceeding is pending against the moving party seeking the
13 conviction of a juvenile offense or a criminal offense;

14 (iii) No proceeding is pending seeking the formation of a diversion
15 agreement with that person;

16 (iv) The person is no longer required to register as a sex offender
17 under RCW 9A.44.130 or has been relieved of the duty to register under
18 RCW 9A.44.143 if the person was convicted of a sex offense;

19 (v) The person has not been convicted of rape in the first degree,
20 rape in the second degree, or indecent liberties that was actually
21 committed with forcible compulsion; and

22 (vi) Full restitution has been paid.

23 (b) The court shall not grant any motion to seal records for class
24 B, C, gross misdemeanor and misdemeanor offenses and diversions made
25 under subsection (~~((+11+))~~) (14) of this section unless:

26 (i) Since the date of last release from confinement, including
27 full-time residential treatment, if any, entry of disposition, or
28 completion of the diversion agreement, the person has spent two
29 consecutive years in the community without being convicted of any
30 offense or crime;

31 (ii) No proceeding is pending against the moving party seeking the
32 conviction of a juvenile offense or a criminal offense;

33 (iii) No proceeding is pending seeking the formation of a diversion
34 agreement with that person;

35 (iv) The person is no longer required to register as a sex offender
36 under RCW 9A.44.130 or has been relieved of the duty to register under
37 RCW 9A.44.143 if the person was convicted of a sex offense; and

38 (v) Full restitution has been paid.

1 (c) Notwithstanding the requirements in (a) or (b) of this
2 subsection, the court shall grant any motion to seal records of any
3 deferred disposition vacated under RCW 13.40.127(9) prior to June 7,
4 2012, if restitution has been paid and the person is eighteen years of
5 age or older at the time of the motion.

6 ~~((+13+))~~ (16) The person making a motion pursuant to subsection
7 ~~((+11+))~~ (14) of this section shall give reasonable notice of the
8 motion to the prosecution and to any person or agency whose files are
9 sought to be sealed.

10 ~~((+14+))~~ (17)(a) If the court grants the motion to seal made
11 pursuant to subsection ~~((+11+))~~ (14) of this section, it shall, subject
12 to subsection ~~((+23+))~~ (26) of this section, order sealed the official
13 juvenile court file, the social file, and other records relating to the
14 case as are named in the order. Thereafter, the proceedings in the
15 case shall be treated as if they never occurred, and the subject of the
16 records may reply accordingly to any inquiry about the events, records
17 of which are sealed. Any agency shall reply to any inquiry concerning
18 confidential or sealed records that records are confidential, and no
19 information can be given about the existence or nonexistence of records
20 concerning an individual.

21 (b) In the event the subject of the juvenile records receives a
22 full and unconditional pardon, the proceedings in the matter upon which
23 the pardon has been granted shall be treated as if they never occurred,
24 and the subject of the records may reply accordingly to any inquiry
25 about the events upon which the pardon was received. Any agency shall
26 reply to any inquiry concerning the records pertaining to the events
27 for which the subject received a pardon that records are confidential,
28 and no information can be given about the existence or nonexistence of
29 records concerning an individual.

30 ~~((+15+))~~ (18) Inspection of the files and records included in the
31 order to seal may thereafter be permitted only by order of the court
32 upon motion made by the person who is the subject of the information or
33 complaint, except as otherwise provided in RCW 13.50.010(8) and
34 subsection ~~((+23+))~~ (26) of this section.

35 ~~((+16+))~~ (19) Any adjudication of a juvenile offense or a crime
36 subsequent to sealing has the effect of nullifying the sealing order.
37 Any charging of an adult felony subsequent to the sealing has the
38 effect of nullifying the sealing order for the purposes of chapter

1 9.94A RCW. The administrative office of the courts shall ensure that
2 the superior court judicial information system provides prosecutors
3 access to information on the existence of sealed juvenile records.

4 ~~((+17))~~ (20)(a)(i) Subject to subsection ~~((+23))~~ (26) of this
5 section, all records maintained by any court or law enforcement agency,
6 including the juvenile court, local law enforcement, the Washington
7 state patrol, and the prosecutor's office, shall be automatically
8 destroyed within ninety days of becoming eligible for destruction.
9 Juvenile records are eligible for destruction when:

10 (A) The person who is the subject of the information or complaint
11 is at least eighteen years of age;

12 (B) His or her criminal history consists entirely of one diversion
13 agreement or counsel and release entered on or after June 12, 2008;

14 (C) Two years have elapsed since completion of the agreement or
15 counsel and release;

16 (D) No proceeding is pending against the person seeking the
17 conviction of a criminal offense; and

18 (E) There is no restitution owing in the case.

19 (ii) No less than quarterly, the administrative office of the
20 courts shall provide a report to the juvenile courts of those
21 individuals whose records may be eligible for destruction. The
22 juvenile court shall verify eligibility and notify the Washington state
23 patrol and the appropriate local law enforcement agency and
24 prosecutor's office of the records to be destroyed. The requirement to
25 destroy records under this subsection is not dependent on a court
26 hearing or the issuance of a court order to destroy records.

27 (iii) The state and local governments and their officers and
28 employees are not liable for civil damages for the failure to destroy
29 records pursuant to this section.

30 (b) All records maintained by any court or law enforcement agency,
31 including the juvenile court, local law enforcement, the Washington
32 state patrol, and the prosecutor's office, shall be automatically
33 destroyed within thirty days of being notified by the governor's office
34 that the subject of those records received a full and unconditional
35 pardon by the governor.

36 (c) A person eighteen years of age or older whose criminal history
37 consists entirely of one diversion agreement or counsel and release
38 entered prior to June 12, 2008, may request that the court order the

1 records in his or her case destroyed. The request shall be granted,
2 subject to subsection ~~((+23+))~~ (26) of this section, if the court finds
3 that two years have elapsed since completion of the agreement or
4 counsel and release.

5 (d) A person twenty-three years of age or older whose criminal
6 history consists of only referrals for diversion may request that the
7 court order the records in those cases destroyed. The request shall be
8 granted, subject to subsection ~~((+23+))~~ (26) of this section, if the
9 court finds that all diversion agreements have been successfully
10 completed and no proceeding is pending against the person seeking the
11 conviction of a criminal offense.

12 ~~((+18+))~~ (21) If the court grants the motion to destroy records
13 made pursuant to subsection ~~((+17+))~~ (20)(c) or (d) of this section, it
14 shall, subject to subsection ~~((+23+))~~ (26) of this section, order the
15 official juvenile court file, the social file, and any other records
16 named in the order to be destroyed.

17 ~~((+19+))~~ (22) The person making the motion pursuant to subsection
18 ~~((+17+))~~ (20)(c) or (d) of this section shall give reasonable notice of
19 the motion to the prosecuting attorney and to any agency whose records
20 are sought to be destroyed.

21 ~~((+20+))~~ (23) Any juvenile to whom the provisions of this section
22 may apply shall be given written notice of his or her rights under this
23 section at the time of his or her disposition hearing or during the
24 diversion process.

25 ~~((+21+))~~ (24) Nothing in this section may be construed to prevent
26 a crime victim or a member of the victim's family from divulging the
27 identity of the alleged or proven juvenile offender or his or her
28 family when necessary in a civil proceeding.

29 ~~((+22+))~~ (25) Any juvenile justice or care agency may, subject to
30 the limitations in subsection ~~((+23+))~~ (26) of this section and (a) and
31 (b) of this subsection, develop procedures for the routine destruction
32 of records relating to juvenile offenses and diversions.

33 (a) Records may be routinely destroyed only when the person the
34 subject of the information or complaint has attained twenty-three years
35 of age or older or pursuant to subsection ~~((+17+))~~ (20)(a) of this
36 section.

37 (b) The court may not routinely destroy the official juvenile court
38 file or recordings or transcripts of any proceedings.

1 (~~(23)~~) (26) Except for subsection (~~(17)~~) (20)(b) of this
2 section, no identifying information held by the Washington state patrol
3 in accordance with chapter 43.43 RCW is subject to destruction or
4 sealing under this section. For the purposes of this subsection,
5 identifying information includes photographs, fingerprints, palmprints,
6 soleprints, toeprints and any other data that identifies a person by
7 physical characteristics, name, birthdate or address, but does not
8 include information regarding criminal activity, arrest, charging,
9 diversion, conviction or other information about a person's treatment
10 by the criminal justice system or about the person's behavior.

11 (~~(24)~~) (27) Information identifying child victims under age
12 eighteen who are victims of sexual assaults by juvenile offenders is
13 confidential and not subject to release to the press or public without
14 the permission of the child victim or the child's legal guardian.
15 Identifying information includes the child victim's name, addresses,
16 location, photographs, and in cases in which the child victim is a
17 relative of the alleged perpetrator, identification of the relationship
18 between the child and the alleged perpetrator. Information identifying
19 a child victim of sexual assault may be released to law enforcement,
20 prosecutors, judges, defense attorneys, or private or governmental
21 agencies that provide services to the child victim of sexual assault.

22 (28) Confidential juvenile offense records maintained by any court,
23 law enforcement agency, or state agency, including the juvenile court,
24 local law enforcement, the Washington state patrol, and the county
25 prosecutor's offices, may not be published, distributed, or sold.

26 (29) Nothing in this section shall affect or prevent the use of a
27 juvenile offender's prior adjudication in later juvenile offender or
28 adult criminal proceedings.

29 **Sec. 3.** RCW 10.97.050 and 2012 c 125 s 2 are each amended to read
30 as follows:

31 (1) Adult conviction records may be disseminated without
32 restriction.

33 (2) No confidential juvenile offense records may be published or
34 distributed.

35 (3) Any criminal history record information which pertains to an
36 incident that occurred within the last twelve months for which a person
37 is currently being processed by the criminal justice system, including

1 the entire period of correctional supervision extending through final
2 discharge from parole, when applicable, may be disseminated without
3 restriction.

4 ~~((+3))~~ (4) Criminal history record information which includes
5 nonconviction data may be disseminated by a criminal justice agency to
6 another criminal justice agency for any purpose associated with the
7 administration of criminal justice, or in connection with the
8 employment of the subject of the record by a criminal justice or
9 juvenile justice agency. A criminal justice agency may respond to any
10 inquiry from another criminal justice agency without any obligation to
11 ascertain the purpose for which the information is to be used by the
12 agency making the inquiry.

13 ~~((+4))~~ (5) Criminal history record information which includes
14 nonconviction data may be disseminated by a criminal justice agency to
15 implement a statute, ordinance, executive order, or a court rule,
16 decision, or order which expressly refers to records of arrest,
17 charges, or allegations of criminal conduct or other nonconviction data
18 and authorizes or directs that it be available or accessible for a
19 specific purpose.

20 ~~((+5))~~ (6) Criminal history record information which includes
21 nonconviction data may be disseminated to individuals and agencies
22 pursuant to a contract with a criminal justice agency to provide
23 services related to the administration of criminal justice. Such
24 contract must specifically authorize access to criminal history record
25 information, but need not specifically state that access to
26 nonconviction data is included. The agreement must limit the use of
27 the criminal history record information to stated purposes and insure
28 the confidentiality and security of the information consistent with
29 state law and any applicable federal statutes and regulations.

30 ~~((+6))~~ (7) Criminal history record information which includes
31 nonconviction data may be disseminated to individuals and agencies for
32 the express purpose of research, evaluative, or statistical activities
33 pursuant to an agreement with a criminal justice agency. Such
34 agreement must authorize the access to nonconviction data, limit the
35 use of that information which identifies specific individuals to
36 research, evaluative, or statistical purposes, and contain provisions
37 giving notice to the person or organization to which the records are
38 disseminated that the use of information obtained therefrom and further

1 dissemination of such information are subject to the provisions of this
2 chapter and applicable federal statutes and regulations, which shall be
3 cited with express reference to the penalties provided for a violation
4 thereof.

5 ~~((+7))~~ (8) Every criminal justice agency that maintains and
6 disseminates criminal history record information must maintain
7 information pertaining to every dissemination of criminal history
8 record information except a dissemination to the effect that the agency
9 has no record concerning an individual. Information pertaining to
10 disseminations shall include:

11 (a) An indication of to whom (agency or person) criminal history
12 record information was disseminated;

13 (b) The date on which the information was disseminated;

14 (c) The individual to whom the information relates; and

15 (d) A brief description of the information disseminated.

16 The information pertaining to dissemination required to be
17 maintained shall be retained for a period of not less than one year.

18 ~~((+8))~~ (9) In addition to the other provisions in this section
19 allowing dissemination of criminal history record information, RCW
20 4.24.550 governs dissemination of information concerning offenders who
21 commit sex offenses as defined by RCW 9.94A.030. Criminal justice
22 agencies, their employees, and officials shall be immune from civil
23 liability for dissemination on criminal history record information
24 concerning sex offenders as provided in RCW 4.24.550.

25 NEW SECTION. **Sec. 4.** (1) Section 2 of this act applies
26 prospectively and retroactively to all existing official juvenile court
27 files of any alleged or proven juvenile offender.

28 (2) Except for juvenile court files that have been sealed pursuant
29 to RCW 13.50.050, any existing official juvenile court file containing
30 an adjudication for a serious violent offense, as defined in RCW
31 9.94A.030, with the adjudication date prior to July 1, 2014, shall,
32 upon July 1, 2014, be public.

33 NEW SECTION. **Sec. 5.** Sections 2 and 3 of this act take effect
34 July 1, 2014.

--- END ---

Multiple Agency Fiscal Note Summary

Bill Number: 1651 HB	Title: Juvenile records access
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Estimated Cash Receipts

Agency Name	2013-15		2015-17		2017-19	
	GF- State	Total	GF- State	Total	GF- State	Total
Administrative Office of the Courts	(39,000)	(39,000)	(39,000)	(39,000)	(39,000)	(39,000)
Total \$	(39,000)	(39,000)	(39,000)	(39,000)	(39,000)	(39,000)

Estimated Expenditures

Agency Name	2013-15			2015-17			2017-19		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	.0	518,400	518,400	.0	0	0	.0	0	0
Washington State Patrol	.1	0	38,400	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Total	0.1	\$518,400	\$556,800	0.0	\$0	\$0	0.0	\$0	\$0

Local Gov. Courts *									
Local Gov. Other **	Non-zero but indeterminate cost. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Impact

NONE

Prepared by: Kate Davis, OFM	Phone: (360) 902-0570	Date Published: Final 2/21/2013
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID 34357

Judicial Impact Fiscal Note

Bill Number: 1651 HB	Title: Juvenile records access	Agency: 055-Admin Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Account	FY 2014	FY 2015	2013-15	2015-17	2017-19
General Fund-State 001-1	(19,500)	(19,500)	(39,000)	(39,000)	(39,000)
Counties					
Cities					
Total \$	(19,500)	(19,500)	(39,000)	(39,000)	(39,000)

Estimated Expenditures from:

STATE	FY 2014	FY 2015	2013-15	2015-17	2017-19
State FTE Staff Years					
Account					
General Fund-State 001-1	518,400		518,400		
State Subtotal \$	518,400		518,400		
COUNTY	FY 2014	FY 2015	2013-15	2015-17	2017-19
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2014	FY 2015	2013-15	2015-17	2017-19
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					
Local Subtotal \$					
Total Estimated Expenditures \$	518,400		518,400		

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Legislative Contact: Linda Merelle	Phone: 360-786-7092	Date: 02/04/2013
Agency Preparation: Charlotte Jensen	Phone: 360-705-5213	Date: 02/07/2013
Agency Approval: Dirk Marler	Phone: 360-705-5211	Date: 02/07/2013
OFM Review: David Dula	Phone: (360) 902-0547	Date: 02/08/2013

Request # Juvenile-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

Section 2(2) requires that the juvenile court file of any alleged or proven juvenile offender shall be confidential, unless the juvenile has been adjudicated of a serious violent offense (RCW 9.94A.030), in which case the juvenile court file is open to the public in its entirety.

Section 2(3) sets out those who have access to confidential juvenile court files of any alleged or proven juvenile offender.

Sections 2(5) and (6) allow an interested party to request release of individual records and reports in a confidential juvenile court file.

II. B - Cash Receipts Impact

It is expected that the Administrative Office of the Court's JIS-Link system will reflect reduced usage since the majority of juvenile offender record information would no longer be disseminated. It is assumed that there are approximately 300,000 transactions for this information annually. The charge assessed for each transaction is \$0.065. Therefore, there would be a potential loss of revenue to the state of approximately \$19,500 annually.

II. C - Expenditures

This bill makes the juvenile offender case filed in superior courts confidential at the time the case is filed. Currently, these files are open to the public, unless there has been an order sealing signed by a judge. At such time as a juvenile is adjudicated of a serious violent offense the case file would need to change from confidential to open.

Judicial Workload Impact

Requests to Seal:

Currently, unless a juvenile's case is resolved with a deferred disposition, the juvenile would need to appear before the court with a request to seal his or her file. These requests require a motion and a hearing before a judicial officer. If cases start out as a confidential file, and do not involve adjudication of a serious violent offense, then there would be no need for a juvenile to bring a motion before the court.

In 2011 there were approximately 2,000 cases that included an order sealing the file signed by a judicial officer. This does not include cases resolved by a deferred disposition, which allows for its own sealing/vacating process. It takes an average of 7 minutes of judicial time to handle each motion to seal. It is not possible to accurately project judicial workload savings. However, if the approximately 2,000 cases that had a hearing to seal in the past no longer needed the sealing hearing, this would result in a judicial workload savings equivalent to .21 judicial officers and associated staff statewide, or estimated costs of \$138,124 (State - \$22,370; County - \$115,754).

Workload Reduction Savings:

These savings can only be realized if the number of judicial officers is reduced together with a corresponding reduction in staff. Based on current staffing levels, budget cuts in most jurisdictions, and the current judicial needs gap according to the objective workload analysis under RCW 2.56.030(11), it is unlikely that actual staffing reductions would occur. Rather, it is more likely that judges and staff would redirect their efforts to provide adequate time and attention to other cases before the court and to reducing caseload backlogs. The number of superior and district court judge positions in each county is established by statute. Positions cannot be eliminated during the term of office.

Based on the Staffing and Judicial Needs Estimates for 2012, there is a disparity between the number of judges in the courts and the estimated need in these courts to handle current judicial workload. The report reflects a need for 25.08 additional municipal court judges, and 59.77 additional superior court judges.

It is estimated that this legislation would reduce, but not eliminate, the gap between judicial needs shown by the objective workload analysis and the number of judges.

Requests to Open Confidential Records:

It is not possible to accurately predict the number release requests that might be made under section 2(5). Part of the difficulty in estimating the impact of this section is that all of the active juvenile offender cases would be confidential. A party would have to have an idea that a juvenile had a pending case. There would be no avenue available to the public to search for these active cases. Even going to the county clerk's office would be problematic because information is not released about confidential files. Therefore, it is assumed that this provision will have minimal impact on judicial workload statewide.

Judicial Information System Modifications

This bill requires comprehensive modifications to the Judicial Information System that will take in excess of 4,320 hours at a one-time cost of \$518,400 in FY 2014.

The attributes for juvenile offender case filing required by this legislation result in a monumental change that impacts every court-related computer application maintained by the Administrative Office of the Courts and many of the reports and data exchanges with other state and federal agencies.

The current applications and the law tables that are used for juvenile offender case filing and case management do not have the robust ability to accommodate exceptions based on adjudication of offenses. Currently, there is no "confidential" status or court user security status that could be applied to the juvenile offender case that would ensure the confidential nature of the case yet allow for docketing entries on the case. This type of new case processing scenario is part of the high cost of implementing this bill.

Making changes to the case management applications will have an impact on how the juvenile offender case information is shared and displayed in other JIS applications. In most of the counties in the state, the juvenile offender case is managed in SCOMIS (Superior Court Case Management System). Information from the juvenile offender case and associated person record are currently shared with and display in many reports, including but not limited to: criminal history records, domestic violence inquiry reports, Name Case Search, Juvenile and Corrections Reporting System (JCS), Court Automated Proceeding System (CAPS) reporting, Judicial Access Browser, Adult Risk Assessment application, various databases, Web reports, Data Warehouse, Public FTP downloads, DOL Firearms notifications, Interstate Compact reports, and WSP disposition reports. Any change to the open status of juvenile offender case record information will have an effect on every related application, report, and databases. As a result, making a change to the case management application to accommodate the confidential/open status for juvenile offender cases is the pebble that starts the ever-expanding ripple effect of changes required to other applications.

The JIS sizing hours above includes a solution to implement the retroactive component of this bill. All completed juvenile offender cases that meet the requirements for confidential status would have to be converted to this status systematically. It would be an almost impossible task to manually convert all eligible completed cases.

One additional consideration not included in the JIS costs here is that this will have an impact on those few jurisdictions that use a local case management system to manage their juvenile offender cases. Modifications to those systems will also be required.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years					
Salaries and Wages					
Employee Benefits					
Professional Service Contracts					
Goods and Other Services	518,400		518,400		
Travel					
Capital Outlays					
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
Total \$	518,400		518,400		

III. B - Expenditure By Object or Purpose (County)

<i>County</i>	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

III. C - Expenditure By Object or Purpose (City)

<i>City</i>	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Bill Number: 1651 HB	Title: Juvenile records access	Agency: 225-Washington State Patrol
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	0.2	0.0	0.1	0.0	0.0
Account					
Fingerprint Identification Account-State 225-1	38,400	0	38,400	0	0
Total \$	38,400	0	38,400	0	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Linda Merelle	Phone: 360-786-7092	Date: 02/04/2013
Agency Preparation: Eileen Nashleanas	Phone: 360-596-4044	Date: 02/12/2013
Agency Approval: Heidi Thomsen	Phone: (360) 596-4046	Date: 02/12/2013
OFM Review: Alyson Cummings	Phone: 360-902-0576	Date: 02/12/2013

Request # 0042-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

House Bill 1651 addresses the confidentiality of certain juvenile court records and prohibits these offense records from being published, distributed, or sold. This bill restricts the dissemination of juvenile conviction data except for serious violent offenses.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

There are no changes to cash receipts resulting from passage of this legislation.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The Washington State Patrol (WSP) will need to make programming changes within its electronic criminal history system (W2) to restrict the dissemination of juvenile conviction data except for serious violent offenses as required by HB 1651. The vendor that currently maintains W2 (SAIC) estimates there will be a one-time programming cost of \$30,000 in FY2014.

WSP's federal indirect cost rate for the 2014-2015 biennium is expected to be 28 percent (pending approval from the Department of Justice). This rate is calculated on all categories of expenditures except capitalized equipment and is to cover support costs associated with this proposed bill. Support costs include items such as computer and telecommunications support, processing payroll and vendor payments, administering contracts, ordering, accounting for and distribution of supplies, and human resource services. These costs are reflected in this fiscal note under the category "Administrative Costs". The estimated administrative costs are equivalent to about 0.15 FTEs of an Office Assistant 3.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	0.2		0.1		
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services	30,000		30,000		
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-Administrative Costs	8,400		8,400		
Total:	\$38,400	\$0	\$38,400	\$0	\$0

III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2014	FY 2015	2013-15	2015-17	2017-19
Office Assistant 3	2,858	0.2		0.1		
Total FTE's	2,858	0.2		0.1		0.0

Part IV: Capital Budget Impact

NONE

This proposed legislation has no impact on the agency's capital budget.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

No new rules would need to be adopted upon passage of the proposed legislation.

Individual State Agency Fiscal Note

Bill Number: 1651 HB	Title: Juvenile records access	Agency: 300-Dept of Social and Health Services
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Part I: Estimates

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Linda Merelle	Phone: 360-786-7092	Date: 02/04/2013
Agency Preparation: Tula Habb	Phone: 360-902-8182	Date: 02/06/2013
Agency Approval: Ken Brown	Phone: 360-902-7583	Date: 02/06/2013
OFM Review: Kate Davis	Phone: (360) 902-0570	Date: 02/06/2013

Request # 13HB1651.1-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 1- The bill intends to protect certain records of juvenile offenders from public access.

Section 2- The public shall not have access to a juvenile's record unless the offense was a serious violent crime or authorized by the court but must follow specific guidelines before releasing it. The court, law enforcement agency, state agency, state patrol, and county's prosecutor's office shall not publish, distribute, or sell juvenile records. However, a juvenile's record can be used in a later juvenile offense or adult criminal proceedings.

Section 3- Adult conviction records maybe disseminated without restriction. No confidential juvenile offense records may be published or distributed.

Section 4- Section 2 of this act applies prospectively and retroactively to all existing official juvenile court files.

Section 5- Sections 2 and 3 of this act take effect July 1, 2014.

This act will not have fiscal costs to the DSHS Juvenile Rehabilitation Administration's public record process.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 1651 HB	Title: Juvenile records access
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Part I: Jurisdiction

Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities:
- Counties: For modifying third-party court case management systems
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to: Most counties do not have third-party case management systems

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: Cost to modify each case management system is unknown

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Indeterminate Impact

Part III: Preparation and Approval

Fiscal Note Analyst: Graham Parrington	Phone: 360-725-5033	Date: 02/21/2013
Leg. Committee Contact: Linda Merelle	Phone: 360-786-7092	Date: 02/04/2013
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 02/21/2013
OFM Review: Kate Davis	Phone: (360) 902-0570	Date: 02/21/2013

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

Section 2 would require that the juvenile court file of any alleged or proven juvenile offender shall be confidential, unless the juvenile has been adjudicated of a serious violent offense (RCW 9.94A.030), in which case the juvenile court file is open to the public in its entirety.

Section 4 would make Section 2 of this act apply prospectively and retroactively to all existing official juvenile court files.

Section 5 would make sections 2 and 3 of this act take effect July 1, 2014.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

If passed, this bill is expected to have indeterminate expenditure impacts for counties with third-party case management systems for modification of those systems. It is not known how many counties have third-party case management systems. Pierce Juvenile Court staff reported that the change to their system would incur minimal costs, but they could not speak to the potential costs for other counties that may use different systems.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

None

SOURCES:

Pierce County Juvenile Court
Washington Association of Sheriffs and Police Chiefs
Washington State Association of Counties
Washington Association of County Officials
Administrative Office of the Courts
Administrative Office of the Courts fiscal note
Washington State Department of Social and Health Services fiscal note
Washington State Association of Counties
Washington State Patrol fiscal note
House Bill Analysis

Tab 6

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration
October 18, 2013**

Charge

The Board for Judicial Administration (BJA) formed the Committee Unification Workgroup under a charter in November 2012 (see Attachment 1). The purpose of the workgroup was to make recommendations to reduce the confusion and duplication of effort associated with the myriad of committees, boards and commissions undertaking work within the judicial branch of the State of Washington. The charge states that the expected product of the workgroup was a proposal for the “consolidation of like-minded committees, task forces, work groups and other entities.” The charge also states that the proposal developed should seek to “retain meaningful input from interested stakeholders” while reducing confusion and “undue burden on judges, clerks, court administrators, court personnel and/or AOC staff.”

History and Context

The BJA has ongoing concerns about the committee structure in the Judicial Branch and how to ensure coordination and effective use of limited resources to address key priorities. The pressures and increasing competition for resources from state and local budgets since the onset of the Great Recession of 2008 gave additional impetus to addressing the use of resources for committee work in 2013. Members of the Washington State Legislature became aware of the workgroup’s charge during the 2013 legislative session and were appreciative of its efforts to increase efficiencies and reduce costs.

The issue of bringing focus to committee work was raised most recently at the BJA retreat held September 21-22, 2012 as one key to improving the effectiveness of the BJA. At the same time, a team of consultants from the National Center for State Courts (NCSC) arrived at the same conclusion after conducting interviews with key judicial branch leaders. As a result, the BJA created the Committee Unification Workgroup in November 2012. At the same time, the BJA chartered the BJA Restructure Work group to look at the governance and committee structure of the BJA itself. The BJA Restructure Workgroup was expected to propose a new set of standing committees for the BJA, so the Committee Unification Workgroup started with the intention of including in its findings and suggestions recommendations to organize some of the work of existing committees under the proposed standing committees. When the BJA Restructure Workgroup’s recommendations were not accepted by the BJA in August 2013, the Committee Unification Workgroup continued its work to meet its charge within the current BJA structure.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

October 18, 2013

Page 2

Membership:

Judge Scott Sparks, Chair
Judge Deborah Fleck (term ended 6/30/2013)
Judge Janet Garrow
Judge Jill Johanson
Judge Linda Krese
Judge Michael Lambo
Justice Susan Owens
Judge James Riehl (term ended 6/30/2013)
Judge Ann Schindler
Judge Kevin Korsmo
Judge Kevin Ringus
Judge Vickie Churchill (term began 7/1/2013)
Judge Judy Jasprica (term began 7/1/2013)
Judge Kim Prochnau (term began 7/1/2013)

Staff:

Jennifer Creighton, AOC Office of Trial Court Services and Judicial Education
Mary Beth Brown, AOC Judicial Planning Specialist

Timeline:

The workgroup convened on December 14, 2013 and met seven times through September 20, 2013. Some members ended their terms on the committee as of July 1, 2013 and were replaced by new members of the BJA as indicated above.

Process and Approach

In the first meeting, the chair, Judge Sparks, led a discussion about how to approach the charge given to the workgroup. The direction set was to group the committees by topic and to arrange meetings around groups of committees that appeared to be aligned by subject matter. Judge Johanson sought a means to sort the committees according to the "best and highest use of resources" and requested that the workgroup use the guidance of the 2010 customer service survey of AOC activities as well as "Maintaining Justice: A Profile of the Administrative Office of the Courts" (2012) that describes the activity of the agency. The workgroup requested that AOC staff contact each chair of the committees and the AOC staff participating in or staffing committees to assess the committee's status, current activities and plans for the near future.

The following were the categories used to group the committees and the number of committees associated with each. Several committees fell into more than one category.

The total number of associations, boards, and commission committees reviewed by the workgroup was 205.

<i>Education</i>	<i>Planning</i>
<i>Technology: Standing Committees (non-project)</i>	<i>Budget/HR</i>
<i>Traffic and Vehicle</i>	<i>Legislation</i>
<i>Problem Solving Courts</i>	<i>Jury Management</i>
<i>Regional courts</i>	<i>Sentencing and Supervision</i>
<i>Rural Courts</i>	<i>Court Security</i>
<i>Miscellaneous (Water workgroup, Byrne JAG)</i>	<i>Court Rules</i>
<i>Best Practices</i>	<i>Ethics</i>
<i>Research</i>	<i>Guardians/Elder Abuse</i>
<i>Court Management Council</i>	<i>Juvenile Justice</i>
<i>Court Records</i>	<i>Child Welfare</i>
<i>Public Trust and Confidence</i>	<i>Court Access</i>
<i>Technology</i>	<i>ATJ</i>
<i>JISC Committees</i>	<i>Court Facilitators</i>
<i>Other Technology Committees</i>	<i>Interpreter Commission</i>
<i>BJA Committees</i>	<i>Diversity</i>
	<i>Minority and Justice Commission</i>
	<i>Gender and Justice Commission</i>

The list of committees was generated in 2012 when AOC requested that any staff person with responsibilities for a committee provide information on that committee, the purpose, activities, staffing commitment, and membership. Part of the process involved making corrections to the list based on current information, as the committee structure for some of the commissions, boards and associations have been changed to adapt to current priorities. The original list was organized alphabetically by the parent association, board, or commission.

Recommendations regarding individual committees

At each meeting, AOC staff presented AOC's review and recommendations regarding groups of committees, boards and commissions addressing related issues. The approach presumed that the committees addressing like subject matter might be candidates for consolidation or collaboration. The workgroup reviewed recommendations related to each individual committee. The workgroup's decisions can be found in Attachment 2 of this report.

The organization of the list of recommendations in Attachment 2 reflects the sensitivity the workgroup had to seek consultation from the governing bodies that had created any of the groups reviewed during this process. Each recommendation is only that; a recommendation based on the information available to the workgroup. The majority of the committees reviewed were created by the BJA, the Supreme Court, one of the

associations, an organization outside the Judicial Branch or by AOC and the recommendations are listed according to these categories. Those with the authority to create or terminate the committees are encouraged to review their own committees and take into account how their work aligns with others addressing similar issues within the branch. Active and voluntary networking throughout the branch among those working on similar issues will be necessary to support continued focus of committee work on the judicial branch's highest priorities.

Board for Judicial Administration Committees

The individual recommendations for the BJA and its committees and workgroups are listed beginning on page 1 of Attachment 2 – Recommendation on Committees. In addition to the individual committee recommendations, the workgroup recommends that the BJA reconsider the portion of the restructure proposal related to the establishment of four standing committees.

In addition to the Policy, Legislative and Budget Committees, the workgroup recommends the BJA institute a standing Education Committee. The workgroup further recommends that other subcommittees and workgroups addressing related issues are organized under the major standing committees to facilitate information sharing, coordination and effective decision making. Committees and workgroups that can be organized under a standing committee are noted in the “Recommendation” column of Attachment 2. This would ensure that programs are coordinated with and available to all committees active within the judicial branch.

Supreme Court Boards, Commissions and Committees

The Supreme Court, either by court rule or court order, has created the boards and commissions listed in section 2 of Attachment 2 – Recommendation on Committees. The workgroup asks that the BJA submit these recommendations to the Supreme Court so that the Supreme Court might consider them and provide appropriate direction to the boards and commissions under its auspices.

Association Committees, Subcommittees and Workgroups

Similarly, the workgroup acknowledges the independence of the various associations active in the judicial branch and their power to create, maintain, and terminate committees, subcommittees, and workgroups. The workgroup asks that the BJA submit the recommendations for consideration to each appropriate association so that they might consider them and how best to coordinate their work with others within the Judicial Branch. In most cases, the workgroup has chosen to make “no

recommendation,” deferring instead to the relevant association to consider the need to sunset, reconstitute, or refocus a given committee.

External associations with recommendations for AOC participation

The fourth set of committees is governed by organizations outside of the judicial branch. They may be convened by executive branch agencies, such as the Department of Licensing, the Office of the Chief Information Officer, or the Department of Social and Health Services. Some workgroups are convened by the Legislature or by private non-profits or a federal agency. What they have in common is that they require support or participation by AOC staff. The workgroup’s recommendations are meant to support the State Court Administrator in allocating staff resources as wisely as possible, with full recognition that participation in many is obligatory and cannot be withdrawn.

AOC Committees

The last set of committees in Attachment 2 – Recommendation on Committees lists those created by AOC itself to meet its obligations and to advance its work. The workgroup asks that the BJA communicate these recommendations to the State Court Administrator and communicate its willingness to offer assistance where needed to address needs to balance demands on AOC staff in supporting the extensive committee structure.

Recommendations regarding judicial branch committee structure and management

In addition to considering each committee on a case by case basis, the workgroup has examined the general state of committees in the judicial branch and arrived at additional recommendations to the BJA to better manage committees, resources allocated to them and the communication between the BJA and other boards, commissions and associations regarding the work and activities of the committees created under their authority.

Throughout the process of reviewing the judicial branch committees, as well as others external to the branch, the workgroup grappled with recurring issues that constrained the scope of their authority and ability to streamline the judicial branch’s committee structure. The workgroup deferred to the associations, commissions and other boards to largely manage their own committee structure. The workgroup also hesitated to direct AOC resources while at the same time understanding the strain on AOC to adequately and effectively support all committee work. The question of how the various boards, commissions, and associations would align with one another and keep one another informed of policy initiatives led to thoughtful yet inconclusive conversations.

The learning process yielded the following operating assumptions that guided the workgroup's decisions and led to the general recommendations beginning on page 6.

Operating Assumption #1: BJA and its role with other boards, associations, and commissions

The Board for Judicial Administration is only one of many authorizing entities that may create, maintain and terminate committees in the judicial branch. The authority to create boards, committees, and commissions is derived from statute (e.g., the associations) or from Supreme Court order or rule (e.g., the boards and commissions). With the exception of BJA's own committees, the BJA Committee Unification Workgroup is putting forward recommendations rather than directives for the consideration by other boards, associations, and commissions within the judicial branch.

Operating Assumption #2: AOC staff resources

While the BJA currently does not direct the activities of AOC or the duties assigned to its staff, AOC allocates staff resources to committees on a case by case basis, whether the requests come from associations, commissions, boards, collaborating state agencies or other judicial partners and stakeholders. The workgroup acknowledges the strain on AOC staff to balance competing needs for committee support with limited resources.

Operating Assumption #3: Communications across committees

Policy issues and decisions are being considered throughout the various committees in the judicial branch on a regular basis. The communication channels and reporting relationships between the various boards, commissions, and associations are largely ad hoc and informal.

The BJA has a role to guide policy in the judicial branch of the State of Washington and as such has a concern with the global picture of policy related work being conducted throughout the complex and dynamic committee structure. The BJA's role in a decentralized system is to act as a coordinating body that facilitates communication and interaction across and between all levels of court, commissions, boards, and other entities addressing matters of policy concern to the Washington courts.

Recommendation #1

The workgroup recommends that every BJA authorized entity review and assess its current committee structure and align its committees with the proposed standard for creating, managing, and reviewing committees. The intent is to separate ongoing

committees, focused on internal issues, from those that are policy focused, project oriented or of a defined scope that would be candidates for alignment with others throughout the judicial branch.

All committees would adopt a charter containing the following information:

- Committee title
- Authorization (court rule, court order, by-law, statute or other)
- Charge or purpose
- AOC staff support requested
- Policy area
- Other branch committees addressing the same topic
- Other branch committees to partner with
- Committee type: standing, subcommittee, workgroup
- Membership
- Term limit
- Duration/review date
- Budget
- Reporting requirements (i.e., quarterly to the BJA, the authorizing organization and/or other entities addressing same topic)
- Expected deliverables or recommendations

Create and adopt a standard for committees that would include an agreement on the following items:

- Committee types
- Committee duration limit to two years unless specifically extended after review
- Commitment to periodic review, including a reporting requirement on activities, decisions, and initiatives
- Formal request for AOC staff support and resources

Recommendation #2

The workgroup recommends BJA send a letter containing the Committee Unification Workgroup's recommendations to the following courts and associations that have the authority to create, maintain, and terminate committees:

- Supreme Court
- Court of Appeals
- Superior Court Judges Association
- District and Municipal Judges Association
- Washington Association of Juvenile Court Administrators
- Washington Association of Superior Court Administrators
- District and Municipal Court Managers Association
- Washington State Association of County Clerks

- The State Court Administrator

The letter would include Recommendation #1 above to standardize committee management as well as the relevant recommendations for each recipient from Attachment 2.

The Supreme Court, the Court of Appeals and the associations would be asked to communicate with the boards, commissions, and committees under their jurisdiction to consider the workgroup's recommendations and to voluntarily commit to implementing the proposed chartering and committee standard in their own committee structure.

Recommendation #3

BJA ask AOC to develop a proposal to support tracking ongoing committee work within the judicial branch that supports collaboration and interaction through web-based tools.

An interactive tracking database of all judicial branch committees could be designed to support reporting requirements to the BJA, track AOC staffing requests, and facilitate information sharing across the judicial branch. A web-based tool could be a repository of all the active committees requiring AOC staffing or support.

Should such a tool be built by AOC, the workgroup recommends that BJA endorse the reporting and data entry requirements for all committees throughout the judicial branch. Each committee could be asked to keep its own contact information, membership and ongoing activities current in this tracking system. The information could be accessible to the members of other committees to facilitate coordination and networking among those engaged in similar or related topics and to support voluntary coordination in a vibrant and active decentralized committee structure.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

Attachment 1 – BJA Committee Unification Workgroup Charter



**Board for Judicial Administration
BJA Committee Unification Workgroup Charter**

Charge:

The existence of multiple boards, commissions, task forces, work groups, subcommittees, and other entities all working on the same or similar issues has created confusion, duplication of efforts, occasional work at cross-purposes, and strain on judge, clerk, court administrator and AOC staff time.

In an effort to reduce duplication and increase efficiency by strategically using officials' time in select workgroups, the BJA Committee Unification Workgroup (Workgroup) is created. The Workgroup shall function as an *ad hoc* workgroup of the Board for Judicial Administration (BJA) created to develop a proposal for the consolidation of like-minded committees, task forces, work groups or other entities.

The Workgroup should review the list of existing boards, commission, task forces, work groups, subcommittees, and other entities as outlined in the Program Review Draft submitted to the BJA in October 2012, as well as any others that they may be aware of.

The Workgroup should consider whether any such like-minded groups could be combined in a manner that retains meaningful input from interested stakeholders but reduces duplication of efforts and unnecessary confusion as well as undue burden on judges, clerks, court administrators, court personnel, and/or AOC staff.

Recommendations to the BJA should include whether any groups can be combined as outlined above; whether the combined groups should exist under the auspices of the BJA or another entity; and/or whether the work of the group has been completed and the group should be discontinued.

Workgroup Operating Period: November 2012 – February 2013

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

Attachment 1 – BJA Committee Unification Workgroup Charter

Meeting Schedule and Objectives:

Meeting Date	Location	Objectives
November 2012	SeaTac	<ul style="list-style-type: none">• Initial discussion• Development of meeting schedule
November 2012 – February 2013	SeaTac	<ul style="list-style-type: none">• Development of proposed changes
February 2013	SeaTac	<ul style="list-style-type: none">• Presentation of proposed changes to full BJA

Membership:

Judge Deborah Fleck	King County Superior Court
Judge Janet Garrow	King County District Court
Judge Jill Johansen	Court of Appeals, Division II
Judge Kevin Korsmo	Court of Appeals, Division I
Judge Linda Krese	Snohomish County Superior Court
Judge Michael Lambo	Kirkland Municipal Court
Justice Susan Owens	Supreme Court
Judge Kevin Ringus	Fife Municipal Court
Judge Ann Schindler	Court of Appeals Division I
Judge Scott Sparks	Kittitas County Superior Court
DMCJA representative	

AOC Staff: Jennifer Creighton, Court Services
Mary Beth Brown, Policy and Planning

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 1**

BJA COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
14	Board for Judicial Administration (BJA)	Supreme Court Rule BJAR 1 January 25,2000	The Board for Judicial Administration (BJA) is charged with providing effective leadership to the state courts & to develop policy to enhance the administration of the court system in Washington State. Judges serving on the BJA shall pursue the best interests of the judiciary at large.	Retain with changes. Institute four standing committees: 1. Legislative 2. Policy and planning 3. Budget 4. Education
14a	BJA Best Practices Committee	Supreme Court Rule BJAR 3 January 25,2000	2001: To define the core mission of the courts & recommend ways for courts to improve the administration of justice for the citizens of Washington. 2003: Focus turned to framework for performance audits. 2004: Propose General rule (GR32) & performance audit policy adopted by Supreme Court. Development of performance audits began with ACS project.	BJA review the committee as to the name of the committee, the charter the deliverables created, and what to do with those deliverables. Expedite the work and then sunset.
14b	BJA Trial Court Operations Funding Committee	Supreme Court	To develop specific funding proposals & implementation plans for trial court operations, in accordance with the Supreme Court budget development process, for recommendation to the BJA. Also to collect statistical & other data & make reports relating to the expenditure of public monies, state & local for the maintenance & operation of the judicial system & the offices connected therewith.	BJA acknowledge the ad hoc nature of this group and examine how the work can be accomplished under a standing BJA budget committee. Recommend that group work more closely with association budget committees.
14c	BJA Legislative/ Executive Committee	Supreme Court BJAR 3 January 25,2000	The role of the Leg/Exec Committee is to discuss & decide upon legislative issues that affect the judiciary, including developing legislation to be submitted to the legislature as BJA request legislation. Legislation may be referred to the Leg/Exec Committee for review by the trial court associations or others.	This committee could be subsumed by the new BJA standing legislative committee. As well as reviewing and proposing legislation that affects the judiciary, it should also play a role in coordinating the efforts of all leg committees.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 2**

BJA COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
14d	BJA Long Range Planning and Funding Committee	Supreme Court BJAR 3 January 25,2000	To sponsor a long range planning process for the funding of the courts, taking into account unfunded state mandates, initiatives and changes to the way federal, state and local funds are distributed.	BJA rules require establishment of a long range plan and a funding strategy consistent with that plan (BJAR 4). BJA to discuss if this committee will add policy to its charter.
14e	BJA Public Trust and Confidence Committee	Supreme Court	To achieve the highest level of public trust in the judicial system by assessing & re-assessing public opinion, concern & level of trust in the judicial system while developing strategies to address them. Making recommendations to the BJA regarding the need for legislative changes, or changes to court rules & procedures including those that reduce court complexity, cost, & delay while ensuring that the courts demographically reflect the communities they serve. Identifying existing activities throughout the state aimed at achieving trust & confidence in the courts, while coordinating with the Council on Public Legal Education, Access to Justice Board, & other entities working to improve the system.	Retain with no changes. The Chair is supportive of aligning this committee with an Education Standing Committee, should that be approved.
14f	Regional Courts Oversight Committee	Supreme Court	To provide oversight to NCSC study of Washington municipal courts.	Work completed. Sunset
14g	BJA Filing Fee Workgroup	Supreme Court	The Filing Fee Workgroup is created as an ad hoc workgroup of the Board for Judicial Administration (BJA) to review the existing fee structure for civil cases in Washington State courts & other jurisdictions & to make recommendations to the BJA regarding whether changes should be made to the current structure.	Sunset and allow restructured BJA to reconvene if need still exists.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 3**

BJA COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
14h	Problem Solving Courts Work Group	Supreme Court	Determine whether the establishment of problem solving courts in statute is necessary & advisable. If it is advisable to establish problem solving courts in statute, determine whether it is preferable to have a separate statute for each type of problem solving court or to have a single statutory frame work under which courts may establish different types of problem solving courts.	Work completed. Sunset.
14i	BJA - GR34 work group (see 14b)	Supreme Court	Determine judicial education opportunities around the implementation of GR 34.	Work suspended. Sunset.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 4**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
1	Access to Justice	Supreme Court Order No. 25700-B-524, March 8, 2012	The Access to Justice (ATJ) Board was established by the Washington State Supreme Court in 1994 at the request of the Washington State Bar Association Board of Governors in response to a growing need to coordinate the access to justice efforts in Washington State to provide continuity and focus.	External committee, no recommendation.
1a	ATJ Technology Committee	Supreme Court	To increase and improve access to the justice system by promoting efficient interagency technology needs assessment, planning, collaboration, and evaluation.	External committee, no recommendation.
1b	ATJ Justice without Barriers Committee, Technology Subcommittee	Supreme Court	Promoting efficient inter-agency technology needs assessment, planning, collaboration & evaluation technology planning & systems for ATJ member organizations	External committee, no recommendation.
1c	ATJ Justice without Barriers Committee	Supreme Court	Ensure a fully inclusive justice system by identifying & removing impediments to accessing & using the justice system, including physical, language, & communication barriers, & other barriers resulting from ineffectual & unworkable rules, complex procedures, disparate treatment, & any other obstacles that may serve as impediments to achieving equal & meaningful access to justice.	External committee, no recommendation.
1d	ATJ Justice without Barriers Committee, Disability Subcommittee	Supreme Court	Ensure Disability Access: This sub-committee has just revised the Committee’s publication Ensuring Equal Access for People with Disabilities: A Guide for Washington Courts (updated 2011).	External committee, no recommendation.
1e	ATJ Justice without Barriers Committee, Pro Se Project Committee	Supreme Court	To strengthen the services for pro se individuals as identified in the “Washington State Plan for Integrated Pro Se Services”	External committee, no recommendation.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 5**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
1f	ATJ Justice without Barriers Committee, Pro Se Project Committee, Rally Support Workgroup	Supreme Court	To promote awareness of & support for plain language forms.	External committee, no recommendation.
1g	ATJ Justice without Barriers Committee, Pro Se Project Committee, Plain Language Rally Support Workgroup	Supreme Court	To promote awareness of & support for plain language forms.	External committee, no recommendation.
1h	ATJ Plain Language Review –Green Group	Supreme Court	Review draft plain language domestic relations forms.	External committee, no recommendation.
1j	ATJ Plain Language Review Executive Committee	Supreme Court	Originally: to review plain language forms for legal sufficiency & wording after Transcend, Inc. performed the initial conversion of a Domestic Relations form into plain language. In March, 2012, three workgroups were formed to review forms & the executive committee shifted its role to policy, consistency between the three workgroups, & final decisions on language.	External committee, no recommendation.
1k	ATJ Plain Language Testing Group	Supreme Court	Test plain language forms	External committee, no recommendation.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

Attachment 2 – Recommendations on Committees

Page 6

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
11	ATJ Justice without Barriers Committee Pro Se Project Executive Committee	Supreme Court	Oversee Pro Se Project work. Convert family law mandatory pattern forms into plain English, write law review article about plain language forms.	External committee, no recommendation.
1m	ATJ Justice without Barriers Committee, Courthouse Facilitator Program Expansion Workgroup	Supreme Court	To establish guidelines for expansion of program to new areas of law, adopt uniform guidelines, development & empirical evaluation of best practices, & to secure adequate & stable funding for all CF programs	External committee, no recommendation.
12	Bench-Bar-Press Committee	Supreme Court 1963	The Bench-Bar-Press Committee of Washington (BBP) was formed in 1963 to foster better understanding & working relationships between judges, lawyers, & journalists who cover legal issues & courtroom stories. The mission of the Committee is to seek to accommodate, as much as possible, the tensions between the constitutional values of "free press" & "fair trial" through educational events & relationship building.	Retain with no changes.
13	Board for Court Education (BCE)	Supreme Court Order No.200, June 26, 1984. No. 25700-B-330, May 5, 1997	The purpose of the Board for Court Education (BCE) is to improve the quality of justice in Washington by fostering excellence in the courts through effective education. The BCE plans, implements, coordinates, & approves BCE financed education & training of court personnel throughout the state, promotes desirable minimum education & curriculum standards for court judicial & non-judicial personnel & oversees the annual Washington State Judicial College.	Sunset the current committee & re-establish the required functions under a fourth standing subcommittee of the restructured BJA.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 7**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
13a	Board Sponsored Education Programs Ad Hoc Committee (BCE)	Supreme Court	Responsible for BCE programs but do not have an association to prepare & execute them.	Review the functions of this committee and request new standing committee to re-establish if still required.
13b	Budget Standing Committee (BCE)	Supreme Court	Prepares biennial budget. Periodically adjust the fiscal year budgets.	Recommend AOC include BCE in budget development process.
13c	Bylaws Ad Hoc Committee (BCE)	Supreme Court	Responsible for periodically reviewing & updating the BCE bylaws.	Review the functions of this committee and request new standing committee to re-establish if still required.
13d	Curriculum Ad Hoc Committee (BCE)	Supreme Court	Serves to collect & preserve curricula submitted by associations, to establish policy & standards for periodic review & update of curricula. Add will be taking on the additional role of keeping the Board informed on all eCCL projects & also review Inside Courts & determine how best to increase the use of the resources by the judicial branch & determine the need to establish a resource library.	This committee doesn't actually exist yet, so no recommendation.
13e	Judicial College Trustees - Advisory Committee (BCE)	Supreme Court	Creates governing policy for the College, establishes standards for programs & faculty, selects Deans, and serves as liaison between the College & other outside agencies. Add - Goals for 2010-2011 are to continue to expand the education of new judicial officers beyond the college. Currently have a SJI grant to develop a Search & Seizure program to be conducted after the 2011 college. Second goal is to coordinate curriculums with BCE & associations.	Sunset & assign remaining required functions to the standing subcommittee recommended above.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 8**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
13f	Judicial College (BCE)	Supreme Court	To provide all judicial officers with the highest quality of education possible to meet their needs for the essential knowledge, skills, & abilities in their professional role.	The deans will continue to work with AOC's judicial education staff to provide programs at the annual Judicial College.
13g	Mandatory Continued Judicial Education (MCJE) Advisory Committee	Supreme Court	Administers General Rule (GR) 26. Establishes & maintains operating procedures consistent with this rule.	Tracking of CJE credits will continue to be done by AOC staff. Sunset the committee now that GR26 is well-established.
13h	Nomination Standing Committee (BCE)	Supreme Court	Nominates new officers for election.	This is not a committee that meets, except by phone as needed, so no recommendation.
13i	Presiding Judges' Education Advisory Committee (BCE)	Supreme Court	Develops programs that provide education for presiding judges & court managers focusing on the development of leadership skills.	No changes.
13j	Research and Development Ad Hoc Committee (BCE)	Supreme Court	Focus on new technologies that can be utilized as a new education delivery mechanism.	Review the functions of this committee and request new standing committee to re-establish if still required.
13K	Faculty Development Program (BCE)	Supreme Court	Responsible for developing and teaching the yearly faculty development program for new Judicial faculty, and others as interested.	Not a committee (AOC staff activity) so not reviewed.
13l	Institute for New Court Employees (BCE)	Supreme Court	Plan and implement yearly INCE conference.	Not a committee (AOC staff activity) so not reviewed.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 9**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
17	Certified Professional Guardian Board (CPGB)	Supreme Court Rule GR 23 September 1, 2010	The Certified Professional Guardian Board certifies & regulates the practice of professional guardianship.	Retain with no changes.
17a	Applications/Certification Committee (CPGB)	Supreme Court	Reviews applications for certification & recommends approval or denial.	Retain with no changes.
17b	CPGB - Education	Supreme Court	Reviews staff approval or denial of continuing education courses.	No changes.
17c	Regulations Committee (CPGB)	Supreme Court	Coordinates drafting of regulations.	Retain with no changes.
17d	Standards of Practice Committee (CPGB)	Supreme Court	Supervise the grievance process. Research and draft standards of practice.	Retain with no changes.
22	Commission on Children in Foster Care (CCFC)	Supreme Court Order No. 25700-B-468 February 1,2007	To provide all children in foster care with safe, permanent families in which their physical, emotional, intellectual, & social needs are met.	Recommend review of Commission's committees.
22a	Best Practices Committee, CCFC	Supreme Court	Develop best practices recommendations for handling dependency cases in Washington. Create compendium of court best practices in dependency and termination cases.	No recommendation.
28	Court Management Council (CMC)	Supreme Court Order No. 25700-B-217	The Court Management Council shall serve as a statewide forum for enhancing the administration of the courts. Included in, but not limited to, that responsibility is: 1) establishing, by unanimous vote, a position on legislation affecting the overall administration of the courts; 2) providing, by majority vote, direction to the Administrative Office of the Courts on other matters affecting the administration of the courts; 3) fostering communication among the various entities providing court administration.	Retain functions; refer to CMC and BJA for reconstitution and review of the court order.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 10**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
28a	CMC & JIS Committee's Records Management Advisory Committee (RMAC)	Supreme Court	The objective of RMAC is to identify, study, & make recommendations regarding the records of the court & their management. This committee reports to the Court Management Council. No set terms for members. Solely serve by appointment from WSACC.	Sunset immediately.
28b	Court Transcriptionist Subcommittee (CMC)	Supreme Court	Courts have had some frustration over getting timely verbatim reports & proceedings from transcriptionists. Appellate court staff have no control over the selection of transcriptionists. Although the Rules of Appellate Procedure (RAP) specify that transcripts are to be done by court reporters, video transcribers or authorized persons, there is no definition of "authorized person," how they become authorized, or how to deal with problems.	Work continues to recommend changes to Court Rules and RCWs. Retain in its current form.
30	Accounting Workgroup (JISC)	Supreme Court	Deliver accounting reports & queries to superior courts & CLJ	No change
34	Ethics Advisory Committee	Supreme Court GR 10 May 25, 1984	Render formal ethics opinions; recommend changes to the CJC & respond to telephone calls & emails with ethics issues. Candidate forums in even years	Retain with no changes.
38	Gender and Justice Commission (GJCOM)	Supreme Court Order No. 25700-B-505, March 15, 2010	The mission of the Gender & Justice Commission is to promote gender equality in the system of law & justice through working collaboratively on gender issues with courts, the legal profession, law enforcement, the educational community, & the public at large. The Commission offers educational programs & consultancy services as a means of reducing gender bias in court practices. In addition, the Commission serves as the liaison between courts & other organizations in working on joint projects & problem solving on areas of mutual interest.	Recommend review of Commission's committees.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 11**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
38a	GJCOM Domestic Violence Committee	Supreme Court	To work on issues surrounding domestic violence and sexual assault. STOP Grants.	Recommend review of Commission's committees.
38b	GJCOM Law & Practice/ Legal Equality (formerly Gender Equality)	Supreme Court	To work on projects promoting legal equality in the system & within the genders.	Recommend review of Commission's committees.
38c	GJCOM Immigration	Supreme Court	Look at issues around gender & immigration	Recommend review of Commission's committees.
38d	GJCOM Incarcerated Women & Girls	Supreme Court	Look at issues around incarcerated women & girls.	Recommend review of Commission's committees.
38e	GJCOM Publications	Supreme Court	To focus on projects & areas that enhances communication & outreach such as annual report, website, & Commission materials.	Recommend review of Commission's committees.
38g	Gender & Justice Commission Education Committee	Supreme Court	To develop education programs to address issues of gender bias, domestic violence, sexual assault and other gender based issues that affect a person's access to justice.	GJComm Education Committee & MJComm Education Committee will collaborate through their newly formed collaboration subcommittee which consists of members from each commission.
38h	GJComm IDGC	Supreme Court	Work with GJCOM & MJCOM and IDGC to explore racial and ethnic diversity in the legal profession.	Recommend review of Commission's committees.
38i	GJComm Legislative	Supreme Court	Provide information to GJCOM, track legislation, and provide GJCOM's view (not opinion) of the legislation.	Recommend review of Commission's committees.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 12**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
38j	GJComm Tribal State Consortium	Supreme Court	Create and maintain a forum for discussion of inter-jurisdictional issues between tribal and state courts. Topics addressed are domestic violence and sexual assault issues, dependency cases involving Indian children, and the disproportionate number of Indian youth in the juvenile justice system.	Recommend review of Commission's committees.
38k	GJComm/MJC omm School Pipeline Project	Supreme Court	If awarded grant funds will become available late fall 2013. This is a joint venture with MJCOM. The venture is to build a network of stakeholders who offer pre-college youth diversity pipeline programs and coordinate efforts in Washington.	Recommend review of Commission's committees.
39	GR 27 Advisory Committee (courthouse facilitators)	Supreme Court	Establish minimum qualifications & administer a curriculum of initial & ongoing training requirements for courthouse facilitators.	Retain with no changes.
43	Interpreter Commission	Supreme Court GR 11.1 September 1, 2005	The Interpreter Commission oversees the standards for the credentialing of court interpreters, & provides leadership in the judicial branch on language access issues	Retain with no changes.
43a	Interpreter Commission's Disciplinary Committee	Supreme Court	The Disciplinary Committee has the authority to decertify & deny certification of interpreters based on (a) violations of continuing education/court hour requirements, (b) failure to comply with Interpreter Code of Conduct; or (3) violations of law that may interfere with their duties as a certified court interpreter.	Retain with no changes.
43b	Interpreter Commission's Education Committee	Supreme Court	The Judicial & Court Administration Education Committee shall provide ongoing opportunities for training & resources to judicial officers & court administrators related to court interpretation improvement.	No changes.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 13**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
43c	Interpreter Commission's Issues Committee	Supreme Court	The Issues Committee is assigned issues, complaints, and/or requests from interpreters for review & response. If the situation cannot be resolved at the Issues Committee level, the matter will be submitted by written referral to the Disciplinary Committee.	Retain with no changes.
45	Judicial Information System Committee	Supreme Court JISCR 1 May 15, 1976 RCW 2.68.010	JISCR 1 To provide oversight for the Judicial Information System	No change
45a	Data Management Steering Committee	Supreme Court	A sub-committee of the JISC that was created to provide governance & help manage data-centric issues & projects that relate to the JIS.	Retain under revised charter.
45b	JIS Codes Committee -- Duplicative of item 2b	Supreme Court	Adopt four criteria as necessary guidelines for approving new codes: (a) the code is necessary to collect data that is justified by a significant business need, (b) the code will be usable statewide, (c) the code does not duplicate the business intent of any existing code, & (d) the code does not conflict with state statute or rule authority. Review new code requests & if approved, prioritize them with any previous outstanding codes requests queued for development. Review existing code usage to determine where unused or unnecessary codes can be end-dated, as time allows, & apply the above guidelines to all new code requests.	Retain, but formalize staffing with a business analyst within the ISD of AOC.
45c	JISC Executive Committee	Supreme Court	Acts on behalf of the JISC between regular meetings.	No change
45d	JISC Data Dissemination Committee	Supreme Court	Act on behalf of the JISC to address issues with respect to access to information in the Judicial Information System (JIS) & dissemination of information from JIS.	Retain with no changes

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 14**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
45e	SC-CMS Project Steering Committee	Supreme Court	The leadership body to manage & provide governance to the Superior Court Case Management System Project & make recommendations to the JISC on behalf of the project.	No change
45f	SC-CMS Court User Work Group	Supreme Court	Provide essential subject matter expertise to enable the successful deployment of the Superior Court Case Management System.	No change
45g	Supreme Court IT Governance Endorsing Group	Supreme Court	Consider IT Governance requests for endorsement	No change
45h	Appellate Court Electronic Content Management System (EDMS) Project Steering Committee	Supreme Court	Provides executive sponsorship for the AC-ECMS project	No change
45i	Appellate Court AC-EDMS Executive Steering Committee	Supreme Court	Provides executive sponsorship for the AC-ECMS project	No change
45j	AC-EDMS Project Stakeholder	Supreme Court	Review & help prepare project documentation for Executive Steering Committee review	No change
45k	AC-EDMS User Sub-Workgroup	Supreme Court	Prepare project documents for review by the Stakeholder group	No change

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 15**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
45l	Court of Appeals Executive Committee – ITG Endorsing Group	Supreme Court	Consider IT Governance requests for endorsement	No change
45m	Appellate Court ITG Court Level User Group	Supreme Court	Consider IT Governance requests for recommendation to the JISC	No change
45n	IT Governance Superior Court Level User Group	Supreme Court	To handle IT Governance requests that have been endorsed & analyzed & have moved up to the superior court level user workgroup. The group then decides if the request is beneficial & cost effective at the statewide level for the superior courts. They recommend approval of the request to the JISC & prioritize the requests for the superior court.	No change
45o	JIS Local CMS Policy Workgroup	Supreme Court	Develop JIS policy for courts implementing local case management systems. Propose revision to JISCR 13	Sunset immediately.
45p	JISC Baseline Service Level Workgroup	Supreme Court	Develop recommendations to the JISC for baseline service levels to be provided by the Judicial Information System statewide.	Sunset immediately.
45q	DMCMA ITG Endorsing Group	Supreme Court	Consider IT Governance requests for endorsement	No change
45r	DMCJA ITG Endorsing Group	Supreme Court	Consider IT Governance requests for endorsement	No change
45s	MCA ITG Endorsing Group	Supreme Court	Consider IT Governance requests for endorsement	No change

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 16**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
45t	ITG CLJ Court Level User Group	Supreme Court	Consider IT Governance requests for recommendation to the JISC	No change
45u	ITG Multi-Court Level CLUG	Supreme Court	Consider IT Governance requests for recommendation to the JISC	No change
45v	ITG Request #41 Data Destruction Project Steering Committee	Supreme Court	The ITG 41 Project - CLJ Revised Computer Records Retention & Destruction Process request removes the archiving requirement for all Courts of Limited Jurisdiction records and, by extension, eliminates archiving of these records from the JIS applications. In addition, the destruction of records report selection process will change, based upon input from the DDC, the Steering Committee, state laws & court rules.	No change.
45w	2008 DDC Proposal Steering committee	Supreme Court	Committee provides req. for ITG 41	No change.
45x	ITG #37/58/79 Plain Paper Warrants Project Steering Committee	Supreme Court	The ITG 58 CLJ Warrant Print on Plain Paper request would allow courts to print warrants on plain paper instead of pre-printed form designed for an impact printer. The ITG 37 CLJ Warrant Comment Line request is for an enhancement of any AOC Judicial Information System (JIS) application required to provide a comment area on a warrant of arrest. The ITG 79 CLJ Warrant WRO Screen Change Bail Options request is to change the Warrant order (WRO) screen in JIS from the current two options (1 - Cash Bail or Bond/No PR; & 2 - No Bail), to (1 - Cash Bail Only; & 2 - No Bail). The request would also increase the bail amount field length to accommodate \$999,999,999.00.	No change.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 17**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
49	Minority and Justice Commission (MJCOM)	Supreme Court Order No. 25700-B-508, September 8, 2010	The Washington State Minority & Justice Commission was created by an Order of the Washington State Supreme Court to determine whether racial & ethnic bias exists in the courts of the state of Washington. To the extent that it exists, the Commission is charged with taking creative steps to overcome it. To the extent that such bias does not exist, the Commission is charged with taking creative steps to prevent it.	Recommend review of Commission's committees.
49a	MJCOM Juvenile Justice Committee	Supreme Court	The Committee was established by a resolution which directs it to address disproportionate minority contact in the juvenile justice system. The Committee has currently prioritized the Task Force on Race & Criminal Justice recommendations (TFR) 2, 5, & 6 at pages 14-15 of the Juvenile Justice & Racial Disproportionality publication, which is based upon the presentation to the Washington State Supreme Court on March 28, 2012, at the Temple of Justice; the group discussion focused on the best way to implement the prioritized recommendations.	Review along with all commission committees.
49c	MJCOM Education Committee	Supreme Court	The Committee seeks to improve the administration of justice by eliminating racism & its effects by offering & supporting a variety of innovative, high quality, education programs designed to improve the cultural & professional competency of court employees & other representatives of the Washington State justice system.	GJComm Education Committee & MJComm Education Committee will collaborate through their newly formed collaboration subcommittee which consists of members from each commission.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 18**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
49d	MJCOM Race & Justice Research Project Committee	Supreme Court	The Committee is developing a research project that is part replication & extension of the work done by Professors Mark Peffley & Jon Hurwitz in their book, Justice in America, looking at Washington State's community groups & individual perceptions of the justice system. The project will utilize local based community organizations to further the outreach to racial & ethnic groups. The project goal is to survey the racial & ethnic groups & individuals of the state of Washington to draw on their personal experiences that influence their beliefs about the criminal justice system.	The project is on hold. Recommend MJComm review the committee to see if it can sunset and be revived if the project is revived.
49f	MJCOM Tri-Cities Youth and Justice Forum	Supreme Court	A yearly 1-day forum sponsored by the MJCOM providing learning experience encouraging and highlighting the different careers in the criminal justice arena. Youth 14-20 attend the session	Recommend review of Commission's committees.
49g	MJComm Disproportionate Minority Contact	Supreme Court	Look at disproportionate minority contact issues and data.	Recommend review of Commission's committees.
50	Supreme Court Budget Committee	Supreme Court	Develop & manage the budget for agencies of the judicial branch	No recommendation.
51	Pattern Jury Instructions Committee	Supreme Court Order No. 25700-B-157, January 4, 1963	The committee creates & updates pattern jury instructions reflecting the current law in civil & criminal cases.	Retain with no changes
54	Supreme Court Rules Committee	Supreme Court GR 9 September 1, 2000	Promulgate procedural & regulatory rules	No recommendation
55	Temple of Justice Security Workgroup	Chief Justice	Addresses concerns about security due to actions of recent visitors to the building	No recommendation.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 19**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
61	Washington Pattern Forms Committee	Supreme Court. Orders No 25700-B-188 12/19/1978; No.25700-B-210 05/14/1986.	A permanent Washington State Forms Committee is established to implement the adoption of forms, to consider requests for the redrafting of adopted forms, & to oversee all necessary redrafting.	No change
61a	Guardianship Forms Subcommittee	Supreme Court	Draft guardianship forms for final review/approval by the Washington Pattern Forms Committee	No change
61b	Courts of Limited Jurisdiction (CLJ) forms subcommittee	Supreme Court	Draft misdemeanor judgment & sentencing forms for review/approval by the Washington Pattern Forms Committee	No change
61c	Garnishment Forms workgroup	Supreme Court	Update Garnishment forms for review by the CLJ forms subcommittee, then final review/approval by the Washington Pattern Forms Committee	No change
61d	Domestic Relations Forms Subcommittee	Supreme Court	Draft Domestic Relations forms for review/approval by the Washington Pattern Forms Committee	No change
61e	Felony Judgment & Sentencing Forms Subcommittee	Supreme Court	Prepare draft felony judgment & sentencing forms subcommittee for review & approval by the Washington Pattern Forms Committee	No change
61f	Juvenile Court Forms Subcommittee	Supreme Court	Draft Dependency forms, Juvenile offender forms & other forms for use in the juvenile courts for final review/approval by the Washington Pattern Forms Committee	No change

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 20**

SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
61g	Protection Order Forms Subcommittee	Supreme Court	Draft Domestic Violence, Unlawful Harassment, Sexual Assault Protection Order, & Vulnerable Adult Protection Order forms for final review & approval by the Washington Pattern Forms Committee. This subcommittee drafts civil protection orders.	No change
63	WA State Center for Court Research Advisory Board	Supreme Court Order No. 25700-B-440, September 9, 2004	Advise on direction & projects for WSCCR	No recommendation.

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**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 21**

ASSOCIATIONS' COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
7	Appellate Judges' Education Committee	COA	Plan & implement yearly Appellate spring program.	No changes, except that chair will now sit on Annual Judicial Conference Planning Committee.
11	Association of Washington Superior Court Administrators (AWSCA)	AWSCA	The mission of the AWSCA is to assist its members & support the superior courts by improving the administration of justice through the application of effective management techniques; increasing the proficiency of court managers through education, training, & development of its members; encouraging & providing for the personal & professional growth of its members; supporting the independence of the judiciary through better legislation, procedures, court rules, intergovernmental relations, & sufficient funding; determining, formulating, & promoting fundamental policies, principles, & standards for judicial administration & providing a forum for the interchange of practical information relating to court administration.	No recommendation.
11a	AWSCA Education Committee	AWSCA	Provide an educational curriculum for superior court administrators, & when possible for line staff.	No changes, except that chair will now sit on Annual Judicial Conference Planning Committee.
11b	AWSCA Executive Committee	AWSCA	Provide executive oversight to the AWSCA	No recommendation.
26	COA Executive/ Budget Committee	COA	Administers the affairs of the COA	No recommendation.
26a	COA Court Rules Committee	COA	Reviews & comments on changes to court rules	No recommendation.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 22**

ASSOCIATIONS' COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
31	District & Municipal Court Judges' Association (DMCJA)	RCW 3.70.010	To improve the administration of justice in the courts of limited jurisdiction & to recommend & support proposals to that end; to continuously survey & study the operation of the courts served by its membership, the volume & condition of business of such courts, the methods of procedure therein, the work accomplished, & the character of the results; to promulgate suggested rules for the administration of the courts of limited jurisdiction not inconsistent with the laws or rules of the Supreme Court relating to such courts.	No recommendation.
31a	DMCJA Board	DMCJA Bylaws	To carry out the mission & purpose of the organization through this governing body.	No recommendation.
31b	DMCJA Bylaws Committee	DMCJA Bylaws	Review DMCJA By-Laws in advance of each Association business meeting to evaluate any needed changes. Draft proposed changes to be distributed to membership. Submit written report at Spring & Fall Conferences. Propose revisions for Association consideration at business meetings. Review for style proposed resolutions referred by Board.	No recommendation.
31c	DMCJA Court Rules Committee	DMCJA Bylaws	Review court rules & recommend changes as per GR 9 process. Monitor & report on proposed changes to court rules. Coordinate with Local Rules Committee. Review local justice court rules & develop a model to be available to local jurisdictions that currently need but do not have local rules. Submit written report to President & Board monthly.	No recommendation.
31f	DMCJA DOL Liaison Committee	DMCJA Board of Governors	Monitor ongoing developments in the courts & DOL which impact court process or drivers records.	No changes.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 23**

ASSOCIATIONS' COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
31e	DMCJA Diversity Committee	DMCJA Bylaws	Charge as per 1994 Revised By-Laws: The Diversity Committee will consider issues relating to diversity & shall recommend to the Board of Governors ways to promote the implementation of the current Diversity Policy Statement adopted by the Association. Terms of the members shall be two years, & be staggered to ensure a slower rate of turnover on the committee & greater continuity in the planning process. Review & revise the diversity bylaw as described in the Board's April 11, 2008 minutes. Work with the WSBA on its effort to recruit more diverse pro-tempore judges.	Align the work with that of the Gender and Justice and Minority and Justice Commissions wherever possible.
31g	DMCJA Education Committee	DMCJA Bylaws	Promote education of judges & support staff by designing education programs in coordination with staff from the Administrative Office of the Courts that meet the interest & needs of personnel in courts of limited jurisdiction. Maintain liaison with Benchbook Committee. Maintain liaison with Board for Court Education concerning the education needs of judges. Furnish judges for state, local, & national judicial seminars, orientation & refresher courses, colleges, & bar association CLE programs. Provide input & assistance to Supreme Court in the development of education portion of Fall Conference. Submit written report at Spring & Fall Conferences. Submit written report to President & Board monthly.	No changes, except that chair will now sit on Annual Judicial Conference Planning Committee.
31h	Judicial Assistance Services Program (JASP)	DMCJA & SCJA Bylaws	Assist other judges through a confidential process by referring them to professional resources.	No recommendation.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 24**

ASSOCIATIONS' COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
31i	DMCJA Legislative Committee	DMCJA Bylaws	Evaluate & recommend responses to legislation affecting courts of limited jurisdiction. Initiate legislation to improve the delivery of services & administration of justice in district & municipal courts. Develop & maintain efforts towards communication with legislators & state agencies. Recommend terms of employment of Association lobbyist & direct lobbying effort. Provide oral or written testimony to Legislature as needed. Submit written report at Spring & Fall Conferences. Submit written report to President & Board monthly.	No changes. Legislative chair could participate in new BJA Legislative standing committee's meetings.
31j	DMCJA Long Range Planning Committee	DMCJA Bylaws	Consider issues relating to long-range planning & review processes. Conduct an annual review of such issues.	No recommendation.
31k	DMCJA Nominating Committee	DMCJA Bylaws	The Nominating Committee shall annually select not more than two candidates for Vice-President, Secretary/Treasurer, President-Elect, & three Board member-at-large positions. The Board member-at-large positions shall be for three-year terms. The report of the Nominating Committee shall be submitted to the Board at its March meeting. The names of the nominees will be published in the written notice of the Spring Conference & in the Minutes of the Board's March meeting. Nominations for all offices except President may be made by the members at the Spring Conference. The Nominating Committee shall make nominations for other vacancies on the Board.	No recommendation.
31l	DMCJA Rural Courts Committee	DMCJA Bylaws		Dormant committee. Recommend DMCJA sunsets.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 25**

ASSOCIATIONS' COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
31m	DMCJA Salaries and Benefits Committee	DMCJA		Recommend DMCJA review bylaws to determine if committee is still required or can sunset.
31n	DMCJA Technology Committee	DMCJA	Address the need for consistent court business practices as they relate to automated systems.	No changes.
31o	Therapeutic Courts Committee	DMCJA	Support therapeutic courts operating in CLJs statewide	No changes.
31p	DMCJA Part Time Municipal Court Workgroup	DMCJA Board – Ad Hoc Workgroup	To review the results of the AOC public records request & determine what type of role the Association should take in addressing specific issues.	Work completed. Sunset.
31q	DMCJA & DMCMA ARLJ 9 Workgroup	DMCJA Board – Ad Hoc Workgroup	To create operational set of model guidelines which staff & judges can use to help ensure public access to court records.	Work completed. Sunset.
46	Juvenile Court Workgroup	Washington Association of Juvenile Court Administrators (WAJCA)	Deliver accounting reports & queries to juvenile departments & detention facilities	Retain, but do not provide AOC staff. Route enhancement or change requests through ITG or e-service process.
46a	Software Committee, JCA	WAJCA	To develop reports and queries used by the juvenile department for the juvenile risk assessment	Outside group. No recommendation.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 26**

ASSOCIATIONS' COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
52	Superior Court Judges' Association (SCJA)	RCW 2.16	To improve the administration of justice; to conduct instructive programs whereby higher standards of efficiency & excellence may be obtained & to better equip the superior court judges of Washington in the proper performance of their duties; to support & implement the canons of judicial ethics; to promote the interchange of ideas & to encourage cooperation & social contacts among the members of the judiciary; to promote the objectives of statutes relating to the Association; and, to promote better relations with the public & the other branches of government	No recommendation.
52a	SCJA Best Practices Committee	SCJA Bylaws	Committee is currently dormant.	Recommend SCJA review bylaws to determine if committee is still required or can sunset.
52b	SCJA Board of Trustees	SCJA Bylaws	Executive body of statewide leadership that manages the business of the SCJA.	No recommendation.
52c	SCJA Civil Law & Rules Committee	SCJA Bylaws	Evaluates proposed legislation & court rules that affect civil litigation in superior courts	No recommendations
52d	SCJA Criminal Law & Rules Committee	SCJA Bylaws	Evaluates proposed legislation & court rules that affect criminal cases in superior courts	No recommendation.
52e	SCJA Equality & Fairness Committee	SCJA Bylaws	Maintain liaison with state Commissions concerned with issues of justice, gender, & diversity. Participate in the design of Association educational programs concerned with issues of diversity & gender.	Align the work with that of the Gender and Justice and Minority and Justice Commissions wherever possible.
52f	SCJA Guardianship & Probate Committee	SCJA Bylaws	Subcommittee of the SCJA charged to: Maintain liaison with the Guardian Certification Board; Review & recommend legislative changes to the Guardianship & Probate Codes; Monitor & report on proposed changes to the Guardianship & Probate Codes	Refer to SCJA for review.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 27**

ASSOCIATIONS' COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
52g	SCJA Sentencing & Supervision Reform Workgroup – DORMANT	SCJA	Workgroup provides direction to the ongoing sentencing & supervision for adult felony offender reform efforts with Legislative & Executive branch partners.	Dormant. Recommend to sunset immediately.
52h	SCJA Judicial Education Committee	SCJA Bylaws	Provide an educational curriculum for superior court judicial officers. Plan SCJA Spring Conference. Promote Judicial College. Maintain liaison with BCE. Administer the SCJA Education Assistance Program.	No recommendation.
52i	SCJA Judicial Ethics Committee	SCJA Bylaws	Recommend & participate in education programs; respond to requests from SCJA Board to look at ethics issues & make recommendations; participate in candidate forums, if requested	Retain with no changes
52j	SCJA Legislative Committee	SCJA Bylaws	Review proposed legislation to determine the SCJA's position. Represent the SCJA before the Legislature. Maintain a liaison with members of the Legislature, Governor's office, state & local governmental entities, WSBA, & BJA concerning legislative matters. Direct the activities of the Association's Legislative Representative.	No changes. Legislative chair could participate in new BJA Legislative standing committee's meetings.
52k	SCJA Nominating Committee	SCJA	Provide continuous association leadership.	No recommendation.
52l	SCJA Rural Courts Committee	SCJA Bylaws	Primarily to provide a forum for judges from rural courts to discuss issues unique to rural courts	No changes.
52m	SCJA Technology Committee	SCJA Bylaws	Liaise with JISC, promote technology training for judges, maintain a forum for discussion of technology developments, improve, & maintain the SCJA website.	No changes.
52n	SCJA Therapeutic Courts	SCJA Bylaws	Liaison with stakeholders involved with therapeutic courts; make recommendations on proposed legislative changes to the legislative committee & board of trustees	No changes.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 28**

ASSOCIATIONS' COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
52o	SCJA Water Workgroup	SCJA	The committee makes recommendations to the SCJA Board of Trustees on matters related to water right adjudications, including with regard to court rules & proposed legislation.	Refer to SCJA for review.
52p	SCJA Family & Juvenile Law Committee	SCJA Bylaws	Provide guidance to superior courts on family & juvenile law issues.	No recommendation.
52q	SCJA Pension & Benefits Committee - DORMANT	SCJA Bylaws	Review legislative changes to the judicial & public employees retirement systems, consider proposals for the improvement of judicial retirement & benefits, and liaise with entities of WA & federal government that develop policy or proposals concerning pensions & benefits.	Recommend SCJA review bylaws to determine if committee is still required or can be sunset.
60	Washington Association of Juvenile Court Administrators (WAJCA) & Executive Board	WAJCA	Provide policy, program, legislative, & funding oversight to issues affecting juvenile court assessment & programs statewide.	No recommendation.
60a	WAJCA Finance Committee	WAJCA Bylaws	Review funding formulas for CASA, BECCA, CJS At-Risk, & Block Grants. Work with AOC on contract deliverables.	No recommendation.
60b	WAJCA Education Committee	WAJCA Bylaws & supported by the BCE	To provide continuing education designed to enhance & improve the competency, quality & efficiency of the Washington Judicial System for juvenile court administrators as they can provide services to fulfill their duties as set in RCW 13.04.035	No recommendation.
60c	Quality Assurance Committee	WACJA	Oversees the quality assurance (QA) & implementation of the Case Management & Assessment Process (CMAP) for juvenile offenders throughout Washington State	No recommendation.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 29**

ASSOCIATIONS' COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
60d	Quality Assurance Committee (QAC) software committee	WACJA	QAC oversees operation of the Case Management & Assessment Process for juvenile offenders	External Committee. Recommend working with AOC to route enhancement and report requests through standard ISD procedures (e-service or ITG)
60e	WAJCA Legislative Committee	WAJCA Bylaws	Respond to bill drafts to promote the WAJCA/SCJA's position	No changes.
62	Washington State Association of County Clerks	WSACC	Statewide leadership association for the County Clerks to manage the clerks business.	No recommendation.
62a	Clerk Work Group	WSACC	To ensure BOXI features & enhancements meet courts needs	External committee. No recommendation.
62b	County Clerks Education Committee	WSACC	Plan & implement yearly county clerks conference	No changes, except that chair will now sit on Annual Judicial Conference Planning Committee.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 30**

EXTERNAL COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
2	Advanced Science & Technology Adjudication Resource Center (ASTAR)	DOJ	Provide scientific & technological education to Washington judges. ASTAR is a leadership consortium dedicated to enhancements of capabilities of the courts via science & technology knowledge tools.	AOC staff support when requested by the Supreme Court.
4	Adult Abuse/Neglect Response Workgroup	DSHS	Research & discuss practices identified by the group that impact the quality & capacity of WA response to elder abuse. Recommend system & program changes	No recommendation
5	Adult Family Home Quality Assurance Panel	HB 1277	Submit recommendations to improve Adult Family Home Quality Assurance to the Legislature.	Work completed. Sunset immediately
8	Becca Task Force	Legislature	To help keep kids in school & out of the juvenile justice system by promoting the intent, goals & outcomes of the Washington State Becca Laws	Legislatively mandated, no recommendation
10	Byrne/JAG Advisory Committee	Commerce Federal Public Law 100-690	The Justice Assistance Grant Advisory Committee evaluates applications for grants to fund local projects in the areas of law enforcement, prosecution and court programs, prevention programs, community corrections, drug treatment, evaluation and crime victim and witness assistance.	Recommend to BJA that a judge or court administrator be appointed instead of an AOC staff person.
9	Block Grant Proviso Oversight Committee	Legislature	Respond to legislative directive to report on utilization of evidence based programs in juvenile justice settings.	No recommendation (legislative directive).

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 31**

EXTERNAL COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
16	Adult Inmate Forecast Workgroup	RCW 43.88C	Predict demand for prison space.	No recommendation (OFM).
18	IV-E Waiver Advisory Committee	DSHS Children's Administration	To oversee application & administration of the IV-E Waiver.	No recommendation (DSHS).
18a	Transformation Design Committee	DSHS Children's Administration Legislature	Provide oversight of performance based contracting to increase accountability in the child welfare system.	No recommendation (DSHS).
19	Child Welfare, Education and the Courts	Casey Family Programs	Improve educational outcomes for dependent children.	No recommendation (Casey Family Programs).
20	Child Welfare, Housing and the Courts Committee	Office of Public Defense	To facilitate more timely permanency for dependent children through improving housing resources for families.	No recommendation (Office of Public Defense)
21	CIO Security Policy Group	OFM State OCIO	Coordinate statewide security policy for information systems.	No change.
23	Community Juvenile Accountability Act Committee (CJAA)	RCW 13.40.540	CJAA oversees quality assurance, program structure, & development of evidence-based treatment programs for juvenile offenders	No recommendation (legislatively mandated)
23a	Data and QA Subcommittee (CJAA)	CJAA	Design integrated QA structure across juvenile justice programs.	No recommendation
23b	Promising Programs Subcommittee (CJAA)	CJAA	Develop guidelines for promising programs. Assist promising programs in designing programs and evaluations.	No recommendation

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 32**

EXTERNAL COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
24	Council for Language Access in the Courts – Transitional Committee	COSCA	COSCA has recently restructured the organization of committees overseeing the national court certification exams. The Transitional Committee is overseeing the shift from the previous structure to the new one.	Work complete. Sunset immediately.
24a	Consortium for Language Access in the Courts – Technical Committee	COSCA	The Technical Committee oversees the standards for the development, administration, & revision of oral certification exams.	Work complete. Sunset immediately.
25	Council on Public Legal Education (CPLÉ)	State Court Administrator	The mission of the Council on Public Legal Education is to promote public understanding of the law & democracy within Washington State. The Council pursues this mission by conducting, coordinating, encouraging, & publicizing public legal education efforts in Washington State.	No recommendation.
27	Court Improvement Program Steering Committee	DSHS and Supreme Court	To administer & monitor federal grant funds for court improvement programming & services in dependency & child welfare cases	Retain with no changes (DSHS).
29	Criminal Justice Treatment Account	70.96A.350	Determine use of moneys in the criminal justice treatment account within the parameters set forth by the legislature.	Work with DSHS/ DBHR to add AOC as a voting member.
33	Enterprise Business Architecture Workgroup	OCIO	Enterprise Business Architecture Workgroup that is focused on improving collaboration across all state agencies in support of business processes & for the development of best practices	No change.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 33**

EXTERNAL COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
35	Extended Foster Care Workgroup	Legislature	To develop legislation to allow foster children to finish secondary & post-secondary education	Work completed. Sunset.
36	GATE Data Governance Committee (OSPI)	Legislature	To assess & address the requirements for interagency sharing of juvenile records	External committee. Not currently a priority. Recommend no AOC staff involvement until it becomes a priority.
37	eTRIP Executive Leadership Team	Interagency Agreement	The Electronic Traffic Information Processing (eTRIP) initiative has developed & implemented an automated system that enables law enforcement agencies to electronically create electronic tickets, collision reports, & other forms in the field & transmit this data to authorized users. The Executive Leadership Team provides policy oversight and program direction for the ongoing eTrip program.	No changes.
37a	Washington Traffic Oversight Records Council	Interagency Agreement	Executives from state agencies with interests in Washington State Traffic Records convene to provide policy oversight and program direction for traffic records and ensure alignment with individual agency priorities.	No changes.
37b	WTSC Traffic Advisory Committee	WTSC	Provides policy direction and endorsement of projects to implement policy supported by traffic records data.	No changes.
37c	eTrip Operations Team	Multi-agency agreement	The business/technical managers from multiple state agencies, including AOC, convene twice monthly to address immediate issues of implementation, operations, enhancements and problem resolution for the statewide electronic traffic records system.	No changes.
41	Indian Child Welfare Summit Planning Committee	DSHS Office of Indian Policy	Plan & sponsor Indian Child Welfare Summit	Work completed. Sunset.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 34**

EXTERNAL COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
42	Institute for Court Management Planning Committee	ICM	Representatives from all court levels working with the NCSC/ICM to bring ICM programs into Washington.	Review the functions of this committee and request new standing committee to re-establish if still required.
53	Three Branch Institute Committee	Governor's Office	Improve permanency outcomes for foster youth	No recommendation (Governor's office).
56	WSBA Local Rules Task Force	WSBA 2006	The Local Rules Task Force is created to review the purpose and function of local rules, the impact of local rules on courts, litigants (both pro se and represented) and the trial bar, and possible means to mitigate the detrimental effects of the ever-increasing number of local rules on lawyers practicing in multiple courts.	Will complete its work and disband within the coming year.
57	Misdemeanant Corrections Association	Misdemeanant Corrections Association 1971	A group of Professional Probation Officers who provide probation services to Courts of Limited Jurisdiction (CLJ) in Washington State.	No recommendation.
59	Veteran Parents Advisory Partnership	Catalyst for Kids	To help veteran parents advocate for parents currently in the child welfare system, through parent-to-parent programs & other initiatives.	No recommendation.
64	Washington State Coalition for Language Access	Registered public charity.	WASCLA joins professionals working with language access for purposes of sharing information & resources.	No recommendation.
65	Youth Court Committee & Washington State Association of Youth Courts	RCW 3.72.040 & RCW 13.40.590	To help establish new youth courts & to strengthen existing youth courts	No recommendation.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 35**

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**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 36**

AOC COMMITTEES AND WORKGROUPS				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
3	Adult Static Risk Assessment (ASRA)	AOC	Oversee the implementation of the ASRA in various courts. Respond to system change requests. Maintain awareness of developing research. Promote use of the ASRA.	Sunset or do not staff. Route enhancement and reports requests through the ITG or e-service process.
6	Annual Judicial Conference Planning Committee	AOC	Plan & implement educational content of annual conference.	Change committee membership to consist of the chairs of each association's education committee so that educational content can be reused among conferences. (SCJA; DMCJA; DMCMA; AWSCA; WSACC; appellate education)
15	BOXI Workgroup	AOC	Work on BOXI report requests submitted by court users and AOC staff	No recommendation
32	DOL/AOC Collaboration Group	DOL & AOC leadership	Collaborate & work through issues between JIS & DOL's system that are causing incorrect or missing elements on drivers' records	No recommendation
44	JIS Accounting Group	AOC	Analyze, plan & implement changes re JIS accounting application due to customer code requests and legislative changes.	No recommendation
48	Law Library Workgroup	AOC	Determine best operational plan for the Law Library	Work completed. Sunset.
58	Uniform Infraction & Citation Committee	AOC	Committee works to advise the AOC in development & revision of forms & other related policy matters; responds to changes in legislation & court rule that affect the citation forms.	No changes.

Tab 7

BOARD FOR JUDICIAL ADMINISTRATION RULES (BJAR)

TABLE OF RULES

Rule

Preamble

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

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.]

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.]

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.]

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.]

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.]

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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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)

(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.)