



Joint Board for Judicial Administration (BJA) and Court Management Council (CMC) Meeting
Friday, December 13, 2013 (9:00 a.m. – Noon)
AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

MEETING MINUTES

BJA Members Present:

Chief Justice Barbara Madsen, Chair
Judge Kevin Ringus, Member Chair
Judge Veronica Alicea-Galvan
Judge Vickie Churchill
Ms. Callie Dietz
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 Jeffrey Ramsdell
Judge Ann Schindler
Judge Charles Snyder
Judge Scott Sparks
Judge David Svaren

Court Management Council Members Present:

Mr. Pat Escamilla
Ms. LaTricia Kinlow
Ms. Sonya Kraski
Mr. Frank Maiocco
Ms. Renee Townsley
Ms. Aimee Vance

Guests Present:

Mr. Jim Bamberger
Judge Susan Cook
Ms. Delilah George
Ms. Lisa Tremblay

Public Present:

Mr. Tom Goldsmith

AOC Staff Present:

Ms. Lynne Alfasso (by phone)
Ms. Vonnie Diseth
Ms. Beth Flynn
Mr. Steve Henley
Ms. Shannon Hinchcliffe
Mr. Michael Keeling
Ms. Mara Machulsky
Mr. Dirk Marler
Ms. Mellani McAleenan
Mr. Monto Morton
Mr. Terry Overton

The meeting was called to order by Judge Ringus

Court Manager of the Year Award

Ms. Dietz gave a brief history of the Court Management Council (CMC) which was established in 1987 by Supreme Court order and works on issues that impact court management. The Council meets every other month, usually by phone, and membership is comprised of representatives from the Association of Washington Superior Court Administrators (AWSCA), District and Municipal Court Managers' Association (DMCMA), Washington Association of Juvenile Court Administrators (WAJCA), Washington State Association of County Clerks (WSACC), the Supreme Court, Court of Appeals and the State Court Administrator. Ms. Dietz and Mr. Escamilla are currently co-chairs.

The Court Manager of the Year Award was established in 1987 to recognize leadership in the court management profession. The award recipient is presented with a vase and a plaque with the recipient's photo which is mounted in the AOC SeaTac conference room.

There were seven outstanding nominees: Ms. Patricia Austin, Benton and Franklin Counties Superior Court; Ms. Robyn Berndt, Yakima County Superior Court; Ms. Delilah George, Skagit County Superior Court; Ms. Betty Gould, Thurston County Clerk; Ms. Patsy Robinson, Mason County District Court; Mr. Josh Sattler, King County District Court; and Mr. Bob Terwilliger, Snohomish County Superior Court.

The 2013 Court Manager of the Year, Ms. Delilah George, has been active statewide for the past ten years. She created a mentorship program for the Association of Washington Superior Court Administrators in which all new administrators have a mentor assigned. She worked on a comprehensive update of the Superior Court Administrators' Desk Reference Manual and worked with the Administrative Office of the Courts (AOC) to convert the manual to an electronic format. She exemplifies leadership and she is currently taking on more work with the Superior Court Case Management System (SC-CMS). She has consistently embraced the role of a court leader and has done a lot of work with the citizens in her county.

Judge Cook stated that Skagit County Superior Court was very fortunate to have Ms. George join them as their administrator after their previous administrator retired. Ms. George makes the work of the superior court go well.

Mr. Maiocco said he cannot think of anyone he has worked with in the past 24 years who has invested so much passion in educating new court leaders. Ms. George has stuck with the statewide projects she is working on and is also fully invested in what she is doing locally.

Ms. Tremblay stated that two years ago their county underwent a transition and Ms. George welcomed them with open arms and has been a blessing to work with. They have a better department because of Ms. George.

Ms. George thanked everyone for the wonderful honor. She has 28 years of experience in the court system including 10 years in the clerk's office along with experience in the district court and now in superior court. She has worked with so many spectacular, dedicated leaders that made many strides for the courts. She is truly blessed with the judges she has worked with because they have always given her the support for her to be successful.

CMC Transcriptionist Subcommittee Report and Proposal

Ms. Townsley explained that the main purpose of the Court Management Council (CMC) Transcriptionist Subcommittee endeavor was to try to bring clarification and minimum qualifications to transcriptionist work. The Subcommittee received comments from several judicial associations regarding their proposals and they took the feedback into consideration when finalizing their report and proposal.

They determined that there was no value in filing the transcript with the trial court clerk. On the appellate side, they never know for sure if the transcript has been filed in a timely fashion and after consideration of this, it seemed more realistic that the transcript be filed directly with the appellate court so they know exactly when it is filed.

The National Center for State Courts recently released, "Making the Record, Utilizing Digital Electronic Recording." Many of the recommendations in that report are included in the CMC report.

The CMC will submit the rule revision to the Supreme Court Rules Committee in the next year and the statute changes to the Legislature in 2015.

It was moved by Judge Sparks and seconded by Judge Krese that the BJA endorse the Court Management Council's (CMC) suggested rule changes. It is expected that the CMC will draft a GR 9 cover sheet and submit its proposals to the Supreme Court Rules Committee in 2014, noting that the proposals have been reviewed and endorsed by the BJA. The CMC's belief is that doing so would not preclude an individual officer or association from submitting a comment with a dissenting view on a specific section of the proposal. The BJA will support the CMC's proposed statutory changes, and authorize AOC staff to draft BJA request legislation for introduction in the 2015 legislative session. The BJA suspends the BJA rules to make this an action item today. The motion carried.

IT Security Update

Ms. Diseth gave a brief overview of the AOC data breach from earlier in the year. No court records were altered and no financial records were accessed. It is possible that many driver license numbers and a few social security numbers were accessed and it occurred because of a vulnerability to an Adobe product.

Washington State is a target for hackers more so than other states because it is often assumed to be Washington, DC. There are thousands of hacking attempts that occur daily that AOC blocks through their security hardware and software.

AOC has received full reports on the security testing from Intrinium, a security consulting firm. AOC still has some work left to do but has completed 66% of Intrinium's recommendations with 34% left to complete. AOC is also working with the Washington State Military Department. The Military Department will also be doing a lot of security testing. It is an opportunity for them to do a training exercise and AOC will benefit from any information they gather in the testing.

AOC hired a new security officer, Mr. Terry Overton. He came from the Washington State Military Department. AOC has also instituted an IT security team that meets weekly to develop and implement all security measures. Ms. Dietz and Ms. Diseth are part of this team.

AOC instituted mandatory online security awareness training for AOC, Supreme Court, and Court of Appeals staff.

Mr. Keeling stated that there are a number of security measures that will impact court staff.

- AOC would like to make it easier for courts to participate in online security awareness training and will be looking into ways to identify court needs and assist where AOC can.

- All JIS passwords have been strengthened as of yesterday. JIS users are now required to use a mixed case password containing at least one number.
- VPN dual factor authentication will require a phone call to verify the identity of the user.
- There will be a new timeout feature for Inside Courts users at 3 a.m. each day.
- AOC is encrypting all of some sessions so that the communication between courts and AOC is in code/encrypted.
- Security is being increased on the JABS system. The big difference users will notice is logging onto JABS with a RACF ID and password.

Ms. Diseth stated that AOC will be asking for a 2014 supplemental budget request for IT security.

Ongoing challenges to the security enhancements include educating the judicial community on the reasons the security enhancements are necessary; balancing the needs of the court community to easily access the information they need without allowing hackers in; and improving IT security is an ongoing process because hackers are always discovering new ways to access information.

Court Security Resources

Mr. Marler reported that AOC developed an online tool on the Inside Courts Web site that courts can utilize to report court security incidents. Courts can then generate a report so they can use the data locally. Not many incidents have been reported over the past several months and a reminder will be sent to courts about the tool and reporting capabilities. In addition, quarterly reminders regarding court security will be e-mailed to courts in 2014 and at least once a year an article regarding court security will be featured in the Full Court Press.

There was a presentation on court security at the Annual Judicial Conference and those materials are available on the Inside Courts Web site. The Board for Court Education encourages curricula that follow National Association for Court Management core competencies and one of the Essential Components addresses security.

AOC is also continuing to update and populate the court security page on the Inside Courts Web site.

November 15, 2013 Meeting minutes

It was moved by Judge Churchill and seconded by Judge Lambo to approve the November 15, 2013 BJA meeting minutes. The motion carried.

BJA Best Practices Committee Appointment

It was moved by Judge Garrow and seconded by Judge Churchill to appoint Ms. Geana Van Dessel to the BJA Best Practices Committee. The motion carried.

BJA Public Trust and Confidence Committee Appointments

It was moved by Judge Garrow and seconded by Judge Snyder to appoint

Ms. Barbara Fox and Ms. Kay Holland to the BJA Public Trust and Confidence Committee. The motion carried.

BJA Special Account Request for Signature Authority

Ms. Hinchcliffe reported that currently Mr. Marler and Ms. McAleenan are signers on the BJA Special Account. The intent is to keep Mr. Marler and Ms. McAleenan as signers on the account and add Ms. Hinchcliffe. Ms. Hinchcliffe would become the primary reviewer and signatory and Mr. Marler would be the backup. Ms. McAleenan would serve as an additional backup in an emergency and in situations where pre-payment is not an option or the amount is too large to be personally reimbursed such as the legislative dinners, for example. It is oftentimes difficult to add a signer without official action by the Board and that is the reason this is on the agenda.

It was moved by Judge Garrow and seconded by Judge Lambo to suspend the BJA rules and take action on this item today.

It was moved by Judge Garrow and seconded by Judge Churchill to vest the authority to spend monies on behalf of the BJA Special Account to the newly appointed Administrative Manager of the Board for Judicial Administration, Ms. Shannon Hinchcliffe, by adding her as a signatory to the private account currently held at the Washington State Employees Credit Union (WSECU).

Both motions carried.

Legislative Report

Ms. McAleenan stated the legislative session begins January 13. It is a 60-day session. Because it is an election year, they are more likely to stick to 60 days.

Legislative committee days were in late November, and pre-filed bills also started being introduced in November.

There is talk the Legislature might not adopt a full supplemental budget, instead making just a few changes. A deficit is not anticipated this year.

In conversations with legislators regarding the SC-CMS project, legislators asked to have judges talk with their local legislators about not sweeping the Judicial Information System Account because the funding is needed to properly fund the Judicial Information System, including the SC-CMS project and planned upgrades for the limited jurisdiction courts.

Ms. McAleenan introduced Ms. Mara Machulsky, Senior Administrative Assistant, who will be working for Ms. McAleenan. Ms. Machulsky has worked for the Washington House of Representatives and the Lieutenant Governor's Office. She most recently worked for a lobbyist in Alaska.

Ms. McAleenan is considering holding a lawyer legislator lunch as a relationship building opportunity. She would invite the leaders of judicial branch agencies, association leadership, and legislators who are lawyers.

The legislators Ms. McAleenan spoke with regarding the interpreter bill are in agreement with the BJA. Representative Sharon Tamiko Santos suggested that a way to keep the issue alive is to request a committee work session. If this is something the BJA is interested in, the BJA needs to determine 1) which committee the work session should be held in, 2) who should give the presentation, and 3) what information should be presented.

The Mason County Superior Court judge bill received prime sponsorship in the Senate from Senator Tim Sheldon. Representatives Kathy Haigh and Drew MacEwen will be prime sponsors in the House. Both bills will be dropped in the next few weeks.

The juvenile records bill continues to be discussed and redrafted.

District and Municipal Court Judges' Association (DMCJA) Legislative Agenda

Judge Svaren stated that municipal courts can be eliminated by contracting with another municipal court or a district court in the middle of a judge's term. The DMCJA legislation attempts to address that issue when a municipality contracts with another court during a sitting judge's term. It will eliminate the ability of one branch of government to eliminate a court in the middle of a judge's term which is a separation of powers issue. The legislation requires the municipality to wait until the end of the judge's term. This is already a requirement for district courts but if the legislation becomes law it would also apply to municipal courts.

The DMCJA is requesting the BJA's support for their legislation. This will be added as an action item on the January BJA meeting agenda.

BJA Committee Next Steps

Ms. Hinchcliffe outlined the next steps regarding the BJA standing committees. Mr. Henley drafted an amendment to BJAR 3 and Ms. Hinchcliffe created an interim work plan.

The first step in the process is populating interim BJA standing committees with BJA voting members. Ms. Hinchcliffe requests that all voting members rank interest in participation in interim standing committees by completing the form Ms. Hinchcliffe distributed to each voting member and returning it by the end of the year. The BJA Co-chairs will review members' rank order of preference, court level, and BJA term expiration date to assemble the interim standing committees. Administrative Office of the Courts staff will then be assigned to help the committees develop committee charters. The AOC staff will meet monthly to communicate and collaborate.

The BJAR 3 rule amendment will be added as an action item to the January BJA meeting agenda.

It was moved by Judge Churchill and seconded by Judge Garrow to adjourn the meeting. The motion carried.

Recap of Motions from December 13, 2013 meeting

Motion Summary	Status
Endorse the Court Management Council's (CMC) suggested rule changes. It is expected that the CMC will draft a GR 9 cover sheet and submit its proposals to the Supreme Court Rules Committee in 2014, noting that the proposals have been reviewed and endorsed by the BJA. The CMC's belief is that doing so would not preclude an individual officer or association from submitting a comment with a dissenting view on a specific section of the proposal. The BJA will support the CMC's proposed statutory changes, and authorize AOC staff to draft BJA request legislation for introduction in the 2015 legislative session. The BJA suspends the BJA rules to make this an action item today.	Passed
Approve the November 15, 2013 BJA meeting minutes.	Passed
Appoint Ms. Geana Van Dessel to the BJA Best Practices Committee.	Passed
Appoint Ms. Barbara Fox and Ms. Kay Holland to the BJA Public Trust and Confidence Committee.	Passed
It was moved by Judge Garrow and seconded by Judge Lambo to suspend the BJA rules and take action on this item. Vest the authority to spend monies on behalf of the BJA Special Account to the newly hired Administrative Manager of the Board for Judicial Administration, Ms. Shannon Hinchcliffe, by adding her as a signatory to the private account currently held at the Washington State Employees Credit Union (WSECU)	Both motions passed
Adjourn the meeting.	Passed

Action Items from the December 13, 2013 meeting

Action Item	Status
<u>November 15, 2013 BJA Meeting Minutes</u> <ul style="list-style-type: none"> Post the minutes online Send minutes to the Supreme Court for inclusion in the En Banc meeting materials 	Done Done
<u>BJA Best Practices Committee Appointment</u> <ul style="list-style-type: none"> Notify AOC staff Mr. David Elliott and Ms. Caroline Tawes of the appointment Send appointment letter to Ms. Geana Van Dessel 	Done Done
<u>BJA Public Trust and Confidence Committee Appointments</u> <ul style="list-style-type: none"> Notify AOC staff Ms. Margaret Fisher of the appointments Send appointment letters to Ms. Barbara Fox and Ms. Kay Holland 	Done Done

Action Item	Status
<u>BJA Special Account Request for Signature Authority</u> <ul style="list-style-type: none"> • After December BJA minutes are approved by the BJA during their January BJA meeting, add Ms. Hinchcliffe as a signer on the BJA special account 	In progress
<u>DMCJA Legislative Agenda</u> <ul style="list-style-type: none"> • Add to January BJA meeting agenda 	Done
<u>BJA Committee Next Steps</u> <ul style="list-style-type: none"> • Add BJA rule amendment proposals to the January BJA agenda for action • BJA members will submit their committee ranking forms to Ms. Hinchcliffe by the end of the year • The BJA co-chairs will review the ranking forms and make committee appointments • Judge Ramsdell is a voting BJA member during Judge Prochnau's absence. 	Done Done Done Done