BOARD FOR JUDICIAL ADMINISTRATION

WASHINGTON COURTS

MEETING PACKET

FRIDAY, APRIL 20, 2012
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 Chris Wickham, Member Chair
Superior Court Judges' Association
Thurston County Superior Court

Judge Marlin J. Appelwick
Court of Appeals, Division I

Judge Ronald Culpepper
Superior Court Judges' Association
Pierce County Superior Court

Judge Deborah Fleck
Superior Court Judges' Association
King County Superior Court

Judge Janet Garrow
District and Municipal Court Judges' Association
King County District Court

Judge Laura Inveen, President
Superior Court Judges' Association
King County Superior Court

Judge Jill Johanson
Court of Appeals, Division II

Judge Kevin Korsmo
Court of Appeals, Division III

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

Judge Jack Nevin
District and Municipal Court Judges' Association
Pierce County District Court

Justice Susan Owens
Supreme Court

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

Judge Scott Sparks
Superior Court Judges' Association
Kittitas County Superior Court

Judge Gregory Tripp, President
District and Municipal Court Judges' Association
Spokane County District Court

NON-VOTING MEMBERS:

Mr. Stephen Crossland, President
Washington State Bar Association

Judge Sara Derr, President-Elect
District and Municipal Court Judges' Association
Spokane County District Court

Mr. Jeff Hall
State Court Administrator

Ms. Paula Littlewood, Executive Director
Washington State Bar Association

Judge Craig Matheson, President-Elect
Superior Court Judges' Association
Benton and Franklin Superior Courts

Judge Christine Quinn-Brintnall
Presiding Chief Judge
Court of Appeals, Division II

Ms. Michele Radosevich, President-Elect
Washington State Bar Association

WASHINGTON COURTS

Board for Judicial Administration (BJA)

Friday, April 20, 2012 (9:00 a.m. – 12:00 p.m.)
AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

AGENDA

1. Call to Order	Chief Justice Barbara Madsen Judge Michael Lambo	9:00 a.m.
2. Welcome and Introductions	Chief Justice Barbara Madsen Judge Michael Lambo	9:00 a.m.
Action Items		
3. March 16, 2012 Meeting Minutes Action: Motion to approve the minutes of the March 16, 2012 meeting	Chief Justice Barbara Madsen Judge Michael Lambo	9:05 a.m. Tab 1
4. Resolution in Support of the Guardian Accountability and Senior Protection Act Action: Motion to approve the BJA resolution in support of the Guardian Accountability and Senior Protection Act	Ms. Mellani McAleenan	9:10 a.m. Tab 2
5. Resolution Urging Congress to Respect the Separation of Powers and Principles of Federalism with Regard to Enacting Legislation to Address Child Custody Action: Motion to approve the BJA resolution urging Congress to respect the separation of powers and principles of federalism with regard to enacting legislation to address child custody	Ms. Mellani McAleenan	9:20 a.m. Tab 3
6. Filing Fee Work Group Charter Action: Motion to approve the Filing Fee Work Group charter	Ms. Mellani McAleenan	9:30 a.m. Tab 4
7. Appointment to the Civil Legal Aid Oversight Committee Action: Motion to appoint Judge Michael Spearman to the Civil Legal Aid Oversight Committee	Ms. Mellani McAleenan	9:40 a.m. Tab 5

Action Items (continued)		
8. Washington State Medal of Valor Nomination Action: Motion to approve the Washington State Medal of Valor nomination	Ms. Mellani McAleenan	9:45 a.m. Tab 6
Reports and Information		
9. 2012 Legislative Session Budget Report	Mr. Ramsey Radwan	9:55 a.m. Tab 7
10. Therapeutic Courts Work Group	Ms. Mellani McAleenan	10:05 a.m. Tab 8
11. OPD Update on Implementation of SSB 6493 – Indigent Defense for RCW 71.09 Civil Commitment	Ms. Joanne Moore	10:15 a.m.
Break		10:25 a.m.
12. 2013-15 Budget Submissions	Mr. Jeff Hall Mr. Ramsey Radwan	10:45 a.m. Tab 9
13. Other Business Next meeting: May 18 Beginning at 9:00 a.m. at the AOC SeaTac Office, SeaTac	Chief Justice Barbara Madsen Judge Michael Lambo	11:45 a.m.
14. Adjourn		12:00 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)

Friday, March 16, 2012 (9:00 a.m. – 12:00 p.m.)
AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

MEETING MINUTES

Members Present:
Chief Justice Barbara Madsen, Co-Chair
Judge Chris Wickham, Member Chair
Judge Marlin Appelwick
Mr. Stephen Crossland
Judge Ronald Culpepper
Judge Deborah Fleck
Judge Janet Garrow
Mr. Jeff Hall
Judge Laura Inveen
Judge Jill Johanson
Judge Michael Lambo
Judge Jack Nevin
Justice Susan Owens
Judge Kevin Ringus
Judge Ann Schindler
Judge Scott Sparks
Judge Gregory Tripp

Guests Present:
Mr. Jim Bamberger
Mr. M. Wayne Blair
Ms. Bonnie Bush (via phone)
Judge Harold Clarke
Justice Mary Fairhurst
Ms. Barb Miner
Ms. Joanne Moore

AOC Staff Present:
Ms. Colleen Clark
Ms. Jennifer Creighton
Mr. Dirk Marler
Ms. Mellani McAleenan

The meeting was called to order by Judge Wickham. Those present introduced themselves. Mr. Marler introduced Ms. Jennifer Creighton as the new Court Services Manager; she will also be the main staff support for the Trial Court Operations Funding Committee.

Judge Wickham recognized that today is Judge Schindler's last BJA meeting and he thanked her for her contributions to the BJA. Chief Justice Madsen echoed his thanks and added that Judge Schindler is now chairing the Washington State Center for Court Research. Judge Schindler said it has been a privilege serving on the BJA; she appreciates the support and understanding the BJA has shown for Court of Appeals issues.

February 17, 2012 BJA Meeting Minutes

It was moved by Judge Garrow and seconded by Judge Tripp to approve the February 17, 2012, BJA meeting minutes. The motion passed.

Therapeutic Courts

Judge Clarke indicated that behind Tab 2 is a resolution that was first presented to the BJA about 18 months ago. After receiving comments over several BJA meetings, today he is presenting the final draft for approval. He thanked Mr. Dick Carlson, Ms. McAleenan and the others that offered comments.

Judge Clarke continued that drug courts were started 22 years ago; we know they are effective and other therapeutic courts are modeling themselves after them. All courts interact with their local executive groups/commissioners and it will be helpful for them to have sources such as this resolution to offer them; especially if they aren't familiar with therapeutic courts.

Judge Clarke said that drug courts are singled out in the resolution because they are evidence based practices, and are known to work. As an example, Veteran's Courts are new and it will take awhile to have information to show that they are successful.

Judge Garrow said there is a draft general rule being circulated regarding ex parte communications in therapeutic courts; the DMCJA has commented that there doesn't seem to be a uniform definition of therapeutic courts (drug, mental health, DUI, Veteran's). Will DV courts be considered as a therapeutic court? She continued that consistent terminology will be helpful in the future. There is no clear criteria/definition of what constitutes a therapeutic court. By approving this resolution, is the BJA committing to creating a subcommittee(s) to accomplish the listed items at the bottom of the resolution?

Judge Clarke responded that because these courts have changed so rapidly over the last 20 years, they will be defined by practice.

There has been a lot of discussion lately regarding specialty courts during this last legislative session, particularly juvenile gang courts. Perhaps it is time for the judiciary to develop a framework and put it in statute; to start having conversations with groups such as the Association of Drug Court Professionals that Judge Clarke chairs.

Judge Culpepper asked about unified family courts. Judge Clarke responded that is a structural court, where the therapeutic courts are court ordered treatment layered with the court being very involved in the process.

Judge Clarke said he can't speak for the BJA as to what they can or can't support. His question for the BJA is if the judicial branch should support these types of courts. And if so, does the judicial branch broadly support the context of these courts?

> **Judge Appelwick moved that the resolution be adopted as currently written; Judge Sparks seconded.**
>
> **Judge Johanson moved to amend by substituting the word "support" for the word "commit" in the line "*BE IT FURTHER RESOLVED that the Board for Judicial Administration commits to:*"; Judge Culpepper seconded.**

Further discussion followed.

Some prefer the word "therapeutic" instead of "problem-solving" courts.

Judge Appelwick said that these departments and protocols exist within courts. The BJA should decide if the concepts should be supported; he believes the BJA should support them because they follow a best practices model.

Judge Wickham called for a vote on Judge Johanson's amendment. The motion passed.

The motion to adopt the resolution as amended passed.

Budget Process

Mr. Hall directed the committee to Tab 3; Page 18, which states:

> *Throughout the budget process, communications, discussions, and deliberations, shall be informed by the commonly held values of comity and a united judiciary, speaking with one voice.*

These documents illustrate the vision of how budgeting communication will proceed; the Supreme Court Budget Committee will be moving forward with this model and they hope that the BJA will support it.

Chief Justice Madsen said this was discussed at en banc; everyone has read the proposal and all affirmatively agreed to solicit input from the BJA. The Supreme Court welcomes recommendations from the BJA regarding the AOC budget.

Ms. Moore said that this method helped communication and worked well during the legislative session; conversations happened within hours of budgets being introduced.

Judge Fleck had a question about Exhibit 3. In the sentence: "Budget decisions packages must be prioritized." she suggested changing "must" to "should." She requested that the minutes reflect her concern about setting priorities that might not include something farther down the list. She also wanted to clarify the preceding paragraph: "Any budget proposal impacting the AOC budget shall be submitted to the AOC for consideration by the BJA in February or March of each year." If one of the associations presented something that affected AOC, will AOC association staff have an opportunity to address it? The response was yes.

Judge Garrow commented that it states the "budget decision package must be prioritized," is there an opportunity to see what those priorities are? Just ranking as 1, 2, 3, 4, etc. could be problematic.

Mr. Hall responded that any issues will move on to the Supreme Court Budget Committee (SCBC). If there is an opportunity to only seek funds for one or two things, and are restrained by a dollar amount, it would be helpful for the SCBC to know where the priorities are. It doesn't mean a tactical decision couldn't be made if needed.

Chief Justice Madsen said this is a very fluid process, in addition to being a narrowing process, but it is not a static process. Brainstorming should continue throughout the winter and spring as there is a better sense of the fiscal outlook.

Judge Fleck inquired if, for example, an association wanted to pursue jury pay compensation, would the BJA proceed on its previous path or would it try to develop a decision package? Chief Justice Madsen replied that the SCBC would consider AOC and BJA input, but at the end

of the day there may not resources or the energy to develop a package. If the association had its own resources to proceed, that would be fine.

For anything going forward to the legislature, does there have to be a decision package? Mr. Hall responded that there are three ways to request funding. There is the initial budget submission to the legislature, which needs to have a decision package; another approach is to go directly to the legislature; and a last approach is via policy legislation which includes a fiscal note. It is a good practice to have a decision package for any of these stages.

Judge Fleck moved to approve the budget process; Judge Garrow seconded. The motion passed.

BJA Public Trust and Confidence Committee

Justice Fairhurst presented her annual report. The Public Trust and Confidence (PT&C) Committee has completed several projects, each of which were chosen by their members. They choose a project and establish a subcommittee to work on it. The first committee meeting of 2012 will be later this month.

Completed projects include the following:

- **Spanish Editions of the Superior, District and Municipal Court Self-Represented Best Practices Handouts (2011)**
  The Spanish editions have been sent out to the courts, interpreters, facilitators, state and local bar associations and posted on the courts' website and the Northwest Justice Project's website.

- **Survey on Use of Senior Volunteers in Courts (2011)**
  The subcommittee conducted a survey of court administrators and clerks to determine how many courts were using seniors as volunteers. The survey showed that 30 percent of surveyed courts use them in a variety of capacities. No concerns were expressed about seniors replacing employees who had lost jobs. Next year the PT&C will develop a publication about using seniors as a resource.

- **Continued to Participate in the Legislative Scholars Program (2011)**
  The subcommittee supported a repetition of the 2010 BJA-approved project to add one day to the existing Legislative Scholars Program hosted by the State Legislature. The additional day provided information to teachers about how the judicial branch relates to the legislative branch, including how the judicial branch interprets legislative intent, court decisions on the State Constitution, and presentations on Washington courts and jurisdiction.

- **Handling Attacks on the Judiciary (2011)**
  The subcommittee investigated existing resources available to assist judicial officers unfairly attacked in the media. They will continue working with law schools and the WSBA.

This subject covers individuals, decisions and the judicial branch. There is some information in the Presiding Judges handbook about responding to unjust criticism and some of the larger counties have staff to assist with media responses. The committee welcomes suggestions that others can use.

- **Updated Past PT&C Project: Frequently Asked Questions (2011)**
  The subcommittee examined and updated the frequently asked questions handout.

Justice Fairhurst continued that she is the state chair of iCivics, which was founded by Justice Sandra Day O'Connor. This has expanded from just the judicial branch to all three branches of government; and has also expanded from just middle schools to include grade schools and high schools.

Ms. McAleenan will send iCivics information to the BJA members.

Legislative Report

Ms. McAleenan provided a full legislative report behind Tab 5; she noted that this was compiled before another budget was unveiled. She continued that most of the budgets appear to be good to the judicial branch, although the Legislature has not yet passed a budget.

The Legislature has been in special session for a week and their leadership is meeting with the Governor, who is threatening to veto bills until the budget is completed.

Following are some bills of interest and their status that the BJA had taken positions on during the session.

- SHB 2196 – Uniform Collaborative Law Act (did not pass)
- SHB 2357 – Sales & Use Tax for Chemical Dependency, Mental Health Treatment, Therapeutic Courts (delivered to the Governor)
- HB 2535 – Juvenile Gang Court (delivered to the Governor)
- SHB 2541 – Sealing Juvenile Records (delivered to the Governor)
- HB 2542 – Juvenile Records Access (did not pass)
- SHB 2668 – Bail Practices (did not pass)
- SSB 6025 – District Judge Retirement Age (did not pass)
- E2SSB 6284 – Civil Traffic Infractions (delivered to the Governor)
- SB 6389 – Crime Victims' Services (did not pass, but could be considered necessary to implement the budget because funding was assumed in the original Senate budget draft)
- SB 6494 – Becca/Truancy (delivered to the Governor, reduction is assumed in House budget draft)
- SB 6511 – Court Procedures for Review of Petitions for Protection Orders (did not pass, but a workgroup is being created with Judge Chris Wickham and Judge Steve Brown participating)
- ESB 6608 – Judicial Stabilization Trust Account (JSTA) Surcharge (delivered to Governor, funding is assumed in both current budget drafts)

Regarding bail practices, there is hope that over the summer some of these issues can be worked out.

The driving with license suspended 3rd degree bill that Darby DuComb from the Seattle City Attorney's Office presented to BJA did pass. It was changed significantly from the original version. The Department of Licensing will have to work with AOC regarding rulemaking to define what a moving violation is for the purposes of this law.

The JSTA bill will add an additional $10 to all surcharges except for small claims. Both existing budgets assume that revenue will be in place. The sunset date is still July 1, 2013.

Senator Hargrove has assembled a workgroup to address protection orders; Judge Wickham and Judge Brown will participate on it.

Study of Filing Fees

Ms. McAleenan provided a draft charter for a Filing Fee Workgroup behind Tab 6, along with a COSCA policy paper that Mr. Hall recently co-authored.

During the legislative session, the BJA Legislative/Executive Committee talked about the Judicial Stabilization Trust Account and the need to take a more comprehensive look at filing fees in Washington. The Supreme Court is interested in what additional fees are assessed locally. We need to keep current with inflation, the cost of living, and assorted indexes. Chief Justice Madsen said that the WSBA is looking at what other states are doing (especially Oregon).

Mr. Hall said that one recommendation of the Court Funding Task Force was to look at filing fees on a regular basis. He said our current system needs to be more visible and clear as to what fees are applied and where they can be found in statute. Traffic infractions can be hard to unwind and are too complicated to address in this workgroup. This workgroup would establish principles and develop guidelines, along with a screening process so in the future this Board will be able to look at them to see if there should be changes.

Ms. McAleenan added that legislators are not frequently part of our workgroups or committees, but some have shown an interest recently in this subject.

Discussion followed. Should plaintiff and defense bar members, along with another appellate member be added? Do we want it to just be Washington members or should we also include members from surrounding states? Mr. Hugh Spitzer is an expert in fees and taxes and might be a good addition; also there should be more judges, maybe 26-28 members. It was requested that OPD and OCLA be added to the proposed committee membership.

Chief Justice Madsen said she would like to see a leaner committee so the work can be done more quickly.

Judge Tripp moved to approve the concept of this workgroup and to ask Ms. McAleenan to return in April with charter specifics; Judge Culpepper seconded.

Judge Tripp then made a friendly amendment to allow solicitation of members by Ms. McAleenan ahead of the next meeting; Judge Culpepper seconded. The motion and the friendly amendment passed.

COSCA Resolutions

Ms. McAleenan said that some of the resolutions behind Tab 7 are not new to this committee. She spoke with Ms. Kay Farley (NCSC) and asked how we can support their efforts. Ms. Farley offered some suggestions.

There is a new COSCA/CCJ resolution regarding court security. Ms. McAleenan took that one and made it Washington specific. Judge Inveen also submitted a draft resolution regarding court security. Under the current BJA process, resolutions are to be drafted and sent to the Executive Committee for discussion, and readied for a vote at the following meeting. That process was not followed for these drafts.

Mr. Bamberger said there are two COSCA resolutions he would especially like to see the BJA support. One is the continued federal funding for the Legal Services Corporation and the other is in support of the reauthorization of the Violence Against Women Act. He also hopes they will communicate their support to the federal branch.

Judge Appelwick moved to suspend the resolution process and endorse and support Resolution 1 (In Support of Continued Federal Funding for the Legal Services Corporation) and Resolution 2 (In Support of Reauthorization of the Violence Against Women Act); Judge Garrow seconded. The motion passed.

Chief Justice Madsen said she sees this as a directive to write to our representatives in Congress and attach the resolutions.

Court Security

This subject is again at the forefront due to the recent Grays Harbor incident. Ms. McAleenan drafted a document using the CCJ/COSCA resolution as a starting place. A colleague of Judge Inveen's also drafted one for the Board to look at. Judge Inveen also suggested that the Chief Justice might do an OpEd letter regarding court security.

Discussion followed about the draft resolutions. Judge Garrow said there is a need to include municipal courts too. General consensus was that a shorter resolution would be appropriate and there is a need to encourage support of all courts at the federal level.

Chief Justice Madsen said she had her quarterly meeting with Governor Gregoire on Monday. Part of their conversation revolved around the Grays Harbor security incident. She asked the Governor to support S.2076: Local Courthouse Safety Act of 2012 by contacting our US senators. This bill will allow the use of Homeland Security funds for courts.

Judge Sparks moved to adopt the short court security resolution presented by Judge Inveen; Judge Ringus seconded. The motion passed.

Judge Tripp moved for a friendly amendment to include on Judge Inveen's resolution all branches of state and local government, including municipal courts as suggested by Judge Garrow; Judge Fleck seconded. The motion passed.

More discussion followed. The Inside Courts website indicates that the BJA courthouse security committee has been suspended as a standing committee for three years due to budget reductions and resource constraints. Should this committee be reinstated?

Mr. Hall said that if it is in reaction to recent events, then the answer is "no" because there are still staffing issues. If BJA does decide to reinstate it, there needs to be a clear charge and set of expected activities.

Chief Justice Madsen said that even though the committee is suspended, we should still provide umbrella services to courts. We don't have the staffing and expertise at AOC to actually go out and advise courts of what to do and how to do it; but we do have the Courthouse Public Safety Standards and that link should be re-sent to all courts.

Mr. Hall suggested endorsing the COSCA Resolution 5; and encouraging our US senators to co-sponsor S.2076.

Judge Sparks moved that the BJA endorse COSCA Resolution 5 (In Support of the Importance of Court Security); Judge Culpepper seconded. The motion passed.

It was discussed that it is important to always address this issue at conferences.

State judges will be advised that BJA has adopted/endorsed court security resolutions and urged to contact their US senators regarding S.2076.

Other Business

Chief Justice Madsen said that Justice Owens is their representative to the Secretary of State's Medal of Valor Committee. The Medal of Valor is a heroic recognition and Chief Justice Madsen is nominating Judge Edwards (Grays Harbor) for this honor, she hopes that the BJA will endorse this nomination. Ms. McAleenan will draft a letter for the April meeting regarding this nomination (closing date is August 12, 2012).

The next meeting will be April 20, 2012, beginning at 9:00 a.m. at the AOC SeaTac Office.

There being no further business, the meeting was adjourned.

Recap of Motions from March 16, 2012 meeting

Motion Summary	Status
February 17 BJA Meeting Minutes	Passed
Adopt the therapeutic courts resolution with the word "support" substituted for the word "commit" in the line *BE IT FURTHER RESOLVED that the Board for Judicial Administration commits to:*;	Passed
Approve the budget process as submitted	Passed
Approve the concept of a workgroup to study filing fees with a charter coming back for approval in April and the solicitation of members prior to the April meeting.	Passed
Endorse and support Resolution 1 (In Support of Continued Federal Funding for the Legal Services Corporation) and Resolution 2 (In Support of Reauthorization of the Violence Against Women Act).	Passed
Adopt the short court security resolution presented by Judge Inveen with the inclusion of the wording, "all branches of state and local government, including municipal courts" as suggested by Judge Garrow.	Passed

Action Items updated for March 16, 2012 meeting

Action Item	Status
<u>February 17, 2012 Meeting Minutes</u> • Send the approved minutes to Camilla Faulk for the En Banc binders • Post the approved minutes online	 Done Done
<u>Therapeutic Courts Resolution</u> • Revised the resolution to include the word change suggested by Judge Johanson (the word "support" be substituted for the word "commit" in the line, BE IT FURTHER RESOLVED that the Board for Judicial Administration commits to:") • Post on the BJA Web site	 Done Done
<u>Budget Process</u> • The BJA approved the budget process. Final document sent to Ramsey Radwan	 Done
<u>Public Trust and Confidence Committee</u> • Mellani will send iCivics information to the BJA members	 Done
<u>Study of Filing Fees</u> • The BJA approved the concept of creating a committee to study filing fees. • Mellani given authority to solicit members for the committee • Mellani to bring charter specifics back during the April meeting	 In Progress On April agenda

Action Item	Status
CCJ/COSCA Resolutions • BJA endorsed the CCJ/COSCA resolutions 1 (funding for the Legal Services Corporation) and 2 (reauthorization of the Violence Against Woman Act). Add endorsed by BJA and date and upload to BJA Web site. • Mellani will draft resolutions 3 & 4 "BJA style" and bring back to April meeting • Mellani will write letters to Congress regarding the resolutions that were adopted	Done On April agenda Done
Court Security • The BJA approved Judge Inveen's court security resolution with the inclusion of all branches of state and local government, including municipal courts as suggested by Judge Garrow. Revised resolution and posted online. • The BJA endorsed CCJ/COSCA Resolution 5 (importance of court security). Revised resolution to show BJA endorsement and date and posted online. • Notify judges (via coauthored letter from Wickham/Madsen) that the BJA has adopted/endorsed court security resolutions and urge them to contact their congressional senators to sponsor the bill. • Mellani will draft letter regarding Judge Edwards' nomination for the Medal of Valor and bring back to the April meeting.	Done Done On April agenda
Race and Criminal Justice Recommendations • Hold over to the April meeting	On hold for now

TAB 2

CONFERENCE OF CHIEF JUSTICES
CONFERENCE OF STATE COURT ADMINISTRATORS

Summary of Resolutions Adopted at
CCJ Midyear Meeting on February 1, 2012
COSCA Board of Directors on February 10, 2012

Resolution 3 – In Support of the Guardian Accountability and Senior Protection Act

Summary: The number of elderly persons will increase over the next 20 years and this demographic trend is likely to result in a substantial increase in court cases regarding the protection of vulnerable elderly persons, including guardianship, conservatorship, and elder abuse proceedings. There are currently no federal government grant programs to assist state courts. The proposed Guardian Accountability and senior Protection Act would establish a Guardianship Court Improvement Program and pilot programs to test effective methods for conducting background checks n individuals before they are appointed as a guardian or conservator and to promote the widespread adoption of information technology to better monitor, report, and audit conservatorships of protected persons.

Resolved: Urge congress to enact the Guardian Accountability and Senior Protection Act and appropriate sufficient funds to fully carry out the provisions of the Act.

Additional Information: The COSCA membership approved a similar resolution. The CCJ Resolutions Committee edited the COSCA resolution. The changes that were made were in the nature of language/grammar corrections, not substantive changes.

~~CONFERENCE OF CHIEF JUSTICES~~
~~CONFERENCE OF STATE COURT ADMINISTRATORS~~BOARD FOR JUDICIAL ADMINISTRATION

Resolution ~~3~~2012-X

In Support of
The Guardian Accountability and Senior Protection Act

WHEREAS, the number of elderly persons will increase over the next 20 years and this demographic trend is likely to result in a substantial increase in court cases regarding the protection of vulnerable elderly persons, including guardianship, conservatorship, and elder abuse proceedings; and

WHEREAS, state court systems and individual courts have recognized the need to improve the process for considering petitions for guardianship and/or conservatorship of adults and the monitoring of guardianship and/or conservatorship orders; and

WHEREAS, research by the National Center for State Courts has identified problems and pointed out promising practices regarding the monitoring of guardianship and conservatorship cases; and

WHEREAS, the Report of the Conference of Chief Justices and Conference of State Court Administrators Joint Task Force on Elders and the Courts recommended that each state court system: (1) collect and report the number of guardianship and conservatorship cases that are filed, pending, and concluded each year; (2) implement improved procedures for monitoring the performance of guardians and conservators and the well-being of incapacitated persons; and (3) explore ways in which technology can assist them in documenting, tracking, and monitoring guardianships; and

WHEREAS, the 2010 Conference of State Court Administrators White Paper ~~entitled *The*~~entitled *The Demographic Imperative: Guardianships and Conservatorships* called for the establishment of a Guardianship Court Improvement Program to assist courts throughout the nation to improve consideration of petitions for guardianship and/or conservatorship of adults and monitoring the performance of guardians and conservators and the well-being of incapacitated and vulnerable persons; and

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WHEREAS, the delegates from ten national organizations participating in the Third National Guardianship Summit adopted a far-reaching set of recommended standards for performance and decision-making for guardians and conservators, as well as additional recommendations for action by courts, legislatures and other entities; and

Adopted by the Board for Judicial Administration on April 20, 2012

WHEREAS, the Senate Special Committee on Aging has requested a series of reports from the Government Accountability Office over the past seven years (GAO 04-655, GAO-06-1086T, GAO-10-1046, and GAO 11-678) and held a series of hearings regarding problems in the monitoring of guardianship and conservatorship orders, the lack of cooperation and coordination by the Social Security Administration and Department of Veterans Affairs with state courts regarding conservatorships, financial exploitation, and abuse and neglect of seniors by their guardians and conservators; an

WHEREAS, these Government Accountability Office reports have recognized a substantial federal interest in guardianship, conservatorship, and elder abuse issues and the need for federal financial assistance to states to collect comparable data regarding guardianships and test and evaluate innovative procedures and practices to prevent, detect, and address abuse and exploitation; and

WHEREAS, some federal executive branch agencies have noted the need to address the exploitation and abuse of elders more effectively; and

WHEREAS, there are currently no grant programs within the federal government to assist state courts to meet the above referenced responsibilities or test innovative methods for conducting background checks, and utilizing technology for simplifying reporting procedures and facilitating the review of fiduciary performance; and

WHEREAS, the Court Improvement Program, established in 1993 for improving the consideration and outcomes of child protection cases, has been effective in reducing judicial delay in those cases; enhancing the ability of judges and attorneys to handle the complexity of these cases; and strengthening the review and monitoring of these cases, while respecting the independence of the state judiciaries; and

WHEREAS, it is anticipated that similar results would accrue from a Guardianship Court Improvement Program for guardianship and conservatorship cases; and

WHEREAS, the proposed Guardian Accountability and Senior Protection Act (S. 1744) would establish a Guardianship Court Improvement Program and pilot programs to test effective methods for conducting background checks on individuals before they are appointed as a guardian or conservator and to promote the widespread adoption of information technology to better monitor, report, and audit conservatorships of protected persons;

WHEREAS, this resolution was Aadopted by the Conference of Chief Justices as proposed by the CCJ/COSCA Elders and the Courts Committee at the 2012 Midyear Meeting on February 1, 2012 and by the Board of Directors of the Conference of State Court Administrators on February 10, 2012, urging the Congress to enact the Guardian Accountability and Senior Protection Act and appropriate sufficient funds to fully carry out the provisions of that Act; ,

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NOW, THEREFORE, BE IT RESOLVED that the ~~Conference of Chief Justices and the Conference of State Court Administrators~~ Board for Judicial Administration urges the Congress to enact

Adopted by the Board for Judicial Administration on April 20, 2012

the Guardian Accountability and Senior Protection Act and appropriate sufficient funds to fully carry out the provisions of that Act.

~~Adopted by the Conference of Chief Justices as proposed by the CCJ/COSCA Elders and the Courts Committee at the 2012 Midyear Meeting on February 1, 2012and by the Board of Directors of the Conference of State Court Administrators on February 10, 2012.~~

Adopted by the Board for Judicial Administration on April 20, 2012

BOARD FOR JUDICIAL ADMINISTRATION

Resolution 2012-X

In Support of
The Guardian Accountability and Senior Protection Act

WHEREAS, the number of elderly persons will increase over the next 20 years and this demographic trend is likely to result in a substantial increase in court cases regarding the protection of vulnerable elderly persons, including guardianship, conservatorship, and elder abuse proceedings; and

WHEREAS, state court systems and individual courts have recognized the need to improve the process for considering petitions for guardianship and/or conservatorship of adults and the monitoring of guardianship and/or conservatorship orders; and

WHEREAS, research by the National Center for State Courts has identified problems and pointed out promising practices regarding the monitoring of guardianship and conservatorship cases; and

WHEREAS, the Report of the Conference of Chief Justices and Conference of State Court Administrators Joint Task Force on Elders and the Courts recommended that each state court system: (1) collect and report the number of guardianship and conservatorship cases that are filed, pending, and concluded each year; (2) implement improved procedures for monitoring the performance of guardians and conservators and the well-being of incapacitated persons; and (3) explore ways in which technology can assist them in documenting, tracking, and monitoring guardianships; and

WHEREAS, the 2010 Conference of State Court Administrators White Paper entitled *The Demographic Imperative: Guardianships and Conservatorships* called for the establishment of a Guardianship Court Improvement Program to assist courts throughout the nation to improve consideration of petitions for guardianship and/or conservatorship of adults and monitoring the performance of guardians and conservators and the well-being of incapacitated and vulnerable persons; and

WHEREAS, the delegates from ten national organizations participating in the Third National Guardianship Summit adopted a far-reaching set of recommended standards for performance and decision-making for guardians and conservators, as well as additional recommendations for action by courts, legislatures and other entities; and

Adopted by the Board for Judicial Administration on April 20, 2012

WHEREAS, the Senate Special Committee on Aging has requested a series of reports from the Government Accountability Office over the past seven years (GAO 04-655, GAO-06-1086T, GAO-10-1046, and GAO 11-678) and held a series of hearings regarding problems in the monitoring of guardianship and conservatorship orders, the lack of cooperation and coordination by the Social Security Administration and Department of Veterans Affairs with state courts regarding conservatorships, financial exploitation, and abuse and neglect of seniors by their guardians and conservators; an

WHEREAS, these Government Accountability Office reports have recognized a substantial federal interest in guardianship, conservatorship, and elder abuse issues and the need for federal financial assistance to states to collect comparable data regarding guardianships and test and evaluate innovative procedures and practices to prevent, detect, and address abuse and exploitation; and

WHEREAS, some federal executive branch agencies have noted the need to address the exploitation and abuse of elders more effectively; and

WHEREAS, there are currently no grant programs within the federal government to assist state courts to meet the above referenced responsibilities or test innovative methods for conducting background checks, and utilizing technology for simplifying reporting procedures and facilitating the review of fiduciary performance; and

WHEREAS, the Court Improvement Program, established in 1993 for improving the consideration and outcomes of child protection cases, has been effective in reducing judicial delay in those cases; enhancing the ability of judges and attorneys to handle the complexity of these cases; and strengthening the review and monitoring of these cases, while respecting the independence of the state judiciaries; and

WHEREAS, it is anticipated that similar results would accrue from a Guardianship Court Improvement Program for guardianship and conservatorship cases; and

WHEREAS, the proposed Guardian Accountability and Senior Protection Act (S. 1744) would establish a Guardianship Court Improvement Program and pilot programs to test effective methods for conducting background checks on individuals before they are appointed as a guardian or conservator and to promote the widespread adoption of information technology to better monitor, report, and audit conservatorships of protected persons;

WHEREAS, this resolution was adopted by the Conference of Chief Justices as proposed by the CCJ/COSCA Elders and the Courts Committee at the 2012 Midyear Meeting on February 1, 2012 and by the Board of Directors of the Conference of State Court Administrators on February 10, 2012, urging the Congress to enact the Guardian Accountability and Senior Protection Act and appropriate sufficient funds to fully carry out the provisions of that Act;

NOW, THEREFORE, BE IT RESOLVED that the Board for Judicial Administration urges the Congress to enact the Guardian Accountability and Senior Protection Act and appropriate sufficient funds to fully carry out the provisions of that Act.

Adopted by the Board for Judicial Administration on April 20, 2012

TAB 3

CONFERENCE OF CHIEF JUSTICES
CONFERENCE OF STATE COURT ADMINISTRATORS

Summary of Resolutions Adopted at
CCJ Midyear Meeting on February 1, 2012
COSCA Board of Directors on February 10, 2012

Resolution 4 - Urging Congress to Respect Separation of Powers and Principles of Federalism with Regard to Enacting Legislation to Address Child Custody

Summary: Historically, the federal government has deferred to state law in matters involving domestic relations, but in recent years, legislation has been introduced at the federal level to address child custody arrangements for parents in the armed forces. Federal efforts to legislate matters of child custody would preempt state family law and potentially discourage state efforts to enact broader and more helpful state laws. States are in the best position to balance the interests of deployed service members and their families. At least 30 states have already enacted state law that addresses military families.

Resolved: Urge congress to take all available and reasonable steps to obtain meaningful and timely input from appropriate state government branches and agencies with respect to the principles of federalism and separation of powers. Urge congress to include a federalism assessment of the proposed legislation in every pertinent committee and conference report. Urge congress to continue to reject legislative proposals to preempt state family law.

Additional Information: The resolution updates a resolution that CCJ/COSCA jointly approved on 2010. Legislation has been introduced in the House for several years that would preempt state law related to issuing temporary and permanent custody orders involving deployed parents and parents anticipated to be deployed. The House included the provision in the National Defense Authorization bill. The proposed provision was kept out of the final and approved version of the legislation, but it is anticipated that the proposal will be reintroduced in the House. Staff to the Senate Armed Services Committee requested an updated resolution.

~~CONFERENCE OF CHIEF JUSTICES~~
~~CONFERENCE OF STATE COURT ADMINISTRATORS~~BOARD FOR JUDICIAL ADMINISTRATION

Resolution 42012-X

Urging Congress to Respect Separation of Powers and Principles of Federalism with Regard to Enacting Legislation to Address Child Custody

WHEREAS, the ~~Conference of Chief Justices and the Conference of State Court Administrators~~Board for Judicial Administration, in fulfilling ~~their~~ its leadership role for the Washington Sstate ~~judicial systems~~judiciary, ~~have~~ has traditionally taken positions to defend against proposed policies that threaten principles of federalism or that seek to preempt proper state court authority; and

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WHEREAS, historically, the federal government has deferred to state law in matters involving domestic relations; and

WHEREAS, in recent years, federal legislation has been introduced that would amend the Servicemembers Civil Relief Act (Public Law 108-189) to address child custody arrangements for parents in the Armed Forces who are deployed or anticipated to be deployed in support of a contingency operation; and

WHEREAS, in the 112th Congress, H.R. 1540 would have: (1) restricted temporary custody orders based solely on deployment or anticipated deployment; (2) excluded parental absence based on deployment or possible deployment in determining the best interests of the child in permanent orders to modify custody; (3) made clear that a federal right of action is not created; and (4) not preempted state law if the applicable state law involving a temporary order provides a higher standard of protection for the servicemember; and

WHEREAS, federal efforts to legislate matters of child custody would preempt state family law and potentially discourage state efforts to enact broader and more helpful state laws; and

WHEREAS, family law cases are complex and states are in the best position to balance the interests of deployed servicemembers and their family members within the context of their own domestic relations laws; and

Adopted by the Board for Judicial Administration on April 20, 2012

WHEREAS, at least 30 states, including Washington, have already enacted state law that addresses the special circumstances of parents who are serving in the military; and

WHEREAS, the Department of Defense continues to work with the other states, through its State Liaison program, to enact specific child custody legislation and to redraft its Family Case Plan Instruction to emphasize the importance of child custody planning before deployment;

NOW, THEREFORE, BE IT RESOLVED that the ~~Conference of Chief Justices and Conference of State Court Administrators~~Board for Judicial Administration urges the Congress to ensure that: (1) during its consideration of such legislation, the Congress take all available and reasonable steps to obtain meaningful and timely input from appropriate state government branches and agencies with respect to principles of federalism and separation-of-powers; and (2) a federalism assessment of the proposed legislation be included in every pertinent committee and conference report; and

BE IT FURTHER RESOLVED that the ~~Conferences~~ Board for Judicial Administration urges the Congress to continue to reject legislative proposals to preempt state family law.

Adopted by the Board for Judicial Administration on April 20, 2012

~~Adopted by the Conference of Chief Justices as proposed by the CCJ/COSCA Government Affairs Committee at the 2012 Midyear Meeting on February 1, 2012 and by the Board of Directors of the Conference of State Court Administrators on February 10, 2012.~~

Adopted by the Board for Judicial Administration on April 20, 2012

BOARD FOR JUDICIAL ADMINISTRATION

Resolution 2012-X

Urging Congress to Respect Separation of Powers and Principles of Federalism with Regard to Enacting Legislation to Address Child Custody

WHEREAS, the Board for Judicial Administration, in fulfilling its leadership role for the Washington State judiciary, has traditionally taken positions to defend against proposed policies that threaten principles of federalism or that seek to preempt proper state court authority; and

WHEREAS, historically, the federal government has deferred to state law in matters involving domestic relations; and

WHEREAS, in recent years, federal legislation has been introduced that would amend the Servicemembers Civil Relief Act (Public Law 108-189) to address child custody arrangements for parents in the Armed Forces who are deployed or anticipated to be deployed in support of a contingency operation; and

WHEREAS, in the 112th Congress, H.R. 1540 would have: (1) restricted temporary custody orders based solely on deployment or anticipated deployment; (2) excluded parental absence based on deployment or possible deployment in determining the best interests of the child in permanent orders to modify custody; (3) made clear that a federal right of action is not created; and (4) not preempted state law if the applicable state law involving a temporary order provides a higher standard of protection for the servicemember; and

WHEREAS, federal efforts to legislate matters of child custody would preempt state family law and potentially discourage state efforts to enact broader and more helpful state laws; and

WHEREAS, family law cases are complex and states are in the best position to balance the interests of deployed servicemembers and their family members within the context of their own domestic relations laws; and

WHEREAS, at least 30 states, including Washington, have already enacted state law that addresses the special circumstances of parents who are serving in the military; and

WHEREAS, the Department of Defense continues to work with the other states, through its State Liaison program, to enact specific child custody legislation and to redraft its Family

Adopted by the Board for Judicial Administration on April 20, 2012

Case Plan Instruction to emphasize the importance of child custody planning before deployment;

NOW, THEREFORE, BE IT RESOLVED that the Board for Judicial Administration urges the Congress to ensure that: (1) during its consideration of such legislation, the Congress take all available and reasonable steps to obtain meaningful and timely input from appropriate state government branches and agencies with respect to principles of federalism and separation-of-powers; and (2) a federalism assessment of the proposed legislation be included in every pertinent committee and conference report; and

BE IT FURTHER RESOLVED that the Board for Judicial Administration urges the Congress to continue to reject legislative proposals to preempt state family law.

Adopted by the Board for Judicial Administration on April 20, 2012

TAB 4

WASHINGTON COURTS

Board for Judicial Administration
Filing Fee Workgroup Charter

Charge:

The Filing Fee Workgroup is created as an *ad hoc* workgroup of the Board for Judicial Administration (BJA) to review the existing fee structure for civil cases in Washington State courts and other jurisdictions and to make recommendations to the BJA regarding whether changes should be made to the current structure. The workgroup shall develop a set of principles and guidelines against which to weigh proposals for changes to the filing fee structure by this workgroup or other entities.

Workgroup Operating Period: April 20, 2012 through October 2012

Meeting Schedule and Objectives:

Meeting Date	Location	Objectives
Mid-May 2012	SeaTac	• Presentation of materials • Discussion of goals and objectives • Development of meeting schedule • Initial drafting of principles
Mid-June 2012	SeaTac	• Finalization of principles • Comparisons of other states
Early August 2012	SeaTac	• Initial development of recommendations to BJA
Mid-September	SeaTac	• Finalization of recommendations to BJA
Early October, if needed	SeaTac	• Additional meeting as needed

Membership:

Membership will consist of the following:

- One member nominated by the Superior Court Judges' Association
  - Judge Deb Fleck, King County Superior Court
- One member nominated by the District & Municipal Court Judges' Association
  - TBA

Draft 2
April 9, 2012

DRAFT

- One member nominated by the Supreme Court
  - Justice Debra Stephens
- One member nominated by the Court of Appeals
  - TBA
- The State Court Administrator
  - Jeff Hall
- Director of the Office of Civil Legal Aid
  - Jim Bamberger
- Director of the Office of Public Defense or designee
  - Sophia Byrd McSherry
- One member nominated by the Washington State Association of County Clerks
  - TBA
- Three members nominated by the Washington State Bar Association
  - Peter Ehrlichman
  - Pete Karademos
  - Joanna Plitcha Boisen
- One member nominated by the Washington State Association of Counties
  - TBA
- One member nominated by the Access to Justice Board
  - Name will be provided on 4/27
- Two members nominated by the Washington State House of Representatives
  - Rep. Roger Goodman, representing the democratic caucus
  - Rep. Charles Ross, representing the republican caucus
- Two members nominated by the Washington State Senate
  - TBA, representing the democratic caucus
  - Sen. Mike Padden, representing the republican caucus

AOC Staff:

Mellani McAleenan
Colleen Clark

DRAFT

Washington State Civil Legal Aid Oversight Committee

1206 Quince St. SE
Olympia, WA 98504
MS 41183
360-704-4135

Thomas A. Brown, Chair (Aberdeen)
Hon. Erik Rohrer , Vice-Chair (Clallam County)
Hon. Lesley Allan (Chelan County)
Rep. Terry Nealey (R-Dayton)
Rep. Jamie Pedersen (D-Seattle)
Sen. Cheryl Pflug (R-Maple Valley)
Sen. Adam Kline (D-Seattle)
Hon. Ellen Clark (Spokane County)
Martin Bohl (Spokane County)
Jesse Magaña (Vancouver)
Hon. Paul A. Bastine (Ret.)(Spokane County)

January 17, 2012

Chief Justice Barbara Madsen, Co-Chair
Judge Christopher Wickham, Co-Chair
Board for Judicial Administration
415 12th Ave., SW
Olympia, WA 98504-0929

Re: Appointment to Civil Legal Aid Oversight Committee

Dear Chief Justice Madsen and Judge Wickham:

Pursuant to RCW 2.53.010(1)(e), the Board for Judicial Administration appoints two members of the eleven-member bipartisan Civil Legal Aid Oversight Committee. The Oversight Committee is a judicial branch entity that oversees the activities of the Office of Civil Legal Aid, reviews the performance of the Director of the Office of Civil Legal Aid and makes recommendations on matters relating to state civil legal aid services and funding. Historically, BJA appointments have been made on behalf of the trial court associations.

Since 2005, Chelan County Superior Court Judge Lesley Allan has served as one of the BJA's appointees to the Oversight Committee. Judge Allan's term expires on June 30, 2012 and she is not eligible for reappointment.

By this letter I request that you identify another individual for appointment to the Civil Legal Aid Oversight Committee to serve for a three-year term commencing July 1, 2012 and ending June 30, 2015. I am enclosing a current roster of Oversight Committee members and a position description.

Please feel free to contact me or Jim Bamberger, Director of the Office of Civil Legal Aid, with any questions about this matter. Mr. Bamberger can be reached at 360-704-4135 or jim.bamberger@ocla.wa.gov.

Sincerely,

CIVIL LEGAL AID OVERSIGHT COMMITTEE

Thomas A. Brown, Chair

C: Mellani McAleenan, Associate Director BJA
Jim Bamberger, Director Office of Civil Legal Aid

COPY
FOR YOUR INFORMATION

MICHAEL S. SPEARMAN, JUDGE
ONE UNION SQUARE
600 UNIVERSITY STREET
SEATTLE, WASHINGTON 98101-4170
(206) 464-6047
MICHAEL.SPEARMAN@COURTS.WA.GOV

The Court of Appeals
of the
State of Washington

March 29, 2012

Ms. Mellani McAleenan
Associate Director BJA
PO Box 41174
Olympia, WA 98504-1174

Re: Civil Legal Aid Oversight Committee

Dear Ms. McAleenan

Please accept this letter of application for the open position on the Civil Legal Aid Oversight Committee. I have attached my resume, which reflects my longstanding interest in ensuring that low income people have access to the courts and to competent, effective counsel.

Prior to my appointment to the bench, I was a public defender in the state and federal courts. Before and after becoming a judge, I served as a member of the Interpreter Certification Commission. The commission was responsible for ensuring the availability and use of qualified court interpreters for all litigants who were not proficient in English. In addition, during fourteen years as a superior court judge, I had extensive experience with pro se litigants, particularly while serving in Unified Family Court.

I am very interested in participating in the work of the Civil Legal Aid Oversight Committee. I look forward to hearing from you.

Sincerely,

Michael S. Spearman

MICHAEL S. SPEARMAN
Washington State Court of Appeals
One Union Square
600 University Street
Seattle, Washington 98101

Bar Admissions

United States Court of Appeals, District of Columbia Circuit
United States District Court, District of Columbia Circuit
United States District Court for the Western District of Washington
District of Columbia Court of Appeals
Washington State Supreme Court

Educational Background

Georgetown University Law Center
E. Barrett Prettyman Fellow - Criminal Trial Practice – 1981-1983

New York University School of Law
J.D. - May 1981
Arthur T. Vanderbilt Medal

Machinist – Cameron Iron Works, Houston, Texas – 1974 - 1978
International Ass'n of Machinists and Aerospace Workers, Member and Union Steward

Brown University - B.A. Political Science - June 1974

Experience

Washington State Court of Appeals; April 2010 – present

Judicial Dispute Resolution, LLC; September 2007 – April 2010

Private mediation and arbitration service

King County Superior Court Judge; July 1993 – September 2007

Assistant Presiding Judge, 2005-2007
Executive Committee, 1999-2007
Unified Family Court, April 2004 – November 2005
Chief Judge of the Criminal Department, March 1999 – December 2001

The Federal Defenders Office for the Western District of Washington; February 1993 - June 1993

Staff Attorney

The Defender Association; October 1989 - January 1993;

Felony Division Supervisor, October 1990 – January 1993
Assistant Supervisor Misdemeanor Division, October 1989 – October 1990

Society of Counsel; May 1988 - September 1989

Staff Attorney

Adler, Giersch and Read; November 1986 - April 1988

Associate Attorney

The Defender Association; August 1983 - October 1986

Staff Attorney

Activities

Chair, Diversity Committee, King County Bar Association, 2011-present
Board of Trustees, King County Bar Association, 2007-2010
Board of Directors, Family Law Court Appointed Special Advocates, 2008-2010
Member, King County Superior Court Executive Committee, 1999-2007
Chair, Ad hoc Committee on Court Performance Measures, 2006-07
Commissioner, Commission on Interpreter Certification, 1999-2006
Board of Directors, National Center for State Courts, 2000 – 05
Commissioner, Sentencing Guidelines Commission, 1995 – 2004
Board of Directors, Seadrunar Substance Abuse Treatment Program, 2003-present
Member, Time for Trial Task Force, 2001-02
Member, Adult Justice Operational Master Plan, (chair, Felony Subcommittee) 2000-02
Treasurer, Superior Court Judges Association, 1995-1997
Chair, King County Superior Court Interpreter Committee, 1997-1998
Chair, Committee to Establish Individual Calendaring for Drug Cases, 1999
Co-chair, Committee to Review and Establish Procedures for Managing Domestic Violence Cases, 1999-2002
Chair, Public Defender Oversight Committee, 1999-2001
Chair, Committee to Review and Establish Procedures for In-Custody Pro Se Litigants to Access the Court, 1999
Chair, King County Superior Court Annual Tribute to Justice Thurgood Marshall Planning, Committee, 1999-2000, member, 1993-2007

TAB 6

Washington State Medal of Valor

NOMINEE APPLICATION

The Washington State Medal of Valor is bestowed by the Governor "to any person who has saved, or attempted to save, the life of another at the risk of serious injury or death to himself or herself" (RCW 1.60.010). This medal cannot be awarded to any individual who is acting as a result of service including "law enforcement, fire fighting, rescue or other hazardous profession where the individual is employed by a government entity within the state of Washington" (RCW 1.60.050).

Recipients of the Medal of Valor are selected by the State Medal of Valor Committee. The Committee consists of the Governor, the Lieutenant Governor (as President of the Senate), Speaker of the House of Representatives and the Chief Justice of the Supreme Court. The Secretary of State serves as a non-voting ex-officio member and secretary of the committee. Further information concerning the Medal of Valor can be found at: http://www.sos.wa.gov/medals/

To be considered for nomination, a person's name and qualifications must be placed before the Committee. If you wish to submit a proposed nomination, please fill out this form with additional documentation listed below by August 12, 2012 to:

Medal of Valor Committee
c/o Office of the Secretary of State
PO Box 40220
Olympia WA 98504-0220

- One typewritten page describing the actions which distinguish the nominee as deserving of this award
- Two letters of support of the nomination, each no more than one page in length
- Two additional pages of supporting documentation such as media or police reports
- The Committee may request additional information

NOMINEE INFORMATION

Name: _____

Address: _____ Contact Phone: _____

City: _____ Zip: _____ E-Mail: _____

Current Occupation/Position: _____

PETITIONER INFORMATION

Nominated By: _____ Date of Nomination: _____

Address: _____ Contact Phone: _____

City: _____ Zip: _____ E-Mail: _____

Medals of Merit & Valor

Laws Regarding the Medal of Valor

Under Washington State law the Medal of Valor is described as follows:

RCW 1.60.010
Medal of valor.

There is established a decoration of the state medal of valor with accompanying certificate, ribbons, and the name of the state, to any person who has saved, or attempted to save, the life of another at the risk of upon the selection of the governor's state medal of valor committee.

[2000 c 224 § 1.]

RCW 1.60.020
Medal of valor committee.

There is created the state medal of valor committee for selecting honorees for the award of the state med consists of the governor, president of the senate, speaker of the house of representatives, and the chief ju The secretary of state shall serve as a nonvoting ex officio member, and shall serve as secretary to the co consider candidates for this award. Any individual may nominate any resident of this state for any act of shall adopt rules establishing the qualifications for the state medal of valor, the protocol governing the d necessary to the implementation of this chapter.

[2000 c 224 § 2.]

RCW 1.60.030
Award presentation.

(1) The award will be presented by the governor of the state of Washington to the recipient only during a

(2) If the governor is unable to present the award due to the disability or illness of the governor, the gove to the president of the senate, the speaker of the house of representatives, or the chief justice of the supr

[2000 c 224 § 3.]

RCW 1.60.040
Posthumous award.

The state medal of valor may be awarded posthumously to be presented to such representative of the dec committee.

[2000 c 224 § 4.]

RCW 1.60.050
Hazardous professions excluded.

The state medal of valor will not be awarded to any individual who is acting as a result of service given b rescue, or other hazardous profession where the individual is employed by a government entity within th

[2000 c 224 § 5.]

RCW 1.60.060
Appearance of medal and certificate.

(1) The decoration of the state medal of valor shall be of .999 pure silver and shall consist of the seal of th laurel wreath and suspended from a silver bar device inscribed "For Valor" which is suspended from a ri by silver. The reverse of the decoration within the raised laurel wreath shall be inscribed with the recipie valorous service, given in the act of saving the life of another."

(2) The certificate accompanying the medal will prominently display: (a) The title, "Washington State M the phrase, "For exceptionally valorous service, given in the act of saving the life of another." A seven-lin certificate.

[2000 c 224 § 6.]

Phone Numbers | Privacy Policy | Accessibility | Mobile
Washington Secretary of State · Legislative Building
PO Box 40220, Olympia WA 98504-0220
(360) 902-4151

TAB 7

2012 Supplemental Budget Comparisons

Agency	Budget Change	House Floor As Passed 2-29-12	Senate Floor As Passed 3-2-12	House Floor As Passed 3-8-12	House Floor As Passed 4-5-12	As Passed by the Legislature 4-11-12
Administrative Office of the Courts						
Policy Level	Eliminate Becca/Truancy	$-1,341,000	$0	$-1,341,000	$-1,341,000	$-1,341,000
	Funding Reduction	$-2,000,000	$-1,400,000 SGF $1,400,000 JSTA	$0	$0	$0
	District & Municipal Court Judges Salary Contribution	$-3,969,000	$0	$0	$0	$0
	Information Technology Reduction	$-19,000	$0	$	$0	$0
	Various Central Service Agency Reductions	$-144,000	$0	$-324,000	$-272,000	$-84,000
	Okanogan County Superior Court Judge	$173,000	$173,000	$173,000	$173,000	$173,000
	JRA Quality Assurance Transfer	$0	$0	$0	$0	$0
	Second Year Funding-Office of Public Guardianship	$240,000	$-274,000 SGF $540,000 JSTA	$-274,000 SGF $540,000 JSTA	$-274,000 SGF $540,000 JSTA	$-274,000 SGF $540,000 JSTA
	Other Supplemental Items (total)	$1,288,000	$1,288,000	$1,288,000	$1,288,000	$1,288,000
Supreme Court						
Policy Level	Funding Reduction	$-115,000	$0	$-115,000	$-115,000	$-115,000
	Various Central Service Agency Reductions	$-26,000	$0	$-60,000	$-60,000	$19,000
	Justice Pro Tem	$41,000	$41,000	$41,000	$41,000	$41,000
	Other Supplemental Items (total)	$18,000	$18,000	$18,000	$18,000	$18,000
Court of Appeals						
Policy Level	Funding Reduction	$0	$0	$0	$0	$0
	Various Central Service Agency Reductions	$-41,000	$0	$-129,000	$-129,000	$-45,000
	Other Supplemental Items (total)	$80,000	$80,000	$80,000	$80,000	$80,000

Prepared by AOC

April 2012

2012 Supplemental Budget Comparisons

Agency	Budget Change	House Floor As Passed 2-29-12	Senate Floor As Passed 3-2-12	House Floor As Passed 3-8-12	House Floor As Passed 4-5-12	As Passed by the Legislature 4-11-12
Law Library						
Policy Level	Funding Reduction *$50,000 JIS for LL Study	$0	$-1,000,000 SGF $1,000,000 JIS	-$1,450,000 SGF $1,500,000 JIS	-$1,450,000 SGF $1,500,000 JIS	-$1,450,000 SGF $1,500,000 JIS
	Various Central Service Agency Reductions	$-9,000	$0	$-15,000	$-15,000	$-7,000
	Other Supplemental Items (total)	$36,000	$36,000	$36,000	$36,000	$36,000
Office of Public Defense						
Policy Level	Funding Reduction	$0	$0	$-1,878,000 SGF $1,878,000 JSTA	$-1,878,000 SGF $1,878,000 JSTA	$-1,878,000 SGF $1,878,000 JSTA
	Trial Level Indigent Defense	$-10,796,000 $2,468,000 JSTA $8,328,000 JIS	$0	$0	$0	$0
	Various Central Service Agency Reductions	$-8,000	$0	$-17,000	$-17,000	$-17,000
	Civil Commitment Costs	$6,065,000	$6,065,000	$6,065,000	$6,065,000	$6,065,000
	Other Supplemental Items (total)	$0	N/A	N/A	N/A	N/A
Office of Civil Legal Aid						
Policy Level	Funding Reduction	$-690,000 SGF $690,000 JSTA	$0	$-490,000 SGF $980,000 JSTA	$-490,000 SGF $980,000 JSTA	$-490,000 SGF $980,000 JSTA
	Various Central Service Agency Reductions	$-4,000	$0	$-4,000	$-4,000	$-4,000
	Other Supplemental Items (total)	$0	N/A	N/A	N/A	N/A

Prepared by AOC

April 2012

2012 Supplemental Budget Comparisons						
Agency	**Budget Change**	**House Floor As Passed 2-29-12**	**Senate Floor As Passed 3-2-12**	**House Floor As Passed 3-8-12**	**House Floor As Passed 4-5-12**	**As Passed by the Legislature 4-11-12**
Judicial Conduct Commission						
Policy Level	Funding Reduction	$0	$0	$0	$0	$0
	Various Central Service Agency Reductions	$-18,000	$0	$-18,000	$-18,000	$-18,000
	Other Supplemental Items (total)	$0	N/A	N/A	N/A	N/A

TAB 8

WASHINGTON COURTS

Board for Judicial Administration
Problem-Solving Courts Authorizing Legislation Workgroup Charter

Charge:

The Problem-Solving Courts Authorizing Legislation Workgroup is created as an *ad hoc* workgroup of the Board for Judicial Administration (BJA) to develop a proposal for an over-arching statutory framework authorizing problem-solving courts. Recommendations to BJA should include a set of organizing principles and common, key elements for problem-solving courts, as well as universal performance indicators against which all types of problem-solving courts can be measured.

Workgroup Operating Period: June 2012 through November 2012

Meeting Schedule and Objectives:

Meeting Date	Location	Objectives
June 2012	SeaTac	• Presentation of materials • Discussion of goals and objectives • Development of meeting schedule
September 2012	SeaTac	• Drafting of proposed legislation and recommendations to BJA
October 2012	SeaTac	• Finalization of proposed legislation and recommendations to BJA
November, if needed	SeaTac	• Additional meeting, as needed

Membership:

Membership will consist of the following:

- Three judicial officers with experience in problem-solving courts
- One court administrator with experience in problem-solving courts
- The State Court Administrator or designee
- Chair of the Washington Association of Drug Court Professionals or designee
- One member nominated by the Washington Association of Prosecuting Attorneys
- One member nominated by the Washington Defender Association
- One member representing treatment providers

Draft 1
April 16, 2012

DRAFT

- Up to four members of the Legislature, representing each of the largest caucuses
- One member representing the Washington State Center for Court Research Advisory Board

AOC Staff:

Mellani McAleenan

DRAFT

TAB 9

2013-2015 Preliminary Budget Request Summary
Administrative Office of the Courts

Internally Generated Preliminary Budget Requests

Risk Assessment and Law Table Support	**FTE 1.0**	**General Fund**	**$169,000**
Funding is requested for an additional staff position that will ensure risk assessment and other data is properly reflected in local and statewide law tables.			
Criminal Justice Research Associate	**FTE 1.0**	**General Fund**	**$196,000**
Funding is requested for an additional staff position that will support existing adult and juvenile assessments, maintain legislatively mandated evaluation and reporting requirements and work with the court community to develop new or alter existing funding and alternative disposition programs.			
AOC Court Access Forms	**FTE 5.0**	**General Fund**	**$1,046,000**
Funding is requested for additional staff and resources that will allow the AOC to develop, assemble and translate documents containing information that is critical for obtaining court services including program information and outreach materials used to notify LEP communities of the existence of services allowing individual or family meaningful court access.			
Therapeutic Court Coordinator	**FTE 1.0**	**General Fund**	**$143,000**
Funding is requested for an additional staff position that will work with existing therapeutic courts, committees and associations to develop and strengthen evaluation and reporting standards and policies.			
Guardianship Service Expansion	**FTE 1.0**	**General Fund**	**$708,000**
Funding is requested for an additional staff position and resources to expand services in three to five additional counties and to begin development of a statewide funding and implementation strategy.			
Total Internal Requests-General Fund	**FTE 9.0**		**$2,262,000**

Externally Generated Preliminary Budget Requests

Interpreter Restoration	**FTE 0.0**	**General Fund**	**$679,000**
Funding is requested to restore program reductions implemented during the last two biennia.			
CASA Restoration	**FTE 0.0**	**General Fund**	**$1,242,000**
Funding is requested to restore program reductions implemented during the last two biennia.			
FJCIP Restoration	**FTE 0.0**	**General Fund**	**$234,000**
Funding is requested to restore program reductions implemented during the last two biennia.			

2013-2015 Preliminary Budget Request Summary
Administrative Office of the Courts

Externally Generated Preliminary Budget Requests, continued

CLJ Judges' Salaries	**FTE 0.0**	**General Fund**	**$6,269,000**
Funding is requested to increase the state contribution to district court and qualifying municipal court judges' salaries to 50% over a three year period.			
Interpreter Services	**FTE 0.0**	**General Fund**	**$1,231,000**
Funding is requested to provide 50% reimbursement to courts for interpreter services occurring prior and subsequent to in-court visits. Reimbursement would be made for interpreter services performed at information counters, cashiers, file room, etc.			
Expand Interpreter Program	**FTE 0.5**	**General Fund**	**$3,829,000**
Funding is requested to provide 50% reimbursement to courts for interpreter services occurring prior and subsequent to in-court visits. Reimbursement would be made for interpreter services performed at information counters, cashier counters and for other pre and post court interactions.			
Quality Assurance Transfer	**FTE 5.0**	**General Fund**	**$1,337,000**
This request would transfer existing quality assurance funding and staff from the Dept. of Social and Health Services to AOC. The existing program would be redefined by implementing consistent standards and practices used to evaluate assessment delivery and evidence based programs.			
Total Internal Requests-General Fund	**FTE 5.5**		**$14,821,000**

Information Technology

Information Technology Requests	**FTE 20.5**	**JIS Account**	**$14,510,000**
Funding is requested for additional staff and resources that will allow AOC to continue the SC-CMS project; continue with the development and implementation of the information networking hub (INH); continue funding small/medium information technology projects; provide equipment replacement to the appellate, trial and limited jurisdiction courts; provide ongoing support to the appellate electronic document management system and; begin a feasibility analysis for a limited jurisdiction court case management system. The FTE and dollar amount are high level estimates at this time.			
Total Preliminary Budget Request	**FTE 35.0**		**$29,372,000**

Request by Fund Source

Performance Level		
General Fund State	**FTE 14.5**	**$17,083,000**
Judicial Information System Account (JIS)	**FTE 20.5**	**$14,510,000**
Total Preliminary Budget Request	**FTE 35.0**	**$31,593,000**

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

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Rules (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.

Rule 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.

Rule 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. 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.

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. The Member Chair shall serve as chair of the Long-range Planning Committee. Meetings of the Board may be convened by either chair and held at least bimonthly. Any Board member may submit issues for the meeting agenda.

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

    1. The Board shall appoint at least three standing committees: Long-range Planning, Core

Missions/Best Practices and Legislative. Other committees may be convened as determined by the Board.

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

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

Rule 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;

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

Rule 5. Staff

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

Amended January 6, 2000

Board for Judicial Administration Membership

Chief Justice Barbara Madsen, Chair
Supreme Court

Judge Chris Wickham, Member Chair
Superior Court Judges' Association
Thurston County Superior Court

Judge Sara Derr
District and Municipal Court Judges' Association, President
Spokane County District Court

Ms. Callie Dietz
Interim State Court Administrator

Judge Deborah Fleck
Superior Court Judges' Association
King County Superior Court

Judge Janet Garrow
District and Municipal Court Judges' Association
King County District Court

Judge Jill Johanson
Court of Appeals, Division II

Judge Kevin Korsmo
Court of Appeals, Division III

Judge Linda Krese
Superior Court Judges' Association
Snohomish County Superior Court

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

Ms. Paula Littlewood
Washington State Bar Association, Executive Director

Judge Craig Matheson
Superior Court Judges' Association, President
Benton and Franklin Superior Courts

Judge Jack Nevin
District and Municipal Court Judges' Association
Pierce County District Court

Justice Susan Owens
Washington State Supreme Court

Mr. Patrick Palace
Washington State Bar Association, President-Elect

Judge Christine Quinn-Brintnall
Presiding Chief Judge
Court of Appeals, Division II

Ms. Michele Radosevich
Washington State Bar Association, President

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

Judge Ann Schindler
Court of Appeals, Division I

Judge Charles Snyder
Superior Court Judges' Association, President-Elect
Whatcom County Superior Court

Judge Scott Sparks
Superior Court Judges' Association
Kittitas County Superior Court

Judge David Svaren
District and Municipal Court Judges' Association, President-Elect
Skagit County District Court

district and municipal court judges association

Board of Governors

October 13, 2006

Board Meeting

Minutes

Attendance:

Judge Richard Fitterer	Judge Glenn Phillips
Judge Stephen Brown	Judge Annette Plese
Judge Brett Buckley	Judge Stephen Shelton
Judge Colleen Hartl	Judge Elizabeth Verhey
Judge Alicia Nakata	Judge Susan Woodard

BJA Representative: Judge Linda Portnoy

DMCJA Court Rules Committee Chair: Judge David Steiner

Staff: Ms. Lynne Alfasso, AOC

Ms. Regina McDougall, AOC

Call to Order:

Judge Fitterer called the teleconference meeting to order.

ACTION ITEMS:

IRLJ 3.1(b)

Discussion: The suggested change relates to discovery of law enforcement reports. The rule change clarifies that the defendant has a right to discovery of the officer's report, if requested.

Action: Motion: to approve IRLJ 3.1 (b) change. Carried.

Referred: Future Date:

CrRLJ 4.1

Discussion: The suggested rule changes clarify arraignment procedures. Among other changes, the rule changes would require the presence of both the prosecutor and a defense attorney at arraignment. The suggested changes were distributed by the Board to the Association membership earlier this month, and many comments were received from members.

Judge Portnoy reviewed the history of this suggested rule change. In 2005, the WSBA established a statewide task force on public defense. Judge Portnoy was a member of a subcommittee of the task force. This suggested change arose out of that subcommittee's work. The DMCJA Court Rules Committee has reviewed the changes and recommends that the DMCJA file the suggested rule changes with the Supreme Court. The Court Rules Committee believes that the courts have a significant interest in this issue, perhaps more so than the WSBA, and that the issue should be raised for discussion with the Supreme Court by filing the suggested rule change.

After a lengthy discussion by the Board, it was decided to refer the suggested rule change back to the Court Rules Committee for further discussion on the concerns raised by both Association members and the Board.

Action: Refer back to Court Rules Committee. Carried.

Referred: Court Rules Committee

Future Date: No specific date set.

Next Meeting: November 3, 2006 at Kilroy Center, SeaTac

ADJOURN

N:\crtsrv\DATA\DMCJA\Board\Minutes\2006\101306min.doc

Public Records Request

From: **Ridge, Linda** (Linda.Ridge@kingcounty.gov)
Sent: Fri 10/12/12 3:43 PM
To: Christopher Hupy [amakirkland@hotmail.com] (amakirkland@hotmail.com) (amakirkland@hotmail.com)

2 attachments
kcsc_app.pdf (60.6 KB) , WSP background check form001.pdf (32.3 KB)

Mr. Hupy:

I am writing to follow up on your email to Judge McDermott, dated August 16, 2012.

Per your request for a copy of the Superior Court's application for employment, I've attached a copy to this email as a courtesy. Also attached is a sample form used for conducting background checks. As to your third inquiry, bailiffs are hired by the individual judge who employs them.

Linda K. Ridge

Deputy Chief Administrative Officer

King County Superior Court

516 3rd Avenue

Seattle, WA 98104

(206) 205-2582

linda.ridge@kingcounty.gov

From: Christopher Hupy [mailto:amakirkland@hotmail.com]
Sent: Thursday, August 16, 2012 9:00 PM
To: McDermott, Richard; Robinson, Palmer
Cc: Doyle, Theresa; Ridge, Linda; Sherfey, Paul; Doerty, James
Subject: Public Records Request

Judge McDermott,

I came across this article http://wadvpress.org/ concerning your employment practices, in response please provide the following documents-

1. Documents commonly referred to as "Application for employment" all pages and all attachments which are filled out by the applicant and agency in place at the time of hire date for the KCSC employee who is the subject of linked article.

2. All documents which reflect standard procedure "back ground check" performed by the KCSC, also the name(s) of the KCSC employee(s) normally tasked with completion of such background checks

3. Any document which requestor can rely upon to determine the identities of the person or persons who approved employment of KCSC Bailiff employee mentioned in linked article (Business cards would suffice)

I understand this webmaster is working on similar stories on all of "your" bailiffs, I for one am looking forward to this series, a little light being cast down that spider hole you run downtown is always a good thing.

And Doerty calls me a "Adjudicated Perpetrator".....

Christopher J. Hupy
6018 Norma Beach Road

Edmonds, WA 98026
503-931-4991

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communication and destroy all copies.

FW: King County Superior Court Commissioners

From: **Williams, Cynthia** (Cynthia.Williams@kingcounty.gov)
Sent: Thu 11/29/12 1:36 PM
To: amakirkland@hotmail.com (amakirkland@hotmail.com)
Cc: Ridge, Linda (Linda.Ridge@kingcounty.gov)

2 attachments
Oath of Office - Commissioners001.pdf.pdf (321.4 KB) , Commissioner Appointments.pdf (443.9 KB)

Forwarding on behalf of Linda Ridge

From: Ridge, Linda
Sent: Thursday, November 29, 2012 11:21 AM
To: Williams, Cynthia
Subject: King County Superior Court Commissioners

Mr. Hupy:

The email you sent to Judges McDermott and Robinson was forwarded to me for response.

Regarding your requests below, I can provide the following information:

1. Oaths of Office for "any and all Commissioners who have made any type of ruling or entered any Court Order at KCSC starting from May of 2008 until today." Attached are Oaths for Superior Court Commissioners, authorized either by statute or by the state constitution, serving on the Superior Court bench since May 2008.

Please note that oaths for commissioners pro tempore are available through the Department of Judicial Administration (Clerk's Office) in the General Order/A12050G file. The oaths are contained within the order appointing pro tempore commissioners on each date that they serve. The General Order file documents are available for public viewing either onsite at DJA, or online via subscription at http://www.kingcounty.gov/courts/Clerk/Records.aspx

2. "Any and all appointments of Commissioners who were on the bench on or after May 2008 until today,

please include the appointments which may have been prior to the start date but still effective on or after the start date, these appointments must show the name of the Commissioner and the Judge who appointed and who's pleasure they serve." Attached are letters of appointment for all Superior Court Commissioners serving on the King County Superior Court bench on or after May, 2008. Residential addresses are protected and have been redacted from these copies. Please note that, as previously described, appointments of commissioners pro tempore are held in the General Order file maintained by DJA.

With respect to items 3-6, these constitute request for legal research for which a response is not required.

Linda K. Ridge

Deputy Chief Administrative Officer

King County Superior Court

516 3rd Avenue

Seattle, WA 98104

(206) 205-2582

linda.ridge@kingcounty.gov

From: Christopher Hupy [mailto:amakirkland@hotmail.com]
Sent: Friday, October 26, 2012 12:24 PM
To: McDermott, Richard
Cc: Robinson, Palmer
Subject: King County Superior Court Commissioners

Presiding Judge McDermott,

I was provided copies of the Oath's of Office for Leonid Ponomarchuk, Carlos Velategui, Jacqueline Jeske, and Megan Sassaman by the Office of Judicial Administration, since that time I have been busy working on other issues but now have found some time to address this. I assume you have made the decision unlike elected Judges these oaths were not and have not been filed with any public agency for public inspection but have concealed them within your OJA department. I also asked for a copy of the Oath for "Pro Tempore" Commissioner Allison and was informed that "Pro Tempore Commissioners do not take a "Oath of Office'. As I did not address the fact the at least Commissioner Jeske resides outside of King County, which would make her ineligible to become a Judge at KCSC, last year I will do so now.

I need the following, I expect items 1 and 2 it to be delivered to me no later than Tuesday 12 noon October 30th, I am graciously providing this extended amount of time in consideration of your busy schedule (I say this because I have real time access to your Oath of Office and that of fellow KCSC Judges from the Secretary of State office)-

1. All Oaths of Office by any and all Commissioners who have made any type of ruling or entered any Court Order at KCSC starting from May of 2008 until today.

2. Any and all appointments of Commissioners who were on the bench on or after May 2008 until today, please include the appointments which may have been prior to the start date but still effective on or after the start date, these appointments must show the name of the Commissioner and the Judge who appointed and who's pleasure they serve.

3. Please also provide the authority you rely on in exceeding the Washington State Constitutional limit of 3 Commissioners per County.

4. Please provide the authority you rely on to waive the Washington Constitutional residency requirement, as a appointee cannot have MORE authority than that of the appointing Judge.

5. Please provide the authority you rely on to waive the Washington Constitutional requirement that Judge's NOT practice law or take legal cases while on the bench in allowing "pro tempore" Commissioners to practice law, again the appointee cannot have MORE authority than the appointing Judge.

6. Please provide the authority you rely on to appoint "pro tempore" Commissioners, I cannot find any provision in the Washington Constitution which allows for any such creation. Case law is clear on this the requirements

spelled out in the constitution are both required minimums and maximums and any deviations would require Constitutional Amendment.

Electronic delivery and format is requested and preferred.

With all respect due,

Christopher J. Hupy
6018 Norma Beach Road

Edmonds, WA 98026
503-931-4991

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Superior Court Case Summary

Court: King Co Superior Ct
Case Number: 12-2-25288-2

Sub	Docket Date	Docket Code	Docket Description	Misc Info
1	07-25-2012	COMPLAINT	Complaint	
2	07-25-2012	SET CASE SCHEDULE JDG0003	Set Case Schedule Judge Julie Spector, Dept 3	12-09-2013ST
3	07-25-2012	CASE INFORMATION COVER SHEET LOCS	Case Information Cover Sheet Original Location - Seattle	
4	09-04-2012	NOTIC FILING PET REMOVE TO US DISTR	Notic Filing Pet Remove To Us Distr	
5	09-28-2012	AFFIDAVIT/DCLR/CERT OF SERVICE	Affidavit/dclr/cert Of Service	
6	09-28-2012	AFFIDAVIT/DCLR/CERT OF SERVICE	Affidavit/dclr/cert Of Service	
7	11-13-2012	NOTICE OF ABSENCE/UNAVAILABILITY	Notice Of Absence/unavailability	

About Dockets

About Dockets

You are viewing the case docket or case summary. Each Court level uses different terminology for this information, but for all court levels, it is a list of activities or documents related to the case. District and municipal court dockets tend to include many case details, while superior court dockets limit themselves to official documents and orders related to the case.

If you are viewing a district municipal, or appellate court docket, you may be able to see future court appearances or calendar dates if there are any. Since superior courts generally calendar their caseloads on local systems, this search tool cannot display superior court calendaring information.

Directions

King Co Superior Ct
516 3rd Ave, Rm C-203
Seattle, WA 98104-2361
Map & Directions
206-296-9100[Phone]
206-296-0986[Fax]
Visit Website

Disclaimer

What is this website? It is an index of cases filed in the municipal, district, superior, and appellate courts of the state of Washington. This index can point you to the official or complete court record.

How can I obtain the complete court record? You can contact the court

in which the case was filed to view the court record or to order copies of court records.

How can I contact the court?

Click **here** for a court directory with information on how to contact every court in the state.

Can I find the outcome of a case on this website?
No. You must consult the local or appeals court record.

How do I verify the information contained in the index?
You must consult the court record to verify all information.

Can I use the index to find out someone's criminal record?
No. The Washington State Patrol (WSP) maintains state criminal history record information. Click **here** to order criminal history information.

Where does the information in the index come from?
Clerks at the municipal, district, superior, and appellate courts across the state enter information on the cases filed in their courts. The index is maintained by the Administrative Office of the Court for the State of Washington.

Do the government agencies that provide the information for this site and maintain this site:

- **Guarantee that the information is accurate or complete? NO**
- **Guarantee that the information is in its most current form? NO**
- **Guarantee the identity of any person whose name appears on**

these pages?
NO
- **Assume any liability resulting from the release or use of the information?**
NO

King County, Washington

Online Directory

Employee Detail

Name: **Jim Doerty**

Title: Asst. Presiding Judge [Bailiff - George Cleve Haynes]

Group: KCSC - Superior Court Judges (SCJ)

Email: james.doerty@kingcounty.gov

Mail Stop: KCC-SC-0203

Primary Phone: 206-296-9250

Fax: 206-296-0986

Reports To: Richard McDermott

Primary Location: King County Courthouse
516 Third Ave Rm 203
Seattle, WA 98104

Directory Coordinators: Angelina Jimeno
Mei Barker

Web Link: http://www.kingcounty.gov/kcsc/judges/Doerty.htm

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King County, Washington

Online Directory

Employee Detail

Name: **Richard McDermott**

Title: Presiding Judge [Bailiff - Nikki Riley]

Group: KCSC - Superior Court Judges (SCJ)

Email: richard.mcdermott@kingcounty.gov

Mail Stop: KCC-SC-0203

Primary Phone: 206-296-9115

Fax: 206-205-1360

TTY: 206-205-2655

Reports To: The Citizens

Primary Location: King County Courthouse
516 Third Ave Rm 203
Seattle, WA 98104

Directory Coordinators: Angelina Jimeno
Mei Barker

Web Link: http://www.kingcounty.gov/

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