

Goals to Reduce Problems We Found in Every Area of Inquiry

In 1989, the Washington Supreme Court’s Task Force on Gender and Justice in the Courts produced a groundbreaking [report](#) on the impact of gender on selected areas of the law. It concluded that gender did affect the availability of justice. We – the [Washington State Supreme Court Gender and Justice Commission](#) – are a product of that report and its recommendations. Now, in 2021, we have completed our follow-up study.

Our legal and social science research, our data collection, and our independent [pilot projects](#) all led us to the same frustrating conclusion about the effect of gender in Washington State courts: trustworthy, factual data about the effect of gender in Washington courts is hard to find, and it is especially hard to find for Black, Indigenous, other people of color, and LGBTQ+¹ people.

Still, based on the data in which we have a high degree of confidence, two points stand out: (1) gender matters – it does affect the treatment of court users (including litigants, lawyers, witnesses, jurors, and employees); and (2) the adverse impact of these gendered effects is most pronounced for Black, Indigenous, other women of color, LGBTQ+ people, and We developed five overall goals for future action based on these results. These goals prioritize work on the areas of highest need. In many cases, that led us to adopting gender neutral goals – because that seemed like the best way to gain the best outcomes for those with the greatest need. It turns out that this approach will further the interests of more than just any single subpopulation of Washington residents – it should benefit us all. We look forward to our common work on these critical areas:

1. Improve data collection in every area of the law that this report covers: ensure collection and distribution of accurate, specific data, disaggregated by gender, race, ethnicity, and LGBTQ+ status, in the criminal, civil, and juvenile areas of law covered here.

¹ Lesbian, gay, bisexual, transgender, queer or questioning

2. Improve access to the courts in every area of the law that this report covers: expand remote access, adopt more flexible hours, increase access to legal help, reduce communication barriers, and ensure that courts treat all court users in a trauma-responsive manner.
3. Address the impacts of the vast increase in convictions and detentions over the last generation: (a) recognize and remedy the increase in conviction rates and incarceration length for women, especially Black, Indigenous, and other women of color, and (b) recognize and remedy the consequences that the increased incarceration of Black, Indigenous, and other men of color over the last generation has had on women and other family members.
4. Reduce reliance on revenue from court users to fund the courts.
5. Identify the best evidence-based curricula for judicial and legal education on gender and race bias.