

# **BOARD FOR JUDICIAL ADMINISTRATION**



**WASHINGTON  
COURTS**

## **MEETING PACKET**

**FRIDAY, NOVEMBER 15, 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, November 15, 2013 (9:00 a.m. – Noon)**  
 AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

**AGENDA**

|   |  |                                 |
|---|--|---------------------------------|
| <b>1. Call to Order</b>   | Chief Justice Barbara Madsen<br>Judge Kevin Ringus | 9:00 a.m.                       |
| <b>2. Welcome and Introductions</b>   | Chief Justice Barbara Madsen<br>Judge Kevin Ringus | 9:00 a.m.                       |
| <b>Action Items</b>   |  |                                 |
| <b>3. October 18, 2013 Meeting Minutes</b><br>Action: Motion to approve the minutes of the October 18, 2013 meeting   | Chief Justice Barbara Madsen<br>Judge Kevin Ringus | 9:05 a.m.<br>Tab 1<br>Page 6    |
| <b>4. BJA Committee Unification Workgroup Recommendations</b><br>Motion to approve the three recommendations from the BJA Committee Unification Workgroup                                     | Judge Scott Sparks                                 | 9:10 a.m.<br>Tab 2<br>Page 11   |
| <b>5. BJA Public Trust and Confidence Committee Appointment</b><br>Motion to appoint Dr. Marion J. Smith, Jr. and reappoint Mr. Andrew Sachs to the BJA Public Trust and Confidence Committee | Ms. Shannon Hinchcliffe                            | 9:50 a.m.<br>Tab 3<br>Page 58   |
| <b>6. 2014 BJA Meeting Schedule</b><br>Action: Motion to approve the 2014 BJA meeting schedule  | Ms. Shannon Hinchcliffe                            | 9:55 a.m.<br>Tab 4<br>Page 62   |
| <b>Break</b>  |  | 10:10 a.m.                      |
| <b>7. 2014 BJA Legislative Agenda</b><br>Motion to approve the 2014 BJA Legislative Agenda  | Ms. Mellani McAleenan                              | 10:30 a.m.<br>Tab 5<br>Page 65  |
| <b>Reports and Information</b>  |  |                                 |
| <b>8. Communications During the Legislative Session</b>   | Ms. Mellani McAleenan                              | 11:05 a.m.<br>Tab 6<br>Page 111 |
| <b>9. Budget Report</b>   | Mr. Ramsey Radwan                                  | 11:15 a.m.<br>Page 115          |

|   |  |            |
|---|--|------------|
| <b>10. Other Business</b><br>Next meeting: December 13<br>AOC SeaTac Office, SeaTac   | Chief Justice Barbara Madsen<br>Judge Kevin Ringus | 11:50 a.m. |
| <b>11. Adjourn</b>  |  | Noon       |
| Persons with a disability, who require accommodation, should notify Beth Flynn at 360-357-2121 or <a href="mailto:beth.flynn@courts.wa.gov">beth.flynn@courts.wa.gov</a> 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, October 18, 2013 (9:00 a.m. – 11:30 a.m.)**  
AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

**MEETING MINUTES**

**BJA Members Present:**

Chief Justice Barbara Madsen, Chair  
Judge Kevin Ringus, Member Chair  
Judge Vickie Churchill  
Ms. Callie Dietz  
Judge Stephen Dwyer  
Judge Janet Garrow  
Judge Judy Rae Jasprica  
Judge Jill Johanson  
Judge Kevin Korsmo (by phone)  
Judge Linda Krese  
Judge Michael Lambo  
Ms. Paula Littlewood  
Justice Susan Owens  
Mr. Patrick Palace  
Judge Kimberley Prochnau  
Judge Jeffrey Ramsdell  
Judge Ann Schindler (by phone)  
Judge Charles Snyder  
Judge Scott Sparks

**Guests Present:**

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

**AOC Staff Present:**

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

September 20, 2013 Meeting Minutes

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

BJA Public Trust and Confidence Committee Membership Adjustment

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

BJA Public Trust and Confidence

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

### 2014 BJA Meeting Schedule

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

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

There were several comments about the meeting schedules:

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

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

### Legislative Update

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

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

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

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

#### BJA Committee Unification Workgroup Report

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

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

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

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

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

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

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

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

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

| <b>Action Item</b>   | <b>Status</b>           |
|--|-------------------------|
| <u>September 20, 2013 BJA Meeting Minutes</u> <ul style="list-style-type: none"> <li>• Post the minutes online</li> <li>• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials</li> </ul>  | Done<br>Done            |
| <u>TVW Ex Officio Position</u> <ul style="list-style-type: none"> <li>• Notify Ms. Margaret Fisher and Justice Mary Fairhurst about the approved TVW ex officio position on the BJA Public Trust and Confidence Committee</li> </ul>   | Done                    |
| <u>BJA Public Trust and Confidence Committee Appointment</u> <ul style="list-style-type: none"> <li>• Send appointment letter to Mr. Dennis Rabidou</li> </ul>   | Done                    |
| <u>2014 BJA Meeting Schedule</u> <ul style="list-style-type: none"> <li>• Add to the November meeting agenda for action</li> </ul>   | Done                    |
| <u>Interpreter Legislation</u> <ul style="list-style-type: none"> <li>• For now, Ms. McAleenan will tell legislators that the BJA is very supportive of the policy and it is the right thing to do but it is very difficult for the counties to do this without funding. If the legislators are not willing to add the funding back in then the BJA would like the bill to die.</li> <li>• Add to November agenda (as part of BJA Legislative Agenda) to firm up the BJA's position</li> </ul> | In Progress<br><br>Done |
| <u>BJA Committee Unification Workgroup Recommendations</u> <ul style="list-style-type: none"> <li>• Add to the November BJA meeting agenda as an action item</li> </ul>  | Done                    |

# Tab 2

**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.

**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<br/>(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<br/>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

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

**October 18, 2013**

**Page 4**

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:**

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

**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

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| <b>BJA COMMITTEES</b> |  |  |  |  |
|-----------------------|--|--|--|--|
|                       | <b>NAME</b>                                  | <b>Authorizing Entity</b>                    | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>  |
| 14                    | Board for Judicial Administration (BJA)      | Supreme Court Rule BJAR 1<br>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:<br>1. Legislative<br>2. Policy and planning<br>3. Budget<br>4. Education  |
| 14a                   | BJA Best Practices Committee                 | Supreme Court Rule BJAR 3<br>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<br>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. |

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| <b>BJA COMMITTEES</b> |   |  |  |  |
|-----------------------|---|--|--|--|
|                       | <b>NAME</b>                                   | <b>Authorizing Entity</b>                  | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>  |
| 14d                   | BJA Long Range Planning and Funding Committee | Supreme Court<br>BJAR 3<br>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.   |

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| <b>BJA COMMITTEES</b> |                                   |                           |   |   |
|-----------------------|-----------------------------------|---------------------------|---|---|
|                       | <b>NAME</b>                       | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b> |
| 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.                               |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |  |  |  |   |
|---|--|--|--|---|
|   | <b>NAME</b>  | <b>Authorizing Entity</b>                          | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b> |
| 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.                |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |  |                           |   |   |
|---|--|---------------------------|---|---|
|   | <b>NAME</b>  | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b> |
| 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.                |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |  |  |   |  |
|---|--|--|---|--|
|   | <b>NAME</b>  | <b>Authorizing Entity</b>  | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b>  |
| 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.<br><br>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. |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |   |                           |  |  |
|---|---|---------------------------|--|--|
|   | <b>NAME</b>   | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>  |
| 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.                 |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |  |                           |  |   |
|---|--|---------------------------|--|---|
|   | <b>NAME</b>  | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>   |
| 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.   |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |  |   |  |  |
|---|--|---|--|--|
|   | <b>NAME</b>                                  | <b>Authorizing Entity</b>                           | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>                                    |
| 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. |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |  |  |  |  |
|---|--|--|--|--|
|   | <b>NAME</b>  | <b>Authorizing Entity</b>                                    | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>                                    |
| 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<br>GR 10<br>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<br>Order No.<br>25700-B-505,<br>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.   |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |   |                           |   |  |
|---|---|---------------------------|---|--|
|   | <b>NAME</b>   | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b>  |
| 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.   |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |  |   |   |   |
|---|--|---|---|---|
|   | <b>NAME</b>  | <b>Authorizing Entity</b>               | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b> |
| 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.   |

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|---|---|--|--|---|
|   | <b>NAME</b>                                   | <b>Authorizing Entity</b>                                    | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>                         |
| 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<br>JISCR 1<br>May 15, 1976<br><br>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  |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |  |                           |  |   |
|---|--|---------------------------|--|---|
|   | <b>NAME</b>  | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b> |
| 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   |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |  |                           |   |   |
|---|--|---------------------------|---|---|
|   | <b>NAME</b>  | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b> |
| 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   |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |   |                           |   |   |
|---|---|---------------------------|---|---|
|   | <b>NAME</b>   | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b> |
| 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.  |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |   |  |  |  |
|---|---|--|--|--|
|   | <b>NAME</b>                             | <b>Authorizing Entity</b>                              | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>  |
| 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. |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |   |  |   |   |
|---|---|--|---|---|
|   | <b>NAME</b>                                     | <b>Authorizing Entity</b>                            | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b>   |
| 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.  |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |   |   |  |   |
|---|---|---|--|---|
|   | <b>NAME</b>   | <b>Authorizing Entity</b>   | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b> |
| 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   |

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| <b>SUPREME COURT BOARDS, COMMISSIONS AND COMMITTEES</b> |   |  |   |   |
|---|---|--|---|---|
|   | <b>NAME</b>                                       | <b>Authorizing Entity</b>                              | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b> |
| 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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| <b>ASSOCIATIONS' COMMITTEES</b> |   |                           |   |  |
|---------------------------------|---|---------------------------|---|--|
|                                 | <b>NAME</b>   | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b>  |
| 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.   |

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| <b>ASSOCIATIONS' COMMITTEES</b> |  |                           |  |   |
|---------------------------------|--|---------------------------|--|---|
|                                 | <b>NAME</b>  | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b> |
| 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.   |

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| <b>ASSOCIATIONS' COMMITTEES</b> |   |                           |   |  |
|---------------------------------|---|---------------------------|---|--|
|                                 | <b>NAME</b>                                 | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b>  |
| 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.   |

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| <b>ASSOCIATIONS' COMMITTEES</b> |                                     |                           |  |   |
|---------------------------------|-------------------------------------|---------------------------|--|---|
|                                 | <b>NAME</b>                         | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>   |
| 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.   |

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| <b>ASSOCIATIONS' COMMITTEES</b> |   |   |  |  |
|---------------------------------|---|---|--|--|
|                                 | <b>NAME</b>                               | <b>Authorizing Entity</b>                                       | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>  |
| 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.  |

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| <b>ASSOCIATIONS' COMMITTEES</b> |   |                           |  |  |
|---------------------------------|---|---------------------------|--|--|
|                                 | <b>NAME</b>                               | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>  |
| 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.  |

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| <b>ASSOCIATIONS' COMMITTEES</b> |  |                           |   |   |
|---------------------------------|--|---------------------------|---|---|
|                                 | <b>NAME</b>  | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b>   |
| 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.   |

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| <b>ASSOCIATIONS' COMMITTEES</b> |   |                                     |  |  |
|---------------------------------|---|-------------------------------------|--|--|
|                                 | <b>NAME</b>   | <b>Authorizing Entity</b>           | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>                                      |
| 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.   |

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| <b>ASSOCIATIONS' COMMITTEES</b> |  |                           |   |  |
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|                                 | <b>NAME</b>  | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b>  |
| 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.   |

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| <b>EXTERNAL COMMITTEES</b> |  |                                     |   |   |
|----------------------------|--|-------------------------------------|---|---|
|                            | <b>NAME</b>  | <b>Authorizing Entity</b>           | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b>   |
| 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).  |

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| <b>EXTERNAL COMMITTEES</b> |  |  |   |   |
|----------------------------|--|--|---|---|
|                            | <b>NAME</b>  | <b>Authorizing Entity</b>                  | <b>Mission/ Purpose</b>   | <b>Committee Unification Workgroup Recommendation</b> |
| 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**

| <b>EXTERNAL COMMITTEES</b> |  |                           |  |   |
|----------------------------|--|---------------------------|--|---|
|                            | <b>NAME</b>  | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b> |
| 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**

| <b>EXTERNAL COMMITTEES</b> |  |                              |  |   |
|----------------------------|--|------------------------------|--|---|
|                            | <b>NAME</b>                                    | <b>Authorizing Entity</b>    | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>   |
| 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**

| <b>EXTERNAL COMMITTEES</b> |  |   |  |  |
|----------------------------|--|---|--|--|
|                            | <b>NAME</b>  | <b>Authorizing Entity</b>                 | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>  |
| 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**

DRAFT

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

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

| <b>AOC COMMITTEES AND WORKGROUPS</b> |   |                           |  |   |
|--------------------------------------|---|---------------------------|--|---|
|                                      | <b>NAME</b>                                   | <b>Authorizing Entity</b> | <b>Mission/ Purpose</b>  | <b>Committee Unification Workgroup Recommendation</b>   |
| 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 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:** Dr. Marion J. Smith, Jr.

**Nominated By:** Washington State Access to Justice Board  
(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:**

Please send completed form to:

Beth Flynn  
Administrative Office of the Courts  
PO Box 41174  
Olympia, WA 98504-1174  
[beth.flynn@courts.wa.gov](mailto:beth.flynn@courts.wa.gov)

**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:** Andrew Sachs

**Nominated By:** Washington State Bar Association Board of Governors  
(i.e. SCJA, DMCJA, 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:**      One Term (May 18, 2012 – December 31, 2013)

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

Please send completed form to:

Beth Flynn  
Administrative Office of the Courts  
PO Box 41174  
Olympia, WA 98504-1174  
[beth.flynn@courts.wa.gov](mailto:beth.flynn@courts.wa.gov)



# WSBA

OFFICE OF THE EXECUTIVE DIRECTOR

Paula C. Littlewood  
Executive Director

direct line: 206-239-2120  
fax: 206-727-8310  
e-mail: paulal@wsba.org

October 28, 2013

Mellani McAleenan  
Associate Director  
Administrative Office of the Courts  
P. O. Box 41174  
Olympia, WA 98504-1174

RE: Nomination of Andrew N. Sachs to the Board for Judicial Administration Public Trust & Confidence Committee

Dear Ms. McAleenan:

At its September meeting, the WSBA Board of Governors acted upon a request from the Board for Judicial Administration's Public Trust & Confidence Committee to nominate Andrew N. Sachs for reappointment to the Committee. The term would begin January 1, 2014 and end December 31, 2015.

Thank you for considering this nomination.

Sincerely,

Paula C. Littlewood  
Executive Director

cc: Justice Mary Fairhurst, Washington State Supreme Court  
Margaret Fisher, Administrative Office of the Courts  
Andrew N. Sachs

*Working Together to Champion Justice*

# Tab 4

**Board for Judicial Administration  
2014 Meeting Schedule**

| <b>Date</b>   | <b>Location</b>   |
|---|---|
| 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 (Passover/Good Friday – could meet April 11 if needed) | 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**

| <b>Date</b>  | <b>Location</b>                |
|--------------|--------------------------------|
| 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

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HOUSE BILL 1542

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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

|                             |  |
|-----------------------------|--|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services |
|-----------------------------|--|

## 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                  |
| <b>Total</b>                               | <b>0.5</b> | <b>\$84,528</b> | <b>\$84,528</b> | <b>0.5</b> | <b>\$1,434,528</b> | <b>\$1,434,528</b> | <b>0.5</b> | <b>\$5,484,528</b> | <b>\$5,484,528</b> |

|                     |  |           |  |           |  |           |
|---------------------|--|-----------|--|-----------|--|-----------|
| 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

|                                     |                                 |   |
|-------------------------------------|---------------------------------|---|
| <b>Prepared by:</b> David Dula, OFM | <b>Phone:</b><br>(360) 902-0547 | <b>Date Published:</b><br>Final 3/ 1/2013 |
|-------------------------------------|---------------------------------|---|

\* 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

|                             |  |   |
|-----------------------------|--|---|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services | <b>Agency:</b> 055-Admin Office of the Courts |
|-----------------------------|--|---|

## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

| Account         | FY 2014 | FY 2015 | 2013-15 | 2015-17 | 2017-19 |
|-----------------|---------|---------|---------|---------|---------|
| Counties        |         |         |         |         |         |
| Cities          |         |         |         |         |         |
| <b>Total \$</b> |         |         |         |         |         |

### Estimated Expenditures from:

| STATE                           | FY 2014 | FY 2015 | 2013-15 | 2015-17   | 2017-19   |
|---------------------------------|---------|---------|---------|-----------|-----------|
| State FTE Staff Years           | .5      | .5      | .5      | .5        | .5        |
| <b>Account</b>                  |         |         |         |           |           |
| 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          |         |         |         |           |           |
| <b>Account</b>                  |         |         |         |           |           |
| Local - Counties                |         |         |         |           |           |
| Counties Subtotal \$            |         |         |         |           |           |
| CITY                            | FY 2014 | FY 2015 | 2013-15 | 2015-17   | 2017-19   |
| City FTE Staff Years            |         |         |         |           |           |
| <b>Account</b>                  |         |         |         |           |           |
| 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        |         |         |         |           |           |
| <b>Total \$</b>                    | 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                 |         |         |         |         |         |
| <b>Total \$</b>       |         |         |         |         |         |

#### 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                 |         |         |         |         |         |
| <b>Total \$</b>       |         |         |         |         |         |

**III. D - FTE Detail**

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

|                             |  |   |
|-----------------------------|--|---|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services | <b>Agency:</b> 100-Office of Attorney General |
|-----------------------------|--|---|

## 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

|                             |  |  |
|-----------------------------|--|--|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services | <b>Agency:</b> 110-Office of Administrative Hearings |
|-----------------------------|--|--|

## 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 |

*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

|                             |  |  |
|-----------------------------|--|--|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services | <b>Agency:</b> 190-Board of Indust Insurance Appeals |
|-----------------------------|--|--|

**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

|                             |  |   |
|-----------------------------|--|---|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services | <b>Agency:</b> 235-Department of Labor and Industries |
|-----------------------------|--|---|

## 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

|                             |  |  |
|-----------------------------|--|--|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services | <b>Agency:</b> 240-Department of Licensing |
|-----------------------------|--|--|

## 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

|                             |  |   |
|-----------------------------|--|---|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services | <b>Agency:</b> 300-Dept of Social and Health Services |
|-----------------------------|--|---|

## 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

|                             |  |  |
|-----------------------------|--|--|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services | <b>Agency:</b> 310-Department of Corrections |
|-----------------------------|--|--|

## 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

|                             |  |  |
|-----------------------------|--|--|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services | <b>Agency:</b> 468-Environmental & Land Use Hearings |
|-----------------------------|--|--|

## 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

|                             |  |   |
|-----------------------------|--|---|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services | <b>Agency:</b> 540-Employment Security Department |
|-----------------------------|--|---|

## 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

|                             |  |
|-----------------------------|--|
| <b>Bill Number:</b> 1542 HB | <b>Title:</b> Court interpreter services |
|-----------------------------|--|

**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 |
| <b>TOTAL \$</b>       | (298,279) | (298,279) | (596,558) | 729,511 | 4,707,718 |
| <b>GRAND TOTAL \$</b> |           |           |           |         | 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   |
| <b>TOTAL \$</b>       | 863,545 | 863,545 | 1,727,090 | 1,727,090 | 1,727,090 |
| <b>GRAND TOTAL \$</b> |         |         |           |           | 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

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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: Z-0573.1/14

ATTY/TYPIST: AI:akl

BRIEF DESCRIPTION: Increasing the number of superior court judges  
in Mason county.

1 AN ACT Relating to increasing the number of superior court judges  
2 in Mason county; amending RCW 2.08.065; and creating a new section.

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

4 **Sec. 1.** RCW 2.08.065 and 2007 c 95 s 1 are each amended to read as  
5 follows:

6 There shall be in the county of Grant, three judges of the superior  
7 court; in the county of Okanogan, two judges of the superior court; in  
8 the county of Mason, (~~two~~) three judges of the superior court; in the  
9 county of Thurston, eight judges of the superior court; in the counties  
10 of Pacific and Wahkiakum jointly, one judge of the superior court; in  
11 the counties of Ferry, Pend Oreille, and Stevens jointly, two judges of  
12 the superior court; in the county of San Juan, one judge of the  
13 superior court; and in the county of Island, two judges of the superior  
14 court.

15 NEW SECTION. **Sec. 2.** The additional judicial position created by  
16 section 1 of this act in Mason county becomes effective only if the  
17 county, through its duly constituted legislative authority, documents

1 its approval of the additional position and its agreement that it will  
2 pay out of county funds, without reimbursement from the state, the  
3 expenses of the additional judicial position as provided by statute.

--- END ---

Criminal Trials

| County or Judicial District   | 2008 Criminal Trials | 2009 Criminal Trials | 2010 Criminal Trials | 2011 Criminal Trials | 2012 Criminal Trials | YTD 09/30/13 Criminal Trials |
|-------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|------------------------------|
| Ferry/Stevens<br>Pend Oreille | 18                   | 11                   | 16                   | 15                   | 19                   | 11                           |
| Island/San Juan               | 19                   |                      |                      |                      |                      |                              |
| Island                        |                      | 19                   | 19                   | 10                   | 8                    | 6                            |
| Kittitas                      | 13                   | 14                   | 12                   | 13                   | 19                   | 15                           |
| Mason                         | 74                   | 63                   | 37                   | 31                   | 36                   | 46                           |
| Walla Walla                   | 21                   | 11                   | 12                   | 15                   | 15                   | 13                           |

Criminal Non-Trial Proceedings

| County or Judicial District   | 2008 Criminal NTP | 2009 Criminal NTP | 2010 Criminal NTP | 2011 Criminal NTP | 2012 Criminal NTP | YTD 09/30/13 Criminal NTP |
|-------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|---------------------------|
| Ferry/Stevens<br>Pend Oreille | 2,925             | 2,412             | 3,180             | 3,099             | 3,601             | 2,996                     |
| Island/San Juan               | 3,310             |                   |                   |                   |                   |                           |
| Island                        |                   | 2,346             | 2,181             | 2,650             | 3,853             | 2,764                     |
| Kittitas                      | 2,362             | 2,204             | 2,118             | 1,974             | 2,816             | 2,581                     |
| Mason                         | 6,545             | 5,654             | 4,685             | 5,083             | 6,046             | 5,366                     |
| Walla Walla                   | 2,781             | 2,914             | 3,345             | 3,669             | 4,053             | 3,245                     |

Criminal Case Management Statistics - 2012 Annual Report

-----Time Standards-----

| County/Court | 90%<br>4<br>Months | 98%<br>6<br>Months | 100%<br>9<br>Months | Cases Filed <sup>1</sup> | Total Cases<br>Resolved <sup>2</sup> | Active Cases<br>Pending<br>Resolution | Ratio of<br>Active<br>Cases<br>Pending<br>to Cases<br>Resolved | Cases<br>Pending<br>Resolution<br>over 9<br>Months |
|--------------|--------------------|--------------------|---------------------|--------------------------|--------------------------------------|---------------------------------------|--|--|
| Ferry        | 55.56              | 70.37              | 79.63               | 57                       | 54                                   | 30                                    | 0.56   | 9  |
| Pend Oreille | 56.04              | 70.33              | 82.42               | 97                       | 91                                   | 40                                    | 0.44   | 4  |
| Stevens      | 67.57              | 80.18              | 88.29               | 210                      | 222                                  | 70                                    | 0.32   | 6  |
| Island       | 61.81              | 79.13              | 91.73               | 275                      | 254                                  | 134                                   | 0.53   | 61   |
| Kittitas     | 61.09              | 79.64              | 90.27               | 335                      | 329                                  | 112                                   | 0.34   | 7  |
| Mason        | 79.16              | 89.05              | 96.00               | 516                      | 475                                  | 161                                   | 0.34   | 18   |
| Walla Walla  | 78.64              | 86.38              | 92.96               | 448                      | 426                                  | 182                                   | 0.43   | 61   |
| Statewide    | 63.27              | 76.15              | 86.39               | 38,488                   | 38,585                               | 17,416                                | 0.45   | 5,356  |

<sup>1</sup> Caseloads of Courts of Washington report includes non-charges filings but excludes lower court appeals.

<sup>2</sup> Caseloads of Courts of Washington report includes non-charges filings but excludes lower court appeals.

Criminal Filings without Non-charges

|                                 | 2008 | 2009 | 2010 | 2011 | 2012 |
|---------------------------------|------|------|------|------|------|
| Ferry, Stevens,<br>Pend Oreille | 405  | 344  | 393  | 355  | 355  |
| Island,<br>San Juan             | 338  |      |      |      |      |
| Island                          |      | 238  | 242  | 188  | 243  |
| Kittitas                        | 286  | 269  | 261  | 281  | 302  |
| Mason                           | 459  | 324  | 306  | 385  | 461  |
| Walla Walla                     | 409  | 350  | 304  | 342  | 385  |

Criminal Resolutions without Non-charges

|                                 | 2008 | 2009 | 2010 | 2011 | 2012 |
|---------------------------------|------|------|------|------|------|
| Ferry, Stevens,<br>Pend Oreille | 386  | 342  | 373  | 402  | 354  |
| Island, San<br>Juan             | 404  |      |      |      |      |
| Island                          |      | 283  | 246  | 176  | 227  |
| Kittitas                        | 271  | 271  | 289  | 222  | 301  |
| Mason                           | 447  | 418  | 347  | 339  | 406  |
| Walla Walla                     | 389  | 352  | 314  | 349  | 375  |

| Court | Judges | Authorized<br>Unfilled Judge<br>Positions | Full-Time<br>Commissioners | Part-Time<br>Commissioners | Total Estimated<br>Judge Need |
|-------|--------|---|----------------------------|----------------------------|-------------------------------|
| Mason | 2.00   | 0.00                                      | 1.00                       | 0.15                       | 2.86                          |

| Superior Courts—Judicial Needs Estimates by Full-Time Equivalents, 2013 Projected Filings <sup>1</sup> |        |  |                         |                         |   |
|--|--------|--|-------------------------|-------------------------|---|
| Court  | Judges | Authorized Unfilled Judge Positions <sup>2</sup> | Full-Time Commissioners | Part-Time Commissioners | Total Estimated Judge Need <sup>3</sup> |
| Adams  | 1.00   | 0.00   | 0.00                    | 1.00                    | 1.09                                    |
| Asotin/Columbia/Garfield   | 1.00   | 0.00   | 0.00                    | 0.34                    | 1.89                                    |
| Benton/Franklin  | 6.00   | 0.00   | 2.00                    | 0.50                    | 9.10                                    |
| Chelan   | 3.00   | 1.00   | 1.00                    | 0.04                    | 3.34                                    |
| Clallam  | 3.00   | 0.00   | 1.00                    | 0.00                    | 3.54                                    |
| Clark  | 10.00  | 0.00   | 2.00                    | 0.60                    | 13.87                                   |
| Cowlitz  | 4.00   | 1.00   | 0.00                    | 0.90                    | 5.69                                    |
| Douglas  | 1.00   | 0.00   | 0.00                    | 0.09                    | 1.42                                    |
| Ferry/Stevens/PendOreille  | 2.00   | 0.00   | 0.00                    | 0.40                    | 2.57                                    |
| Grant  | 3.00   | 0.00   | 0.00                    | 0.70                    | 4.42                                    |
| Grays Harbor   | 3.00   | 0.00   | 0.00                    | 0.00                    | 3.58                                    |
| Island   | 2.00   | 0.00   | 0.00                    | 0.10                    | 2.81                                    |
| Jefferson  | 1.00   | 0.00   | 0.30                    | 0.00                    | 1.62                                    |
| King   | 53.00  | 5.00   | 13.00                   | 0.00                    | 59.54                                   |
| Kitsap   | 8.00   | 0.00   | 1.00                    | 0.00                    | 8.65                                    |
| Kittitas   | 2.00   | 0.00   | 0.00                    | 0.00                    | 1.74                                    |
| Klickitat/Skamania   | 1.00   | 0.00   | 0.00                    | 0.13                    | 1.67                                    |
| Lewis  | 3.00   | 0.00   | 1.00                    | 0.00                    | 4.03                                    |
| Lincoln <sup>4</sup>   | 1.00   | 0.00   | 0.00                    | 0.00                    | 1.13                                    |
| Mason  | 2.00   | 0.00   | 1.00                    | 0.15                    | 2.86                                    |
| Okanogan   | 2.00   | 0.00   | 0.00                    | 0.10                    | 2.38                                    |
| Pacific/Wahkiakum  | 1.00   | 0.00   | 0.00                    | 0.00                    | 1.50                                    |
| Pierce   | 22.00  | 2.00   | 8.00                    | 0.00                    | 29.49                                   |
| San Juan   | 1.00   | 0.00   | 0.00                    | 0.00                    | 0.95                                    |
| Skagit   | 4.00   | 0.00   | 1.00                    | 0.25                    | 6.01                                    |
| Snohomish  | 15.00  | 0.00   | 5.00                    | 0.00                    | 20.64                                   |
| Spokane  | 12.00  | 1.00   | 5.00                    | 0.80                    | 18.48                                   |
| Thurston   | 8.00   | 0.00   | 2.00                    | 0.00                    | 10.44                                   |
| Walla Walla  | 2.00   | 0.00   | 0.00                    | 0.30                    | 2.78                                    |
| Whatcom  | 3.00   | 0.00   | 3.00                    | 0.80                    | 6.92                                    |
| Whitman  | 1.00   | 0.00   | 0.00                    | 0.00                    | 1.36                                    |
| Yakima   | 8.00   | 0.00   | 2.00                    | 0.60                    | 9.11                                    |
| TOTAL  | 189.00 | 10.00  | 48.30                   | 7.80                    | 244.64                                  |

1. Year 2013 projected filings are based on the previous five-year filing trends of the various case types in a given court. Needs estimates are based on the previous five years of data for the number of total judicial officers and case resolutions.

2. Superior court judge positions authorized by state statute yet unfunded at the county level.

3. This column represents the estimated number of judge positions needed, as required by RCW 2.56.030(11). Individual counties or judicial districts may choose to establish and fund court commissioner positions instead of superior court judge positions. Identical indicators are used to measure the workload of both judges and commissioners.

4. The estimation process eliminates Lincoln County due to caseload anomalies which strongly influence the overall results. In order to obtain a true statewide total, the estimated judge need for Lincoln County is imputed to be identical to the current judicial officer FTE count in that county.

# Tab 6



November 6, 2013

To: Chief Justice Barbara Madsen  
SCJA Pres. Judge Charles Snyder  
DMCJA Leg Chair Sam Meyer  
OCLA Director Jim Bamberger  
MSD Director Ramsey Radwan  
OTCS & Jud Ed Manager Jennifer Creighton  
OPD Dep Director Sophia Byrd McSherry

BJA Member-Chair Judge Kevin Ringus  
SCJA Leg Chair Judge Steve Warning  
State Court Admin. Callie Dietz  
OPD Director Joanne Moore  
JSD Director Dirk Marler  
Admin Manager, BJA Shannon Hinchcliffe

From: Mellani McAleenan, Associate Director, Office of Judicial & Legislative Relations

Re: Legislative Communications and Coordination

This memo memorializes the expectations developed and decisions made at the October 18<sup>th</sup> meeting regarding communications and collaboration between the DMCJA, SCJA, OCLA, OPD, AOC, and BJA (judicial branch team members) during the 2014 legislative session.

At this time, we should only focus on the 2014 legislative session, during which our focus will be on some discrete policy issues and a few limited budget items. After session, we will debrief to make any adjustments to this plan we deem necessary as well as to discuss ideas and plans for interim communications. Because this will be a “short session” of the legislature, we will have time to more fully develop additional ideas or processes in time for the long session beginning in 2015.

Several methods of communication already exist and will remain in effect. They are as follows:

- AOC’s internal legislative team will continue to meet on Thursdays to discuss bills scheduled for hearing the next week as well as items of interest from the following or upcoming weeks.
- SCJA’s legislative committee will continue to meet on Fridays to develop positions on legislation.
- DMCJA’s legislative committee will continue to meet on Monday mornings to develop positions on legislation.
- AOC’s staff to the associations will maintain communication with Mellani in preparation for the BJA leg/exec committee phone calls. Staff will notify Mellani by noon Monday of items that the associations want to add to the BJA leg/exec call agenda and provide a

synopsis of their positions/rationale relative to each. Mellani and AOC staff for the associations will also have an in-person meeting on Monday afternoon to prepare for the BJA leg/exec conference call.

- The Monday morning meetings with the “lobbyists” and agency leads will continue. Association presidents and legislative chairs will convey the importance of attending these discussions to their respective legislative liaisons.
- Two standing agenda items will be added to the BJA leg/exec committee call: (a) Identification from all participants of what issues they are working on that week and the positions/rationale they propose to take, and (b) Identification of which judges will be in Olympia that week and/or requesting that judges be available during the week.

Enhanced communications will include the following:

- The “fire brigade” used in previous legislative sessions for “emergency” decision making will be recreated. Association presidents, legislative committee chairs, and agency directors will be included. A membership list and process document will be developed.
- Legislation, “white papers,” and “talking points” created by any judicial branch team member will be shared.
- Mellani has been designated the “hub” for all transmission of legislative information. To accomplish this, it is expected that all judicial branch team members will report regularly to Mellani about noteworthy information. She will then share this information with the full judicial branch team, including lobbyists, and the members of the BJA leg/exec committee (association presidents and legislative committee chairs and designated members from the appellate courts).
- Association presidents and legislative committee chairs will convey to their judges and lobbyists that information regarding issues raised, discussions with legislators, etc. will be conveyed to them and Mellani in a timely manner.
- Mellani will create an email list and send regular updates, as often as daily if necessary, that will include the information provided to her by the other members of the judicial branch team, positions taken by the BJA and associations, and other information she or other members of the judicial branch team deem to be of interest.
- A meeting of the judicial branch team will be scheduled, as needed, for November or December to discuss request legislation, other areas of great interest, and the budget.
- Judicial impact statement/fiscal note requests will be provided to identified members of the SCJA in a manner developed by AOC’s Management Services Division.
- If conflicting positions are identified, efforts at resolution should occur. If conflicting positions are not resolvable, every effort should be made to communicate those disagreements respectfully and in a way that does not harm the broader sense of cohesive engagement on the part of the judicial branch.

A “cautionary” note:

Certain sensitivities about the sharing of information were raised at the October 18<sup>th</sup> meeting. Judicial branch team members should exercise caution in forwarding emails without

permission, paying attention to potential public disclosure issues, and note that more information may be provided in person as needed.

I have consulted with Mr. Charles Bates, AOC's Public Records Officer / Risk Management Coordinator, about whether there is some form of a "disclaimer" limiting disclosure due to any "deliberative process" type of exception. We are not confident that any long term restriction against public access applies.

# Tab 7

## 2014 Supplemental Budget Submittal As Approved by the Supreme Court

| Budget Request Description   | Move Forward     | Do Not Move Forward |
|--|------------------|---------------------|
| <b>Supreme Court</b>   |                  |                     |
| Technical Correction-correct the restoration of the 3% salary decrease.<br>Approved as submitted.            | \$18,000         | N/A                 |
| Justices' Salary Increase-as approved by the salary commission.<br>Approved as submitted.                    | \$119,000        | N/A                 |
| Leave Buyout-costs associated with Supreme Court Commissioner leave buyout.<br>Approved as submitted.        | \$58,000         | N/A                 |
| Additional Step-costs for step M and to reinstate merit increments frozen in 2011.<br>Approved as submitted. | \$69,000         | N/A                 |
| <b>Total Request Supreme Court</b>   | <b>\$264,000</b> | <b>N/A</b>          |
| <b>Administrative Office of the Courts</b>   |                  |                     |
| Technical Correction- correct the restoration of the 3% salary decrease.<br>Approved as submitted.           | \$90,000         | N/A                 |
| Superior Courts Judges' Salary Increase-as approved by the salary commission.<br>Approved as submitted.      | \$1,114,000      | N/A                 |
| Hardware and Software Maintenance- hardware and software maintained by AOC.<br>Approved as submitted.        | \$1,159,000      | N/A                 |
| Employment Security-funds to pay Employment Security for unemployment benefits.<br>Approved as submitted.    | \$109,000        | N/A                 |
| Attorney General-funding for increased AG costs.<br>Approved as submitted.                                   | \$190,000        | N/A                 |

**2014 Supplemental Budget Submittal  
As Approved by the Supreme Court**

| Budget Request Description   | Move Forward        | Do Not Move Forward |
|--|---------------------|---------------------|
| <b>Administrative Office of the Courts-Continued</b>   |                     |                     |
| Thurston County Impact Fee (Clerk only)-funding to offset the costs of state cases filed in Thurston County.<br>Approved as submitted; review methodology.   | \$977,000           | N/A                 |
| Wash. State CASA-50% funding for State CASA staff, not an AOC staff.<br>Approved as submitted.   | \$75,000            | N/A                 |
| Superior Court Case Management System-funding for contracted vendor services.<br>Approved as submitted.  | \$5,306,000         | N/A                 |
| Enterprise Content Management System- funding for contracted vendor services.<br>Approved as submitted.  | \$1,093,000         | N/A                 |
| Information Technology Security Enhancement-funding for security recommendations.<br>Approved as submitted.  | \$750,000           | N/A                 |
| <b>Total Request AOC</b>   | <b>\$10,863,000</b> | <b>N/A</b>          |
| Centralized Interpreter Scheduling<br>Do not move forward at this time; route through information technology review process.   | N/A                 | \$34,300            |
| Restoration of CASA Pass Through<br>Not a supplemental "type" request; do not move forward at this time; gather additional impact/results data; re-present during the 15-17 budget development process for branch wide prioritization.                                   | N/A                 | \$753,000           |
| Juvenile Detention Alternative Initiative (JDAI) Staff<br>Not a supplemental "type" request; do not move forward at this time; gather additional impact/results data; re-present during the 15-17 budget development process for branch wide prioritization.             | N/A                 | \$98,000            |
| AOC Research Staff (juvenile and adult risk assessment validation)<br>Not a supplemental "type" request; do not move forward at this time; gather additional impact/results data; re-present during the 15-17 budget development process for branch wide prioritization. | N/A                 | \$98,000            |
| <b>Total Not Moving Forward AOC</b>  | <b>N/A</b>          | <b>\$983,300</b>    |

**2014 Supplemental Budget Submittal  
As Approved by the Supreme Court**

| Budget Request Description  | Move Forward     | Do Not Move Forward |
|---|------------------|---------------------|
| <b>State Law Library</b>  |                  |                     |
| Employment Security-funds to pay Employment Security for unemployment benefits.<br>Approved as submitted. | \$1,000          | N/A                 |
| <b>Court of Appeals</b>   |                  |                     |
| Judges' Salary Increase- as approved by the salary commission.<br>Concur with request.                    | \$275,000        | N/A                 |
| Lease Increase-funding for increased lease costs.<br>Concur with request.                                 | \$97,000         | N/A                 |
| Employment Security-funds to pay Employment Security for unemployment benefits.<br>Concur with request.   | \$30,000         | N/A                 |
| Attorney General-funding for increased AG costs.<br>Concur with request.                                  | \$14,000         | N/A                 |
| Reinstatement of Merit Increments-reinstate merit increments frozen in 2009.<br>Concur with request.      | \$272,000        | N/A                 |
| <b>Total Request COA</b>  | <b>\$688,000</b> | <b>N/A</b>          |

**2014 Supplemental Budget Submittal  
As Approved by the Supreme Court**

| Budget Request Description   | Move Forward        | Do Not Move Forward |
|--|---------------------|---------------------|
| <b>Office of Public Defense</b>  |                     |                     |
| Immigration Consequences- second year funding for immigration consequences advisement program.<br>Concur with request. | \$100,000           | N/A                 |
| Capital Case Litigation-federal funding for training of defense and prosecution personnel.<br>Concur with request.     | \$152,000           | N/A                 |
| <b>Total Request OPD</b>   | <b>\$252,000</b>    | <b>N/A</b>          |
| <b>Office of Civil Legal Aid</b>   |                     |                     |
| Phone System-CLEAR-replace and upgrade antiquated telecommunication system.<br>Concur with request.                    | \$280,000           | N/A                 |
| <b>Total Request OCLA</b>  | <b>\$280,000</b>    | <b>N/A</b>          |
| <b>Total Recommended Supplemental Request</b>  |                     |                     |
| State General Fund   | \$3,888,000         | \$983,300           |
| Judicial Information System Account (JIS)  | \$8,308,000         | N/A                 |
| Other (federal)  | \$152,000           | N/A                 |
| <b>Total Request</b>   | <b>\$12,348,000</b> | <b>\$983,300</b>    |

# Tab 8

BOARD FOR JUDICIAL ADMINISTRATION RULES (BJAR)

TABLE OF RULES

Rule

Preamble

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

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BJAR  
PREAMBLE

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

[Adopted effective January 25, 2000.]

---

BJAR 1  
BOARD FOR JUDICIAL ADMINISTRATION

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

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

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BJAR 2  
COMPOSITION

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

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

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

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

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BJAR 3  
OPERATION

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

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

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

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

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

[Adopted effective January 25, 2000.]

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BJAR 4  
DUTIES

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

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

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

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

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

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

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

[Adopted effective January 25, 2000.]

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BJAR 5  
STAFF

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

[Adopted effective January 25, 2000.]

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## **BOARD FOR JUDICIAL ADMINISTRATION BYLAWS**

### **ARTICLE I**

#### **Purpose**

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

### **ARTICLE II**

#### **Membership**

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

### **ARTICLE III**

#### **Officers and Representatives**

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

### **ARTICLE IV**

#### **Duties of Officers**

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

### **ARTICLE V**

#### **Vacancies**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Approved for Circulation--7/27/87  
Amended 1/21/00  
Amended 9/13/00  
Amended 5/17/02  
Amended 5/16/03  
Amended 10/21/05  
Amended 03/16/07

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## BOARD FOR JUDICIAL ADMINISTRATION

### PROCESS AND GUIDELINES FOR RESOLUTION REQUESTS

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

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

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

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

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

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

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

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

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

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

# BOARD FOR JUDICIAL ADMINISTRATION

## RESOLUTION REQUEST COVER SHEET

(INSERT PROPOSED RESOLUTION TITLE HERE)

SUBMITTED BY: (INSERT NAME HERE)

---

(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.)