

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, MAY 20, 2016
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 Scott Sparks, Member Chair
Superior Court Judges' Association
Kittitas County Superior Court

Judge Bryan Chushcoff
Superior Court Judges' Association
Pierce County Superior Court

Judge Scott Collier
Superior Court Judges' Association
Clark County Superior Court

Judge Michael Downes, President
Superior Court Judges' Association
Snohomish County Superior Court

Judge George Fearing
Court of Appeals, Division III

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

Judge Bradley Maxa
Court of Appeals, Division II

Justice Susan Owens
Supreme Court

Judge Kevin Ringus
District and Municipal Court Judges' Association
Fife Municipal Court

Judge James E. Rogers
Superior Court Judges' Association
King County Superior Court

Judge Ann Schindler
Court of Appeals, Division I

Judge David Steiner, President
District and Municipal Court Judges' Association
King County District Court East Division - Bellevue

NON-VOTING MEMBERS:

Ms. Callie Dietz
State Court Administrator

Judge Sean Patrick O'Donnell, President-Elect
Superior Court Judges' Association
King County Superior Court

Mr. William Hyslop, President
Washington State Bar Association

Ms. Paula Littlewood, Executive Director
Washington State Bar Association

Judge G. Scott Marinella, President-Elect
District and Municipal Court Judges' Association
Columbia County District Court

Judge Lisa Worswick
Presiding Chief Judge
Court of Appeals, Division I



Board for Judicial Administration (BJA)

Friday, May 20, 2016 (9:00 a.m. – 1:00 p.m.)

AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

AGENDA

1. Call to Order	Chief Justice Barbara Madsen Judge Scott Sparks	9:00 a.m.
2. Welcome and Introductions	Chief Justice Barbara Madsen Judge Scott Sparks	9:00 a.m.
3. March 18, 2016 Meeting Minutes <i>Action: Motion to approve the minutes of the March 18, 2016 meeting</i>	Chief Justice Barbara Madsen Judge Scott Sparks	9:05 a.m. Tab 1
4. Administrative Manager's Report BJA Business Account Quarterly Update Bookkeeper Compensation Response Standing Committee Activity Log	Ms. Misty Butler	9:05 a.m. Tab 2
5. Revenue Update	Mr. Ramsey Radwan	9:10 a.m. Tab 3
6. Budget and Funding Committee Requests and Recommendations	Judge Ann Schindler	9:30 a.m. Tab 4
Break		10:30 a.m.
7. Strategic Issue Management Initiative	Judge Janet Garrow	10:45 a.m. Tab 5
Break with Lunch		12:00 p.m.
8. Washington State Association of Counties Legislative Agenda and Fiscal Sustainability Initiative	Mr. Eric Johnson	12:20 p.m. Tab 6
9. Role of Associate Director – Office of Judicial and Legislative Relations	Chief Justice Barbara Madsen Judge Scott Sparks	12:40 p.m. Tab 7
10. Other Business <ul style="list-style-type: none"> • Proposed Court Management Council Rule Changes • Next meeting: June 17, 2016 AOC SeaTac Office 	Chief Justice Barbara Madsen Judge Scott Sparks	12:55 p.m. Tab 8
11. Adjourn		1:00 p.m.

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

Tab 1



Board for Judicial Administration (BJA) Meeting

Friday, March 18, 2016 (9 a.m. – Noon)

AOC SeaTac Office, 18000 International Blvd, Suite 1106, SeaTac

MEETING MINUTES

BJA Members Present:

Chief Justice Barbara Madsen, Chair
Judge Scott Sparks, Member Chair
Judge Thomas Bjorgen (by phone)
Judge Bryan Chushcoff
Judge Harold Clarke III
Judge Scott Collier
Judge Michael Downes
Judge Janet Garrow
Mr. William Hyslop
Judge Judy Rae Jasprica
Judge J. Robert Leach
Judge G. Scott Marinella
Judge Sean Patrick O'Donnell
Justice Susan Owens
Judge Kevin Ringus
Judge Laurel Siddoway
Judge David Steiner

Guests Present:

Ms. Linda Baker
Ms. Ruth Gordon (by phone)
Mr. Dennis Rabidou
Mr. Paul Sherfey (by phone)

Public Present:

Dr. Page Carter
Mr. Tom Goldsmith

AOC Staff Present:

Ms. Misty Butler
Ms. Beth Flynn
Mr. Steve Henley
Mr. Dirk Marler
Ms. Mellani McAleenan
Mr. Ramsey Radwan

Judge Sparks called the meeting to order.

This is the last BJA meeting for the following judges: Judge Leach will be replaced by Judge Lisa Worswick; Judge Siddoway will be replaced by Judge George Fearing; Judge Bjorgen will be replaced by Judge Brad Maxa; and Judge Clarke will be replaced by Judge Downes. Judge Sparks recognized the judges for all of the work they have done and the time they have spent serving on the BJA. He also stated how much he appreciates the perspectives everyone brought to the BJA.

In recognition of Public Defense Day, Judge Sparks read a letter that will be sent to Ms. Joanne Moore, Director of the Office of Public Defense.

February 19, 2016 Meeting Minutes

It was moved by Garrow and seconded by Judge Ringus to approve the February 19, 2016 BJA meeting minutes. The motion carried.

BJA Business Account

Ms. Butler reported on the BJA business account audit. The account pays for things that are not appropriate for state fund expenditures. The BJA employs a bookkeeper to track the funds and make deposits and payments. There are policies that need to be followed and an audit was

completed in January of this year in response to a request from the BJA. Ms. Butler reviewed the audit findings and they were included in the meeting materials along with a response to the findings.

Ms. Butler will provide the BJA with quarterly summaries of the BJA account.

There was discussion about how frequently the BJA account will be audited. Ms. Butler will check in with the BJA each year to determine if the account should be audited.

It was moved by Judge Ringus and seconded by Judge Garrow to remove Ms. Colleen Clark from the BJA Business Account and add Ms. Jan Nutting to the account. The motion carried.

Budget Update

Mr. Radwan reported that the latest state revenue forecast for the 15-17 biennium is essentially flat. However, overall revenues for the current biennium are higher than previously forecast but they are not increasing at previous rates. The forecast for the 2017-2019 biennium is down by approximately \$400 million, however, like the 2015-2017 biennial forecast, revenue for the 2017-19 biennium is expected to be higher than the initial forecasts and greater than previous biennia. Due to increased cost projections and demand to restore previously cut or reduced services and activities, costs will exceed resources.

The current budget outlook indicates there will be a \$700 million deficit at the end of the 2017-19 biennium. The projected deficit excludes anticipated expenditure increases due to education, mental health, caseload increases and new or expanded programs. These additional costs will cause the deficit to grow which will cause the Legislature to balance increasing resources with decreasing costs.

A summary of the 2016 supplemental budget requests was included in the meeting materials. Mr. Radwan reported on each of the budget requests. He stated that the fund transfer budget request for the Expedited Information Networking Hub is necessary if all of the other JIS projects are to continue to move forward. In addition, the Operational Staffing for Odyssey Support request is needed so staff can assist courts that have started using Odyssey.

The Court of Appeals request for Reinstatement of Merit Increments most likely will not pass because the Legislature thinks if an agency has more than 100 employees it can absorb the cost of merit increments.

There was discussion regarding prioritizing budget requests within the judicial branch but no decisions were made. The BJA also discussed whether requests should be made for necessary items that most likely will not be funded so the Legislature will understand the need. No decision was made regarding that discussion topic.

Legislative Update

The BJA Legislative Committee sent a letter to a number of stakeholder groups asking if they have ideas for legislation for 2017. The responses are due by June.

It is an election year for legislators and no one thought the Legislature would be in special session because every day they are in a special session is another day they cannot fundraise and their opponents can. It will be a very close race between the democrats and republicans this year. At this point in time, the Legislature is not even meeting in person—they are just exchanging paper.

There are a lot changes taking place in the Legislature: Lieutenant Governor Brad Owen is retiring, Representative Hans Dunshee was appointed to the Snohomish County Council, and Senator Jim Hargrove is retiring after 36 years in the Legislature. Senator Hargrove was very active in juvenile justice issues and Representative Dunshee and Senator Hargrove are budget writers.

The Governor vetoed several Senate bills that were sent to him and it will be interesting to see if the Legislature will override the vetoes.

Ms. McAleenan included a list of the bills of interest to the courts and their status in the meeting materials. A few highlights:

- The court transcriptionist bill passed and the Governor has until April 2 to sign it.
- The District and Municipal Court Judges' Association (DMCJA) bill to only have to print JIS information for the case file if it is requested has been delivered to the Governor.
- The name change bill for the Superior Court Judges' Association (SCJA) passed.
- The legislation for a certificate of restoration of opportunity passed.
- The bill that would have added superior court filing fees for alternative dispute resolution died.

A full summary and implementation dates will be sent to stakeholders once the legislative session is adjourned and the Governor has signed the bills that passed.

Ms. McAleenan provided an update on the BJA legislative reception. There were 87 total attendees this year. Approximately 12-13 were legislators and 25 were legislative staff. There were a lot of conflicting events which did not help legislative turnout. The last short session reception only had 61 attendees. Last year, during long session, there were 105 attendees. Costs were up because food was more expensive but supply costs were down. It cost about \$700 more than last year but only \$200 more than in 2014.

Standing Committee Reports

Budget and Funding Committee (BFC): Judge Chushcoff stated that the BFC presented their proposed criteria for assessing budget reductions at the February BJA meeting and the criteria were included in the meeting materials. Everyone has to keep in mind that there are expenses that cannot be cut such as judges' salaries and benefits and Becca/Truancy pass-through funds for example.

The first four criteria are strategic areas. The fifth criteria is more tactical. The last three criteria are related to other considerations. The BFC thought this was a logical way to determine where to take budget cuts.

The process for budget reductions would be that the Administrative Office of the Courts (AOC) would develop a budget reduction packet and prioritize the proposed cuts. That information would be submitted to the BFC and the BFC would apply the budget reduction criteria during their decision-making process. They would submit their recommendations to the BJA. The BJA would review the information and submit their recommendations to the Supreme Court for approval.

The BFC also discussed an executive committee that would work on issues that need immediate decisions. They would have an opportunity to make queries of agencies or constituents prior to making decisions.

Judge Chushcoff requested that the BJA consider adopting the proposed AOC Budget Reduction Criteria.

There was a question about why some of AOC's budget cannot be reduced. Mr. Radwan explained that some budget items are constitutional and cannot be touched such as judges' salaries. Other budget items are included in the state budget via a proviso and cannot be cut.

There was also some concern regarding the preface of the criteria being too specific. Mr. Radwan explained that the preface educates people about items that cannot be cut in AOC's budget.

It was pointed out that the fifth criteria addresses stakeholders and all the stakeholders who are impacted by reductions in AOC's budget are represented in the BFC and BJA.

It was moved by Justice Owens and seconded by Judge Siddoway to approve the AOC Budget Reduction Criteria. The motion carried.

Court Education Committee (CEC): Judge Jasprica reported that the CEC's priority is to get more funding so that the CEC can create some new education programs. The CEC went back to the drawing board on their budget request after the budget discussion during the February BJA meeting. They looked at ways they could pare down their request. Their budget proposal will most likely be about \$400,000 for the biennium. What they are looking at is trying to come up with an online delivery system that will be cost-efficient and address the most pressing education needs.

Turnover in the judicial system is 20% for judges at every level of the court. That is a lot of training that needs to be done. Some Judicial College attendees have been on the bench over six months by the time they attend Judicial College. The CEC is trying to determine how to get the necessary information to new judges so they have the information they need the first day they are on the bench.

There is over 40% turnover for clerks and superior and juvenile court administrators. The CEC is looking at how they will be trained.

Judge Jasprica is hoping the BJA will make education a priority in the budget process. The CEC budget request will be presented at the next meeting. Current training is not sufficient and the CEC's goal is to look at online delivery to reduce travel costs. The budget request includes a new FTE that would have the skills to put some of these ideas into motion.

Policy and Planning Committee (PPC): Judge Garrow stated that during the February BJA meeting there were presentations regarding the Civil Legal Needs Study and WINGS which are the topics of the resolutions in the meeting materials. The PPC met after the February BJA meeting and they made suggestions to the proposed resolutions. After the drafters revised them, the PPC held a subsequent meeting to review them again. The committee recommends adoption of both resolutions as revised. They are now before the BJA for action.

There are typos on Page 41 in the WINGS resolution which need to be corrected. In the third paragraph from the bottom instead of "Office of Professional Guardianship" it should state "Office of Guardianship and Elder Services." In addition, the last paragraph on Page 41 should begin, "WHEREAS, the Washington State Supreme Court was awarded a grant . . ."

Another item for the BJA's consideration is a revision to the PPC membership. Because of turnover of their members, the PPC is requesting some new members for continuity over a period of time. On Page 29 of the meeting materials is the proposed amended charter with a list of additional members to be added to the committee. The committee seeks the BJA's approval of the revised charter to add those additional members.

All of the Strategic Issue Workgroups have met and are working on project proposals. Judge Garrow thanked Mr. Henley for his hard work over the past few months with the Strategic Issue Workgroups. There were over 40 stakeholder participants in five separate workgroups. The PPC hopes to have the five proposals by the end of April and recommendations for the BJA in May.

It was moved by Judge Chushcoff and seconded by Judge Ringus to approve the revised BJA Policy and Planning Committee charter. The motion carried.

It was moved by Judge O'Donnell and seconded by Judge Chushcoff to approve the Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) resolution with the typographical errors corrected. The motion carried.

It was moved by Judge O'Donnell and seconded by Judge Garrow to approve the resolution regarding the updated Civil Legal Needs Study. The motion carried.

Legislative Committee: Judge O'Donnell did not have much to add after Ms. McAleenan's report other than to compliment her and her staff for organizing the legislative reception.

SCJA Legislation Update

Senate Bill 6317 did not pass the House. The bill died at the end of the cut-off but it is technically alive with the special session. A proviso was added to the Senate budget to provide \$516,000 out of the Administrative Office of the Courts' (AOC) budget to fund SB 6317 or, if SB 6317 does not pass, AOC will sit down with the Superior Court Judges' Association (SCJA) to determine how the \$516,000 will be spent. If the budget proviso remains in the budget, cuts will have to be made to accommodate that expense. If it gets added as a proviso in the next budget, it would be about \$1 million for the biennium out of AOC's budget. Since the Legislature is still in session, and there is still no budget, the BJA will most likely have to discuss this at the next meeting.

There was discussion, but no decisions, regarding:

- If this is a BJA issue. Several BJA members stated it is a BJA matter because it has budget implications and could potentially impact all levels of courts. Others felt a smaller group would be better able to determine a resolution. Others felt it should be worked out between the SCJA and AOC and if that does not result in a resolution, then the BJA should step in. It was recommended that if the BJA does not take up this issue, but the Supreme Court steps in, that the BJA should be included in the discussions at the Supreme Court level. There was also discussion about the BJA's authority and the fact that the constitution affords authority to different court levels for different matters.
- If anything should be done prior to the end of the special session. Some BJA members stated that no matter what happens in the Legislature, there is an issue between the SCJA and AOC that needs to be addressed. Others stated that waiting until the legislative session ends will be better so that the issue can be dealt with realistically.

There being no further business, the meeting was adjourned.

Recap of Motions from the March 18, 2016 Meeting

Motion Summary	Status
Approve the February 19, 2016 BJA meeting minutes.	Passed
Remove Ms. Colleen Clark from the BJA Business Account and add Ms. Jan Nutting to the account.	Passed
Approve the AOC Budget Reduction Criteria.	Passed
Approve the revised BJA Policy and Planning Committee charter.	Passed
Approve the Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) resolution with the typographical errors corrected.	Passed
Approve the resolution regarding the updated Civil Legal Needs Study.	Passed

Action Items from the March 18, 2016 Meeting

Action Item	Status
<u>February 19, 2016 BJA Meeting Minutes</u>	
• Post the minutes online	Done
• Send minutes to the Supreme Court for inclusion in the En Banc meeting materials	Done
<u>BJA Business Account</u>	
• Remove Ms. Colleen Clark from the BJA Business Account and add Ms. Jan Nutting to the account	Done
<u>BJA Policy and Planning Committee</u>	
• Correct the WINGS resolution	Done
• Upload both the WINGS and Civil Legal Needs Study resolutions to the BJA Web site	Done

Tab 2

BJA BUSINESS ACCOUNT – FIRST QUARTER 2016 SUMMARY

JANUARY – MARCH 2016			
ITEM	WITHDRAWALS	DEPOSITS	BALANCE
BEGINNING BALANCE			\$16,377.40
BOOKKEEPING SERVICES	\$250.00		
EXPENSES	\$3823.91		
DEPOSITS		\$275.00	
ENDING BALANCE	\$4073.91	\$275.00	\$12,578.49

BJA BUSINESS ACCOUNT: FIRST QUARTER 2016 ACTIVITY DETAIL

DATE	CK #	TO	FOR	AMOUNT	CLEARED
1.6.16	3723	THIRD HOUSE	MEMBERSHIP RENEWAL FOR MELLANI MCALEENAN (LEGISLATIVE)	125.00	YES
1.7.16	3724	COLLEEN CLARK	STAMPS (COLLEEN USED 10 OF HER OWN ON VARIOUS LETTERS RELATING TO DUES MAILING)	4.90	YES
1.8.16	3725	MISTY BUTLER	REIMBURSEMENT FOR BJA MARKETING MATERIALS (SIGN HOLDER TABLE TENTS; 3-PANEL TABLETOP DISPLAY BOARD FOR LEGISLATIVE RECEPTION)	172.18	YES
1.25.16	3726	MELLANI MCALEENAN	DRY CLEANING OF LINENS, PURCHASE OF PAPER FOR LEGISLATIVE RECEPTION INVITATIONS	83.52	YES
1.25.16	3727	COLLEEN CLARK	JANUARY BOOKKEEPING PAYMENT	50.00	YES
2.2.16	3728	PAMELA KELLY	AUDIT OF ACCOUNT	537.50	YES
2.24.16	3729	COLLEEN CLARK	FEBRUARY BOOKKEEPING PAYMENT	100.00	YES
3.7.16	3730	JAN NUTTING	FEBRUARY BOOKKEEPING PAYMENT	100.00	YES
3.7.16	3731	RAMBLIN' JACK'S	LEGISLATIVE RECEPTION - CATERING	2607.83	YES
3.7.16	3732	MARA MACHULSKY	LEGISLATIVE RECEPTION – NAME TAGS	29.34	YES
3.7.16	3733	MELLANI MCALEENAN	LEGISLATIVE RECEPTION – DRY CLEANING	183.34	YES
3.8.16	3734	MELLANI MCALEENAN	BJA MEETING – REIMBURSEMENT FOR COFFEE	28.18	YES
3.21.16	3735	THE DELI	BJA MEETING – COFFEE	52.12	YES
3.31.16	3736	VOID	VOID	0	VOID
				4073.91	

February 18, 2016 Legislative Reception total: \$3,076.21

DEPOSIT DATE	AMOUNT
1.13.16	220.00
2.16.16	55.00
TOTAL 1 ST QUARTER	275.00



April 15, 2016

TO: Board for Judicial Administration (BJA) Co-Chairs
FROM: Misty Butler, BJA Administrative Manager
RE: FOLLOW-UP ON BJA BOOKKEEPER

During the February 19, 2016 BJA meeting I presented on the BJA business account bookkeeper transition. Included in that presentation was a statement that we (you the BJA Co-Chairs and myself) had decided to raise the rate of compensation to the bookkeeper from \$50 a month \$100 a month.

A concern was raised by one of the BJA members that we may not be compensating the bookkeeper adequately and the Budget and Funding Committee was asked to conduct an analysis. As staff to the committee, Ramsey Radwan asked the AOC's comptroller to look into the issue. Her analysis provided the following information.

First, she obtained compensation comparisons for bookkeeping positions in the Olympia, Washington area. The going rate for an equivalent state fiscal technician is \$18.13 per hour.

Second, she determined how many hours were worked on average by the BJA bookkeeper, taking into account the times when work was slower and times that required more work (dues collection). The following is a breakdown of that analysis:

Over a three year period (36 Months)

30 months @ 3 hrs. per month = 90 hrs.
6 months @ 15 hrs. per month = 90 hrs.
Total = 180 hrs.

The bookkeeper is currently being paid \$100 a month which over a three year period is a total of \$3,600. When \$3,600 is divided by 180 hours the hourly wage equates to \$20 per hour. This is more than the going rate for equivalent positions.

Based on this information I recommend that we continue to pay the bookkeeper her current rate and reassess after the next dues collection period.

cc: Mr. Ramsey Radwan, Management Services Director and Staff to the Budget and Funding Committee

BJA Standing Committee Activity Status Sheet						
Legislative	Development of BJA Legislative Agenda	Summer/ Fall 2016	Start in July after new Leg. Committee chair is in place	CEC, BFC, P&P	Misty Butler	
Legislative	Summary of 2016 Legislation	May 2016	Complete		Misty Butler	
Legislative	Update Legislators Guide to the Judiciary	October 2016	Start in summer		Misty Butler	
Legislative	Salary Commission Report	Nov. 2016	Start in fall		Misty Butler	
CEC	SJI Grant Awarded – Signed copies on file with SJI and AOC		Submitted to Fiscal and Contracts Office at AOC		Judge Judy Rae Jasprica	
CEC	Working with consultant Dr. John Martin and CEC chairs on drafting timeline and tasks to complete within the SJI grant period		Ongoing		Judge Judy Rae Jasprica	
CEC	FY17-Fy19 Biennial Budget Submitted	April 6, 2016	In BJA review process	BFC – Ramsey Radwan	Judge Judy Rae Jasprica	Currently answering four clarifying questions from the BFC regarding biennial package
CEC	CEC meeting June 10, 2016 with Dr. Martin and Education Personnel	June 10 2016 -April 2017	In progress		Judge Judy Rae Jasprica	
CEC	Committee for the Education of Court Employees – Educational gap analysis	March report to CEC	In-progress	Court Management Council	Ms. Margaret Yetter	
P&P	Strategic Issue Management Initiative	Ongoing	Presentation on recommendations to BJA		Steve Henley	
P&P	Mission, Vision, Principal Policy Objectives, Goals of the BJA	TBD	Developing Timeline		Steve Henley	
BFC	BJA BFC to present recommended priorities to BJA for discussion	May 2016	Current		Ramsey Radwan	

Tab 3

**Supreme Court, Administrative Office of the Courts and Court of Appeals
2016 Supplemental Budget – Final**

Supreme Court - State General Fund Maintenance Level Requests			
Title	FTE	Amount Requested	As Passed
Benefits Associated with Justices' Salary Increase	FTE 0.0	\$12,000	\$12,000
Funding to pay for the additional benefit costs associated with the elected official's salary increase.			
Employment Security	FTE 0.0	\$19,000	\$2,000
Funding for payment of unemployment compensation invoices.			
Retirement Buyout	FTE 0.0	\$48,000	\$33,000
Funding to meet the leave buyout obligation for employees.			
Full Reinstatement of Merit Increments	FTE 0.0	\$133,000	\$0
Funding is requested to restore staff compensation to levels that would have been attained if salaries had not been frozen.			
Central Services - Other	FTE 0.0	\$0	\$84,000
Various central service adjustments (pass through to other state agencies).			
Total Request – Supreme Court	FTE 0.0	\$212,000	\$131,000

**Supreme Court, Administrative Office of the Courts and Court of Appeals
2016 Supplemental Budget – Final**

Administrative Office of the Courts - State General Fund Requests			
Title	FTE	Amount Requested	As Passed
Fund Transfer for the Expedited Information Networking Hub	FTE 0.0	\$5,344,000 (SGF) -\$5,344,000 (JIS)	\$0
Funding is requested from the state general fund rather than the Judicial Information System Account to implement the courts of limited jurisdiction information networking hub (\$5.3 million from JIS to SGF).			
Total Request- State General Fund	FTE 0.0	\$5,344,000	\$0

Administrative Office of the Courts - State General Fund Maintenance Level Requests			
Title	FTE	Amount Requested	As Passed
Employment Security Department	FTE 0.0	\$107,000	\$57,000
Funding for payment of unemployment compensation invoices.			
Technical Correction to Technology Savings	FTE 0.0	\$278,000	\$0
Funding is requested to correct errors in the computations used to implement information technology savings.			
Central Services - Other	FTE 0.0	\$0	\$257,000
Various central service adjustments (pass through to other state agencies).			
Total Maintenance Level Request State General Fund (excluding the \$5.3 fund transfer)	FTE 0.0	\$385,000	\$314,000

**Supreme Court, Administrative Office of the Courts and Court of Appeals
2016 Supplemental Budget – Final**

Administrative Office of the Courts - JIS Requests			
Title	FTE	Amount Requested	As Passed
Operational Staffing for Odyssey Support	FTE 4.0	\$492,000	\$492,000
Funding to hire staff to support the new Superior Court Case Management System.			
AC-ECMS	FTE 0.0	\$271,000	\$271,000
Funding for ongoing licensing and maintenance for the electronic case management system for the Appellate Courts.			
Total Request JIS	FTE 4.0	\$763,000	\$763,000

Administrative Office of the Courts - Other			
Title	FTE	Amount Requested	As Passed
Eliminate Thurston County Impact Fee	FTE 0.0	\$0	\$0
This provision was vetoed by the Governor per request. Funding provided to Thurston County to compensate for state impacts on the courts is eliminated.			
Total Other	FTE 0.0	\$0	\$0
Total AOC Request (Net)	FTE 4.0	\$1,148,000	\$1,077,000

**Supreme Court, Administrative Office of the Courts and Court of Appeals
2016 Supplemental Budget – Final**

Court of Appeals – State General Fund Requests			
Title	FTE	Amount Requested	As Passed
Reinstatement of Merit Increments	FTE 0.0	\$319,000	\$0
Funding is requested to reinstate salary step increases for eligible employees.			
Office of the Attorney General	FTE 0.0	\$20,000	\$20,000
Funding to reimburse the Attorney General's Office for services provided in fiscal year 2015 and to ensure that anticipated AGO costs will be paid in 2016.			
Employment Security Department	FTE 0.0	\$75,000	\$45,000
Funding for payment of unemployment compensation invoices from ESD.			
Fringe Benefits for Elected Officials' Salary Increase	FTE 0.0	\$12,000	\$12,000
Funding to cover the increase in benefits due to the salary adjustment for the Court of Appeals Judges.			
Building Maintenance (Capital Request for Minor Works)	FTE 0.0	\$103,000	\$103,000
Funding to repair and maintain building structure of the Court Facility			
Retirement Buyout	FTE 0.0	\$94,000	\$41,000
Funding to meet the leave buyout obligation for employees who have been employed with the state for many years.			
Central Services - Other	FTE 0.0	\$0	\$35,000
Various central service adjustments (pass through to other state agencies).			
Total Request Court of Appeals (Includes Capital)	FTE 0.0	\$623,000	\$256,000



General Fund Revenue Forecast Update May 20, 2016

On February 17, 2016 the Economic and Revenue Forecast Council (ERFC) updated the general fund forecast for the current and ensuing biennium.

2015-2017 Biennium

In February the ERFC forecast predicted that current state general fund revenue would be \$67 million less than the November 2015 forecast, representing a .02% decrease. However, collections since the February 2016 forecast have exceeded the forecast by \$140 million.

The current 2015-2017 general fund forecast of \$37.1 billion is \$1.7 billion greater than the November 2012 forecast. This represents a 5% increase in the forecast since November 2012.

The current general fund forecast of \$37.1 billion is \$3.5 billion (10%) greater than 2013-2015 collections.

2017-2019 Biennium

The February 2016 revenue forecast predicts that 2017-2019 state general fund revenue will be \$442 million less than the November 2015 forecast. This represents a 1.1% decrease.

The current 2017-2019 general fund forecast of \$40.1 billion is \$1.1 billion greater than the June 2014 forecast. This represents a 2.8% increase in the forecast since June 2014.

The current general fund forecast of \$40.1 billion is \$3.0 billion (8%) greater than 2015-2017 forecast and represents a \$6.5 billion/19% increase in revenue when compared to 2013-2015 collections.

Budget Outlook

The current budget outlook as produced by the legislature includes the February 2016 revenue forecast and the results of the 2016 supplemental budget. This forecast essentially projects a \$0 ending 2017-2019 fund balance. The previous budget outlook projected a \$700 million budget deficit by the end of the 2017-2019 biennium. Costs for McCleary and mental health are not included therefore the estimated ending fund balance is understated. Unless new or increased revenue can be generated the deficit will rise substantially.

The next revenue forecast will be published on June 15, 2016.

With the exception of Medicaid the caseload forecast for the current biennium is flat or marginally down.

Tab 4



Board for Judicial Administration (BJA)

BUDGET AND FUNDING STANDING COMMITTEE CHARTER

I. **Committee Title**

Budget and Funding Committee (BFC)

II. **Authority**

Board for Judicial Administrative Rules (BJAR 3)

III. **Purpose and Policy**

The BFC is created by the BJA and is responsible for 1) coordinating efforts to achieve adequate, stable and long-term funding of Washington's courts to provide equal justice throughout the state, and 2) reviewing and making recommendations, including prioritization, regarding proposed budget requests routed through the BJA.

Recommendation and Prioritization Criteria

The review and recommendations will be made in accord with the mission, core functions and Principal Policy Goals of the Washington State Judicial Branch and the Board for Judicial Administration.

The BFC will also take into consideration other factors including:

- Impact on constitutional and or state mandates
- Impact on the fair and effective administration of justice in all civil ,criminal , and juvenile cases
- Enhancement of accessibility to court services
- Improved access to necessary representation
- Improvement of court management practices
- appropriate staffing and support

The BFC has the authority to establish guidelines regulating the format and content of budget request information received for the purposes of review, recommendation and prioritization.

IV. Membership and Terms

Members of the BFC must be voting members of the BJA. Members will be selected by the representative associations.

Representative		Term/Duration
DMCJA Representative	Judge Michael Lambo	6/16
SCJA Representative	Judge Bryan Chushcoff	6/18
COA Representative	Judge Ann Schindler - Chair	6/15

V. Committee Interaction

Groups interested in seeking BJA support for funding initiatives must submit materials in accordance with AOC and BFC guidelines. The BFC will communicate and coordinate with other BJA standing committees when budget requests impact their mission.

VI. Reporting Requirements

The BFC will review materials as submitted and forward its recommendation to the BJA.

VII. Budget for FY 2014-2015

\$1,150

VIII. AOC Staff Support Provided Until December 2015

Mr. Ramsey Radwan, Director, Management Services Division (secondary, Ms. Renee Lewis, AOC Comptroller) (AOC Representative)

IX. Recommended Review Date

January 1, 2019

Adopted: Mo/Day/Year

Amended: Mo/Day/Year

Board for Judicial Administration Budget and Funding Committee Criteria

The Budget and Funding Standing Committee (BFC) of the Board for Judicial Administration is responsible for reviewing, making recommendations, and initially prioritizing budget requests submitted to the BJA. The following criteria will be used by the BFC to evaluate budget proposals submitted to the BJA.

Mandatory Criteria

- The budget request is for an activity essential to a constitutional, statutory or court rule mandate.
- The budget request is necessary to carry out the Principal Policy Goals of the Washington State Judicial Branch
 - Fair and Effective Administration of Justice in all Civil and Criminal Cases
 - Accessibility
 - Access to Necessary Representation
 - Effective Court Management
 - Appropriate Staffing and Support.
- The budget request implements a resolution adopted by the BJA.

Additional Criteria

- The budget request provides a complete and detailed description of the justification for the request, written in plain language so that an outside reader will understand the problem and the proposed solution. The request will include the following elements.
 - A description of the funding requested supported by empirical data.
 - Specifically identified outcomes.
 - Organizations and groups that support the request.
 - The impact if not funded.
- The request is an innovative approach or a more effective means of addressing a mandate or the principal policy goals, and includes a description of the justification and proposed empirical evaluation criteria.
- The budget request builds on or enhances existing and ongoing efforts and seeks to achieve more cost-effective outcomes.
- The request is designed to mitigate or eliminate structural or systemic funding problems.

Judicial Branch Principle Policy Goals

The Judicial Branch Principle Policy Goals (Goals) noted below will be used to assess and prioritize budget requests submitted for consideration by the Washington Supreme Court. All budget requests should be linked to an overall direction or set of goals and objectives. Accordingly, the Goals are provided as anchor points for potential budget requests.

The Goals should be used as the guiding principles or strategic framework upon which the budget request is built. The budget request narrative should provide a clear picture of how the new or enhanced program or activity will directly enhance or move towards fulfillment of one or more of the Goals.

PRINCIPLE POLICY GOALS OF THE WASHINGTON STATE JUDICIAL BRANCH¹

"Justice in all cases shall be administered openly, and without unnecessary delay."

Washington State Constitution, Article I, Section 10.

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.

¹ Approved En Banc June 5, 2008

**2017-2019 Preliminary Budget Requests
AOC May 2016
Budget and Funding Committee Priority Recommendation**

Administrative Office of the Courts – General Fund State Requests			
Title	FTE	Preliminary Amount	BFC Priority
Trial Court Interpreter Services	FTE 0.5	\$8,000,000 Subject to Revision	1
<p>Funding is requested to expand the existing program statewide for civil and criminal cases at 100% reimbursement over 3 biennia. It is projected that 50% of all interpreter costs for civil and criminal will be reimbursed during 2017-2019, 75% will be reimbursed in 2019-2021 and 100% reimbursement in 2021-2013. Current funding level is \$610,000 per year. This request would add \$7.8 per year by FY 23 for a total anticipated reimbursement level of \$8.4 million per year. Funding to meet current needs (criminal) and new funding for new services (civil).</p>			
Pattern Forms	FTE 1.5	\$371,000	Tied 2
<p>Funding is requested for additional staff necessary to meet the growing demand from the legislature and stakeholders. Staff currently maintain over 700 forms. Funds would be used to update forms into a fillable format, translate forms into other languages and into a plain language format and implement legislative and other changes in a timely manner. Current funding level is 1.25 FTE. Funding to meet current needs.</p>			
Court Personnel Education	FTE 1.0	\$396,000	Tied 2
<p>Funding is requested for the development of online delivery models and timely training for judges and court personnel, including targeted training for presiding judges and court administrators. Funding would be used to develop efficient and cost-effective delivery systems for training all judicial officers and court personnel. Current funding includes AOC staff and \$312,500 per year for education and training programs. Funding to meet current needs.</p>			
Courthouse Facilitator Training	FTE 1.0	\$268,000	3
<p>Funding is requested to provide regular education opportunities for courthouse facilitators. Funds would be used to immediately update the Courthouse Facilitator Training Manual, regularly update the manual, webinar trainings and periodic in-person training. There is no dedicated funding for this purpose at AOC. New funding.</p>			
Web Services Support	FTE 2.0	\$487,000	4
<p>Funding is requested to modernize and maintain web services to serve the increasing needs of the public and stakeholders. The number and complexity of web applications has grown and will continue to grow at the public, courts, county clerks and other state agencies gather and transmit data and information through web applications. The AOC maintains over 180 web applications and has developed and must manage 7 new websites. Web services and applications must be changed as technology changes and as court and other state agency business processes change. Existing staff cannot meet the need to update, develop and maintain new applications resulting changes to legislation, technology changes, business process changes and impacts resulting from the 3 new case management systems. Current funding allows for three (3) staff. Funding to meet current needs.</p>			

**2017-2019 Preliminary Budget Requests
AOC May 2016**

Budget and Funding Committee Priority Recommendation

Telephonic Interpreting Services	FTE 0.5	\$2,187,000 Subject to Revision	5
Funding is requested to offset 50% of the costs associated with on-demand telephonic interpretation. New services and funding.			
Guardian Monitoring	FTE 9.0	\$1,243,000	6
Funding is requested to create a statewide guardianship monitoring program. Funds would be used to implement a statewide guardianship monitoring program modeled after successful programs in Spokane, Wisconsin and Minnesota as well as best practices developed by AARP. Volunteers, volunteer coordinators and accounting experts would monitor approximately 1/3 of the open guardianship cases each year, conduct site visits and review case files. Currently there are no dedicated funds or staff at AOC to monitor guardianships. New services and funding.			
Therapeutic Courts Best Practice	FTE 0.5	\$136,000	7
Funding is requested to improve drug court functioning and adherence to research based best practices in 4 adult drug courts. Funds would be used to determine adherence to research and implementation of national best practices, through self-assessment and peer review in four adult drug courts. This request assumes the services would be expanded to other therapeutic courts over time. New funding and services.			
CASA Program Expansion	FTE 0.0	\$12,100,000 Subject to Revision	8
Funding is requested to increase the number of CASA volunteers and to provide regionally based CASA program attorneys. Funds would be used to fully fund CASA programs in order to meet CASA case standards and to provide services to approximately 10,000 children per year. Funds would also be used to support 10 full-time attorneys to provide legal representation and consultation for CASA programs. Current funding is approximately \$3 million per year for pass through to local CASA programs. This package would more than double the annual amount (increase by approximately \$4.6 million per year) and expand services to include attorney services. Expand existing program and funding for new services.			
WSCCR Capacity & Sustainability	FTE 0.0	\$140,000	TBR
This request may be combined with an overall AOC salary adjustment request.			
Total-Non-IT State General Fund Request	FTE 16.0	\$25,328,000 Subject to Revision	

Administrative Office of the Courts – Information Technology <u>General Fund State Request</u>		
Title	FTE	Preliminary Amount
Expedited Data Exchange Carryover	FTE TBD	\$TBD (up to \$5m)
Funding is requested to continue implementation of the expedited data exchange begun in the 2015-2017 biennium.		
Total Request- State General Fund	FTE TBD	\$TBD

**2017-2019 Preliminary Budget Requests
AOC May 2016
Budget and Funding Committee Priority Recommendation**

Administrative Office of the Courts - <u>JIS Requests</u>		
Title	FTE	Preliminary Amount
Superior Court-CMS	FTE 15.0	\$1,792,000
Funding is requested to continue the statewide implementation of the Superior Court Case Management System (SC-CMS).		
Appellate Court-ECMS	FTE 0.0	\$347,000
Funding is requested for integration purposes.		
Courts of Limited Jurisdiction-CMS	FTE 36.0	\$13,182,000
Funding is requested to continue the implementation of the Courts of Limited Jurisdiction Case Management System (CLJ-CMS).		
Enterprise Data Repository	FTE 5.0	\$815,000
Funding is requested to build the data exchange that will allow the SC-CMS to send data to the Enterprise Data Repository.		
Equipment Replacement	FTE 0.0	\$4,089,000
Funding is requested to replace end of life equipment.		
Expedited Data Exchange On-Going	FTE 4.0	\$400,000
Funding is requested to provide on-going maintenance for the Information Networking Hub (after EDE). Funding source may change.		
Total Request-JIS	FTE 60.0	\$20,625,000
Total-All Sources	FTE 76.0	\$45,953,000 (excluding IT general fund request-TBD)

**Administrative Office of the Courts
 Budget Request Review - General Fund State
 2015-2017 Biennium - General Fund State**

Decision Package Title	Category	BJA Recommendation	Status		
			Proposed Dollars	Requested Dollars	Funded Dollars
Trial Court Funding for Language Access	Program Expansion	1	\$6,609,000	\$5,070,000	\$0
Employee Salary Adjustment	Technical/Other	2	\$0	\$0	\$0
Telephonic Interpreting	Program Expansion	3	\$1,324,000	\$0	\$0
CASA Restoration & State CASA Funding	Program Restoration	4	\$1,656,000	\$0	\$0
Family & Juvenile Court Improvement Program Expansion	Program Expansion	5	\$558,000	\$428,000	\$0
Juvenile Court & Juvenile Detention Alternative Staff	New Program	6	\$394,000	\$302,000	\$0
Misdemeanant Corrections	New Program	7	\$1,100,000	\$0	\$0
Becca Programs	Program Expansion	Failed	\$5,090,000	\$0	\$0
Guardian Monitoring Program	Program Expansion	No Motion	\$956,000	\$0	\$0
Therapeutic Court Coordinator	New Program	Failed	\$191,000	\$0	\$0
Total			\$17,878,000	\$5,800,000	\$0

**Administrative Office of the Courts
Budget Request Review - General Fund State
2013-2015 Biennium - General Fund State**

Decision Package Title	Category	BJA Recommendation	Status		
			Proposed Dollars	Requested Dollars	Funded Dollars
Interpreter Restoration	Program Restoration	1	\$679,000	\$0	\$0
Courts of Limited Jurisdiction (CLJ) Judges Salaries	New Program	2	\$6,269,000	\$0	\$0
CASA Restoration	Program Expansion	3	\$1,242,000	\$0	\$0
Interpreter Services	Program Expansion	4	\$1,231,000	\$0	\$0
Expand Interpreter Program	Program Expansion	5	\$3,829,000	\$0	\$0
Video Remote Interpretation	Program Expansion	6	\$370,000	\$384,000	\$0
Family & Juvenile Court Improvement Program Restoration	Program Restoration	7	\$234,000	\$0	\$0
Therapeutic Court Coordinator	New Program	8	\$170,000	\$0	\$0
Quality Assurance Transfer	Program Expansion	9	\$1,337,000	\$0	\$0
AOC Court Access Forms	New Program	No Action	\$1,046,000	\$0	\$0
Access to Justice Board	Program Expansion	No Action		\$50,000	\$0
Criminal Justice Research Associate	New Program	No Action	\$196,000	\$0	\$0
Guardianship Service Expansion	Program Expansion	No Action	\$708,000	\$0	\$0
Risk Assessment & Law Table Support	New Program	No Action	\$169,000	\$0	\$0
Spokane Water Rights Adjudication	New Program	No Action	\$1,308,000	\$0	\$0
Total			\$18,788,000	\$434,000	\$0

**Administrative Office of the Courts
 Budget Request Review - General Fund State
 2011-2013 Biennium - General Fund State**

Decision Package Title	Category	BJA Recommendation	Status		
			Proposed Dollars	Requested Dollars	Funded Dollars
Spokane Superior Court (Water Rights Adjudication)	New Program	No BJA participation	\$1,812,058	\$0	\$0
Transfer Quality Assurance Funds	New Program	No BJA participation	\$1,078,376	\$1,178,000	\$0
Risk Assessment Phase I	New Program	No BJA participation	\$270,000	\$200,000	\$0
Risk Assessment Phase II	Program Expansion	No BJA participation	\$388,000	\$0	\$0
FJCIP Restoration	Restoration	No BJA participation	\$309,000	\$0	\$0
FJCIP Enhancement	Program Expansion	No BJA participation	\$1,491,000	\$0	\$0
Office of Public Guardianship Services	Program Expansion	No BJA participation	\$1,060,075	\$1,060,000	\$265,000
Thurston County Impact Fees	Program Expansion	No BJA participation	\$439,482	\$438,000	\$0
Legal Financial Obligation Postage	Program Expansion	No BJA participation	\$51,760	\$52,000	\$0
Juvenile Court Quality Assurance	Program Expansion	No BJA participation	\$729,000	\$729,000	\$0
Total			\$7,628,751	\$3,657,000	\$265,000

Tab 5

Board for Judicial Administration

POLICY AND PLANNING COMMITTEE

Update: Strategic Issue Management Initiative

Strategic Issue Management is a planning framework designed to coordinate actions of system stakeholders within a loosely coupled organizational environment by engaging system actors in identifying issues of mutual concern and in collaboratively developing – and implementing – strategic approaches to address them.

The Strategic Issue Management (SIM) process has several major steps:

1. Identification of system partners and specification of liaisons **(COMPLETE)**
2. Preliminary issue identification by liaisons **(COMPLETE)**
3. Issue analyses and strategy development by workgroups **(COMPLETE)**
4. Review by convening entity and system stakeholders **(May/June -- Pending)**
5. Implementation

In 2015 the Policy and Planning Committee (the Committee) undertook a SIM initiative. *Steps 1 and 2* of the process were completed during the summer and fall of 2015 when justice system partners were identified and liaisons convened to begin the issue identification process. Stakeholders identified approximately 80 issues and sub-issues, which were subsequently prioritized through online polling. Of the 80 issues and sub-issues five issue clusters were identified as priorities. These are:

- *Local Funding: justice system funding, state funding responsibilities, structural deficits, and revenue sources.*
- *Juveniles: racial disproportionality, reliance on criminal sanctions, dependency and foster care.*
- *Access and Technology: access to the judicial process, e-everything.*

- *Mental Health: adult mental health, juvenile mental health, rules and case processing, availability of treatment and services.*
- *Indigent Defense: adequate funding, state funding, caseload monitoring, training.*

Step 3 began when the Committee created five workgroups, populated with approximately 40 stakeholder representatives, to address each of the issue clusters. The workgroups were asked to develop issue analyses and concept proposals for their respective issue clusters. Each workgroup met once in person and subsequently developed their work product via conference calls and email.

Four of the five workgroups submitted proposals. One workgroup did not submit a proposal, and one workgroup submitted two. The proposals are:

- A. Quality Indigent Defense (Q.I.D.)
- B. Court Technology End-User Forum
- C. Task Force on Local Justice System Mandates and Funding
- D. Eliminate or reduce the disproportionate impact of auto-decline/transfer laws on youth of color
- E. Statewide cultural relevancy training program for justice stakeholders including community-based service providers, NGOs, and other CJS partners

This completed *Step 3*.

Step 4 is review of the proposals developed by the issue workgroups, to be conducted by the Committee in the first instance and then by the full BJA, and also by the system partner organizations. The purpose of the review is to determine whether and how each proposal is to move forward toward implementation.

On May 11 the Committee met with workgroup representatives to begin review of the proposals. The Committee will present the proposals along with the Committee's evaluations and any recommendations to the BJA on May 20.

Criteria: Before beginning the review the Committee agree on considerations relevant to evaluation of proposals. These considerations are:

- A. *Whether the proposal addresses an important issue affecting the administration of justice.*
- B. *Whether the proposal addresses an issue of statewide importance.*
- C. *Whether the proposal is consistent with the principal policy goals of the judicial branch (attached).*
- D. *Whether the proposal promotes collaboration among multiple stakeholders.*
- E. *Whether the proposal is feasible with existing or attainable resources.*

Evaluations and recommendations: (The evaluations and recommendations of the Committee are in progress.)

The proposals will also be circulated to the participating system partner organizations for their own review. The purpose of these reviews is for those organizations with an interest in the identified issues to make independent decisions on whether they are willing to participate in advancement of any of the strategic proposals toward implementation.

ATTACHMENT:

PRINCIPAL POLICY GOALS OF THE WASHINGTON STATE JUDICIAL BRANCH

“Justice in all cases shall be administered openly, and without unnecessary delay.”
Washington State Constitution, Article I, Section 10.

Washington State’s judicial branch is a constitutionally separate, independent and co-equal branch of government. It is the duty of the judicial branch to protect rights and liberties, uphold and interpret the law, and resolve disputes peacefully through the open and fair administration of criminal and civil justice in the state.

The judicial branch in Washington State is not structurally unified at the statewide level. Ours is a local and state partnership where local courts, court managers and court personnel work in concert with statewide courts, judicial branch agencies and support systems.

The judicial branch maintains effective relations with the executive and legislative branches of state and local governments which are grounded in mutual respect for the constitutional prerogatives of each branch and constitutional separation of powers considerations.

The following represent the principal policy goals 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.

Approved En Banc June 5, 2008

BOARD FOR JUDICIAL ADMINISTRATION

Strategic Issue Management Initiative

Work Group Rosters (2/04/16)

1. Local Funding: justice system funding, state funding responsibilities, structural deficits, revenue sources.

- Association of Washington Cities
– *Heidi Ann Wachter*
- Washington State Association of Counties
– *Kevin Bouchey*
- Association of Washington Superior Court Administrators
– *Jeff Amram*
- District and Municipal Court Judges' Association
– *G. Scott Marinella*
- District and Municipal Court Management Association
– *Paulette Revoir*
- Judicial Information System Committee
– *Jeanette Dalton*
- Office of Public Defense
– *Sophia Byrd McSherry*
- Superior Court Judges' Association
– *Jeanette Dalton*
- Washington Association of Prosecuting Attorneys
– *Mark McClain*
- Washington State Association of Court Clerks
– *Sonya Kraski*
- Access to Justice Board
– *Ishbel Dickens*

2. Juveniles: racial disproportionality, reliance on criminal sanctions, dependency and foster care.

- Superior Court Judges' Association
 - *David Kurtz*
- Association of Washington Juvenile Court Administrators
 - *Bonnie Bush*
- Washington Association of Prosecuting Attorneys
 - *Carla Lee*
- Access to Justice Board
 - *Annie Lee*
- Washington State Bar Association
 - *Anthony Gipe*
- Minority and Justice Commission
 - *Stacy Smith*
- Office of Civil Legal Aid
 - *Jill Malat*

3. Access and Technology: access to the judicial process, e-everything.

- Association of Washington Superior Court Administrators
– *Andrew Somers*
- District and Municipal Court Management Association
– *Cynthia Marr*
- Washington Defense Trial Lawyers
– *Jillian Hinman*
- Judicial Information System Committee
– *Jeanette Dalton*
- Access to Justice Board
– *Brian Rowe*
- Washington State Association of Justice
– *Nathan Roberts*
- Washington State Association of County Clerks
– *Ruth Gordon*
- Office of Attorney General
– *Christina Beusch*
- Interpreter Commission
– *Robert Lichtenberg*
- Office of Civil Legal Aid
– *Jim Bamberger*

4. Mental Health: adult mental health, juvenile mental health, rules and case processing, availability of treatment and services.

- Superior Court Judges' Association
 - *Linda Krese*
- Washington Association of Juvenile Court Administrators
 - *Dennis Rabidou*
- Office of Attorney General
 - *Sarah Coats*
 - *Amber Leaders*
- District and Municipal Court Management Association
 - *Suzanne Elsner*
- Washington Association of Criminal Defense Attorneys
 - *Mary Kay High*
- Washington State Association of Counties
 - *Kathy Lambert*

5. Indigent Defense: adequate funding, state funding, caseload monitoring, and training

- Association of Washington Cities
 - *Heidi Ann Wachter*
 - *Sheila Gall*
- Association of Washington Superior Court Administrators
 - *Johanna Ellis*
- Office of Public Defense
 - *Sophia Byrd McSherry*
- Washington Association of Criminal Defense Attorneys
 - *Louis A. Frantz*
- Washington State Association of Municipal Attorneys
 - *W. Scott Snyder*

BOARD FOR JUDICIAL ADMINISTRATION

Indigent Defense Workgroup

Strategic Issue Proposal

Summary: *The Indigent Defense Workgroup proposes the design and implementation of a program that trains public defense professionals whom local governments can contract with to provide neutral third-party assessments of the jurisdiction's public defense system. The desired outcome is improvement in the quality, consistency and cost-effectiveness of publicly funded indigent defense services in the State of Washington.*

I. Title: Quality Indigent Defense (Q.I.D.)

II. Issue Analysis:

- A. Issue Statement: There have been significant changes over the last several years in the requirements for provision of indigent defense services in Washington. While the changes affected both misdemeanor and felony representation, the changes in misdemeanor representation have been more challenging for many local governments. Changes in the landscape began with The Washington Supreme Court's adoption of caseload standards in 2012. The trend was further amplified by the decision in *Wilbur v. Mt. Vernon* in December 2013. Both the caseload standards and the *Wilbur* decision were driven in part by the concern that indigent defendants were not receiving constitutionally adequate representation. Proper representation of indigent defendants is imperative, but a hollow promise in the absence of proper monitoring of that representation. Monitoring is essential to ensure compliance with the caseload standards and to ensure that the representation is constitutionally sufficient. The burden of managing misdemeanor indigent defense and caseloads and ensuring compliance has been placed squarely on local governments. Many jurisdictions were unprepared for these additional obligations.

By some estimates, the criminal justice system (police, prosecution, public defense and the courts) comprise a significant majority of local government budgeted expenditures. In most small or mid-sized city and county governments many employees have multiple responsibilities, wearing "many hats," but the field of criminal defense is outside of the expertise of most employees. Management of public defense contracts therefore

presents unique challenges to local governments. Effective supervision of a public defense contract is significantly different from management of other public contracts. Common tools used to manage a range of contracts from personal services to large public works projects, such as insurance, bonding and warranties, along with self-certification and affidavits of compliance are not well-suited to ensure effective management of public defense contracts, nor do they fulfill the obligations defined by Judge Lasnik in *Wilbur*.

Local government elected officials must balance citizens' concerns regarding public safety, while understanding that increases in public safety come at a cost and that changes in any part of the criminal justice system necessarily impact other parts of the system. The same is true here; local government support for police and prosecution requires a corresponding commitment to ensure the constitutional right to counsel.

- B. Relevant Trends and Conditions: Many mid- and small-size cities and counties rely on contracts with local private attorneys or law firms to provide public defense services. Given the ethical duty to separate public defense contract oversight from city attorney and county prosecutor offices, many jurisdictions lack a neutral, professional resource to assist them in evaluating the performance of public defense contractors. In addition to their obligation to fund and maintain a constitutionally robust public defense system, local governments are expected to enter and enforce public defense contracts in accordance with Washington State Bar Association (WSBA) Standards for Indigent Defense and Washington State Office of Public Defense (OPD) guidance. These functions, while critically important, do not justify the addition of full-time specialized staff in many jurisdictions.

Resources to fund the public defense system are also limited. For the last 10 years, some grant assistance has been available from the state through the Office of Public Defense to assist in compliance with the public defense standards, but the funding is not sufficient to fully fund the new obligations. Additional state resources are expected to be difficult to obtain in the current budget environment.

Accordingly, local jurisdictions are in need of neutral professional resources capable of evaluating indigent defense programs and resolving complaints, as well as providing annual or other periodic quality review of the delivery of public defense services, particularly related to misdemeanor defense services.

- C. Potential Effects if Issue is Not Addressed: All local jurisdictions that provide public defense services have the obligation to monitor and supervise their public defenders, but smaller local jurisdictions have neither the resources nor the need to hire a professional on a full-time basis to provide this oversight.

III. Strategy Proposal:

- A. Desired Outcome: The primary desired outcome is improvement in the quality, consistency and cost-effectiveness of publicly funded indigent defense services in the State of Washington. This outcome is to be achieved through the design and implementation of a program that trains public defense professionals whom local governments can contract with to provide neutral third-party assessments of the jurisdiction's public defense system. Jurisdictions that utilize public defense coordinators will also benefit from the development of "best practices."

These resources could provide both qualitative analysis of courtroom performance, training and supervision, and monitoring of complaints as well as assistance to local governments in analyses of quantitative factors such as caseloads, percentages of cases that proceed to trial, numbers of investigations conducted, and effective use of resources such as mental health professionals, social workers, and experts.

B. Intended Activities:

1. Create and maintain training programs for public defense contract supervision. Utilize available resources and local consortiums such as the Washington State Office of Public Defense (OPD) and the city and county associations. Pursue funding through local government and consortiums to enhance local evaluation programs.
2. Develop uniform goals and guidance for quantitative and qualitative analysis of public defense systems.
3. Utilize stakeholder input from organizations such as the Association of Washington Cities (AWC), the Washington State Association of Counties (WSAC), the Washington State Association of Municipal Attorneys (WSAMA), the Washington Association of Prosecuting Attorneys (WAPA), the Washington Defenders Association (WDA), the Washington Association of Criminal Defense Lawyers (WACDL), the Washington State Bar Association Council on Public Defense (WSBA-CPD), and Washington Public Risk Management Association (PRIMA).
4. Address implementation of an ongoing quality assurance program through an organization such as OPD.

C. Desired Outputs:

1. A statewide program providing a pool of trained professionals who can be engaged to assist local governments in the supervision and monitoring of public defense contract services, particularly misdemeanor services.
2. Uniform methodologies that can be used in supervising and monitoring local contract public defense services.

D. Expected Impacts:

1. Improve and maintain the quality of misdemeanor indigent defense at a robust level consistent with local governments' constitutional obligations and indigent defendants' constitutional rights.
2. Get the most bang for the public buck.
3. Preserve local public policy latitude within constitutional guidelines.
4. Encourage continual assessment of the impacts of changes in any portion of the criminal justice system on the other segments.

E. Project participants: Organizations such as: OPD, AWC, WSAC, WSAMA, WAPA, WDA, WACDL, WSBA-CPD and PRIMA as well as state and federal grant funding entities and non-profit public defense agencies.

F. Timeline:

1. Project Planning and organization: July 2016 to October 2016.
 - a. Develop detail regarding the project's scope through stakeholders.
 - b. Identify available existing resources and ongoing programs.
 - c. Develop a detailed schedule to implement final recommendations.
2. Create funding opportunities through grant applications or cooperative funding mechanisms such as inter-local agreements. October 2016 to July 2017.
3. Develop training program. October 2016 to July 2017
4. Train public defense monitors and personnel. July 2017- July 2018

5. By December 2018 create a pool of trained evaluators/monitors for use by local government as a resource.
- G. Resources Needed: Funding and a lead agency such as OPD willing to coordinate grants and conduct training.
- H. Potential Sources of Resources:
1. Office of Public Defense;
 2. State and Federal Grants;
 3. Local Government Interlocal Agreements;
 4. WDA, WACDL, WSAMA and WAPA; and
 5. Researchers and Academic Institutions.

BOARD FOR JUDICIAL ADMINISTRATION

Access and Technology Workgroup

Strategic Issue Proposal

Summary: *The Access and Technology Workgroup proposes the creation of a multi-stakeholder collaboration to develop, implement and institutionalize vehicles for structured communications between end users of court technology and court technology decision-makers to address questions of design, usability and access.*

- I. Proposal Title: Court Technology End-User Forum
- II. Issue Analysis: Technology has exciting potential to expand the courts' ability to provide access to the justice system. The critical role that technology and technology systems play in the administration of justice in the court system will only expand in the future.

However, technology systems often inadvertently create barriers to access. One recent example would be the contract with Lexis Nexis to host the new Washington State Judicial Opinions Website as a resource for published opinions. There are benefits to this arrangement but the loss of ability to hyperlink published opinions greatly diminishes its utility for end users. The Odyssey Portal is another instance of new court technology providing access in a less than optimal way. Any portal designed with feedback of the potential users would not require subscribers to create unique email address for each county's portal, or sign separate confidentiality agreements in paper format for each clerk. End users of the court system are critical sources of information needed to make sound decisions about how technology should be used in the provision of court services.

In 1996 RCW 2.68.050 (4)(5) and (8) directed the courts to consider the public's needs when moving court functions from traditional practices to modern technological procedures. In 2004 the Washington Supreme Court's Access to Justice Technology Principles were adopted in recognition of the fact proactive steps must be taken to assure that technology does not diminish access but actually enhances the public's access to justice.

Experience has proven that optimal outcomes for end users will not happen without early and on-going end-user input. Clearly, mandates and principles are not enough. The courts need effective processes for eliciting and evaluating input and feedback from end users so that new technologies, at

implementation and throughout their term of use, really do fulfill their potential to improve access and services for the public and do not operate as further barriers.

- A. Issue Statement: Ongoing developments in technology continue to create opportunities for improvements in accessing and participating in the judicial system. At present we lack reliable and readily available local or statewide mechanisms that facilitate input from end users at any stage of court technology management.
- B. Relevant Trends and Conditions: Decision-making about deployment of technology in Washington's judicial system occurs among a network of entities, including separate courts, clerks, the state-level JISC, the AOC, the legislature, local governments, legal aid programs, provider companies, and others. While some statewide projects are managed within a richly articulated governance structure, communications within and among participating entities is often complex, time consuming and challenging, and tends to focus on responding to the internal needs of the in-house users on the decision team. Local court technology projects may be implemented by a single department head working with a vendor, so the scale of projects varies widely.

This workgroup is unaware of any best practices that are currently in use and available at the state or local level to help decision-makers assure that the project they are designing or currently using will be optimally responsive to the needs of the end users, and will not establish further barriers for those who are generally not part of the court governance structure, who may be without technology competence or access, or who may have a disability or limited literacy or English proficiency.

- C. Potential Effects: Without a cost-effective, timely, and convenient mechanism for gathering and organizing input from external users of court technology, opportunities to creatively maximize potential benefits for users will be missed, and unanticipated barriers may be created. Because technology projects are so costly the opportunity to refine a project post-delivery may be minimal. A court could wait years until more funding is available to apply lessons learned after implementation, by which time the state of technology may be so vastly altered that lessons learned years before will be of little use. It is particularly important that input be gathered from those who experience cognitive, literacy-based, language and other barriers that limit their ability to effectively use technology based systems.

III. Strategy Proposal:

- A. Desired Outcome: A multi-stakeholder entity empowered to develop ongoing, low-cost, easy-to-use tools to ensure effective incorporation of end-user needs and competencies into the design, deployment and on-going operation of court based technology systems.
- B. Intended Activities: Create a multi-stakeholder entity to develop the following tools:
1. Best practices guide for court technology managers to use on how and when to gather and incorporate input and feedback from end users;
 2. Incorporation of end-user based analyses in developing policies that govern access to and the use of court technology systems including, but not limited to, policies relating to fees, platforms, disability and language access, help and other user support systems;
 3. A list that identifies contacts and contact information for end-user groups statewide and locally;
 4. A list with contact information for state and local court system committees that work on technology issues;
 5. Easily usable survey tools that can be adapted by court technology managers to gather input and feedback on technology projects;
 6. A list of potential creative partners, such as the nonprofit organizations Code for America or CourtHack that could design or configure apps or other technology to serve the project goals.
 7. List of opportunities, such as meetings of associations of court system participants, where technology issues can be discussed;
 8. Mechanisms for use by counties that are separately implementing the same technology to do so in a coordinated fashion.
- C. Desired Outputs: Best practices, resource guides, survey tools, and outward facing presence that facilitates communication between the end users of court technology projects and court technology managers through the life cycle of technology projects.

- D. Expected Impacts: Decision-making and implementation of technology projects would more effectively incorporate end user needs and impacts consistent with the ATJ Technology Principles; broadened focus on how the public and court customers access the court system through technology; improved coordination of technology implementation across jurisdictions.
- E. Critical Actors: Court members and judicial agencies; government law offices; civil legal aid and defender organizations; ATJ Board's Justice Without Barriers Committee, private lawyers; litigants, both represented and pro-se; victims; agency partners such as service providers, jails, law enforcement, state agencies; the broader public including the traditionally underserved; the press – any end users of court data, documents and services.

Project Participants:

- Judiciary, Administrative Office of the Courts
- Judicial Information System Committee
- ATJ Board Justice Without Barriers Committee
- Office of Civil Legal Aid
- Office of Public Defense
- Local court managers
- Government attorneys
- Disability Rights Washington
- Law librarians
- Washington Coalition for Language Access
- Private attorney organizations
- Victim advocates
- Service providers
- Law enforcement
- State agencies
- Media organizations
- Public, including actual members of target demographics, not just agency representatives for those groups

F. General Timeline:

- July – October, 2016: Project planning and organization
- October, 2016 – June, 2017: Development of materials and tools
- July – December, 2017: Dissemination of materials and tools
- January, 2017 – March, 2017: Compilation and analysis of results received

- April, 2017 – June, 2018: Modification, monitoring and institutionalization with court technology management bodies

G. Resources Needed: Participation of stakeholder representatives and court technology management, support staff time, website platform for dissemination of information and conduct of surveys.

H. Potential Sources of Resources: AOC, BJA, JISC, ATJ Board, various associations of court system professionals.

BOARD FOR JUDICIAL ADMINISTRATION

Local Funding Workgroup

Strategic Issue Proposal

Summary: *The Local Funding Workgroup proposes a project intended to produce actionable recommendations on changes in law that can be made to improve the capacity of local governments to provide for the law and justice system needs of their communities, with a focus on ensuring the requirements of due process and the rule of law in criminal and civil matters.*

I. PROPOSAL TITLE:

Task Force on Local Justice System Mandates and Funding

II. ISSUE ANALYSIS:

- a. Issue Statement: Under Washington law responsibility resides with county and municipal governments to provide for a range of services related to the law and justice system, including law enforcement, prosecution, defense of indigent criminal defendants, and adjudication. The combined costs of these services consume, on average, approximately 75% of county general fund resources, and similarly high proportions of municipal resources. Further, the costs for these services are rising at faster rates than are revenues, which are constrained by a variety of laws and economic conditions. The result is that counties and municipalities are experiencing structural deficits making it impossible to meet the law and justice needs of communities mandated by law.

This fiscal dilemma has become exacerbated by recent federal case law and court rules that impose new requirements on the provision of indigent defense services. The combined effect of the decision in *Wilbur v. Mt. Vernon* in December 2013, in conjunction with the Washington Supreme Court adoption of rules requiring that attorneys comply with certain standards for indigent defense have increased the burden on local governments of funding and managing indigent defense. Similar resource demands exist for other due process obligations: prosecution, witnesses and expert witnesses, language interpretation, trial by an impartial jury, etc. Finally, the general problem acute when a major crime such as a multiple homicide occurs in a smaller county, requiring the expenditure of large sums that are beyond the planned budget and larger than available contingency funds and available state assistance.

The result of increasing costs and limited revenue is that local governments are experiencing great difficulty in meeting the needs of their communities to provide for public safety while ensuring the basic constitutional requirements of due process for criminal defendants and civil litigants. This status quo is untenable and does a great disservice to the public.

- b. Relevant Trends and Conditions: Revenue supporting justice system funding comes from a variety of sources with varying levels of consistency. The level of support to the courts specifically is stretched as revenue is also required to support other criminal justice needs such as police, jails, indigent defense and related services.

In addition to the additional revenue needed to fund the required attorney-to-caseload ratio is the requirement for indigent defense oversight by cities pursuant to *Wilbur*. While cities may be able to find efficiencies such as sharing individuals assigned to such oversight, it is over and above previous resource allocations. The trend of increasing revenue requirements to comply with indigent defense standards is expected to continue in the context of dwindling available revenue.

In recent years resources that local government rely on have been legislatively terminated or cut. Examples include the Public Works Trust Fund, local government share of the state liquor tax, and the current effort to eliminate funding for the Municipal Research Services Center. This environment leaves little in the way of available revenue to meet additional requirements.

The fiscal constraints of local government have affected the ability to provide services in civil as well as criminal matters. User fees have been instituted in some jurisdictions, impacting the ability of those with limited means to access the legal system in order to vindicate their rights. Courts and court clerks cannot provide assistance to unrepresented litigants and other court users. Facilities and hours of operations are limited.

- c. Potential Effects: The status quo of growing demands and limited resources can only result in an increasingly inability of local governments to effectively serve the law and justice system needs of communities, including ensuring the requirements of due process for criminal defendants and civil litigants.

III. STRATEGIC ISSUE PROPOSAL:

- a. Desired Outcome: Actionable recommendations from a balanced, multi-stakeholder study group on changes in law that can be made to improve the capacity of local governments to provide for the law and justice system needs of their communities, with a focus on ensuring the requirements of due process and the rule of law in criminal and civil matters.
- b. Intended Activities: Impaneling of a study group or task force charged with:
 - i. study of Washington law as regards the distribution of responsibility between and among the state and local government for law and justice system services, and development of recommendations on modifications to the existing distributions;
 - ii. study of existing organizational structures deployed to meet those responsibilities, and potential reorganizations or reforms;
 - iii. study of revenue sources and constraints on uses of funds, and development of recommendations for new revenue sources or modifications of existing law; and
 - iv. other recommendations to improve the capacity of state and local governments to meet the law and justice system needs of communities.
- c. Desired Outputs: Analyses and recommendations as described in Part III(b) above.
- d. Expected Impacts: Greater and more efficient use of resources in meeting the law and justice system needs of Washington communities in both civil and criminal matters.
- e. Project Participants: The quality and authority of any analyses and recommendations produce by a study committee are dependent on the expertise of members who serve on the committee, the breadth and balance of the body, and the quality of staff and resources available to support the study.

The study group should therefore include representatives of both state and local government within each of the three branches of government. Membership should therefore include: chairs of the House and Senate Judicial Committees, a representative of the Office of the Attorney General, representatives of the judicial branch, representatives of county

and municipal governments, representatives of the superior, district, and municipal courts, and representatives of affected entities, including prosecution, public defense, access to justice and local related services.

- f. General Timeline: An initial step in addressing this issue would be the collaborative development of a charter for the study group or committee that specifies membership, the charge to the body, and identifies sufficient staffing and expense resources. A planning period of approximately three months should be provided for this purpose. The overall study could be completed within approximately two years.
- g. Resources Needed: Administrative staff to support communications and logistics, professional staff with expertise in law, management and budgeting, and funding for meetings and associated expenses.
- h. Potential Sources of Resources: Shared contributions from participating organizations; grant funding from the Department of Justice, State Justice Institute or other federal funding sources, grant funding from the American Bar Association or other legal organizations.

BOARD FOR JUDICIAL ADMINISTRATION

Juvenile Workgroup

Strategic Issue Proposal #1

I. Proposal Title:

Eliminate or reduce the disproportionate impact of auto-decline/transfer laws on youth of color.

II. Issue Analysis:

In reviewing recent data, youth of color are disproportionately transferred to the adult system. Studies have found that youth transferred to the adult system are more likely to reoffend.

a. Relevant Trends and Conditions:

- i. While juvenile detention rates are decreasing the rate of racial and ethnic disproportionality are increasing.
- ii. The auto-decline law has a significant impact on youth of color.
- iii. Youth of color are disproportionately transferred to the adult system.
- iv. Washington is one of three states that does not have an age restriction for juvenile transfers to the adult system.

b. Potential Effects:

The potential effects of the relevant trends and conditions include:

- Increasing the harm to youth of color and their families,
- Increases racial and ethnic disproportionality,
- Increases recidivism,
- Further polarizes communities of color from government,
- Diminishes trust between communities of color and institutions of authority,
- Exacerbates existing structural inefficiencies,

- Creates irreparable harm to youth of color,
- Their families and communities of color, and
- Creates a fiscally unsustainable JJS system.

III. Strategic Issue Proposal:

The BJA Juvenile Justice Workgroup will review the Washington auto-decline/transfer laws and make recommendations on whether Washington should:

- Expand restorative justice practices,
- Develop more community-based alternatives to secure detention,
- Create more educational, vocational, and employment opportunities for youth of color,
- Create a stronger youth reentry system to decrease recidivism.

a. Desired Outcome:

Reduce or eliminate the disproportionate impact of the auto-decline law on youth of color.

In a recent decision from Division II, the Court stated “We join the Illinois Supreme Court in urging our legislature to review our automatic decline statute utilizing current scientific and sociological evidence, which indicates a need for the exercise of judicial discretion in determining the appropriate setting for juvenile cases.” State v. Houston-Sconiers, 191 Wn.App. 436, 445 (Div 2, November 24, 2015).

BOARD FOR JUDICIAL ADMINISTRATION

Juvenile Workgroup

Strategic Issue Proposal #2

I. Proposal Title:

Statewide cultural relevancy training program for justice stakeholders including community-based service providers, NGOs, and other CJS partners.

II. Issue Analysis:

In reviewing justice agency data and the clients it serves, a significant number of clients coming into contact with the criminal justice system are people of color including immigrants and others representing marginalized communities such as the members of the homeless community and members of the LGBTQ community.

Accredited cultural relevancy training made available statewide is needed to ensure that cultural responses are developed, implemented and applied to adequately address the needs of diverse clients. Statewide cultural relevancy training will enable justice agency stakeholders to be more effective in meeting the needs of diverse clientele.

a. Relevant Trends and Conditions:

- i. While juvenile detention rates are decreasing the rate of racial and ethnic disproportionality are increasing.
- ii. A significant number of justice agency stakeholders are white or of European descent.
- iii. A significant number of East African, Latino/a, and Western European youth are coming into contact with the JJS.
- iv. Washington's immigrant population is steadily increasing. In King County alone over 190 languages are spoken.

b. Potential Effects:

The potential effects of the relevant trends and conditions include:

- Ineffective responses to the needs of youth of color or immigrant youth,
- The development of inadequate treatment for youth of color or immigrant youth,
- Inadequate tools to help change behavior or impact recidivism,
- Further polarization of communities of color and government,
- Further erosion of trust between communities of color and institutions of authority,
- Exacerbates existing structural inefficiencies,
- Fails to mitigate harm to diverse populations coming into contact with the JJS.

III. Strategic Issue Proposal:

The BJA will recommend that the executive branch identify, offer, and implement accredited statewide cultural relevancy training to justice agency stakeholders including law enforcement agencies.

a. Desired Outcome:

To institutionalize cultural responses to meet the needs of diverse populations, which will increase positive outcomes and effectiveness.

Board for Judicial Administration
POLICY AND PLANNING COMMITTEE

Strategic Issue Management Initiative

Proposal Evaluations and Recommendations

On May 11 the Policy and Planning Committee met with representatives of SIM issue workgroups to begin review of five issue proposals submitted by four workgroups. The Committee agreed on several considerations to guide its evaluation. These are:

1. *Whether the proposal addresses an important issue affecting the administration of justice.*
2. *Whether the proposal addresses an issue of statewide relevance.*
3. *Whether the proposal is consistent with the principal policy goals of the judicial branch.*
4. *Whether the proposal promotes collaboration among multiple stakeholders.*
5. *Whether the proposal is feasible with existing or attainable resources.*

Based on review of the proposals and discussion with proponents, the Policy and Planning Committee makes the following evaluations and recommendations:

A. Quality Indigent Defense (Q.I.D.)

Evaluation: This proposal addresses an important issue affecting the administration of justice and is of statewide relevance. It is consistent with principal policy goals of the judicial branch regarding the fair and effective administration of justice and access to representation. It promotes collaboration among multiple stakeholders and is feasible with existing or expected resources.

This is a sound and timely concept that addresses an emerging problem for many municipalities and some counties across Washington as they seek to responsibly manage their indigent programs. The quality and

cost-effectiveness of indigent defense programs has implications not only for defendants but for the justice system overall. At present the proposal is conceptual in nature and it is the view of the Committee that the proposal would benefit from further refinement to address a number of operational questions before it could be considered for implementation. These questions relate to program governance and administration, scope, institutionalization and fiscal sustainability.

Recommendation: The Committee advises provisional support for this proposal. The Committee recommends that the BJA support further development of this concept using existing resources, including operational support for additional planning meetings of the workgroup at AOC facilities or other locations, involvement of BJA planning staff as available, endorsement of requests for grant funds, and other necessary support as available. The Committee should consult with the existing workgroup about the desirability of modifying the composition of the workgroup. The BJA should urge interested stakeholder organizations to continue their efforts to bring this concept to fruition.

If the workgroup produces a written implementation plan that adequately addresses the operational issues outlined above, and all necessary and sufficient stakeholder organizations are in agreement with that plan, the BJA should support the project for implementation.

A. Court Technology End-User Forum

Evaluation: This proposal addresses an important issue affecting the administration of justice and is of statewide relevance. It is consistent with principal policy goals of the judicial branch regarding the fair and effective administration of justice, accessibility, and effective court management. The proposal promotes collaboration among multiple stakeholders and is feasible with existing or expected resources.

The Committee views this proposal as having great value, addressing as it does the ability of the courts to effectively serve court users across multiple constituencies through the deployment of information technology. The proposal clearly articulates a need for more effective ongoing communications between court system leaders and judicial system end users regarding the conceptualization and execution of court technology projects at both the state and local levels.

The strategy to address the need is less well defined. As presented it is unclear how the project will be organized, what its role will be within the structure of Washington's decentralized judicial system, what entity or entities will be responsible for the function, and how it will become institutionalized in a manner that it would remain effective over time.

Recommendation: The Committee recommends that the BJA adopt this project as a strategic initiative and undertake efforts to further develop the concept and bring it to implementation. The BJA should engage leadership of relevant judicial branch entities, including the Administrative Office of the Courts, the Judicial Information Services Committee, the Court Management Council and others, and invite them to join with the existing workgroup to advance the project. The Committee recommends that the BJA direct the Policy and Planning Committee to create a steering committee comprising existing workgroup members and other participants as necessary. The steering committee should be charged with developing a more detailed implementation plan that addresses the organizational questions identified above. The steering committee should pursue the timeline provided within the proposal with a goal of fully institutionalizing the function by June of 2018.

The project should be provided with operational support for additional planning meetings at AOC facilities or other locations, involvement of BJA planning and other staff as available, endorsement of requests for grant funds, and other support as available.

B. Task Force on Local Justice System Mandates and Funding

Evaluation: This proposal addresses important issues affecting the administration of justice and is of statewide relevance. It is consistent with the all of the principal policy goals of the judicial branch. It promotes collaboration among multiple stakeholders. The proposal is not feasible with existing or expected resources.

This proposal succinctly describes the inadequacies of Washington's existing scheme for allocating responsibilities for provision of law and justice services among state and local governments and for the funding and delivery of those services. The Committee agrees with the workgroup that the status quo undermines due process and the rule of law, and poorly serves the residents of this state. The present organization and funding framework is inefficient, ineffective, inadequate and archaic.

Structural fiscal deficits present within the existing funding scheme indicate that if no changes are made the capacity of the local governments to meet needs will continue to worsen.

The Committee takes note that the stakeholder liaisons who participated in the strategic issue management process scored local funding issues highest among the 80 issues considered.

Recognizing the intractable and complex nature of the challenge, the workgroup proposal calls for the creation of a multi-lateral study group or task force to undertake a comprehensive examination of the structure and funding of law and justice services in Washington. The proposal is silent as to what convening authority would impanel such a study group or task force. The workgroup proposal does suggest that a body created to undertake such an endeavor include representation from the three branches of government at both the state and local levels as well as major institutional stakeholders in the justice system.

In the view of the Committee a body created under the auspices of the BJA, the Washington Supreme Court or the Chief Justice would not by itself have sufficient institutional authority to have broad impact on the issue. The Committee is of the view that if a project of this nature is to have a credible chance of creating meaningful change the entity should be created and empowered under an agreement entered into by, at a minimum, leadership within the three branches of state government. An agreement to create such an inter-branch committee or commission should also prescribe the composition of the body, appointing authorities for members, arrangements for staffing and operational support, a clear charge and timeline, and a budget and designation of a fiscal agent.

Recommendation:

The Committee recommends provisional support for this proposal. The underlying issues are deeply rooted and longstanding, presenting a difficult challenge. But adequate funding of due process services is fundamental to the administration of justice, and a chronic state of inadequate funding is a condition that cannot be responsibly avoided. The Committee therefore recommends that the BJA authorize the Committee to request of members of the existing workgroup, and other as deemed desirable by the committee, to develop and execute an outreach plan to negotiate the creation of a body akin to an independent commission to

explore the structure and funding of Washington's law and justice services. The workgroup should explore the willingness of the Office of the Governor, the chairs of the House and Senate judiciary committees, and the leadership of the Washington State Association of Counties and the Washington Association of Cities, and others as deemed desirable, to participate in the creation of such a commission.

The workgroup should be provided with operational support for additional meetings at AOC facilities or other locations, involvement of BJA planning and other staff as available, endorsement of requests for grant funds, and other support as available.

C. Eliminate or reduce the disproportionate impact of auto-decline/transfer laws on youth of color

Evaluation: The Committee views this an important issue affecting the administration of justice and is of statewide relevance.

The proposal urges review of Washington's statute regarding automatic waiver of juveniles into the adult judicial process, as well as review of other aspects of the juvenile justice system, including restorative justice, community-based alternatives to detention, educational and employment opportunities, and re-entry services. The Committee is not hostile toward these goals but does not view the proposal as presented as providing sufficient input regarding how these goals would be pursued through a BJA initiative.

Recommendation: The Committee therefore recommends that the proposal be referred to the Minority and Justice Commission for consideration.

D. Statewide cultural relevancy training program for justice stakeholders including community-based service providers, NGOs, and other CJS partners

Evaluation: The Committee views this an important issue affecting the administration of justice and is of statewide relevance.

The proposal urges the BJA to "recommend that the executive branch identify, offer, and implement accredited statewide cultural relevancy training to justice agency stakeholders including law enforcement

agencies.” The Committee is not hostile toward this objective but does not view the proposal as presented as providing sufficient input regarding how these goals would be pursued through a BJA initiative. Affecting as it does the policy and operations of organizations outside of the court, and specifically within the executive branch, as well as having significant fiscal implications, the Committee does not recommend that the BJA adopt a position without review and analysis by a competent entity with substantive expertise.

Recommendation:

The Committee therefore recommends that this proposal be referred to the Minority and Justice Commission for consideration.

Tab 6



Legislative Ideas

Prepared for the 2016 Legislative Steering Committee

Revenue Ideas

- 1 Replace the 1% property tax cap with an optional ability to link property tax increases to a rate tied to inflation and population growth
- 2 Remove non-supplant language from local option sales taxes
- 3 Direct 1% of city and junior taxing district's property tax collections to counties
- 4 Require cities and state to help pay for criminal justice expenses for felony cases within cities
- 5 Require the state to pay their property tax obligations on publicly owned lands through Payments in Lieu of Taxes
- 6 Change revenue share to counties 50/50 with multiple death certificates
- 7 Make the justice stabilization account filing fee permanent, reinstate 46/54 revenue split
- 8 Authorize local option sin taxes (liquor, marijuana, tobacco)
- 9 Internet sales tax (federal effort)
- 10 Increase the filing fee collected on vehicle/vessel licensing transactions
- 11 Increase/change pricing structure on recorded document fees
- 12 Convert public safety sales and use tax to councilmanic authority
- 13 Add human services to the uses authorized for the criminal justice sales and use tax
- 14 Allow counties to charge actual costs associated with providing treasury management services for junior taxing districts (currently capped at \$50/yr)
- 15 Require cities to share 15% of the proceeds of any tax revenue that counties aren't allowed to impose (B&O tax, utility tax, etc)
- 16 Require Cities to contribute to Public Health
- 17 Take Veteran's Assistance, Developmental Disabilities, Mental Health out of the Current Expense/General Fund property tax levy
- 18 Allow building permit fees to be used to pay for long-range planning and code compliance
- 19 Mitigate the impact to county revenue from city annexations
- 20 Local authority for a utility tax
- 21 Allow counties to utilize the available .3% criminal justice sales tax for regional criminal justice needs, without sharing with cities
- 22 Require cities to use regional jails within the county before contracting with entities outside the county
- 23 Restrict the state from exempting the county portion of sales taxes
- 24 Provide local authority for a mineral severance tax



Legislative Ideas

Prepared for the 2016 Legislative Steering Committee

Contain Cost Ideas

- 25 Allow counties to require direct deposit of payroll funds for employees
- 26 Close access to PERS II and require all new employees to be enrolled as PERS III members
- 27 Request that any excess funds in LEOFF I be distributed back to the governments that provided the funding to offset medical costs
- 28 Eliminate the requirement for the notice of election and notice of closing of voter's registration to be printed in newspapers
- 29 Allow counties to post legal notices on their website or a single statewide website
- 30 Provide tort reform (For example: eliminate joint and several liability, place reasonable cap on non-economic damages, or restore sovereign immunity for mandatory government functions)
- 31 Restrict the ability of an arbitrator to apply retroactive benefit increases
- 32 Limit the use of overtime to increase final pay that creates long term pension impacts. For the purposes of pension calculations limit the definition of compensation to base pay, not overtime
- 33 Allow counties to include the ability to pay as part of labor negotiations to mirror the current state practice
- 34 Provide public records reform (Specifics to be determined after SAO & workgroup reports released)
- 35 GMA reform (For example: appeals and hearings board reform, mandate cities to annex doughnut holes, or extend timelines and change update requirements)
- 36 Reduce the frequency of state audits if there is no history of management findings and allow the county to contract out audits that are required by the state



Legislative Ideas

Prepared for the 2016 Legislative Steering Committee

State Shared Revenue Ideas

- 37 Provide adequate funding for water infrastructure
- 38 Direct distribution of Coordinated Prevention Grants
- 39 Increase funding through the Criminal Justice Assistance Account to pay state share of jail costs
- 40 Provide a new state shared revenue stream tied to the actual costs mandated to counties as agents of the state
- 41 State shared revenue for all deputy criminal prosecuting attorney's salaries
- 42 Provide a greater amount of public health shared revenue
- 43 Replace and enhance MTCA funding for counties
- 44 Provide state funding for first responders
- 45 Continue the effort to receive a fair amount of marijuana revenue
- 46 Reestablish and enhance shared revenue for local drug enforcement
- 47 Continue the effort to receive a fair amount of revenue for indigent defense
- 48 Fully fund and enhance the Public Works Assistance Account
- 49 Provide adequate state funding to meet GMA and SMA planning/litigation costs
- 50 Restore growth in state shared liquor revenues
- 51 Require the state to pay its share of even-year election costs
- 52 Remove the expiration date on county .09 sales tax authority
- 53 Provide shared revenue to fund courthouse security
- 54 Shift one-half of the state funding for SAO performance audits to pay for actual performance improvements at the county level



Legislative Ideas

Prepared for the 2016 Legislative Steering Committee

Policy Ideas

- 55 Need enhanced punishment for adults assisting a juvenile in a crime (i.e. giving liquor to a group of kids)
- 56 Potential legislation regarding counties not being subservient to state agencies
- 57 Allow juvenile detention regardless of county size
- 58 Provide guidance regarding errant/nuisance 911 calls
- 59 The state should create a grant opportunity portal similar to the federal governments
- 60 Give counties authority to leave judicial vacancies open when caseloads justify
- 61 Clarify county role with water availability
- 62 Reform Administrative Procedures Act rulemaking process
- 63 Require the Liquor and Cannabis Board to follow county zoning when issuing cannabis licenses
- 64 Give timber trust lands back to counties
- 65 Clarify MRSC funding statute
- 66 Shift funding from state agencies administering local programs directly to the counties
- 67 Provide statutory guidance for how counties return mandated services back to the state
- 68 Commission a study to determine the gap between state mandated service costs counties provide and the amount of state shared revenue the state provides to counties
- 69 Allow Conservation Futures revenue to be used for public/private partnerships related to recreational public access on private land
- 70 Create timber harvest stabilization account
- 71 Clarify a mechanism for the consolidation of conservation districts



2015-16 Legislative Status Update

Tier One

Ideas to pursue for the 2015 legislative session. WSAC staff, along with interested LSC members, will begin the work necessary to turn these into legislative proposals. Items are not prioritized within their respective tiers.

Revenue Flexibility	Accomplished	Legislature Addressed	Progress Made	Legislature Rejected
REET Flexibility – provide a consistent definition between REET 1 and 2, and allow the use of both funds for operation and maintenance of capital facilities	✓			
Permit Fee Flexibility – allow building permit fees to be used to pay for long range planning and code compliance				✓
New Revenue				
Property Tax 1% Cap - replace the 1% limit on property tax growth with a limit that is tied to inflation and population growth			✓	
Marijuana – direct revenue from the sale of recreational marijuana to counties		✓		
Indigent Defense - increase the state share of indigent defense funding commensurate with the increased Supreme Court requirements		✓		
Cost Drivers				
PEBB - Allow counties to join the Public Employees Benefits Board Program for medical coverage	✓			
Legal Notices - allow counties to post legal notices on their website or a single statewide website.				✓

Tier Two

Tier two ideas will be developed over time, but are not anticipated for the 2015 legislative session unless it becomes necessary to substitute for a tier 1 idea that is not ready to be advanced in 2015. In some cases, such as public records, WSAC staff will gather additional data to prepare for future advocacy. Items are not prioritized within their respective tiers.

New Revenue	Accomplished	Legislature Addressed	Progress Made	Legislature Rejected
Criminal Justice Sales Tax – allow counties to utilize the available .3% criminal justice sales tax for regional criminal justice needs, without sharing with cities.				✓
Utility Tax – provide authority for a county utility tax.				✓
Shared Revenue Property Tax - require the state to direct 1% of property tax collections to county.				✓

Tier Two (Continued)

New Revenue	Accomplished	Legislature Addressed	Progress Made	Legislature Rejected
Sales Tax Exemptions - Restrict the state from exempting the county portion of sales taxes.				

Cost Drivers	Accomplished	Legislature Addressed	Progress Made	Legislature Rejected
Pension Overtime Calculations - limit the use of overtime to increase final pay that creates long term pension impacts. For the purposes of pension calculations limit the definition of compensation to base pay, not overtime.				
Ability to Pay & Pendulum Arbitration - allow counties to include the ability to pay as part of labor negotiations to mirror the current state practice. Require pendulum ("final offer" or "baseball" negotiations) arbitration.				
Retroactive Benefit Increases Through Arbitration - Restrict the ability of an arbitrator to apply retroactive benefit increases.				

Tab 7

Superior Court for the State of Washington
in and for the County of King

JUDGE SEAN P. O'DONNELL
Department 29

King County Courthouse
Seattle, Washington 98104-2361

April 22, 2016

Chief Justice Barbara Madsen
Judge Scott Sparks
Board for Judicial Administration

RE: Proposed Agenda Item, May 20th 2016 BJA meeting

Dear Chief Justice Madsen and Judge Sparks:

With the recent announcement of Mellani McAleenan's departure from her position as the BJA and AOC BJA lobbyist, a significant decision as to whom will be the BJA's "voice" with the legislature is on the horizon. This is an important and exciting opportunity. Ms. McAleenan has worked diligently on behalf of the Board and finding the right person to replace her will be no small task.

Because this person's primary responsibility will be to advise and work on behalf of the Board for Judicial Administration to accomplish its legislative priorities, I am asking that the following resolution be placed on the BJA's May 20, 2016 agenda for discussion. My hope is that the issue could then be voted on at our subsequent meeting on June 17, 2016.

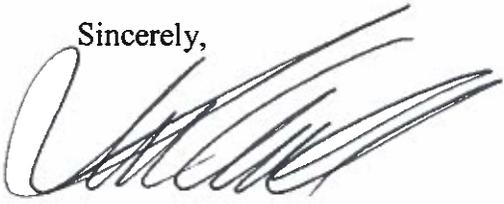
RESOLUTION: It is the position of the Board for Judicial Administration that the Administrative Office of the Courts should delegate its authority for final hiring approval of the new lobbyist to the BJA.

As I will explain at our meeting, this is not a request to recruit candidates, set the terms of pay, or otherwise manage the new lobbyist's day-to-day activities. It would simply mean that the BJA will request that the AOC honor the BJA's vote, and extend an offer to the candidate approved by the BJA.

As part of this discussion, I do think it would be helpful to have a clear understanding of the new lobbyist's chain of command with respect to his or her work with the BJA, AOC, and the judicial branch. For example, it would be useful to address who will be directing the lobbyist's activities and how potential conflicting directives are to be reconciled. While the practice has been for the BJA Legislative Committee to work directly with Ms. McAleenan, having these expectations either restated or clarified for all stakeholders, including the new hire, will be helpful. My hope is that this topic can be considered by the BJA in the context of this resolution.

I am happy to discuss this proposal with you or an AOC representative in advance of our next meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sean P. O'Donnell', written in a cursive style.

Sean P. O'Donnell

cc:

Members, Board for Judicial Administration

Ms. Callie Dietz, AOC

Ms. Misty Butler, AOC



April 25, 2016

Honorable Sean P. O'Donnell
King County Superior Court
516 Third Avenue, Room C-203
Seattle, WA 98104

Dear Judge O'Donnell:

RE: Proposed Agenda Item, May 20, 2016 BJA Meeting

We received your letter regarding a resolution that the Administrative Office of the Courts (AOC) delegate its authority for final hiring approval of its new legislative liaison to the Board for Judicial Administration (BJA). We do agree that the individual in this position needs to meet the needs of the BJA, the AOC and the branch. However, the legislative liaison position performs activities which affect all the committees, commissions, and boards that are supported by the AOC, including the Judicial Information System Committee (JISC), whose role is set by statute, the Supreme Court Minority and Justice Commission, Gender and Justice Commission, Interpreter Commission, the Commission on Children in Foster Care, the Washington State Center for Court Research Oversight Board, the Supreme Court, the Court of Appeals and more.

Of course, there is an important relationship between the legislative liaison and the BJA. As you are aware, the BJA Legislative Committee is responsible for developing a legislative agenda and proactively working together on moving that agenda forward. They are also charged with taking positions on legislation that affect every level of court and the administration of justice. The legislative liaison's responsibility is to be the voice of the BJA and work with the Legislature when direction is given. In matters on which the BJA has taken a position, she/he takes their direction from the BJA. As we have seen, there may be times that there is dissonance between entities within the branch and in a non-unified system that is to be expected. In those cases, the legislative liaison must make it clear who they are representing when working with the Legislature.

Letter to Honorable Sean P. O'Donnell

April 25, 2016

Page 2 of 2

Based on your concerns, we plan to add this topic, but not the resolution, to the May 20 BJA meeting agenda for clarification because we believe it will be helpful for members of the BJA to understand the role of the liaison and the relationship of the liaison to the BJA Legislative Committee. We can also discuss whether the BJA wants to be part of the interview process. In the end we all have the same goal; finding an individual that meets all our needs.

Sincerely,



Barbara Madsen, Chair
Board for Judicial Administration



Scott Sparks, Member Chair
Board for Judicial Administration

cc: Board for Judicial Administration Members
Ms. Callie Dietz, AOC
Ms. Misty Butler, AOC

*Superior Court of the State of Washington
for the County of King*

Sean P. O'Donnell
Judge

King County Courthouse
Seattle, Washington 98104-2381

May 5, 2016

Chief Justice Barbara Madsen
Judge Scott Sparks
Co-Chairs, Board for Judicial Administration

RE: BJA Agenda item May 20th, 2016

Dear Chief Justice Madsen and Judge Sparks:

Thank you for your letter of April 25, 2016. As I understand the co-chairs' position, you have declined to include a proposed resolution relating to the hiring of the new BJA lobbyist on the BJA's May 20th, 2016 agenda.

BJAR 3(a) affords members of the BJA with the opportunity to have items of concern placed on the BJA meeting agenda:

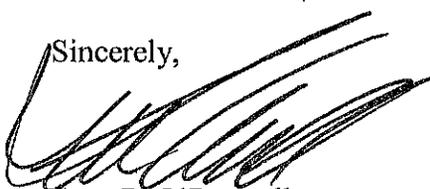
"Any Board member may submit issues for the meeting agenda."

BJAR 3(a).

I recognize that there may be differing opinions regarding the substance of this resolution. However, it does not appear that its exclusion from the agenda is supported by the rules governing the BJA's operation.

I would, respectfully, ask that you reconsider your decision.

Sincerely,



Sean P. O'Donnell

cc:
Members, Board for Judicial Administration
Ms. Callie Dietz, AOC
Ms. Misty Butler, AOC



May 18, 2016

Honorable Sean P. O'Donnell
King County Superior Court
516 3rd Avenue, Room C-203
Seattle, WA 98104-2361

Dear Judge O'Donnell:

RE: May 20 BJA Agenda Item

We are writing in response to your letter dated May 5, 2016. In your letter you state that the BJA rules afford BJA members the opportunity to have items of concern placed on the BJA meeting agenda (BJAR 3(a)).

"Any Board member may submit issues for the meeting agenda."

It is our opinion that "submit" is not the same as "place." As stated in our letter dated April 25, 2016, this topic has been added to the May 20 BJA agenda, but not the resolution. We hoped that the reason behind our response to your request was adequately addressed in that letter. As co-chairs of the BJA we decide what items are placed on the agenda and because we believe that a conversation needs to be held around this topic we have added it for discussion.

Thank you for addressing these important matters.

Sincerely,

Handwritten signature of Barbara Madsen in black ink.

Barbara Madsen, Chair
Board for Judicial Administration

Handwritten signature of Scott Sparks in blue ink.

Scott Sparks, Member Chair
Board for Judicial Administration

cc: BJA Members
Ms. Callie Dietz, AOC
Ms. Misty Butler, AOC



Administrative Office of the Courts

ASSOCIATE DIRECTOR, Office of Judicial and Legislative Relations

Primary Purpose

Responsible for facilitating and enhancing judicial branch communications and relationships with state executive and legislative branches.

Distinguishing Characteristics

Reporting to the State Court Administrator, responsible for development and planning activities regarding legislation and coordination of communications with the executive branch at the direction of Administrative Office of the Courts (AOC) executive management and judicial branch leadership.

Duties are expected to be performed with the highest level of expertise and integrity. Decision making responsibility covers strategic activities supporting judicial branch legislative positions and initiatives. The position requires proven ability to be successful in the use of judgment, discretion, and communication in the decision making process.

Duties and Responsibilities

- Coordinates judicial branch legislative agendas and activities, including, but not limited to, drafting legislation, preparation and/or delivery of testimony before legislative committees, providing information to legislators and legislative staff, and communicating the status of legislative activities to judicial branch personnel, all in accordance with direction established by judicial branch leadership.
 - Prepares written reports and gives oral presentations to large groups, both internal and external.
 - Provides evaluation and analysis of proposed legislation affecting the Washington Courts to the State Court Administrator and judicial leadership.
 - Provides recommendations and strategies to AOC and judicial leadership regarding communications with executive and legislative branches.
 - Performs other work as assigned.
-

Key Competencies

Agency Values:

- Integrity
- Honesty
- Accountability
- Teamwork
- Trust
- Respect
- Customer Service
- Communication

Behavioral Competencies

- Influencing
- Problem solving
- Planning/organizing
- Consulting
- Relationship building
- Tact/diplomacy

Knowledge, Skills and Ability

Must demonstrate proficient knowledge, expertise and abilities in the following areas:

- Provide recommendations and counsel to AOC executive management and judicial leadership relative to implementing the legislative strategy and agenda developed by the judicial branch; meet and communicate effectively with numerous individuals, both public and private; communicate clearly and persuasively with others orally and in writing; establish and maintain appropriate and effective working relationships.
- Exercise effective leadership competencies in communicating and coordinating time, resources and staff to attain the desired results.
- Understand the interaction, mission, and objectives of interested groups, boards, committees, and the judicial community.
- Develop and maintain the trust and respect of and for the judicial branch.
- Expertly and professionally identify risks and outcomes of proposed legislation. Develops action steps, plans strategies for the purpose of taking critical action to ensure the expected outcome.
- Exercise sound judgment and make timely, solid strategic decisions and recommendations consistent with organizational objectives related to legislative activities or issues.
- Acquire and integrate input from others regarding critical actions, timelines, sequencing and priorities.
- Accurately assess the resources necessary to carry out planned actions and the impact and implication of decisions made regarding resources.

Qualifications and Credentials

A Bachelor's degree in business, public, or judicial administration or closely allied field **AND**:

- Eight (8) years' experience in the areas of policy development, governmental relations, court administration, law practice or other closely allied field.

A combination of relevant education and experience demonstrating a working knowledge of the functions and responsibility of Associate Director, Office of Judicial and Legislative Relations may be considered in the meeting the qualification baseline.

SALARY RANGE: 99

- Workweek may fluctuate depending on workload or agency need.
- Overnight travel may be required based on business need.
- This position is not covered under the Fair Labor Standards Act (FLSA).

Established – 9-07
Title Correction – 12-11
Revised – 4-16

Tab 8

GR 17

FACSIMILE TRANSMISSION

(a) Facsimile Transmission Authorized; Exceptions.

(1) Except as set forth in subsection (a)(5), the clerks of the court may accept for filing documents sent directly to the clerk or to another by electronic facsimile (fax) transmission. A fax copy shall constitute an original for all court purposes. The attorney or party sending the document via fax to the clerk or to another shall retain the original signed document until 60 days after completion of the case. Documents to be transmitted by fax shall bear the notation: "SENT on _____ (DATE) VIA FAX FOR FILING IN COURT.

(2) If a document is transmitted by facsimile to another for filing with a court, by local court rule the person responsible for the filing ~~must~~ may be required to attach an original affidavit as the last page of the document. The affidavit must bear the name of the court, case caption, case number, the name of the document to be filed, and a statement that the individual signing the affidavit has examined the document, determined that it consists of a stated number of pages, including the affidavit page, and that it is complete and legible. The affidavit shall bear the original signature, the printed name, address, phone number and facsimile number of the individual who received the document for filing.

(3) The clerk of the court may use fax transmission to send any document requiring personal service to one charged with personally serving the document. Notices and other documents may be transmitted by the clerk to counsel of record by fax.

(4) Clerks may charge reasonable fees to be established by the ~~Office of the Administrator for the Courts~~ Administrative Office of the Courts, for receiving, collating, and verifying fax transmissions.

(5) Without prior approval of the clerk of the receiving court, facsimile transmission is not authorized for judge's working copies (courtesy copies) or for those documents for which a filing fee is required. Original wills and negotiable instruments may not be filed by facsimile transmission.

(6) Facsimile Machine Not Required. Nothing in this rule shall require an attorney or a clerk of a court to have a facsimile machine.

(b) Conditions.

(1) Documents transmitted to the clerk by fax shall be letter size (8-1/2 by 11 inches). Unless otherwise provided by local court rule, Ddocuments over 40-20 pages in length may not be filed by fax without prior approval of the clerk.

(2) Any document transmitted to the clerk by fax must be accompanied by a fax transmittal sheet in a format prescribed by the court. The form must include the case number (if any), case caption, number of pages, the sender's name, the sender's voice and facsimile telephone numbers, and fax

fee remittance certification. Transmittal sheets are not considered legal filings.

(3) A document transmitted directly to the clerk of the court shall be deemed received at the time the clerk's fax machine electronically registers the transmission of the first page, regardless of when final printing of the document occurs, except that a document received after the close of normal business hours shall be considered received the next judicial day. If a document is not completely transmitted, it will not be considered received. A document transmitted to another for filing with the clerk of the court will be deemed filed when presented to the clerk in the same manner as an original document.

(4) Court personnel will not verify receipt of a facsimile transmission by telephone or return transmission and persons transmitting by facsimile shall not call the clerk's office to verify receipt.

~~(5) The clerk shall neither accept nor file a document unless it is on bond paper.~~

~~(5)~~ (6) The clerk shall develop procedures for the collection of fax service fees for those documents transmitted directly to the clerk. Nonpayment of the fax service fee shall not affect the validity of the filing.

~~(6)~~ (7) Agencies or individuals exempt from filing fees are not exempt from the fax service fees for documents transmitted directly to the clerk. [Adopted effective September 1, 1993.]

GR 30
ELECTRONIC FILING AND SERVICE

(a) Definitions.

(1) "Digital signature" is defined in RCW 19.34.020.

(2) "Electronic Filing" is the electronic transmission of information to a court or clerk for case processing.

(3) "Electronic Document" is an electronic version of information traditionally filed in paper form, except for documents filed by facsimile which are addressed in GR 17. An electronic document has the same legal effect as a paper document.

(4) "Electronic Filing Technical Standards" are those standards, not inconsistent with this rule, adopted by the Judicial Information System committee to implement electronic filing.

(5) "Filer" is the person whose user ID and password are used to file an electronic document.

Comment: The form of "digital signature" that is acceptable is not limited to the procedure defined by chapter 19.34 RCW, but may include other equivalently reliable forms of authentication as adopted by local court rule or general.

(b) Electronic filing authorization, exception, service, and technology equipment.

(1) The clerk may accept for filing an electronic document that complies with the Court Rules and the Electronic Filing Technical Standards.

(2) A document that is required by law to be filed in non-electronic media may not be electronically filed.

Comment: Certain documents are required by law to be filed in non-electronic media. Examples are original wills, ~~certified records of proceedings for purposes of appeal,~~ negotiable instruments, and documents of foreign governments under official seal.

(3) Electronic Transmission from the Court. The court or clerk may electronically transmit notices, orders, or other documents to all attorneys as authorized under local court rule, or to a party who has filed electronically or has agreed to accept electronic documents from the court, and has provided the clerk the address of the party's electronic mailbox. It is the responsibility of all attorneys and the filing or agreeing party to maintain an electronic mailbox sufficient to receive electronic transmissions of notices, orders, and other documents.

(4) A court may adopt a local rule that mandates electronic filing by attorneys and/or electronic service of documents on attorneys for parties of record, provided that the attorneys are not additionally required to file paper copies except for those documents set forth in (b)(2). Electronic service may be made either through an electronic transmission directly from the court (where available) or by a party's attorney. Absent such a local rule, parties may electronically serve documents on other parties of record. ~~only by agreement.~~ The local rule shall not be inconsistent with this Rule and the

Electronic Filing Technical Standards, and the local rule shall permit paper filing and/or service upon a showing of good cause. Electronic filing and/or service should not serve as a barrier to access.

Comment: When adopting electronic filing requirements, courts should refrain from requiring counsel to provide duplicate paper pleadings as "working copies" for judicial officers.

(c) Time of Filing, Confirmation, and Rejection.

(1) An electronic document is filed when it is received by the clerk's designated computer during the clerk's business hours; otherwise the document is considered filed at the beginning of the next business day.

(2) The clerk ~~shall~~may issue confirmation to the filing party that an electronic document has been received.

(3) The clerk may reject a document that fails to comply with applicable electronic filing requirements. The clerk must notify the filing party of the rejection and the reason therefor.

(d) Authentication of Electronic Documents.

(1) Procedures

(A) A person filing an electronic document must have received a user ID and password from a government agency or a person delegated by such agency in order to use the applicable electronic filing service.

Comment: The committee encourages local clerks and courts to develop a protocol for uniform statewide single user ID's and passwords.

(B) All electronic documents must be filed by using the user ID and password of the filer.

(C) A filer is responsible for all documents filed with his or her user ID and password. No one shall use the filer's user ID and password without the authorization of the filer.

(2) Signatures

(A) Attorney Signatures. An electronic document which requires an attorney's signature may be signed with a digital signature or signed in the following manner:

s/ John Attorney

State Bar Number 12345

ABC Law Firm

123 South Fifth Avenue

Seattle, WA 98104

Telephone: (206) 123-4567

Fax: ~~(206) 123-4567~~

E-mail: John.Attorney@lawfirm.com

(B) Non-attorney signatures. An electronic document which requires a non-attorney's signature and is not signed under penalty of perjury may be signed with a digital signature or signed in the following manner:

s/ John Citizen
123 South Fifth Avenue
Seattle, WA 98104
Telephone: (206) 123-4567
Fax: ~~(206) 123-4567~~
E-mail: John.Citizen@email.com

(C) Non-attorney signatures on documents signed under penalty of perjury. Except as set forth in (d)(2)(D) of this rule, if the original document requires the signature of a non-attorney signed under penalty of perjury, the filer must either:

- (i) Scan and electronically file the entire document, including the signature page with the signature, and maintain the original signed paper document for the duration of the case, including any period of appeal, plus sixty (60) days thereafter; or
- (ii) Ensure the electronic document has the digital signature of the signer.

(D) Law enforcement officer signatures on documents signed under penalty of perjury.

(i) A citation or notice of infraction initiated by an arresting or citing officer as defined in IRLJ 1.2(j) and in accordance with CrRLJ 2.1 or IRLJ 2.1 and 2.2 is presumed to have been signed when the arresting or citing officer uses his or her user id and password to electronically file the citation or notice of infraction.

(ii) Any document initiated by a law enforcement officer is presumed to have been signed when the officer uses his or her user ID and password to electronically submit the document to a court or prosecutor through the Statewide Electronic Collision & Traffic Online Records application, the Justice Information Network Data Exchange, or a local secured system that the presiding judge designates by local rule. Unless otherwise specified, the signature shall be presumed to have been made under penalty of perjury under the laws of the State of Washington and on the date and at the place set forth in the citation.

(E) Multiple signatures. If the original document requires multiple signatures, the filer shall scan and electronically file the entire document, including the signature page with the signatures, unless:

- (i) The electronic document contains the digital signatures of all signers; or
- (ii) For a document that is not signed under penalty of perjury, the signator has the express authority to sign for an attorney or party and represents having that authority in the document. If any of the non-digital signatures are of non-attorneys, the filer shall maintain the original signed paper document for the duration of the case, including any period of appeal, plus sixty (60) days thereafter.

(F) Court Facilitated Electronically Captured Signatures. An electronic document that requires a signature may be signed using electronic signature pad equipment that has been authorized and facilitated by the court. This document may be electronically filed as long as the electronic document contains the electronic captured signature.

(3) An electronic document filed in accordance with this rule shall bind the signer and function as the signer's signature for any purpose, including CR 11. An electronic document shall be deemed the equivalent of an original signed document if the filer has complied with this rule. All electronic documents signed under penalty of perjury must conform to the oath language requirements set forth in RCW 9A.72.085 and GR 13.

(e) Filing fees, electronic filing fees.

(1) The clerk is not required to accept electronic documents that require a fee. If the clerk does accept electronic documents that require a fee, the local courts must develop procedures for fee collection that comply with the payment and reconciliation standards established by the Administrative Office of the Courts and the Washington State Auditor.

(2) Anyone entitled to waiver of non-electronic filing fees will not be charged electronic filing fees. The court or clerk shall establish an application and waiver process consistent with the application and waiver process used with respect to non-electronic filing and filing fees.

[Adopted effective September 1, 2003; December 4, 2007; September 1, 2011; December 9, 2014.]

Tab 9

BOARD FOR JUDICIAL ADMINISTRATION RULES (BJAR)

TABLE OF RULES

Rule

Preamble

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

BJAR
PREAMBLE

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

[Adopted effective January 25, 2000.]

BJAR 1
BOARD FOR JUDICIAL ADMINISTRATION

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

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

BJAR 2
COMPOSITION

- (a) Membership. The Board for Judicial Administration shall consist of judges from all levels of court selected for their demonstrated interest in and commitment to judicial administration and court improvement. The Board shall consist of five members from the appellate courts (two from the Supreme Court, one of whom shall be the Chief Justice, and one from each division of the Court of Appeals), five members from the superior courts, one of whom shall be the President of the Superior Court Judges' Association, five members of the courts of limited jurisdiction, one of whom shall be the President of the District and Municipal Court Judges' Association, two members of the Washington State Bar Association (non-voting) and the Administrator for the Courts (non-voting).
- (b) Selection. Members shall be selected based upon a process established by their respective associations or court level which considers demonstrated commitment to improving the courts, racial and gender diversity as well as geographic and caseload differences.
- (c) Terms of Office.
 - (1) Of the members first appointed, one justice of the Supreme Court shall be appointed for a two-year term; one judge from each of the other levels of court for a four-year term; one judge from each of the other levels of court and one Washington State Bar Association member for a three-year term; one judge from the other levels of court and one Washington State Bar Association member for a two-year term; and one judge from each level of trial court for a one-year term. Provided that the terms of the District and Municipal Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2011 shall be for two years and the terms of the Superior Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2013 shall be for two years each. Thereafter, voting members shall serve four-year terms and the Washington State Bar Association members for three-year terms commencing annually on June 1. The Chief Justice, the President Judges and the Administrator for the Courts shall serve during tenure.
 - (2) Members serving on the BJA shall be granted equivalent pro tempore time.

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

BJAR RULE 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. 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 four standing committees: Policy and Planning, Budget and Funding, Education, 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; amended effective September 1, 2014.]

BJAR 4
DUTIES

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

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

(c) The Board shall develop a funding strategy for the judiciary consistent with the long-range plan and RCW 43.135.060;

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

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

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

[Adopted effective January 25, 2000.]

BJAR 5
STAFF

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

[Adopted effective January 25, 2000.]



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BOARD FOR JUDICIAL ADMINISTRATION BYLAWS

ARTICLE I

Purpose

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

ARTICLE II

Membership

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

ARTICLE III

Officers and Representatives

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

ARTICLE IV

Duties of Officers

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

ARTICLE V

Vacancies

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

ARTICLE VI **Committees**

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

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

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

ARTICLE VII **Executive Committee**

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

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

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

ARTICLE VIII **Regular Meetings**

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

ARTICLE IX **Special Meetings**

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

ARTICLE X **Quorum**

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

ARTICLE XI **Voting**

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

ARTICLE XII **Amendments and Repeal of Bylaws**

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

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

[Courts](#) | [Organizations](#) | [News](#) | [Opinions](#) | [Rules](#) | [Forms](#) | [Directory](#) | [Library](#)
[Back to Top](#) | [Privacy and Disclaimer Notices](#)

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.)