

I. Title

Washington Supreme Court Disability Justice Task Force (DJTF) Charter

II. Authority

Established by the Washington Supreme Court, En Banc Meeting, February 2, 2022. Decision package request successfully funded for the 2023-2025 Biennial Budget.

III. Key Definitions¹

Ableism: A system of assigning value to people's bodies and minds based on societally constructed ideas of normalcy, productivity, desirability, intelligence, excellence, and fitness. Constructed ideas that are deeply rooted in eugenics, anti-Blackness, misogyny, colonialism, imperialism, and capitalism. Systemic oppression that leads to people and society determining people's value based on their culture, age, language, appearance, religion, birth or living place, "health/wellness", and/or their ability to satisfactorily re/produce, "excel" and "behave." You do not have to be disabled to experience ableism.²

Access & Accessibility: Creating and supporting barrier-free and usable facilities, environments, systems, communications, and processes, so that all individuals, regardless of disability, can participate in, use, and enjoy the full benefits and privileges of the courts.

Access to Justice: All people, regardless of background, identity, disability or situation have an equitable opportunity to use the legal system to secure their rights under the law, effectively advocate for themselves and their interests, and be treated fairly, impartially, and with dignity.

¹ Some definitions were provided by the Washington State Administrative Office of the Courts' (AOC) Court Equity & Access Program.

² Adapted from working definition by Talila A. Lewis, abolitionist community lawyer, educator, and organizer, updated January 2022, developed in community with disabled Black/negatively racialized folk at <https://www.talilalewis.com/blog/archives/01-2022>.

Disability Justice: A framework to understand and combat ableism, the root of disability oppression, and create alternative practices rooted in justice. Disability justice goes beyond disability rights by recognizing that disability intersects with other marginalized identities, such as race, gender, and sexuality, leading to unique challenges for individuals with multiple marginalized identities. It also recognizes that to fully understand how ableism operates in our society, we must understand its connections to heteropatriarchy, white supremacy, colonialism, and capitalism. In practice, disability justice seeks to eliminate systemic oppression of those most impacted and promote a world where all people with disabilities flourish, are valued, and celebrated.³

Equity: Ensuring everyone has full access to the opportunities, power, and resources they need to flourish and achieve their full potential. Equity requires developing, strengthening, and supporting policies and procedures that distribute and prioritize resources to those who have been historically and currently marginalized, including tribes, and the elimination of systemic barriers that have been deeply entrenched in systems of inequality and oppression. Equity achieves procedural and outcome fairness, promoting dignity, honor, and respect for all people.

Inclusion: Engaging everyone, regardless of ethnicity, race, gender, sex, religion, disability, background, etc., in an intentional way to provide opportunities to participate in all aspects of the group, organization, or community, including decision-making processes. Inclusion requires creating an environment where all individuals, regardless of their backgrounds, feel valued, respected, and empowered to contribute their perspectives.

³ Adapted from Sins Invalid's definition of Disability Justice at <https://www.sinsinvalid.org/news-1/2020/6/16/what-is-disability-justice>.

IV. Guiding Principles⁴

1. Intersectionality
2. Leadership of Those Most Impacted
3. Economic Justice
4. Cross-Movement Organizing
5. Recognizing Wholeness
6. Sustainability
7. Cross-Disability Solidarity
8. Interdependence
9. Access & Accessibility
10. Inclusion

V. Purpose and Scope

The purposes of the Disability Justice Task Force are to 1) lead a study to determine the extent of barriers to physical and programmatic access to Washington courts and other emergent barriers experienced by individuals with disabilities and 2) generate a report for the Washington Supreme Court. The report will identify opportunities for judicial branch entities to collaborate to remove structural and attitudinal barriers to access to justice for individuals with disabilities.

The scope of the Task Force's work will examine and address current deficiencies in court compliance with court rules, statutes, and policies and make recommendations for best practices to ensure Washington courts are accessible to and effectively serve individuals with disabilities. The Task Force may recommend the creation of a Washington Supreme Court Disability and Justice Commission.

⁴ Adapted from Sin Invalid's 10 Principles of Disability Justice at <https://www.sinsinvalid.org/blog/10-principles-of-disability-justice>.

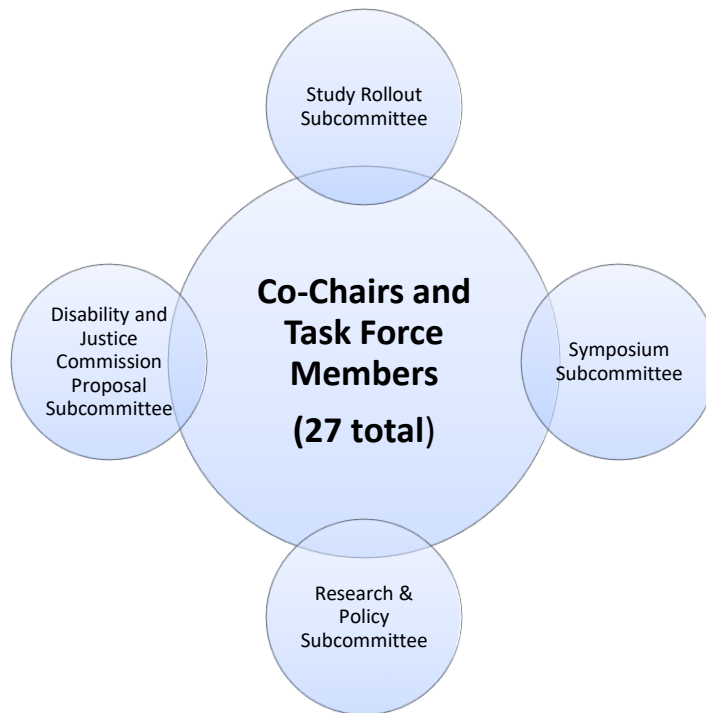
VI. Goals

1. Work with Washington state courts, impacted communities, and other interested groups to complete a comprehensive statewide study of the needs of court users with disabilities at all court levels (“Disability Justice Study”).
2. Deliver a Disability Justice Study Final Report to the Washington Supreme Court. The report will:
 - a. Use a disability justice lens to identify the nature and extent of barriers to state court services and programs and their impact on court users with disabilities in five focus areas: physical, technological, programmatic, communication, and cultural.
 - b. Examine and address current deficiencies in court compliance with court rules, statutes, and policies.
 - c. Advocate for policy changes to eliminate bias, discrimination, and marginalization of court users with disabilities.
 - d. Make recommendations for best practices that increase equity, access, and accessibility for court users with disabilities and support courts’ compliance with GR 33, the Americans with Disabilities Act (ADA), and related state laws and policies.
3. Use the Disability Justice Study Final Report to develop a proposal for the creation of a Disability and Justice Commission.

VII. Objectives

1. Complete the Disability Justice Study Final Report by May 1, 2025.
2. Hold a DJTF Symposium and present the Disability Justice Study Final Report findings and recommendations by June 1, 2025.
3. Complete the proposal for the creation of a Disability and Justice Commission by June 30, 2025.

VIII. Organizational Structure



To complete the Disability Justice Study, the DJTF will contract:

- A Research Team (1 Full-Time Research Coordinator and 2-3 Part-Time Research Assistants);
- A Disability Justice and Community Engagement Expert; and
- Other experts as necessary.

IX. DJTF Membership (27 total)

- Co-Chairs: Justice G. Helen Whitener and David Whedbee (Washington Supreme Court and King County Superior Court)
- Court of Appeals representative – Judge Meng Li Che
- Superior Court Judges' Association (SCJA) representative – Judge Joseph Evans and Judge Diana Kiesel
- Private Sector Representative – TBD
- Therapeutic Court Judicial Officer – Judge Camara Banfield

- District and Municipal Court Judges' Association (DMCJA) representative – Judge Aimee Maruer and Judge Gloria Ochoa-Bruck
- Tribal State Court Consortium (TSCC) representative – TBD
- Board for Judicial Administration (BJA) representative – Commissioner Karl Triebel
- Washington State Administrative Office of the Courts (AOC) ADA Access Coordinator – TBD
- Washington State Bar Association (WSBA) representative – TBD
- Association of Washington Superior Court Administrators (AWSCA) - TBD
- District and Municipal Court Management Association (DMCMA) representative – Dave Lucas & Bryan Farrell
- Washington State Association of County Clerks (WSACC) representative – Constance White
- Washington Association of Prosecuting Attorneys (WAPA) representative – Dale Slack
- Office of Public Defense (OPD) representative – Shoshana Kehoe-Ehlers
- Office of Civil Legal Aid (OCLA) representative – Ali Kingston
- State Legislator – Senator Yasmin Trudeau
- Executive Branch representative – Michael MacKillop, Executive Director, Department of Services for the Blind (DSB)
- Disability Rights Washington representative – Chloe Merino
- The Arc of Washington representative – Pamela Norr
- Northwest ADA Center representative – TBD
- Washington State Independent Living Council (WASILC) representative – Kimberly Meck
- National Alliance on Mental Illness (NAMI) representative – Marilyn Roberts
- Court Users with Lived Experience
 - Lacey Robins
 - TBD
 - TBD

X. External Partners

This list is not exhaustive:

- Washington Supreme Court Commissions
- Washington State Center for Court Research
- Washington Office of Superintendent of Public Instruction
- Access to Justice Board
- University of Washington
- Coelho Center on Disability Law and Policy
- State Law Library
- Law enforcement agencies
- Other social justice organizations in Washington State
- Other disability justice agencies, offices, programs, and organizations outside of Washington State

XI. Duties⁵

Co-Chairs

- Supervise the work of the AOC Senior Court Program Analyst assigned to the DJTF.
- Provide unified leadership, vision, and direction for the DJTF.
- Lead implementation of this Charter and delegate tasks as needed.
- Authorize use of all funding designated by the legislature.
- Review, provide feedback, and final approval of all the work of the Task Force, to include meeting agendas, plans, budgets, proposals, contracts, documents, and other communications.
- Facilitate DJTF meetings, ensuring all members have the opportunity to contribute, discussions are inclusive, and Charter bylaws are followed.
- Serve as the DJTF spokespersons when communicating with external stakeholders or delegate the role if appropriate.

⁵ Duties listed are instructive and not exhaustive.

- Foster a culture of disability justice within the DJTF and across Washington State.
- Build relationships with other leaders to support the work of the DJTF.
- Courageously champion the elimination of systemic injustice and advocate for the DJTF's guiding principles, mission, vision, goals, and objectives.
- Uphold disability accessibility standards and the use of plain language.

DJTF Members

- Help the DJTF complete the Disability Justice Study.
- Regularly attend and actively participate in DJTF meetings.
- Help select the Research Team.
- Help develop and implement a strategic action plan for Disability Justice Study rollout to courts and communities.
- Support the Research Team to implement research activities (e.g., listening sessions, court self-evaluations, etc.).
- Review and provide feedback on Disability Justice Study Final Report drafts.
- Receive and help provide education on disability justice to courts and communities.
- Help plan the Disability Justice Symposium.
- Help develop a proposal for the creation of a Disability and Justice Commission.
- Foster a culture of disability justice within the DJTF and across Washington State.
- Uphold disability accessibility standards and the use of plain language.
- Build relationships with other leaders to support the work of the DJTF.
- Courageously champion the elimination of systemic injustice and advocate for the DJTF's guiding principles, mission, vision, goals, and objectives.

Senior Court Program Analyst

- Coordinate the development, implementation, and management of the DJTF Charter, Project Plan, and Projected Budget.
- Facilitate the execution and management of DJTF contracts.
- Coordinate all DJTF meetings and provide administrative support, including taking meeting notes.
- Prepare regular progress reports and meeting minutes for the Co-Chairs and DJTF members.
- Review and provide feedback on Disability Justice Study Final Report drafts.
- Receive and help provide education on disability justice to courts and communities.
- Foster a culture of disability justice within the DJTF and across Washington State.
- Uphold disability accessibility standards and the use of plain language.
- Build relationships with other leaders to support the work of the DJTF.
- Courageously champion the elimination of systemic injustice and advocate for the DJTF's guiding principles, mission, vision, goals, and objectives.
- Other duties as assigned by the Co-Chairs.

XII. DJTF Member Expectations

1. **Commitment to Disability Justice:** Demonstrate a commitment to advancing disability justice within the legal system. Advocate for the rights of individuals with disabilities and work to ensure their inclusion and access to justice.
2. **Active Participation:** Actively participate in Task Force meetings, discussions, and activities. Contribute ideas, perspectives, and expertise to the work of the Task Force.
3. **Collaboration:** Collaborate effectively with other Task Force members, respecting their viewpoints and contributions. Work towards consensus on key issues and decisions, recognizing the importance of diverse perspectives.

4. **Responsiveness:** Respond promptly to communications from the Co-Chairs and other task force members. Meet deadlines for assigned tasks and deliverables.
5. **Inclusivity:** Ensure that the perspectives and experiences of individuals with disabilities are represented in all discussions and decision-making processes. Advocate for the inclusion of marginalized communities within the disability community.
6. **Feedback and Reflection:** Reflect on one's own biases and assumptions and strive to overcome them in the pursuit of disability justice.

XIII. Meeting Schedule

DJTF monthly meeting schedule dates starting from June 2024 to June 2025 will be held the third Wednesday every month from 4:15-5:30 PM unless otherwise stated.

Subcommittee meeting schedules – As coordinated by the Senior Court Program Analyst.

- Research & Policy Subcommittee: Feb 2025– June 2025 (tentative)
- Study Rollout Subcommittee: June 2024 – December 2024 (tentative)
- Symposium Subcommittee: January 2025 – June 2025 (tentative)
- Disability Justice Commission Proposal Subcommittee: May 2025 – June 2025 (tentative)

XIV. Membership Rules

A. Appointment

1. The DJTF shall have a total of twenty-seven (27) members that includes two (2) Co-Chairs.
2. All DJTF Members shall be appointed by the Co-Chairs.

B. Subcommittees

1. The DJTF Co-Chairs shall appoint a Chair or Co-Chairs for each Subcommittee, who shall serve at the pleasure of the DJTF Co-Chairs.
2. All DJTF Members must participate on at least one (1) subcommittee.
3. DJTF Members and External Partners are able to participate in subcommittees.

C. Decision Making

The decision-making process for DJTF involves the Co-Chairs presenting decisions or issues to Task Force followed by a discussion phase where members provide input and ask questions. The Co-Chairs will summarize the discussion, collect additional input if needed, and ultimately make the final decision.

D. Meetings

1. If a DJTF member misses more than two (2) meetings without notifying the Co-Chairs and the Senior Court Program Analyst in advance, they will be deemed to have resigned from the DJTF.

XV. Conflict Resolution

In the event of a conflict within the DJTF, members are encouraged to first attempt to resolve issues through open and respectful communication outside DJTF meetings. If conflicts continue, Co-Chairs will facilitate a discussion to find a resolution. If no resolution is found and a member continues to disrupt the work of the DJTF or behaves in a manner inconsistent with its mission and values, the Co-Chairs in consultation with the Chief Justice may recommend removal. The goal is to ensure all voices are heard and decisions align with promoting disability justice within Washington State court system.

XVI. Budget

- FY25 Total Allotment for Personal Service Contracts, Goods and Services, and Travel: Approximately **\$TBD**

A Projected Budget will be shared with the Co-Chairs and DJTF members for approval and updated as needed.