

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, FEBRUARY 21, 2014
10:45 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 Kevin Ringus, Member Chair
District and Municipal Court Judges' Association
Fife Municipal Court

Judge Vickie Churchill
Superior Court Judges' Association
Island County Superior Court

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

Judge Judy Rae Jasprica
District and Municipal Court Judges' Association
Pierce County District Court

Judge 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

Justice Susan Owens
Supreme Court

Judge Kimberley Prochnau
Superior Court Judges' Association
King County Superior Court

Judge Ann Schindler
Court of Appeals, Division I

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

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

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

NON-VOTING MEMBERS:

Judge Veronica Alicea-Galvan, President-Elect
District and Municipal Court Judges' Association
Des Moines Municipal Court

Ms. Callie Dietz
State Court Administrator

Judge Stephen Dwyer
Presiding Chief Judge
Court of Appeals, Division I

Ms. Paula Littlewood, Executive Director
Washington State Bar Association

Mr. Patrick Palace, President
Washington State Bar Association

Mr. Anthony Gipe, President-Elect
Washington State Bar Association

Judge Jeffrey Ramsdell, President-Elect
Superior Court Judges' Association
King County Superior Court



Board for Judicial Administration (BJA) Meeting
Friday, February 21, 2014 (10:45 a.m. – Noon)
 AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

AGENDA

1. Call to Order	Chief Justice Barbara Madsen Judge Kevin Ringus	10:45 a.m.
2. Welcome and Introductions	Chief Justice Barbara Madsen Judge Kevin Ringus	10:45 a.m.
Action Items		
3. January 17 Meeting Minutes Action: Motion to approve the minutes of the January 17, 2014 meeting	Chief Justice Barbara Madsen Judge Kevin Ringus	10:50 a.m. Tab 1
4. Trial Court Operations Funding Committee Action: Motion to ratify the appointments to the Trial Court Operations Funding Committee	Chief Justice Barbara Madsen Judge Kevin Ringus	10:55 a.m. Tab 2
5. 2015-17 Budget Process Action: Motion to approve the budget timeline	Mr. Ramsey Radwan	11:00 a.m. Tab 3
Reports and Information		
6. February State Budget Forecast	Dr. Steve Lerch	11:10 a.m. Tab 4
7. Legislative Report	Ms. Mellani McAleenan	11:45 a.m. Tab 5
8. Other Business Next meeting: March 21 AOC SeaTac Office, SeaTac	Chief Justice Barbara Madsen Judge Kevin Ringus	11:55 a.m.
9. Adjourn		Noon

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

Tab 1



Board for Judicial Administration (BJA) Meeting

Friday, January 17, 2014 (9:00 a.m. – Noon)

Administrative Office of the Courts, 1112 Quince Street, Olympia

MEETING MINUTES

BJA Members Present:

Chief Justice Barbara Madsen, Chair
Judge Kevin Ringus, Member Chair
Judge Veronica Alicea-Galvan
Judge Vickie Churchill
Ms. Callie Dietz
Judge Stephen Dwyer
Judge Janet Garrow
Judge Judy Rae Jasprica
Judge Jill Johanson
Judge Kevin Korsmo (by phone)
Judge Linda Krese
Judge Michael Lambo
Justice Susan Owens
Judge Jeffrey Ramsdell
Judge Ann Schindler
Judge Charles Snyder
Judge Scott Sparks

Guests Present:

Mr. Jeff Amram (by phone)
Mr. Jim Bamberger
Mr. Michael Fenton
Ms. Sophia Byrd McSherry
Ms. Aimee Vance

Public Present:

Mr. Tom Goldsmith

AOC Staff Present:

Ms. Beth Flynn
Mr. Steve Henley
Ms. Shannon Hinchcliffe
Ms. Charlotte Jensen
Mr. Dirk Marler
Ms. Mellani McAleenan
Mr. Ramsey Radwan

The meeting was called to order by Judge Ringus.

December 13, 2013 Joint BJA and CMC Meeting Minutes

It was noted that Ms. Vance was listed in the minutes as both a Court Management Council member and as a guest and that her name needed to be deleted from the list of guests present.

It was moved and seconded to approve the December 13, 2013 joint BJA and CMC meeting minutes with the noted revision to remove Ms. Vance from the list of guests present. The motion carried.

DMCJA Legislative Agenda

Judge Alicea-Galvan reported that the District and Municipal Court Judges' Association (DMCJA) drafted legislation that would introduce parity between district and municipal court judges regarding closing courts during a judge's term. District courts, by law, are not allowed to be abolished during a judge's term. Municipal courts would like the same law. The law would apply to both appointed and elected judges. The legislation does not state that cities cannot contract with other courts but that it is inappropriate during mid-term to shut the court down. It is a separation of powers issue.

It was moved by Judge Snyder and seconded by Judge Lambo to support the DMCJA legislation relating to municipal court terms. The motion carried.

BJA Rule Amendments

It was moved by Judge Sparks and seconded by Judge Garrow to approve the proposed BJAR 3 amendments and to forward the revised rule to the Supreme Court Rules Committee. The motion carried.

2015-17 Budget Process

Mr. Radwan explained that, in general, the 2015-2017 Budget Development, Review and Submittal Schedule will follow the same process that was used for the 2013-2015 budget cycle. The processes are based on the type of budget request. The first track is for budget requests that impact the Administrative Office of the Courts' (AOC) budget and where the proponents seek BJA support; these requests will run through the BJA from March through June. The second track is for those budget requests that will impact the AOC budget that come from groups not directly seeking BJA support. The third track is Supreme Court, Court of Appeals, and other state judicial branch entity requests not requiring BJA approval.

Trial court funding issues could flow through the BJA or flow straight to the Supreme Court. The last few budget cycles have had trial court funding issues flow through the Trial Court Operations Funding Committee (TCOFC) which is through the BJA so their requests came through the BJA.

Mr. Radwan stated that all the budget forms are currently being finalized and the forms and instructions will be available electronically next week but they will be marked draft. A letter will be distributed to all stakeholders soon.

The first round of budget requests (preliminary budget requests) that impact AOC's budget are due March 21. The BJA will review the information in April. Information necessary for preliminary budget requests can be limited to the general idea, impacts to stakeholders, estimated dollar amount and estimated staffing requirements. In May, there will be budget presentations to the BJA by the proponents seeking BJA support for budget requests that impact the AOC budget. In June, the BJA will prioritize the budget requests and send that information to the Supreme Court Budget Committee. Final decision packages are due to the Supreme Court Budget Committee in July.

Approval of the 2015-2017 Budget Development, Review and Submittal Schedule will be on the February BJA meeting for action.

Trial Court Funding Operations Committee (TCOFC)

Ms. Hinchcliffe stated that the BJA Co-chairs received a letter from Judge Harold Clarke III regarding the TCOFC. When the BJA discussed the status of all the committees previously, it was determined that they would all continue to operate as normal.

The TCOFC has quite a few positions up for appointment.

Ms. Hinchcliffe apologized for getting this information to the BJA so late but she received the letter on Wednesday. She spoke with the BJA Co-chairs, Judge Snyder, Judge Svaren and Judge Clarke. One of the options is to repopulate the TCOFC and get moving but there is not a list of appointees at this point in time.

The BJA needs to consider whether to repopulate the TCOFC and then determine if they want to wait for the appointments to come in or if they want to appoint a Chair and let the Chair make the appointments.

It was suggested that if the BJA is going to go forward with the TCOFC that the appointment process needs to be compressed based on the budget timeline.

It was moved by Judge Snyder and seconded by Judge Schindler to suspend the rules and vote on this today. The motion carried.

It was moved by Justice Owens and seconded by Judge Schindler with an amendment by Judge Snyder and seconded by Judge Ramsdell to 1) appoint Judge Ramsdell as the Chair of the TCOFC to replace Judge Clarke for the SCJA and 2) reappoint, regardless of eligibility, the other positions whose terms expired at the end of 2013 to terms through the end of 2014 with the provision that if a member does not want to continue, the associations will appoint someone to fill that slot. The motion carried.

The BJA will ratify the appointments at the February meeting.

Legislative Report

Ms. McAleenan reported that the BJA legislative reception went well. There is also a lawyer-legislator luncheon next week that is sponsored by the judicial branch agencies. The goal of the luncheon is to build relationships.

The Mason County Superior Court judge bill was heard in both the House and Senate this week.

There is definitely some *McCleary* angst and another bill was dropped regarding reducing the size of the Supreme Court. Senator Mike Padden has scheduled a hearing on the bill next week. There was a commission effort in 1996 that determined that reducing the size of the court is not a good idea.

For the juvenile records bill, AOC staff spent a lot of time with Representative Kagi and legislative staff over the summer. This is a good example of how we can do things in the future in terms of presenting educational opportunities. AOC and legislative staff have discussed the fact that a three-year implementation is not long enough to lower the cost of the fiscal note, and legislative staff understands that.

Juvenile Records Presentation

Ms. Dietz stated that AOC staff have worked with Representative Ruth Kagi and her staff to educate them on the JIS system and how complicated it is. In addition, they explained to Representative Kagi how changes in the bill can impact the fiscal note.

Ms. Jensen provided a PowerPoint presentation that illustrated how data is stored in the Judicial Information System and how other computer programs and entities interact with the system, making it extremely difficult and time-consuming to make the changes required in the juvenile records bill.

The original system was built in 1977 using COBOL and it is not easy to change. When dealing with COBOL, making one change has a ripple effect that can affect a minimum of 42 screens. If there is a program that scrapes the date of birth information from specific lines of data and then a line of data is added to accommodate a requested change to the program, it will impact many different programs.

Ms. Dietz explained that it would take 20 people working full-time two years to make the changes requested in the juvenile records bill; that is, if AOC could find 20 people who could work in COBOL.

Committee Meetings

The BJA meeting was adjourned for the interim standing committee meetings. Time will also be added to the February BJA meeting agenda so the interim standing committees can meet.

Other Business

The next BJA meeting will be on February 21 at the AOC SeaTac office.

Recap of Motions from January 17, 2014 meeting

Motion Summary	Status
Strike Ms. Vance from the list of guests in attendance and approve the corrected December 13, 2013 BJA meeting minutes.	Passed
The BJA will support the DMCJA bill regarding municipal court terms.	Passed
The BJA approves the proposed amendments to BJAR 3.	Passed
The BJA suspended the rules so they could 1) appoint Judge Ramsdell as the Chair of the TCOFC to replace Judge Clarke for the SCJA and 2) reappoint, regardless of eligibility, the other positions whose terms expired at the end of 2013 to terms through the end of 2014 with the provision that if a member does not want to continue, the associations will appoint someone to fill that slot.	Passed

Action Items from the January 17, 2014 meeting

Action Item	Status
<u>December 13, 2013 BJA Meeting Minutes</u> <ul style="list-style-type: none"> • Strike Ms. Vance from the list of guests in attendance • Post the minutes online • Send minutes to the Supreme Court for inclusion in the En Banc meeting materials 	Done Done Done
<u>DMCJA Legislative Agenda</u> <ul style="list-style-type: none"> • Support the DMCJA bill regarding municipal court terms 	
<u>BJAR 3 Amendments</u> <ul style="list-style-type: none"> • Create Cover Sheet • Forward to the Supreme Court Rules Committee 	
<u>2015-17 Budget Process</u> <ul style="list-style-type: none"> • Add to February BJA meeting agenda for action 	Done
<u>TCOFC</u> <ul style="list-style-type: none"> • Notify Ms. Regina McDougall of the motion by the BJA to appoint Judge Ramsdell to replace Judge Clarke and to reappoint the other TCOFC members unless they do not wish to be reappointed • Add to February BJA meeting agenda to ratify the TCOFC appointments 	Done Done
<u>BJA Committee Next Steps</u> <ul style="list-style-type: none"> • Add breakout meetings to February meeting agenda 	Done

Tab 2

**Trial Court Operations Funding Committee
Membership Contact List**

Name	Address	Term Ends
Jeff Ramsdell Judge	King County Superior Court 516 3 rd Ave. Rm C-203 Seattle, WA 98104-2361	May 2014
Vickie Churchill Judge	Island County Superior Court Location: 101 NE 6th St, Fl 1 Coupeville, WA 98239 Mailing: PO Box 5000 Coupeville, WA 98239-5000	May 2014
Michael Fenton Juvenile Court Administrator	Thurston County Family and Juvenile Court Mailing: 2000 Lakeridge Dr SW, Bldg 2 Olympia, WA 98502-6001 Location: 2801 32 nd Ave SW Tumwater, WA 98512-6178	May 2014
Richard C. Fitterer Judge	Grant County District Court PO Box 37 Ephrata, WA 98823-0037	May 2014
Veronica Alicea-Galvan Judge	Des Moines Municipal Court 21630 11 th Ave. S. Ste C Des Moines, WA 98198-6317	May 2014
Ela Selga Administrator	Clark County District Court Mailing: PO Box 9806 Vancouver, WA 98666-8806 Location: 1200 Franklin St Vancouver, WA 98660-2812	May 2014
Paul Sherfey Chief Administrative Officer	King County Superior Court 516 3 rd Ave, Rm C-203 Seattle, WA 98104-2361	May 2014
Aimee Vance	(FYI – DMCMA)	May 2014
Staff:		
Regina McDougall	Administrative Office of the Courts	
Susan Peterson Administrative Secretary	Administrative Office of the Courts	

Last updated: 1/27/2014

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Tab 3

2015-2017 Budget Development, Review and Submittal Schedule

MONTH	TASK	DUE DATE
January	AOC distributes budget instructions	January 10, 2014
February	AOC staff assist with preliminary budget request development as necessary	February 2014
	Budget Instruction letter from Chief Justice distributed	February 2014
March	Preliminary budget <u>requests that impact AOC are due</u> Preliminary requests must include: <ul style="list-style-type: none"> • Brief description of request • Brief description of benefit to be gained • Estimated dollar amount and staffing 	March 21, 2014
April	Preliminary budget <u>requests that do not impact AOC are due</u> Preliminary requests must include: <ul style="list-style-type: none"> • Brief description of request • Brief description of benefit to be gained • Estimated dollar amount and staffing 	April 11, 2014
	BJA review and comment on preliminary <u>requests that impact the AOC budget (summary list only)</u>	April 11, 2014
	JISC review and approve IT budget request (summary list only)	April 25, 2014
May	Proponents invited to present preliminary requests that impact AOC at the BJA meeting	May 16, 2014
June	BJA prioritize <u>requests that impact AOC</u>	June 20, 2014
	JISC approve detailed decision packages	June 27, 2014
	All final detailed budget requests are due	June 30, 2014
July	Supreme Court Budget Committee Briefing/Presentation-all budget requests	July 28, 2014
	Revised final detailed budget requests due to AOC	July 30, 2014 July 31, 2014
July	Supreme Court Budget Committee meeting (additional information, presentation and recommendation)	Late July/Early Aug.
August	Supreme Court Budget Committee meeting (additional information, presentation and recommendation)	August 2014
September	Supreme Court Budget Committee meeting (additional information, presentation and recommendation)	September 2014
October	Supreme Court En Banc: final approval & submission to Legislature	October 2014

Note: The dates noted above may change. Date change notification will be sent as soon as possible.

Tab 4



Washington State
Economic and Revenue Forecast Council

Steve Lerch, Ph.D., Executive Director and Chief Economist

Stephen Lerch is the executive director of the Washington State Economic and Revenue Forecast Council.

Previously, he has worked as an economist and researcher on public finance and health care issues in government (U.S. Congress, Joint Committee on Taxation; Washington State Department of Revenue) and the private sector (HCIA-Sachs/Solucient).

He has also previously served as an interim director for the Economic and Revenue Forecast Council.

Most recently, he held the position of Research Director at the Washington State Investment Board. He has a Ph.D. in economics from Johns Hopkins University.

Tab 5



Board for Judicial Administration House of Origin Committee Cutoff Report

Current as of Wednesday, February 12, 2014

Today is the 31st day of the 60-day legislative session. Tuesday marked the 2nd major deadline of the session, when bills were required to pass out of the fiscal committees in their houses of origin. Those that did not should be considered dead unless they are deemed “necessary to implement the budget” (NTIB).

The house of origin cutoff is February 18th. Bills, other than budget bills, need to pass from their house of origin by 5 pm. The next week will be devoted largely to “floor action,” moving bills from one chamber to the other.

Here are the highlights regarding bills BJA is tracking and other legislation of interest:

BJA Request Legislation

HB 2134 - Increases the number of superior court judges in Mason County.

Position - Request

Status – Died in House Appropriations General Government & IT.

SB 5981 - Increases the number of superior court judges in Mason County.

Position – Request

Status – Passed Senate 49-0.

SHB 1542 - Requires courts to appoint a certified or registered interpreter at public expense in all legal proceedings in which a non-English-speaking person is a party or is compelled to appear. Requires the state to pay 50 percent of the cost of interpreters beginning in January 2017. Requires courts to track and provide interpreter cost and usage data annually to the Administrative Office of the Courts. (Amended in House Appropriations to remove the 2017 deadline for state funding.)

Position – BJA Request

Status – 2013 - Passed House 54-42. Died in Senate Law & Justice.

2014 – House 3rd Reading Calendar

SB 5398 - Requires courts to appoint a certified or registered interpreter at public expense in all legal proceedings in which a non-English-speaking person is a party or is compelled to appear. Requires the state to pay 50 percent of the cost of interpreters beginning in January 2017. Requires courts to track and provide interpreter cost and usage data annually to the Administrative Office of the Courts.

Position – BJA Request

Status – Died in Senate Law & Justice

Data Dissemination/Access to Court Records

~~HB 1497~~ - Requests the Washington State Supreme Court to adopt court rules redacting or sealing nonconviction court records and, when technologically and economically feasible, providing a process for removing nonconviction information from public court indices. Prohibits employers and landlords from inquiring into, or receiving information through a criminal history background check, about nonconviction records and rejecting an applicant on the basis of nonconviction records. *This bill has significant JIS impact, resulting in 8,400 to 12,000 hours of programming time and a fiscal note ranging from \$1,010,400 to \$1,459,200.*

Position – No position

Status – Died in House Judiciary

SHB 1651 - Provides that juvenile offender records are confidential unless the juvenile has been adjudicated for a sex offense or a serious violent offense. The court may release juvenile records for inspection upon good cause shown. Provides that juvenile offender records may not be published, distributed, or sold. Amended in House Appropriations General Govt. & IT to take effect upon completion of SC CMS project, removing significant JIS impact.

Position – No position. (Prior - Concerns regarding JIS impact and costs.)

Status – House 2nd Reading Calendar

~~SB 5344~~ - Requests the Washington State Supreme Court to adopt court rules redacting or sealing nonconviction court records and, when technologically and economically feasible, providing a process for removing nonconviction information from public court indices. Prohibits employers and landlords from inquiring into, or receiving information through a criminal history background check, about nonconviction records and rejecting an applicant on the basis of nonconviction records. *This bill has significant JIS impact, resulting in 8,400 to 12,000 hours of programming time and a fiscal note ranging from \$1,010,400 to \$1,459,200.*

Position – No position

Status – Died in Senate Law & Justice

~~SSB-5689~~ - Court records and public court indices containing nonadjudication or nonconviction information relating to the commission of juvenile offenses are restricted from public access. Nonadjudication or nonconviction information means information contained in records collected by the courts relating to arrest, probable cause hearings, citation, and charges that did not lead to an adjudication; charges resulting in a dismissal or acquittal; and charges dismissed pursuant to a diversion or deferred sentence. Access by agencies for research purposes, as provided elsewhere in statute and expressly permitted for sealed juvenile records is allowed. *This bill requires significant changes to JIS, resulting 8,400 to 12,000 hours of programming time and one-time costs ranging from \$1.1 million to \$1.4 million.*

Position – No position

Status – Died in Senate Rules

SB-6403 – Requires juvenile offender records be available for bulk distribution through JIS and on the public website.

Position – Watch

Status – Died in Senate Human Service & Corrections

~~SB-6469~~ – Requires sealing of juvenile records at disposition under certain conditions.

Position – Not Reviewed

Status – Died in Senate Human Service & Corrections

Bills Affecting AOC Employees and/or Judges

HB-2128 – Exempts GPS data that shows the residence of an employee or agent of a criminal justice agency from public disclosure.

Position – Support

Status – Died in House Govt. Operations

HB-2604 – Provides that a municipal court may only be terminated at the end of the term of the judge(s) of that court. DMCJA request legislation.

Position – Support

Status – Died in House Judiciary.

ESB-5860 - The Attorney General is not required to institute legal actions on behalf of Superior Court judges unless requested to do so by the Administrator for the Courts. Amended by the Senate to require AOC to bear half the legal costs and to institute a 90-day notice requirement and a 120-day period for alternative dispute resolution. Amended by House Judiciary to provide that the Attorney General is not required to institute actions over funding on behalf of superior court judges. **HB-2024** applies the same restrictions to all state officers.

Position – Oppose

Status – 2013 - Passed Senate 47-2. 2014 – Reintroduced and retained in present status.

SB 5867 – Reduces the size of the Supreme Court from 9 to 5 by lottery (drawing straws.)

Position – Watch

Status – Died in Senate Law & Justice.

SB 6012 – Prohibits the WSBA from charging a fee for judicial membership.

Position – Watch

Status – Senate Rules

SB 6088 - Reduces the size of the Supreme Court to 7 by attrition.

Position – Watch

Status – Senate Rules

SB 6305 – Creates a defined contribution retirement plan for elected officials.

Judges were removed via amendment in Senate Ways & Means.

Position – Oppose

Status – Senate Rules

SB 6459 – Redefines compensation for use in calculating retirement benefits for elected service. *Amended to use the highest average over a consecutive 60 month period of elected service; all periods were used in the original bill.*

Position – Oppose

Status – Senate Rules

Elections

HB 2525 – Provides public funding for Supreme Court campaigns using a portion state bar association membership dues as a funding source.

Position – Watch

Status – Died in House Govt. Operations

SJR 8215 – Amends the state constitution so that only persons who are qualified voters in a county are elected or appointed to the office of judge for superior court of that county.

Position – No Position

Status – Senate Rules

Problem Solving Courts

SHB 2556 – Consolidates authorizing statutes for problem solving courts and implements the recommendations from the workgroup created by SB 5797 (2013).

Position – Support

Status – House Rules

Other

~~SHB 1098~~ – Amends professional conduct requirements of bail bond agents. Requires a court to notify the Administrative Office of Courts when the court revokes or reinstates the justification or certification of a bail bond agent to post bonds in the court.

Position - Support

Status - Passed House 92-0-6. Died in Senate Law & Justice.

SHB 1771 - Requires approval before public agencies can obtain a public unmanned aircraft system. Allows a public unmanned aircraft system to be operated, or information gained therefrom, to be disclosed pursuant to a judicial search warrant, if the use is not regulatory enforcement and is reasonably determined to be unlikely to collect personal information, or in an emergency. Includes reporting requirements similar to those for wiretaps. See also SB 5782 and SB 6172 regarding “drones.”

Position – Watch

Status – House Rules.

HB 2111 – Removes the requirement that a citation issued by Sound Transit conform to the general requirements for a notice of civil infraction. See also SB 5961.

Position – Concerns

Status – House 2nd Readign Calendar

HB 2399 – Establishes a “certificate of restoration of opportunity,” which can be sought by a person with a criminal record to eliminate any professional bar imposed solely as a result of the conviction.

Position – Watch

Status – Died in House Public Safety

HB 2497/SB 6249 – Increased certain fees to partially fund indigent defense services.

Position - Watch

Status – Died in fiscal committees.

~~HB 2754~~ – Creates the “Restitution First Act” and alters how legal financial obligations may be imposed and collected.

Position – Not yet reviewed

Status – Bill died in House Judiciary. Work session in House Public Safety.

SSB 5020 - The definition of indigent and able to contribute is changed to mean a person who, at any stage of a court proceeding, meets the criteria for indigency, but who is also found to also have available funds to pay a portion of the anticipated cost of counsel.

Position – Watch

Status – Senate Rules

2SSB 6126 – Requires an attorney be appointed for children in dependency proceedings at the expense of the county. Subject to funds appropriated, the state may reimburse up to one-half the cost. See also HB 1285.

Position – Not reviewed

Status – Senate Rules

Budget

HB 2185/SB 6002 – Making supplemental operating appropriations. Contains Supreme Court budget submission for judicial branch.

Position – Support as drafted for judicial branch budget.

Status – Appropriations/Ways & Means

Board for Judicial Administration
2014 Legislative Session
POSITIONS on or before 02/14/2014

Bill	Description	Date	Position	Hearings / Comments
HB 1098	Bail practices Addressing bail practices. H subst for - Leg Link	01/22/2013	Support	01/30/2013 at 13:30 Bill is substantially similar to previous bills that BJA supported. Support but defer to associations for additional consideration as necessary.
HB 1116	Unif. collaborative law act Adopting the uniform collaborative law act. H subst for - Leg Link	01/22/2013	Concerns	H- Judiciary 01/22/2013 at 10:00 Support position of WSBA regarding removal of those provisions of the bill that regulate the practice of law.
HB 1159 5052	Superior crt judges/Whatcom Increasing the number of superior court judges in Whatcom county. H Judiciary - Leg Link	01/16/2013	Request	H- Judiciary 01/29/2013 at 10:00
HB 1175 5069	Judges/Benton & Franklin co. Increasing the number of superior court judges in Benton and Franklin counties jointly. C 142 L 13 - Leg Link	01/22/2013	Request	H- Judiciary 01/29/2013 at 10:00
HB 1211 5637	Voters' pamphlets, primaries Concerning primary election voters' pamphlets. H Approps - Leg Link	03/01/2013	Support	01/29/2013 at 08:00
		01/28/2013	Support	Bill requires SOS to publish a primary election voters' pamphlet in even numbered years. Would include Supreme Court and COA elections (per fiscal note). Hearing scheduled for 1/29. Est cost \$1 M. Mellani will sign in pro
HB 1236 5821	Agency decision making Establishing consistent standards for agency decision making. H Govt Acct & Ov - Leg Link	03/01/2013	Watch	
		01/22/2013	Watch	Watch based on workload concerns, specifically Thurston County. Send to associations for review. Other than impact, it's a policy decision that BJA would probably not take a position on.
HB 1266 5046	District judges, retirement Modifying the mandatory retirement provision for district judges. H Judiciary - Leg Link	03/01/2013	Support	H- Judiciary 01/29/2013 at 10:00
HB 1335	State bar association Repealing unnecessary provisions concerning the Washington State Bar Association. H Judiciary - Leg Link	01/28/2013	Watch	Repeals state bar act

HB 1365 5240	Court security Requiring cities and counties to provide security for their courts. H Local Govt - Leg Link	01/26/2013	Support	H- Local Government 02/12/2013 at 13:30 BJA voted to support this bill at the 12/14/12 BJA meeting.
HB 1386	Superior court judges Requiring a superior court judge to be a qualified voter in a county served by the superior court he or she is elected or appointed to. H Judiciary - Leg Link	01/28/2013	Watch	Limits qualification for superior court judge to those eligible to vote in that county. Allows those currently sitting to finish their terms. Watch, but leaning NP as a policy matter.
HB 1389	Crime victims' rights Addressing the rights of crime victims. H Judiciary - Leg Link	01/28/2013	Oppose	Court must inquire whether a victim is present and even if not must read a victims' rights statement. Opposed bill in last two biennia - more appropriate role for prosecutor, court should not be seen in advocacy role. Will impact court time. Creates appearance problem. Legislature should not dictate how courts are run. Focus on fiscal impact.
HB 1474	1497 Top 2 nonpartisan candidates Giving general election voters the power to choose between the top two candidates for nonpartisan offices. C 143 L 13 - Leg Link	01/28/2013	Oppose	02/13/2013 at 13:30 Having to campaign for general election will unnecessarily add to judges' time away from court. Yet another impediment to recruiting good candidates to bench. Would ask judge to testify if there is a hearing - Justice Owens volunteers. Research history of statute. A constitutional amendment would be necessary, at least for superior courts.
HB 1497	Nonconviction records Concerning the use of nonconviction records for employment and housing opportunities. H Judiciary - Leg Link	02/11/2013	No Position	H- Judiciary 02/14/2013 at 13:30 No position. Supportive of goals of legislation to reduce disproportionality but concerned about removing records from the index entirely. Mellani will testify.
		02/04/2013	Refer to Com.	Possible companion to 5341. Refer to SCJA and DMCJA.
HB 1542 SHB 1542 5398	Court interpreter services Concerning the provision of and reimbursement for certain court interpreter services. H subst for - Leg Link	02/19/2013	Request	H- Judiciary 02/12/2013 at 10:00 BJA does not want to amend to add indigency calculation.
		02/11/2013	Request	BJA ok with ODHH technical amendment
		02/04/2013	Request	Referred by SCJA. SCJA has two amendments - cost recovery, which is in existing language, and "at any stage in

				the legal proceeding." Judge Matheson will provide Mellani language and Mellani will talk to the bill sponsor
		03/04/2013	Request	BJA continues to support bill, though amended.
HB 1651 ESHB 1651	Juvenile records access Concerning access to juvenile records. H subst for - Leg Link	02/19/2013	No Position	H- Early Learning & Human Services 02/12/2013 at 13:30
		02/11/2013	No Position	Mellani will testify to address fiscal note as needed.
		02/04/2013	No Position	NP but refer to SCJA and JCA. Mellani should testify regarding cost if it has a fiscal note like the last version and goes to Appropriations.
		01/27/2014	Watch	
HB 1653 5484	Assault in 3rd degree/court Concerning assault in the third degree occurring in areas used in connection with court proceedings. H Apps Gen Govt - Leg Link	02/11/2013	Support	02/12/2013 at 08:00 Support in principle regarding increasing courthouse security. Mellani will sign in pro.
		02/04/2013	Support	Generally supportive of courthouse safety. DMCJA needs to review for language concerns and SCJA needs to review generally.
HB 1771	Unmanned aerial vehicles Establishing standards for the use of public unmanned aircraft systems. H 2nd Reading - Leg Link	02/19/2013	Watch	02/21/2013 at 10:00 Bill, as amended in committee, removes concerning sections about PRA and felony. Reporting requirements are similar to the wiretap reporting requirements.
HB 2024	Attorney general/proceedings Concerning legal proceedings by the attorney general on behalf of state officers. H Rules 3C - Leg Link	04/08/2013	Oppose	04/04/2013 at 13:30 Assume BJA is opposed due to opposition to 5860
HB 2111 5961	Regional transit authorities Concerning the enforcement of regional transit authority fares. H subst for - Leg Link	01/21/2014	Concerns	H- Transportation 01/21/2014 at 15:30
		01/13/2014	Watch	Watch carefully and continue to negotiate toward a solution. An agency by agency approach to infractions would be very disruptive. This bill probably is not written in a way that would accomplish their goal.
HB 2128	Global positioning data Creating a public disclosure exemption for global positioning system data that shows the	01/13/2014	Support	01/15/2014 at 13:30 Mellani will sign in pro but not testify.

	residence of an employee or agent of a criminal justice agency. H Govt Operation - Leg Link			
HB 2131 5981	Mason Co. superior crt judge Increasing the number of superior court judges in Mason county. H Apps Gen Govt & - Leg Link	01/13/2014	-----	H- Judiciary 01/16/2014 at 08:00
		01/12/2014	Request	BJA request legislation. Judges Finlay and Sheldon will testify.
HB 2185 6002	Operating sup budget 2014 Making 2014 supplemental operating appropriations. H Approps - Leg Link	01/12/2014	Support	H- Appropriations 01/13/2014 at 15:30 Sign in pro on governor/judicial branch operating budget AS INTRODUCED at week 1 hearings
HB 2399	Opportunity restoration cert Establishing a certificate of restoration of opportunity. H Public Safety - Leg Link	01/21/2014	Watch	01/31/2014 at 08:00 End result is supportable but language is not ok yet. Judge Warning is working with the sponsor and CLS. Will have new language soon.
		01/21/2014	Under Review	
HB 2497 6249	Indigent defense/cost recrvy Establishing new authority for courts to assess cost recovery fees for costs associated with new indigent defense standards. H Approps - Leg Link	02/03/2014	Watch	H- Judiciary 01/31/2014 at 13:30
		01/21/2014	Watch	State is not bound to spend their portion on criminal justice. Should consider "earmarking" for OPD/appellate defense. What does OPD think of bill?
HB 2525	Supreme court campaigns Providing public funding for supreme court campaigns. H Govt Operation - Leg Link	01/27/2014	Watch	01/31/2014 at 08:00
		01/21/2014	Watch	Stay out of for now. WSBA may wish to weigh in on the funding question.
HB 2556	Therapeutic courts Encouraging the establishment of therapeutic courts. H 2nd Reading - Leg Link	01/27/2014	Support	H- Judiciary 01/31/2014 at 13:30 Judge Snyder and Judge Warning signing in, in support
HB 2601	Municipal court terms Clarifying municipal court terms. H Judiciary - Leg Link	01/21/2014	Support	H- Judiciary 02/04/2014 at 13:30 DMCJA request legislation. BJA voted to support at its 01/17 Board meeting. Mellani will sign in pro unless otherwise instructed.
HB 2750	Write-in candidate's name Allowing a write-in candidate's name to be printed on a general election ballot under certain conditions.	02/03/2014	Watch	02/05/2014 at 13:30

	H Govt Operation - Leg Link			
HJR 4205	Supreme court Requiring that all mandatory, regulatory, licensing, and disciplinary functions regarding the practice of law and administration of justice reside exclusively in the supreme court. H Judiciary - Leg Link	01/28/2013	Watch	Amends constitution to move all attorney regulation to the supreme court, prohibits mandatory bar association, defines what "administration of justice" issues the court may be involved in.
HJR 4207	Superior court judges Amending the state Constitution to modify eligibility requirements for superior court judges. H Judiciary - Leg Link	01/28/2013	Watch	Amends constitution to limit those qualified for superior court judge to those who are eligible to vote in that county. Watch, but leaning NP as a policy matter.
HJR 4209 8203	Searches of students Amending the state Constitution to allow a reasonable suspicion standard in certain searches of students on school grounds. H Judiciary - Leg Link	03/01/2013	No Position	
HR 4619	Justice Vernon R. Pearson Honoring the life work of Justice Vernon R. Pearson. H Adopted - Leg Link	03/11/2013	-----	
SB 5005	City & county fiscal relief Concerning fiscal relief for cities and counties in times of declining revenues. S Govt Ops - Leg Link	01/14/2013	Watch	Referred by DMCJA. Refer to SCJA. Concerns about impact to problem solving courts; drug court assn opposed. Review impact to Trial Court Improvement funds.
SB 5020	Indigent defense Modifying indigent defense provisions. S 2nd Reading - Leg Link	01/21/2014	Watch	01/21/2013 at 13:30 Send to clerks for review of promissory note section. Ask for OPD reaction.
		01/22/2013	Watch	
		01/14/2013	Under Review	Referred by DMCJA. Refer to SCJA. BJA review on 1/22. Questions about execution and enforcement of promissory notes, existing law. By removing presumptive eligibility based on receiving assistance, there is no longer a bright line standard. This may lead to more individualized reviews or determinations of indigency by judicial officers, which is a work load concern. Judges prefer to require reimbursement of defense costs post-adjudication, when appropriate.

SB 5023	College DUI courts Providing for college DUI courts. S Law & Justice - Leg Link	01/14/2013	Concerns	01/18/2013 at 08:00 DMCJA has concerns because independent muni courts can't offer the service and may testify on that issue. BJA does not necessarily support or oppose but does not concede that courts need the authority to create specialty courts.
SB 5046 1266	District judges, retirement Modifying the mandatory retirement provision for district judges. C 22 L 13 - Leg Link	03/01/2013	Support	01/16/2013 at 13:30
		01/14/2013	Support	Hearing: Law & Justice Committee, 1.16.13 @ 1:30 p.m.
SB 5052 1159	Superior crt judges/Whatcom Increasing the number of superior court judges in Whatcom county. C 210 L 13 - Leg Link	01/16/2013	Request	01/23/2013 at 13:30
SB 5069 1175	Judges/Benton & Franklin co. Increasing the number of superior court judges in Benton and Franklin counties jointly. S Rules X - Leg Link	01/22/2013	Request	01/23/2013 at 13:30
SB 5156	Abortion/notifying parent Requiring notification to parents or guardians in cases of abortion. S Rules 2 - Leg Link	01/28/2013	Watch	02/06/2013 at 13:30 Directs the supreme court to establish rules. "Court must..."
SB 5165	Superior court commissioners Increasing the authority of superior court commissioners to hear and determine certain matters. S subst for - Leg Link	01/22/2013	Support	02/01/2013 at 08:00 BJA will support unless otherwise advised from the associations. SCJA will take the lead on this bill. Pierce and King County judges have indicated support.
SB 5240 1365	Court security Requiring cities and counties to provide security for their courts. S Law & Justice - Leg Link	01/26/2013	Support	BJA voted to support this bill at the 12/14/12 BJA meeting.
SB 5277	Elections Reducing costs and inefficiencies in elections. S Govt Ops - Leg Link	02/04/2013	Oppose	02/05/2013 at 10:00 Oppose section 6. Increased time away from bench and increased cost to candidates. How does this change square with the constitution and RCW 29A.36.171? Someone will testify.
SB 5308	Sexually exploited children Establishing the commercially sexually exploited children statewide coordinating committee. S subst for - Leg Link	01/26/2013	Reviewed	S - Human Services & Corrections 02/04/2013 at 10:00 Creates a task force on which an AOC rep is included

SB 5341	Nonconviction records Concerning the use of nonconviction records for employment and housing opportunities. S Law & Justice - Leg Link	02/11/2013	No Position	No position - see note for 1497.
		02/04/2013	Refer to Com.	DMCJA and SCJA need to review.
		01/28/2013	Refer to Com.	Refer to DD Committee. Additional BJA review on 2/4.
SB 5398 1542	Court interpreter services Concerning the provision of and reimbursement for certain court interpreter services. S Law & Justice - Leg Link	03/04/2013	Request	02/04/2013 at 13:30 BJA continues to support bill, though amended.
		02/19/2013	Request	BJA does not want to amend to add indigency calculation.
		02/11/2013	Request	BJA ok with ODHH technical amendment
		02/04/2013	Request	Referred by SCJA. SCJA has two amendments - cost recovery, which is in existing language, and "at any stage in the legal proceeding." Judge Matheson will provide Mellani language and Mellani will talk to the bill sponsor
		01/28/2013	Request	
SB 5484 1653	Assault in 3rd degree/court Concerning assault in the third degree occurring in areas used in connection with court proceedings. S 2nd Reading - Leg Link	02/11/2013	Support	02/15/2013 at 08:00 Support in principle regarding increasing courthouse security. Mellani will sign in pro.
		02/04/2013	Support	Generally supportive of courthouse safety. DMCJA needs to review for language concerns and SCJA needs to review generally.
SSB 5637 1211	Voters' pamphlets, primaries Concerning primary election voters' pamphlets. S Rules X - Leg Link	03/01/2013	Support	02/19/2013 at 10:00
SB 5689	Juvenile records access Concerning access to juvenile records. S Rules X - Leg Link	02/19/2013	No Position	S - Human Services & Corrections 02/19/2013 at 10:00
		02/11/2013	No Position	Mellani will testify regarding fiscal note as needed.
SB 5782	Unmanned aerial vehicles Establishing standards for the use of public unmanned aircraft systems. S Law & Justice - Leg Link	02/19/2013	Watch	02/20/2013 at 13:30 Concerns re section 13 (felony) and 19 (PRA). Amended House bill addresses those concerns (HB 1771)
SB 5797	Specialty and therap. courts Encouraging the establishment of effective specialty courts. (REVISED FOR PASSED LEGISLATURE: Encouraging the establishment of effective specialty and therapeutic courts.) C 257 L 13 - Leg Link	01/27/2014	-----	02/20/2013 at 13:30
		02/19/2013	Support	Judge Snyder to testify in support. Will note definitional concern.

SB 5821 1236	Agency decision making Establishing consistent standards for agency decision making. S Govt Ops - Leg Link	03/01/2013	Watch	01/21/2014 at 10:00
SB 5860	Attorney general Addressing legal proceedings by the attorney general on behalf of superior court judges. S 2nd Reading - Leg Link	03/04/2013	Oppose	S - Ways & Means 02/28/2013 at 13:30
SB 5867	State supreme court judges Modifying the number of judges on the state supreme court. S Law & Justice - Leg Link	03/11/2013	-----	
SB 5961 2111	Regional transit authorities Concerning the enforcement of regional transit authority fares. S Transportation - Leg Link	01/21/2014	Concerns	S - Transportation 01/22/2014 at 15:30
		01/13/2014	Watch	Watch carefully and continue to negotiate toward a solution. An agency by agency approach to infractions would be very disruptive. This bill probably is not written in a way that would accomplish their goal.
SB 5981 2131	Mason Co. superior crt judge Increasing the number of superior court judges in Mason county. H Judiciary - Leg Link	01/13/2014	-----	01/15/2014 at 13:30
		01/12/2014	Request	BJA request legislation. Judges Finlay and Sheldon will testify.
SB 6002 2185	Operating sup budget 2014 Making 2014 supplemental operating appropriations. S Ways & Means - Leg Link	01/12/2014	Support	S - Ways & Means 01/15/2014 at 15:30 Sign in pro on governor/judicial branch operating budget AS INTRODUCED at week 1 hearings
SB 6012	Judicial members, state bar Prohibiting the state bar association from charging fees to judicial members. S Rules 2 - Leg Link	01/13/2014	Watch	01/13/2014 at 13:30 Monitor closely and may consider reevaluating position if the bill progresses through the system.
SB 6088	State supreme court size Reducing the size of the state supreme court. S Rules 2 - Leg Link	01/21/2014	Watch	01/22/2014 at 13:30 Dirk will testify regarding 1996 commission
SB 6245	Role of parties in cases Concerning the role of parties in cases related to certain notices and records. S Rules 2 - Leg Link	02/03/2014	Watch	02/03/2014 at 13:30
SB 6249 2497	Indigent defense/cost recvry	02/03/2014	Watch	02/05/2014 at 13:30

	Establishing new authority for courts to assess cost recovery fees for costs associated with new indigent defense standards. S Ways & Means - Leg Link	01/21/2014	Watch	State is not bound to spend their portion on criminal justice. Should consider "earmarking" for OPD/appellate defense. What does OPD think of bill?
SB 6260 2707	Parks, rec, & nat. resources Concerning state parks, recreation, and natural resources fiscal matters. S Ways & Means - Leg Link	01/21/2014	No Position	DMCJA request
SB 6305	Elected officials retirement Creating a defined contribution retirement plan option for elected officials. S Rules 2 - Leg Link	02/03/2014	Oppose	S - Ways & Means 01/27/2014 at 15:30 BJA decided that they oppose both bills but will not use any public resources (including AOC staff time) on them.
SB 6403	Juvenile offender records Concerning the availability of juvenile offender court records. S HumServ/Corr - Leg Link	01/27/2014	Watch	
SB 6459	Retirement/elected service Defining the compensation used for calculating retirement benefits for elected service. S Rules 2 - Leg Link	02/03/2014	Oppose	S - Ways & Means 02/03/2014 at 15:30 BJA decided that they oppose both bills but will not use any public resources (including AOC staff time) on them.
SJR 8203 4209	Searches of students Amending the state Constitution to allow a reasonable suspicion standard in certain searches of students on school grounds. S Law & Justice - Leg Link	03/01/2013	No Position	01/25/2013 at 08:00
		01/22/2013	No Position	Referred by DMCJA as an FYI.
SJR 8215	Superior court judges Amending the state Constitution so that only persons who are qualified voters in a county are elected or appointed to the office of judge of the superior court for that county. S Rules 2 - Leg Link	01/27/2014	No Position	01/31/2014 at 08:00

Tab 6

BOARD FOR JUDICIAL ADMINISTRATION RULES (BJAR)

TABLE OF RULES

Rule

Preamble

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

BJAR
PREAMBLE

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

[Adopted effective January 25, 2000.]

BJAR 1
BOARD FOR JUDICIAL ADMINISTRATION

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

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

BJAR 2
COMPOSITION

- (a) Membership. The Board for Judicial Administration shall consist of judges from all levels of court selected for their demonstrated interest in and commitment to judicial administration and court improvement. The Board shall consist of five members from the appellate courts (two from the Supreme Court, one of whom shall be the Chief Justice, and one from each division of the Court of Appeals), five members from the superior courts, one of whom shall be the President of the Superior Court Judges' Association, five members of the courts of limited jurisdiction, one of whom shall be the President of the District and Municipal Court Judges' Association, two members of the Washington State Bar Association (non-voting) and the Administrator for the Courts (non-voting).
- (b) Selection. Members shall be selected based upon a process established by their respective associations or court level which considers demonstrated commitment to improving the courts, racial and gender diversity as well as geographic and caseload differences.
- (c) Terms of Office.

(1) Of the members first appointed, one justice of the Supreme Court shall be appointed for a two-year term; one judge from each of the other levels of court for a four-year term; one judge from each of the other levels of court and one Washington State Bar Association member for a three-year term; one judge from the other levels of court and one Washington State Bar Association member for a two-year term; and one judge from each level of trial court for a one-year term. Provided that the terms of the District and Municipal Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2011 shall be for two years and the terms of the Superior Court Judges' Association members whose terms begin on July 1, 2010 and July 1, 2013 shall be for two years each. Thereafter, voting members shall serve four-year terms and the Washington State Bar Association members for three-year terms commencing annually on June 1. The Chief Justice, the President Judges and the Administrator for the Courts shall serve during tenure.

(2) Members serving on the BJA shall be granted equivalent pro tempore time.

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

BJAR 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.

[Adopted effective January 25, 2000.]

BJAR 4
DUTIES

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

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

(c) The Board shall develop a funding strategy for the

judiciary consistent with the long-range plan and RCW 43.135.060;

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

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

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

[Adopted effective January 25, 2000.]

BJAR 5
STAFF

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

[Adopted effective January 25, 2000.]



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BOARD FOR JUDICIAL ADMINISTRATION BYLAWS

ARTICLE I

Purpose

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

ARTICLE II

Membership

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

ARTICLE III

Officers and Representatives

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

ARTICLE IV

Duties of Officers

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

ARTICLE V

Vacancies

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

ARTICLE VI **Committees**

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

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

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

ARTICLE VII **Executive Committee**

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

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

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

ARTICLE VIII **Regular Meetings**

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

ARTICLE IX **Special Meetings**

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

ARTICLE X **Quorum**

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

ARTICLE XI **Voting**

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

ARTICLE XII **Amendments and Repeal of Bylaws**

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

Approved for Circulation--7/27/87
Amended 1/21/00
Amended 9/13/00
Amended 5/17/02
Amended 5/16/03
Amended 10/21/05
Amended 03/16/07

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BOARD FOR JUDICIAL ADMINISTRATION

PROCESS AND GUIDELINES FOR RESOLUTION REQUESTS

The Board for Judicial Administration (Board) was established to adopt policies and provide strategic leadership for the courts at large, enabling the Washington State judiciary to speak with one voice. To fulfill these objectives, the BJA may consider adopting resolutions on substantive topics relating to the administration of justice.

Resolutions may be aspirational in nature, support a particular position, or serve as a call to action. Resolutions may support funding requests, but do not stand alone as a statement of funding priorities or indicate an intent by the Board to proactively seek funding. Resolutions are not long-term policy statements and their adoption does not establish the Board's work plan or priorities.

The absence of a Resolution on a particular subject does not indicate a lack of interest or concern by the Board in regard to a particular subject or issue.

In determining whether to adopt a proposed resolution, the Board shall give consideration to the following:

- Whether the Resolution advances the Principal Policy Objectives of the Judicial Branch.
- The relation of the Resolution to priorities delineated in existing strategic and long range plans.
- The availability of resources necessary to properly act upon the resolution.
- The need to ensure the importance of resolutions adopted by the Board is not diluted by the adoption of large numbers of resolutions.

In order to ensure timely and thorough consideration of proposed resolutions, the following guidelines regarding procedure, form and content are to be followed:

- Resolutions may be proposed by any Board member. The requestor shall submit the resolution, in writing, with a request form containing a brief statement of purpose and explanation, to the Associate Director of the Board for Judicial Administration.
- Resolutions should not be more than two pages in length. An appropriate balance must be struck between background information and a clear statement of action. Traditional resolution format should be followed. Resolutions should cover only a single subject unless there is a clear and specific reason to include more than one subject. Resolutions must be short-term and stated in precise language.

- Resolutions must include a specific expiration date or will automatically expire in five years. Resolutions will not be automatically reviewed upon expiration of their term, but may be reviewed upon request for reauthorization. Resolutions may be terminated prior to their expiration date as determined by the Board.
- The Associate Director shall refer properly submitted resolutions to appropriate staff, and/or to an appropriate standing committee (or committees) for review and recommendation, or directly to the Board's Executive Committee, as appropriate. Review by the Board's Executive Committee will precede review by the full Board membership. Such review may be done via e-mail communication rather than in-person discussion when practical. Resolutions may be reviewed for style and content. Suggestions and comments will be reported back to the initiating requestor as appropriate.
- The report and recommendation of the Executive Committee shall be presented to the BJA membership at the next reasonably available meeting, at which time the resolution may be considered. Action on the proposed resolution will be taken in accordance with the BJAR and bylaws. The Board may approve or reject proposed resolutions and may make substantive changes to the resolutions.
- Approved resolutions will be numbered, maintained on the Board for Judicial Administration section of the Washington Courts website, and disseminated as determined by the Board for Judicial Administration.

**PRINCIPAL POLICY OBJECTIVES
OF THE WASHINGTON STATE JUDICIAL BRANCH**

1. **Fair and Effective Administration of Justice in All Civil and Criminal Cases.** Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.
2. **Accessibility.** Washington courts, court facilities and court systems will be open and accessible to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.
3. **Access to Necessary Representation.** Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.
4. **Commitment to Effective Court Management.** Washington courts will employ and maintain systems and practices that enhance effective court management.
5. **Appropriate Staffing and Support.** Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.

BOARD FOR JUDICIAL ADMINISTRATION

RESOLUTION REQUEST COVER SHEET

(INSERT PROPOSED RESOLUTION TITLE HERE)

SUBMITTED BY: (INSERT NAME HERE)

(1) **Name(s) of Proponent(s):**

(2) **Spokesperson(s):** (List who will address the BJA and their contact information.)

(3) **Purpose:** (State succinctly what the resolution seeks to accomplish.)

(4) **Desired Result:** (Please state what action(s) would be taken as a result of this resolution and which party/-ies would be taking action.)

(5) **Expedited Consideration:** (Please state whether expedited consideration is requested and, if so, please explain the need to expedite consideration.)

(6) **Supporting Material:** (Please list and attach all supporting documents.)