

BOARD FOR JUDICIAL ADMINISTRATION



**WASHINGTON
COURTS**

MEETING PACKET

**FRIDAY, JULY 18, 2014
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 Kevin Ringus, Member Chair
District and Municipal Court Judges' Association
Fife Municipal Court

Judge Veronica Alicea-Galvan, President
District and Municipal Court Judges' Association
Skagit County District Court

Judge Thomas Bjorgen
Court of Appeals, Division II

Judge Bryan Chushcoff
Superior Court Judges' Association
Pierce 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 Michael Lambo
District and Municipal Court Judges' Association
Kirkland Municipal Court

Judge John Meyer
Superior Court Judges' Association
Skagit County Superior Court

Judge Sean Patrick O'Donnell
Superior Court Judges' Association
King County Superior Court

Justice Susan Owens
Supreme Court

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

Judge Ann Schindler
Court of Appeals, Division I

Judge Laurel Siddoway
Court of Appeals, Division III

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

NON-VOTING MEMBERS:

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

Judge Harold Clarke III, President-Elect
Superior Court Judges' Association
Spokane County Superior Court

Ms. Callie Dietz
State Court Administrator

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

Judge Kevin Korsmo
Presiding Chief Judge
Court of Appeals, Division III

Ms. Paula Littlewood, Executive Director
Washington State Bar Association

Mr. Patrick Palace, President
Washington State Bar Association



Board for Judicial Administration (BJA) Meeting
Friday, July 18, 2014 (9 a.m. – Noon)
 AOC SeaTac Office, 18000 International Blvd., Suite 1106, SeaTac

AGENDA

1. Call to Order	Chief Justice Barbara Madsen Judge Kevin Ringus	9:00 a.m.
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2. Welcome and Introductions	Chief Justice Barbara Madsen Judge Kevin Ringus	9:00 a.m.
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Action Items

3. June 20 Meeting Minutes Action: Motion to approve the minutes of the May 16, 2014 meeting	Chief Justice Barbara Madsen Judge Kevin Ringus	9:05 a.m. Tab 1 Page 6
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4. GR 31.1 Forms Action: Approve the GR 31.1 model forms that have been created	Mr. John Bell	9:10 a.m. Tab 2 Page 12
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5. BJA Standing Committee Charters Action: Motion to approve the Budget and Funding Committee charter	Judge Ann Schindler	9:20 a.m. Tab 3 Page 34
Action: Motion to approve the Court Education Committee charter	Judge Judy Rae Jasprica	
Action: Motion to approve the Legislative Committee charter	Judge Scott Sparks	
Action: Motion to approve the Policy and Planning Committee charter	Judge Kevin Ringus	

Reports and Information

6. Standing Committee Budget Requests	Ms. Shannon Hinchcliffe	9:50 a.m. Tab 4 Page 60
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Break	10:30 a.m.
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7. Other BJA Committee Recommendations	Ms. Shannon Hinchcliffe	10:45 a.m. Tab 5 Page 64
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8. Public Disclosure Commission Discussion	Judge Samuel Meyer	11:15 a.m. Tab 6 Page 85
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9. Administrative Manager's Report	Ms. Shannon Hinchcliffe	11:45 a.m. Tab 7 Page 103
10. Other Business Next meeting: August 15 AOC SeaTac Office, SeaTac	Chief Justice Barbara Madsen Judge Kevin Ringus	11:55 a.m.
11. 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, June 20, 2014 (9 a.m. – Noon)

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

MEETING MINUTES

BJA Members Present:

Judge Kevin Ringus, Member Chair
Judge Veronica Alicea-Galvan
Judge Harold Clarke III
Ms. Callie Dietz
Judge Janet Garrow
Judge Jill Johanson (by phone)
Judge Linda Krese
Judge Michael Lambo
Ms. Paula Littlewood
Judge John Meyer (by phone)
Judge Sean O'Donnell
Justice Susan Owens
Mr. Patrick Palace
Judge Jeffrey Ramsdell
Judge Ann Schindler
Judge Laurel Siddoway (by phone)
Judge Scott Sparks
Judge David Steiner

Guests Present:

Mr. Jim Bamberger
Judge Thomas Bjorgen
Judge Bryan Chushcoff
Ms. Suzanne Elsner
Justice Mary Fairhurst
Mr. Michael Fenton
Ms. Ruth Gordon
Mr. Paul Sherfey (by phone)

Public Present:

Mr. Tom Goldsmith

AOC Staff Present:

Mr. John Bell
Mr. David Elliott
Ms. Beth Flynn
Mr. Steve Henley
Ms. Shannon Hinchcliffe
Ms. Renée Lewis
Mr. Dirk Marler

BJA Public Trust and Confidence Committee Video

Justice Fairhurst reported that the BJA Public Trust and Confidence Committee created a video, in conjunction with TVW, regarding myths and misperceptions about the Washington Courts (http://www.youtube.com/watch?v=mMj3_vdLjJ4). They reviewed issues identified on surveys to determine what topics to include in the video and they actually spoke with people on the street in the video.

GR 31.1 Report

Mr. Bell presented what he said is the first batch of many model forms the BJA will be receiving regarding GR 31.1. He asked that the BJA review the forms as model policies, not policies that will be set in stone. They will go to courts and judicial branch agencies and can be adapted to how the courts/agencies operate. The GR 31.1 Implementation Committee hopes to have everything completed by the end of the year and have training by the first part of next year. They would like GR 31.1 to become effective by June 2015. The model forms for review are:

- Internal Administrative Records Policy
- Obtaining Administrative Records

- Request for Inspection
- Response to Request
- Tracking Log
- Invoice

Please review the model forms and they will be on the July BJA meeting agenda for approval. If you have questions, contact Mr. Bell.

There was a question regarding how these forms are being vetted through the various associations and it was explained that each association has a representative on at least one of the various GR 31.1 workgroups that are reviewing the forms.

Minutes

It was moved by Judge Ramsdell and seconded by Judge Garrow to approve the May 16, 2014 BJA meeting minutes. The motion carried.

Misdemeanant Corrections Budget Request

Ms. Dietz stated that during the May meeting, it was suggested that this could possibly be funded through the Justice Reinvestment Taskforce. Ms. Dietz said that the Chief Justice requested that the Governor appoint a member of the District and Municipal Court Judges' Association (DMCJA) and a jail manager to the Justice Reinvestment Taskforce.

Judge Alicea-Galvan reported that for the Misdemeanant Corrections funding request the Administrative Office of the Courts (AOC) would design the grant criteria and within that, determine how best to measure success. The Adult Static Risk Assessment (ASRA) is not essential but it is one of the tools that can be used. If the ASRA is not used, a proposal needs to be included in the court's funding request regarding how to engage in these activities. The FTE will be an AOC employee.

The intent, and the hope is, that if courts can intervene at this level, it will help with recidivism and courts will have the tools to determine if it is working.

Judge Alicia Galvan moved and Judge Ramsdell seconded to move this budget request forward. The motion carried with Judge Sparks and Judge Johanson opposed and Judge Garrow and Justice Owens abstaining.

Budget Request Prioritization

Ms. Lewis stated that this is an opportunity to review, discuss and prioritize the budget requests. Each voting BJA member needs to complete the prioritization sheets before the break and they will be tallied during the break. The June revenue forecast was released and has increased a small amount but there continues to be a slow economic recovery.

The following were discussed:

- How does the Supreme Court evaluate the budget requests? The state budget situation is taken into consideration and all information regarding a budget request is evaluated.
- Is there any further budget information regarding the salary increase? The salary survey is in process and will take about five months total. At this point in time it is unknown how the salary survey will turn out and there is no way to estimate a budget amount without the results of the salary survey.
- It would be helpful to know if there is a protocol or a set list of items appropriate for this process.

The BJA prioritized the budget requests in the following order:

1. Trial Court Funding for Language Access
2. Employee Salary Adjustment
3. Telephonic Interpreting
4. CASA Restoration and State CASA Funding
5. Family and Juvenile Court Improvement Program (FJCIP) Expansion
6. Juvenile Court and Juvenile Detention Alternatives Initiative (JDAI) Staff
7. Misdemeanant Corrections

The Supreme Court Budget Committee meets on July 14 and 30. The budget is due to the Legislature in early October.

Interim Standing Committee Charters

Budget and Funding Committee: Judge Krese reported that the BJA Interim Budget and Funding Committee took the approach of wanting their charter to be short and simple and set forth its area of responsibility. They want to coordinate efforts for long-term funding and review and make recommendations regarding BJA budget requests. They also want to make sure the Committee uses the mission, core functions and Principal Policy Goals of the Washington State Judicial Branch as criteria for budget requests. All budget requests would be funneled through the Budget and Funding Committee. When the requests make it to the full BJA they will be in a complete package.

The Budget and Funding Committee is recommending that the Trial Court Operations Funding Committee (TCOFC) be abolished and consideration is being given to have the Trial Court Advocacy Board (TCAB) serve in that function to review initial requests and screen them with their recommendations coming to the Budget and Funding Committee.

Court Education Committee: Justice Owens stated that the Court Education Committee fine-tuned their proposal and included additional members. The Board for Court Education (BCE) wants to meet with the Interim Court Education Committee to discuss some concerns they have with the charter and discuss the transition from the BCE to the Court Education Committee.

Legislative Committee: Judge Sparks reported that the Legislative Committee's charter is ready for approval.

Policy and Planning Committee: Judge Ringus stated that the Policy and Planning Committee will solicit campaign initiatives and vet them through the Committee and submit recommendations to the full BJA to determine which item(s) to sponsor. The Committee will also prioritize campaigns.

They have talked to the BJA Best Practices Committee Chair and discussed a transition plan. The Policy and Planning Committee's recommendation will likely be that the Best Practices Committee in its current form should wrap up their work to date and publish it in a meaningful way.

The charters will be on the July BJA meeting agenda for action.

Court Reform and Regional Courts Report

Ms. Hinchcliffe stated that a report regarding the history of regional courts was requested last September by the BJA Chair and the request followed a National Center for State Courts study that the BJA reviewed last year. A history of Washington State's regionalization reforms is outlined in the report: *Court Reform and Regional Courts: A Review and Analysis of Reform Efforts in Washington's Courts of Limited Jurisdiction*.

One thing requested to be included in the report were the concerns of the courts of limited jurisdiction (see page 4 of the report). There were a number of them and they ebb and flow and shift over time. There was no consensus of what the main concern is because it varied depending on who was asked. Everyone had a different answer to that question. The likelihood of success in implementing a top down approach regarding regional courts reform is low because of a lack of funding and political momentum.

A range of next steps were listed (beginning on page 9) for the BJA's consideration.

Judge Garrow thanked Ms. Hinchcliffe and Mr. Henley for pulling all of this together. It is invaluable, especially for members of the BJA, to know the history and what has been identified. It will inform the BJA's decisions as they work on this.

Judge Lambo moved and Judge Ramsdell seconded to table the report. The motion carried.

BJA Administrative Manager's Report

Ms. Hinchcliffe reported that the Supreme Court signed the order to amend BJAR 3 effective September 1. A copy of the order was included in the meeting materials. Also included in the meeting materials are copies of letters sent to members of the US Senate and Congress regarding Senate Bill 445 – Local Courthouse Safety Act. They are a refresh of previous requests to sponsor the bill.

Ms. Hinchcliffe will be checking in with committee chairs and staff later this month regarding committee charters. They were contacted a few months ago asking for their charters which was one of the recommendations of the BJA Committee Unification Workgroup. The charters that have been received will be included in a future BJA meeting packet.

Other Business

Judge Ringus thanked Judge Johanson and Judge Krese for their service to the BJA.

Judge Ramsdell moved and it was seconded to adjourn the meeting. The motion carried.

Recap of Motions from the June 20, 2014 meeting

Motion Summary	Status
Approve the May 16, 2014 BJA meeting minutes	Passed
Move the misdemeanor corrections budget request forward	Passed with Judges Sparks and Johanson opposed and Judge Garrow and Justice Owens abstaining.
Move to table the Court Reform and Regional Courts Report	Passed

Action Items from the June 20, 2014 meeting

Action Item	Status
<u>May 16, 2014 BJA Meeting Minutes</u> <ul style="list-style-type: none"> • Post the minutes online • Send minutes to the Supreme Court for inclusion in the En Banc meeting materials 	Done Done
<u>GR 31.1 Report</u> <ul style="list-style-type: none"> • Add as an action item to July BJA meeting agenda 	Done
<u>Budget Prioritization</u> <ul style="list-style-type: none"> • Notify budget requestors of the outcome 	MSD is responsible for this
<u>Interim Standing Committee Charters</u> <ul style="list-style-type: none"> • Add as action item to the July BJA meeting agenda 	Done
<u>BJA Administrative Manager's Report</u> <ul style="list-style-type: none"> • Add committee charters received so far to the July BJA meeting agenda 	Done

Tab 2

June 16, 2014

TO: Board of Judicial Administration
FROM: John Bell
RE: GR 31.1 Forms and Policies

Accompanying this memo are six documents that have been developed by the GR 31.1 Core Work Group and subsequently reviewed and edited by the Executive Oversight Committee and the BJA Implementation Oversight Committee. Three of these documents were also sent to the External Work Group to review for usability by the public. The six documents are:

1. Internal Administrative Records Policy
2. Obtaining Administrative Records
3. Request for Inspection
4. Response to Request
5. Tracking Log
6. Invoice

ADMINISTRATIVE RECORDS REQUESTS - PROCEDURES

I. POLICY STATEMENT:

The Court/Judicial Agency shall respond promptly to all administrative records requests.

This shall be done in accordance with both the letter and the spirit of the General Rule 31.1 (GR 31.1 Access to Administrative Records) and case law related to the disclosure of administrative judicial records.

A. Overview

This policy sets forth the process by which the judicial branch handles administrative records requests. Information for members of the public interested in filing a request for administrative records is contained in GR 31.1 and the public policy contained at www.courts.wa.gov.

B. Staffing of Administrative Records Requests

Each court or judicial agency shall have a designated public records officer and, if possible, one backup that is responsible for processing all administrative record requests for the court or judicial agency. A court's Public Records Officer shall report to the Presiding Judge or the Presiding Judge's designate. The judicial agency's Public Records Officer should report to the agency's Director or the Director's designate.

C. Processing of Records Requests

1. Distribution of Requests and Preservation of Records

The public records officer will determine which employees may have records responsive to the request and email the text of the request, or a summary, to the appropriate staff, setting a time for response and ensure that any records potentially responsive to the request will not be destroyed pending the processing of the request.

2. Searching for Responsive Documents

Each employee contacted shall either (1) indicate that he or she has no responsive documents; (2) indicate that he or she has responsive documents and provide them; (3) specify a reasonable time within which he or she can search for the records and provide a more thorough response; or (4) describe how the request should be clarified. If the employee has responsive documents, he or she should provide them to the Public Records Officer, and, if documents are exempt (or may be exempt) from public disclosure, provide a summary of why the documents are or may be exempt, with specific reference to the provision of GR 31.1, state or federal law that is the basis for the exemption. In the event it is difficult to produce copies of the responsive documents, either because of their size or format or because they are numerous, the employee should contact the Public Records Officer to determine whether there are options to producing copies. The Public Records Officer shall ensure that records of former staff members also are searched for requested information.

The staff shall assemble the individual responses and provide a consolidated response to Public Records Officer. If applicable, the Public Records Officer shall also ensure that records of former staff members were searched for the requested information.

3. Providing Response to the Requestor

The Public Records Officer shall respond to the requestor within five business days after receiving the request by: (1) providing responsive documents along with a statement of why any documents are exempt from disclosure; (2) providing a date by which responsive documents will be provided; or (3) requesting clarification of the request. The Public Records Officer will make every effort to work with the requestor to clarify the request and to provide responsive documents. Upon request, the Public Records Officer will provide a copy of any public records responses to the organizational unit that participated in providing documents, noting if a protective order precludes disclosure of any documents.

4. Protective Orders

If any employee becomes aware of a court order that limits the disclosure of any administrative records, he or she should communicate the substance of such order, and provide a copy of the order to the Public Records Officer. Likewise, if the Public Records Officer is aware of any court order requiring the disclosure, nondisclosure, or preservation of any administrative records the Public Records Officer will notify the staff in possession of the requested information.

5. Requests Received by Division Employees

On occasion a requestor may direct a request for identifiable documents to a specific employee, court, or judicial agency. In the event that an employee receives a public records request, the employee shall indicate to the requestor that they are not the designated person to receive public records requests. Employees should direct requestors to submit their request to the designated Public Records Officer, provide the contact information for the Public Records Officer to the requestor, and alert the Public Records Officer to expect a records request.

6. Electronic Records

The Public Records Officer will work with the requestor to determine the appropriate format for providing responsive records. If records are requested with metadata intact, the Public Records Officer will work with the appropriate Information Technology Department (IT) to provide records in native format to the extent possible. If the request is for records that can best be provided through customized access to electronic records, the Public Records Officer shall work with the necessary staff that have responsive documents to determine the appropriate means of response.

7. Tracking Public Records Requests

The Public Records Officer shall track public records requests and their related communications with requestors by logging all requests, responses, exemptions, and other communication regarding the requests.

II. RESPONSIBILITIES:

- A. All courts and judicial agencies** must make every effort to comply with the letter and spirit of GR 31.1 and respond by the due date as provided by the Public Records Officer.
- B. The Public Records Officer** shall coordinate the overall public records process, work with requestors to clarify requests, forward requests to judicial officers, judicial staff, or judicial agency employees, provide timely responses to requestors, and track all requests, exemptions, and responses.
- C. Court or judicial branch staff** shall promptly forward administrative records requests received from the Public Records Officer to appropriate staff members, ensure that those staff members make a diligent search for responsive records in a timely manner, ensure that requested records are not destroyed pending any request for them, and timely provide division responses to the Public Records Officer.
- D. The Court or Judicial Agency's Information Services Division** shall work with the Public Records Officer in responding to requests for electronic records and assist in providing customized access to electronic records where appropriate.

OBTAINING JUDICIAL BRANCH ADMINISTRATIVE RECORDS

The Washington State Courts and judicial branch agencies would like to assist you in understanding the court rule governing access to judicial branch administrative records, as well as the process for obtaining those records.

We provide this information as a guide. This is not a legal document and creates no legal rights of action beyond those established in the court rules and procedures outlined below.

The Supreme Court has adopted a rule regarding inspection and copying of judicial branch administrative records. This is General Court Rule 31.1 (GR 31.1). GR 31.1 represents the commitment of the judicial branch to the open administration of justice as provided in article I, section 10 of the Washington State Constitution. It is the policy of the judicial branch to facilitate access to administrative records; however, there are some exemptions and limitations that may apply to administrative records requests.

This is an overview of your right to access judicial administrative records. If you need more specific information, you should refer to GR 31.1.

What Is A Judicial Branch Administrative Record?

A judicial branch “administrative record” is a public record created by or maintained by a court or judicial branch agency that is related to the management, supervision, or administration of the court or judicial branch agency.

A court or judicial branch agency includes:

- The Washington State Supreme Court
- The three Divisions of the Washington Court of Appeals
- County Superior and District Courts
- Municipal Courts
- Administrative and Clerks’ Offices of the above courts
- Any other state judicial branch entity identified in GR 31.1(k)

The record may be in a variety of forms such as:

- A written document
- An audio or video recording
- A picture
- An electronic disk
- A magnetic tape
- An e-mail message

Court Records (Case Records) and Chambers Records are not Administrative Records.

Court records (or case records) are not administrative records and access to those records are subject to different rules, policies, and forms. Court records are records that relate to in-court proceedings, such as case files, dockets, and calendars. Public access to these records is governed by General Court Rule 31 ([GR 31](#)).

“Chambers records” are not administrative records. Chambers records are controlled and maintained by a judge’s chambers and they are not open to public access.

What Administrative Records Are Available for Inspection?

Unless specifically exempted under court rule, statute or case law, all administrative records maintained by a court, court clerk’s office, court administrative office, or other judicial branch entity are available for public inspection. You are entitled access to administrative records under reasonable conditions, and to obtain copies of those records upon paying the costs of researching, copying, and/or scanning the records. The public records officer involved in reviewing your request may ask for specific or clarifying information in order to ensure that it is responded to properly.

Exempt Administrative Records

While the state judiciary strongly encourages disclosure of administrative records, certain information may be withheld if prohibited under GR 31.1, other court rules, federal statutes, state statutes, court orders, or case law. These “exemptions” are listed in GR 31.1. If the exemption is unclear, the judicial branch records officer will look to relevant exemptions listed in the [Public Records Act \(RCW 42.56\) for guidance](#). Exemptions listed beyond those in GR 31.1 exist and may be found elsewhere in Washington state law and federal law.

Many of the exemptions are designed to protect the privacy rights of individuals. Other exemptions are designed to protect the independent decision-making of the courts and the judicial branch agencies that assist them.

We encourage you to consult with the court or judicial branch agency’s public records officer to determine whether the court documents you seek are publicly accessible or exempt from public view.

Although part of a record may be exempt from public view that does not mean the entire administrative record is exempt. In those cases, the court or judicial branch agency has the obligation to redact (black out) the information it believes is not subject to disclosure and provide you the rest.

If you are denied access to all or part of a judicial administrative record, the court or judicial branch agency must document why it believes denial is justified and offer you the opportunity to seek review of the decision not to make the records available.

A Court or Judicial Agency Is Not Required to Create Records

While in general, a court or judicial branch agency must provide access to existing administrative records in its possession, a court or judicial agency is not required to collect or organize information to create a record that does not exist at the time of the request.

How to Request Records

A request for administrative records must be in writing and the request can be initiated in person, by mail, e-mail or fax. The addresses and telephone numbers of courts and judicial branch agencies are listed in most current telephone directories, or you can obtain the telephone number of a court or branch judicial agency by calling the Washington State Administrative Office of the Courts at 360-753-3365, Monday through Friday, excluding holidays, between the hours of 8:00 a.m. and 5:00 p.m. Also, a court directory that includes telephone numbers, mailing and email addresses is located at www.courts.wa.gov.

Each court or judicial branch agency is required to:

- Help requestors in obtaining administrative records.
- Explain how the administrative records process works.
- Provide the mailing address, telephone number, fax number, and e-mail address of the court or judicial branch agency public records officer.

If you request certain administrative judicial branch records, the court or judicial branch agency will make them available for inspection or copying (unless they are exempt from disclosure) during customary office hours.

You should make your request as specific as you can. For your benefit and that of the court or judicial branch agency, the request must be in writing. A written request helps to identify specific records you wish to inspect and provides guidance to the records officer. Most courts and judicial branch agencies will have an administrative records request form they will ask you to use.

You may inspect records and request that the court or judicial branch agency provide you with copies. If copying does not disrupt the court or judicial branch agency's operations, copies can be made promptly. Otherwise, the records officer will work with you to identify those records you want, and have them copied for you. Courts and

judicial branch agencies are authorized to charge for copies. Courts and judicial agencies may enact reasonable rules to protect records from damage or disorganization and to prevent disruption of operations.

The Court or Judicial Agency Response to a Request

Courts and judicial branch agencies will respond to an administrative records request within five working days of its receipt or, in the case of small courts that convene infrequently, no more than 30 calendar days from the date of its receipt. The response will acknowledge receipt of the request and either (a) provide the record(s) or (b) acknowledge your request and include a good-faith estimate of the time needed to provide records responsive to the request. If a request is not clear, the court or judicial branch agency may ask you for further clarification.

The Court or Judicial Agency May Notify Affected Persons and May Seek Court Protection

The court or judicial agency may notify people to whom the record pertains that release of the record has been requested. The agency, or a person to whom the record applies, may ask a court to prevent your inspection of the record. If the person asks the court to prevent disclosure, the records request will not be acted on until the court decides whether to grant the request to prevent disclosure.

Fees

There is no fee for inspecting public records. But courts and judicial branch agencies may charge a fee for the actual costs of researching, copying or scanning records for you.

If a Request is Denied

If your administrative records request is denied, you may ask the court or judicial branch agency to conduct an internal review of the denial. Your internal review request must be submitted within 90 days from the denial by the public records officer. The court or judicial branch agency has forms available to request review of a decision. These will be provided to you by the public records officer. The review proceeding will be held within five working days of the request, except those courts that convene infrequently, which shall have the review within 30 calendar days. If it is not reasonably possible to convene the review hearing within five working days, then within that five working day period the court or judicial branch agency will schedule the review for the earliest practical date.

External Review: If you do not agree with the result of the internal review process, you can request an external review of a denial. Request for an external review must be submitted within 30 days after you receive the internal review decision that you want reviewed. You may choose between two external review alternatives:

- Request external review of the decision by a visiting judge or outside decision maker.
- File a civil action in superior court challenging the administrative records decision; or

If you seek review of a decision made by a court or a judicial branch agency that is under a court's direct supervision to a court, the outside review shall be by a visiting judicial officer. If you seek review of a decision made by a judicial branch agency that is not directly supervised by a court to a court, the outside review will be by a person agreed upon by you and the judicial branch agency. If you and the judicial branch agency cannot agree upon a decision maker, the presiding superior court judge in the county in which the judicial branch agency is located will either conduct the review or appoint a person to conduct the review. Review proceedings are informal and summary. The decision resulting from the informal review proceeding may be further reviewed in superior court.

is located]. If you would like a printed copy of the procedures contact the public records officer using the information noted below.

Public Records Officer:

Name: _____ Phone () _____

Fax: () _____ E-mail Address: _____

Request Received: _____ at _____ AM/PM

By: _____

DRAFT

**Response to Request for Review and/or Copies of Administrative Records
Pursuant to GR 31.1**

To Whom It May Concern:

Your request for administrative records was received on _____. Please see the boxes checked below to determine how to proceed.

Further action is needed in order to process your request. In order to be most responsive, the court/judicial branch agency would like you to clarify all or part of your Records Request. Please contact the Public Records Officer at your earliest convenience.

Name: _____

Telephone Number: _____ E-mail: _____

There are no administrative records responsive to your request.

The requested records will be available as copies no later than _____. The cost to you for copies of the documents you request is \$ _____

Staff will need to research documents to properly comply with your records request. Research fees are set by court rule at \$30 per hour. It is estimated that it will take _____ hours to research your request.

Total cost for copies and research fees (if applicable) is \$ _____. This cost must be prepaid before the documents are provided to you. Yes No

Due to the size of your request, a deposit in the amount of \$ _____ is required.

If you do not wish to pay for copies but prefer to review the documents please contact the Public Records Officer to arrange a suitable time for viewing. Public Records Officer

_____ can be reach by telephone at _____ or by email
at _____.

Your request for public records has been received. The record(s) you requested are exempt from disclosure pursuant to GR 31.1(l) for the following reasons: Personal Identifying Information Family Court Mediation Files Juvenile Court Probation Social Files Minutes of meetings held exclusively among judges along with any staff.

Other: _____

The record(s) you request have been redacted for the following reasons:

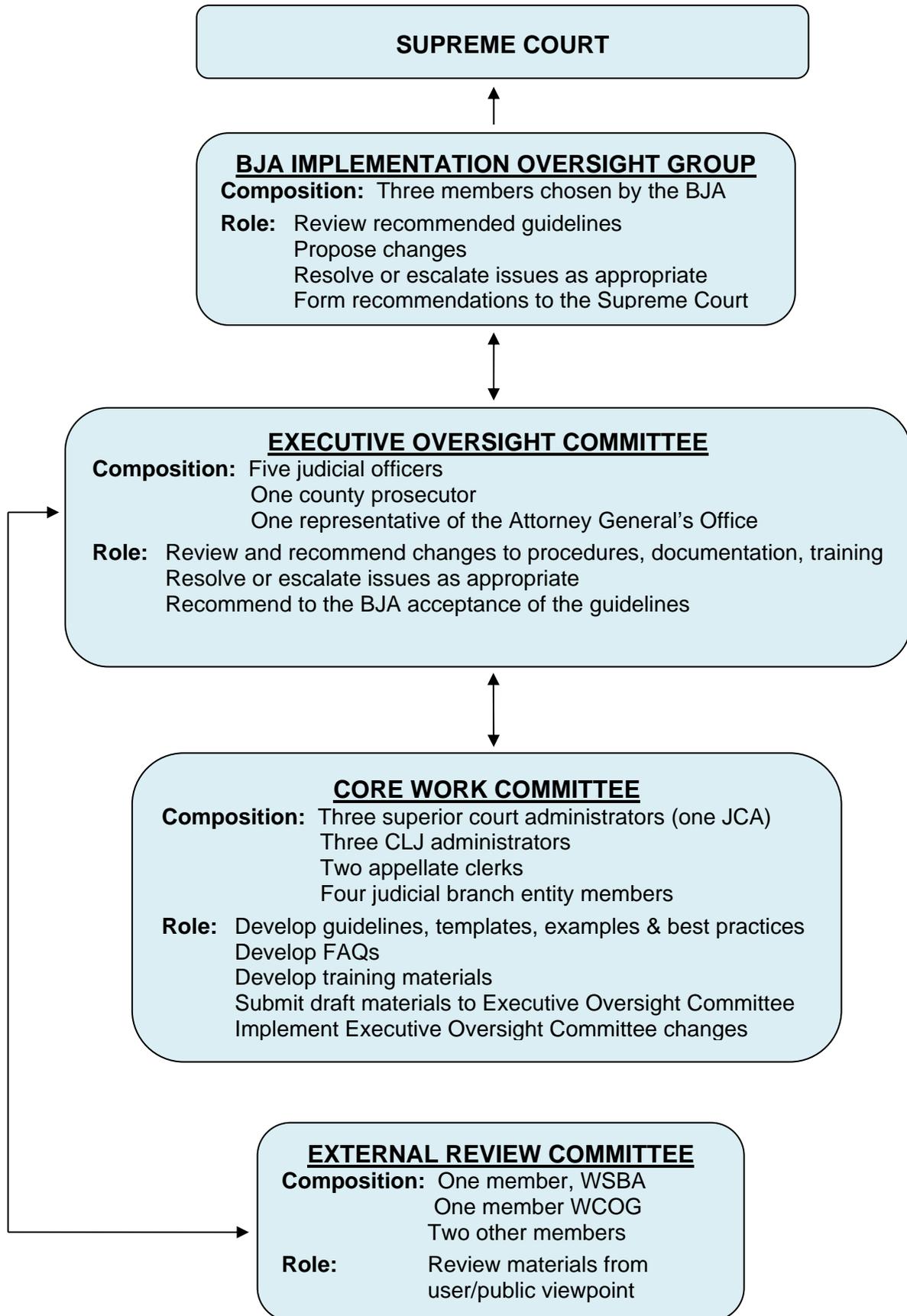
If you wish to appeal the Public Records Officer's decision(s) on your request, you must file an appeal as outlined in GR 31.1 and in the enclosed Appeal Procedures.

Please be aware that people named in the documents you requested may have been notified of your request. General Court Rule 31.1 (GR 31.1) states that any person who is identified in a requested document may ask for the document not to be disclosed because of safety, security, and/or right to privacy concerns. It is possible that legal action will be taken to prevent the disclosure of the records you have requested. If this happens, we will wait until a judge has had an opportunity to review and act on the request to prevent publication.

Please be aware that chambers records – records maintained or created by judges or their chambers staff, are not administrative records subject to disclosure under GR 31.1.

GR31.1 IMPLEMENTATION WORK GROUP STRUCTURE

Working Document



BOARD FOR JUDICIAL ADMINISTRATION GR31.1 IMPLEMENTATION WORK GROUP

Date of last update: 6-2-2014

Name / Title	Court / Judicial Entity & Address	Telephone/E-Mail
<i>BJA Implementation Oversight Group</i>		
Judge Janet Garrow 07-19-2013	KCDC – Redmond Courthouse 8601 -160th Ave NE Redmond, WA 98052	206-477-2103 janet.garrow@kingcounty.gov
Judge Ann Schindler 07-19-2013	Court of Appeals Division I 600 University St One Union Square Seattle, WA 98101-1176	206-464-7659 Ann.Schindler@courts.wa.gov
Judge Sean O'Donnell May 2014	King County Superior Court 516 3rd Ave, Room C-203 Seattle, WA 98104 Mailstop: KCC-SC-0203	206-477-1501 Sean.ODonnell@kingcounty.gov
<i>Executive Oversight Committee</i>		
Judge Michael Evans	Cowlitz County Superior Court 312 SW 1st Ave, Floor 2 Kelso, WA 98626-1739	360-577-3085 evansm@co.cowlitz.wa.us
Judge Beth Andrus	King County Superior Court 516 3rd Ave, Rm C-203 Seattle, WA 98104-2361	206-447-1537 beth.andrus@kingcounty.gov
Judge Bradley Maxa	Court of Appeals Division II 950 Broadway Suite 300, MS TB-06 Tacoma, WA 98402-4454	253-593-2975 j_b.maxa@courts.wa.gov
Judge Scott Ahlf, Chair	Olympia Municipal Court PO Box 1967 Olympia, WA 98507-1967	360-753-8312 sahlf@ci.olympia.wa.us
Commissioner Pete Smiley	Bellingham Municipal Court 2014 C St Bellingham, WA 98225-4019	360-778-8150 psmiley@cob.org
Prosecutor Jon Tunheim Washington Association of Prosecuting Attorneys	Thurston County Prosecutor's Office 2000 Lakeridge Dr S.W. Building 2 Olympia, WA 98502	360-786-5540 tunheij@co.thurston.wa.us
Ms. Christina Beusch Deputy Attorney General	Office of the Attorney General 1125 Washington Street SE PO Box 40100 Olympia, WA 98504-0100	360-664-3801 ChristinaB@atg.wa.gov
<i>Core Work Committee</i>		
Mr. Jim Bamberger Director, OCLA	Office of Civil Legal Aid P.O. Box 41170 Olympia, WA 98504-1170	360-704-4135 Jim.Bamberger@ocla.wa.gov
Mr. John Bell Contracts Manager AOC	Administrative Office of the Courts P.O. Box 41170 Olympia, WA 98504-1170	360-704-4029 John.bell@courts.wa.gov

Mr. Ron Carpenter Clerk, Supreme Court	Supreme Court Clerk's Office P.O. Box 40929 Olympia, WA 98504-0929	360-357-2077 Ron.Carpenter@courts.wa.gov
Ms. Suzanne Elsner Court Administrator President Elect, DMCMA	Marysville Municipal Court 1015 State Ave. Marysville, WA 98270-4240	360-363-8054 selsner@marysvillewa.gov
Ms. Theresa Ewing Court Administrator	Thurston County District Court 2000 Lakeridge Dr. SW, Bldg. 3 Olympia, WA 98502-6001	360-786-5450 ewingt@co.thurston.wa.us
Mr. James Madsen Juvenile Court Administrator	Mason County Juvenile Court Location: 615 W Alder St Shelton, WA 98584-0368	360-427-9670 ext. 332 jamesma@co.mason.wa.us
Ms. Sophia Byrd McSherry Deputy Director	WA State Office of Public Defense P.O. Box 40957 Olympia, WA 98504-0957	360-586-3164 x 107 Sophia.ByrdMcSherry@opd.wa.gov
Ms. Kay Newman State Law Librarian	Supreme Court State Law Library P.O. Box 40751 Olympia, WA 98501-2314	360-357-2156 kay.newman@courts.wa.gov
Ms. Paulette Revoir Co-Chair Court Administrator	Lynnwood Municipal Court 19321 44 th Ave W Lynnwood, WA 98036	425-670-5100 prevoir@ci.lynnwood.wa.us
Ms. Linda Ridge Deputy Chief Administrative Officer	King County Superior Court 516 3rd Ave, Rm C-203 Seattle, WA 98104-2361	206-477-1365 linda.ridge@kingcounty.gov
Ms. Renee Townsley Clerk/Administrator	Court of Appeals, Div. III 500 N. Cedar St. Spokane, WA 99201-1905	509-456-3082 Renee.Townsley@courts.wa.gov
Mr. Bob Terwilliger Co-Chair Court Administrator	Snohomish County Superior Court 3000 Rockefeller Ave, MS 502 Everett, WA 98201-4046	425-388-3421 Bob.Terwilliger@snoco.org
External Review Committee		
Ms. Shirley Bondon Manager, Court Access Programs, AOC	Administrative Office of the Courts P.O. Box 41170 Olympia, WA 98504-1170	360-705-5302 Shirley.Bondon@courts.wa.gov
Ms. Michele Earl-Hubbard Board Member, WCOG	Allied Law Group P.O. Box 33744 Seattle, WA 98133	206-801-7510 michele@alliedlawgroup.com
Ms. Jean McElroy General Counsel, WSBA	Washington State Bar Association 1325 4 th Avenue, Suite 600 Seattle, WA 98101-2539	206-727-8277 jeanm@wsba.org
Mr. Rowland Thompson Executive Director, ADNW	Allied Daily Newspapers of Washington P.O. Box 29 Olympia, WA 98507	360-943-9960 360-951-3838 (cell) anewspaper@aol.com
Staff		
Mr. John Bell Contracts Manager AOC	Administrative Office of the Courts P.O. Box 41170 Olympia, WA 98504-1170	360-704-4029 John.bell@courts.wa.gov
Ms. Jan Nutting AOC	Administrative Office of the Courts P.O. Box 41170 Olympia, WA 98504-1170	360-704-4020 Jan.Nutting@courts.wa.gov

GR31.1 Implementation Timeline

August 2013

Core Work Committee

- Convene Work Committee; elect co-chairs
- Refine work plan
- Refine timeline
- Review previously developed materials
- Proposed rule reviewed and areas highlighted for further discussion
- Establish distribution of work

September 2013

BJA Implementation Oversight Group (Group)

- Convene Group
- Develop Group time line
- Review materials provided to date

Executive Oversight Committee (EOC)

- Convene Committee, elect committee chair
- Develop EOC work plan and timeline
- Review timeline, work plan and work of the Core Committee

Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed

External Review Committee (Committee)

- Convene Committee
- Review Committee role
- Define method for communicating suggestions

October 2013

Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed

November 2013

Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Brief BJA Implementation Oversight Group and Executive Oversight Committee

December 2013

Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Brief External Review Committee
- Provide update to BJA and Supreme Court

January 2014

Core Work Committee

- Monthly meeting of full committee; subcommittees meet as needed
- Brief BJA Implementation Oversight Group and Executive Oversight Committee
- Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed

February 2014
<p>Core Work Committee</p> <ul style="list-style-type: none"> • Monthly meeting of full committee; subcommittees meet as needed • Brief External Review Committee
March 2014
<p>Core Work Committee</p> <ul style="list-style-type: none"> • Monthly meeting of full committee; subcommittees meet as needed • Brief BJA Implementation Oversight Group and Executive Oversight Committee • Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed • Provide update to BJA and Supreme Court
April 2014
<p>Core Work Committee</p> <ul style="list-style-type: none"> • Monthly meeting of full committee; subcommittees meet as needed • Brief External Review Committee (convene if necessary)
May 2014
<p>Core Work Committee</p> <ul style="list-style-type: none"> • Monthly meeting of full committee; subcommittees meet as needed • Brief BJA Implementation Oversight Group and Executive Oversight Committee • Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed
June 2014
<p>Core Work Committee</p> <ul style="list-style-type: none"> • Monthly meeting of full committee; subcommittees meet as needed • Convene External Review Committee • Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed • Provide update to BJA and Supreme Court
July 2014
<p>Core Work Committee</p> <ul style="list-style-type: none"> • Monthly meeting of full committee; subcommittees meet as needed • Briefing provided for BJA Implementation Oversight Group and Executive Oversight Committee • Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed • Convene External Review Committee
August 2014
<p>Core Work Committee</p> <ul style="list-style-type: none"> • Monthly meeting of full committee; subcommittees meet as needed • Convene External Review Committee <p>Final review and ratification by the BJA</p>
September 2014
<p>Final review and approval of “best practices” (all materials and processes) by the Supreme Court</p> <p>Core Work Committee</p> <ul style="list-style-type: none"> • Monthly meeting of full committee; subcommittees meet as needed • Convene BJA Implementation Oversight Group and Executive Oversight Committee as needed

October, November, and December 2014

Court and state judicial branch agency implementation, following distribution of final/approved materials

Core Work Committee available to assist, continues to meet as needed

- Brief External Review Committee
- Brief BJA Implementation Oversight Group and Executive Oversight Committee

January 2015

GR 31.1 becomes effective

Update – July 2014

Although significant progress has been made, the the Core Work Committee has revised the estimated time for completion of the documents, forms, policies, and training plans.

At present, the goal of the Implementation Work Group is to have all materials completed in the spring of 2015.

Tab 3



Board for Judicial Administration Standing Committees Interim Work Plan

General Outline of Goals, Objectives and Proposed Strategies

Title:	BJA Standing Committees Interim Work Plan
Planned Start Date:	January 2014
Planned Finish Date:	June 2014
Sponsor:	Board for Judicial Administration (BJA)
Plan Coordinator:	Shannon Hinchcliffe, BJA Administrative Manager

I. Introduction and Background

Under the current Board for Judicial Administration Rules (BJAR), the BJA is organized into three standing committees: Long-range Planning, Core Missions/Best Practices and Legislative (BJAR 3).

On November 15, 2013, the BJA voted to organize into four standing committees: Budget and Funding, Legislative, Policy and Planning, and Education. A second part of the motion was to relate the committee's purpose back to the BJA's Mission and Principal Policy Objectives of the Washington State Judicial Branch (Attachment 1 and 2). BJA staff has drafted an amended BJAR 3 which will be reviewed by the BJA and submitted to the Supreme Court on behalf of the BJA.

Ms. Hinchcliffe is making a presentation at the December 13 BJA meeting about next steps to populate the newly formed standing committees on an interim basis. After the committees are populated, AOC staff will be allocated on a limited basis for six months to assist members in their work.

II. Purpose

To establish the general expectation of work and timelines for standing committees interim work to carry out the recommendations adopted on November 15, 2013. The intent is for committees to meet on a monthly basis, at a minimum, until June 2014 wherein they will finalize their recommendations for presentation at the July 2014 BJA meeting.

III. Goals and Objectives

Goal: Work within individual standing committees for a relatively short period of time to provide recommendations to the full BJA membership about how BJA committees will function and communicate with each other on an ongoing basis.

Objectives:

1. Each committee will create a charter which will include¹:
 - Committee title
 - Authorization (court rule, court order, by-law, statute or other)
 - Charge or purpose (including the relationship to the BJA mission and to the Principal Policy Objectives)
 - Policy area
 - Other branch committees addressing the same topic
 - Other branch committees to partner with
 - Committee type: standing
 - Membership
 - Term limit
 - Duration/review date
 - Budget
 - Reporting Requirements
 - Expected deliverables or recommendations
 - Formal request for AOC staff support and resources to support the committee on an ongoing basis
2. Review recommendations about relevant BJA committees identified in the Committee Unification Workgroup Attachment 2² and evaluate their relationship to the standing committee's recommended scope of work.
3. Recommend any necessary communication strategies which may include how the committee's work would be the most effectively communicated between other BJA standing committees, subcommittees, workgroups and reported to the BJA body.
4. Identify roles and responsibilities of committee members in relation to the recommended scope of work.

IV. Strategies

Each committee may approach their tasks in different ways depending on several variables. These variables include firsthand subject matter knowledge of committee members, breadth of information to review prior to drafting, and the amount and

¹ [BJA Meeting Materials November 15, 2013 p. 17](#)

² [id pps. 21-23](#)

complexity of other related BJA committees to examine which would have a related nexus to the standing committee's work.

These committees may include active, inactive and dormant committees that have been reviewed by the Committee Unification Workgroup. The Workgroup presented its recommendations³ to the BJA but no formal action has been taken as of November 15, 2013.

Proposed General Strategy and Milestones

Create a Meeting Schedule for the Interim Period

- *Individual committees should create a meeting schedule with at least one monthly meeting. Meetings should be held preferably in-person for at least half a day starting in the month the committee is populated. In-person meetings should continue until the information-gathering process has been completed. If in-person meetings are not possible, eCCL technology should be utilized in order to facilitate document sharing. One hour meetings are strongly discouraged unless the committee is wrapping up their work or there is no other viable option.*
- *The committee should designate one member to report on behalf of the committee to the BJA. Updates will be scheduled periodically on the BJA agendas during the interim work period for the purpose of reporting progress, and sharing challenges with the larger body.*

Information Gathering and Review

- *The information gathering stage should include a current system review, discussions or documentation provided by subject matter experts, and a review of any historical information which is relevant to the committee's task.*
- *Committee staff will be responsible for gathering and assembling information based on their subject matter expertise and at the direction of committee members. Committee members should plan to review materials in advance of the meeting and follow-up with staff prior to any meeting if they have additional requests or questions after reading the material. This will give staff the opportunity to research questions and have answers available for the meeting.*
- *Information gathering and review should conclude by March 2014 if possible, so drafting of a proposed charter and communication plan can begin.*

Drafting and Document Review

- *Staff will assist committee members in drafting the charter and any related recommendations using a standardized template based on the criteria approved during the November 2013 meeting.*
- *Drafting should be concluded by May 2014 to allow for any necessary review by those other than standing committee members if the committee desires.*

Identify Communication Strategies for the Committee and Roles and Responsibilities for Committee Members

- *The topics of communication strategies and identification of roles and responsibilities should be addressed after the committee's scope of work is*

³ [BJA Meeting Materials, November 2013 pps. 21-23](#)

concluded because the outcome is likely highly dependent on the completed charter work.

- *The four standing committees will likely have subject areas, projects, or issues which will overlap. It will be critical to discuss how committees should interact with each other when this happens. These strategies may largely rely on the scope of the committee's work.*
- *It is likely that the committees will identify other committees within the judicial branch that are doing similar work or where an ongoing relationship with them would be beneficial. After identification of those committees or other similar work, it would be helpful to contemplate any useful ongoing communication strategy with them.*
- *Some consideration of roles and responsibilities for committee members on an ongoing basis should be given. This exercise would likely be most useful after the determination of membership and terms. This exercise assumes, in part, that ongoing standing committees may include members outside of the BJA membership.*

Construct Final Recommendation(s) for Presentation at the July 2014 BJA Meeting

- *Staff will assist in creating presentation of recommendations. Recommendations should include proposed charter, and recommendations on current BJA committees. The recommendation may include any relevant communication strategies and roles and responsibilities.*

V. Resources

- A limited request for additional AOC staff, outside of dedicated BJA staff, to assist with the standing committees interim work plan for six months has been made.
- In addition to primarily staffing the Policy and Planning Committee, dedicated BJA staff will serve as secondary staff support to assigned staffers. This includes any necessary research, drafting and overall support in case of individual scheduling conflict.
- BJA staff will assist in the presentation of any final recommendations to the BJA.
- BJA will provide funding for committee-related expenses for staff and judges including travel, phone costs, printing and room rental expenses if necessary.
- Administrative support is limited and BJA staff will help to support administrative needs whenever possible. Directors, the Associate Director and Administrative Manager can evaluate the capacity of their administrative assistants and request their assistance in their discretion. In cases where there is no administrative support for standing committee meetings, primary staffers will be expected to take only action-related minutes.

Attachment 1

Mission (from the 2008 Long-Range Strategic Plan for the Board for Judicial Administration⁴):

To enhance the judiciary's ability to serve as an equal independent and responsible branch of government.

⁴ [2008 Long-Range Strategic Plan for the Board for Judicial Administration, p. 4](#)

Attachment 2

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 (BJA)

STANDING COMMITTEE CHARTER

I. Committee Title

Budget and Funding Committee (BFC)

II. Authority

The BFC is created pursuant to BJAR 3(b)(1) as amended.

III. Purpose and Policy

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

Recommendation and Prioritization Criteria

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

The BFC will also take into consideration other factors including:

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

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

IV. Membership and Terms

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

Representative	Term/Duration
DMCJA Representative	End of BJA term
SCJA Representative	End of BJA term
COA Representative	End of BJA term

V. Committee Interaction

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

VI. Reporting Requirements

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

VII. Budget Requested

Travel reimbursement \$1,000/year (5 people, 6 times per year)
Judge Pro Tem reimbursement \$0
Coffee and light refreshments \$150

VIII. AOC Staff Support Requested

Director, Management Services Division or AOC Comptroller
Trial Court Services Coordinator

IX. Recommended Review Date

January 1, 2019

Adopted: Mo/Day/Year

Amended: Mo/Day/Year



Board for Judicial Administration (BJA)

STANDING COMMITTEE CHARTER

I. Committee Title:

Board for Judicial Administration Court Education Committee (BJACEC)

II. Authorization:

Board for Judicial Administration Rules (Effective September 1, 2014)

III. Charge or Purpose:

The BJACEC will improve the quality of justice in Washington by fostering excellence in the courts through effective education. The BJACEC will promote sound adult education policy, develop education and curriculum standards for judicial officers and court personnel, and promote coordination in education programs for all court levels and associations.

IV. Policy

The BJACEC will establish policy and standards regarding curriculum development, instructional design, and adult education processes for state-wide judicial education, using the National Association of State Judicial Educator's Principles and Standards of Judicial Branch Education goals:

~~The GEC recommends adopting the National Association of State Judicial Educator's Principles and Standards of Judicial Branch Education listed below:~~

The goal of judicial branch education is to enhance the performance of the judicial system as a whole by continuously improving the personal and professional competence of all persons performing judicial branch functions.

- 1) Help judicial branch personnel acquire the knowledge and skills required to perform their judicial branch responsibilities fairly, correctly, and efficiently.

- 2) Help judicial branch personnel adhere to the highest standards of personal and official conduct.
- 3) Help judicial branch personnel become leaders in service to their communities.
- 4) Preserve the judicial system's fairness, integrity, and impartiality by eliminating bias and prejudice.
- 5) Promote effective court practices and procedures.
- 6) Improve the administration of justice.
- 7) Ensure access to the justice system.
- 8) Enhance public trust and confidence in the judicial branch.

V. Expected Deliverables or Recommendations:

The BJACEC shall have the following powers and duties:

1. To plan, implement, coordinate, or approve BJA funded education and training for courts throughout the state.
2. Assure adequate funding for education to meet the needs of courts throughout the state and all levels of the court.
3. Collect and preserve curricula, and establish policy and standards for periodic review and update of curricula.
4. Develop and promote instructional standards for education programs.
5. Establish educational priorities.
6. Implement and update Mandatory Continuing Judicial Education ~~credits for Judicial Officers~~ policies and standards.
7. Develop working relationships with the other BJA standing committees (Policy and Planning, Legislative, and Budget and Finance).
8. Develop and implement standard curriculum for the Judicial College.
9. Provide education for judges and administrators that focuses on the development of leadership skills and provide tools to be used in the daily management and administration of their courts.

VI. Membership:

Voting Members:

- Three BJA members with representation from each court level.
- Education committee chair or a designee from ~~each judicial association and level of court~~ of the following:
 - Superior Court Judges Association (SCJA)
 - District and Municipal Court Judges' Association (DMCJA)
 - Appellate courts.
- Annual Conference Education Committee Chair or designee.

- Education committee chair or a designee from ~~court administrator~~ associations (DMCMA, AWSCA, WAJCE) and County Clerks. each of the following:
 - Washington State Association of County Clerks (WSACC)
 - District and Municipal Court Management Association (DMCMA)
 - Association of Washington Superior Court Administrators (AWSCA)
 - Washington Association of Juvenile Court Administrators (WAJCA).

Appointments:

- BJA Members: Appointed by the BJA co-chairs.
- Judicial Members: Trial court members appointed by their respective Associations. Appellate member appointed by the Chief Justice
- Annual Conference Chair: ~~Appointed by Chief Justice~~ Annual Conference member appointed by Chief Justice
- Court Administrators and County Clerk Members: Administrative and County Clerk members appointed by their respective Associations

Chair of BJACEC:

BJACEC members will elect a chair from among the three BJA ~~members~~ representatives. The chair shall serve for a term of two years.

VII. Term Limits

Staggered terms recommended. (Suggestion: staggered three year terms for all members)

Representative	Term/Duration
BJA Representatives (3)	First population of members will be staggered. (3 year term)
Appellate Court Education Chair <u>or Designee</u> (1)	Term determined by <u>Chief Justice</u>
Superior Court Judges' Association Education Committee Chair <u>or Designee</u> (1)	Term determined by their Association
District and Municipal Court Judges' Association Education Committee Chair <u>or Designee</u> (1)	Term determined by their Association
Annual Conference Chair <u>or Designee</u> (1)	Term determined by <u>Chief Justice</u>

Association of Washington Superior Court Administrators Education Committee Chair <u>or</u> Designee (1)	Term determined by their Association
District and Municipal Court Management Association Education Committee Chair <u>or</u> Designee (1)	Term determined by their Association
Association of Juvenile Court Administrators Education Committee Chair <u>or</u> Designee (1)	Term determined by their Association
Washington Association of County Clerks Education Committee Chair <u>or</u> Designee (1)	Term determined by their Association

VIII. Other branch committees addressing the same topic

The BJACEC identified the following organizations involved in education:

- Association education committees.
- Annual Conference Committee.
- Gender and Justice Commission.
- Minority and Justice Commission.
- Court Interpreter Commission.
- Certified Professional Guardian Board.
- Court Improvement Training Academy.
- Commission on Children in Foster Care.
- AOC’s Judicial Information Services Education.

The BJACEC will establish or continue relationships with the above named entities.

IX. Other branch committees to partner with

Foster continual relationships with BJA Legislative, Budget and Funding and Policy and Planning Committees. BJACEC will be in close contact with the other BJA standing committees in order to develop long-term strategies for the funding of education and the creation of policies and procedures that are aligned with the BJA strategies and mission statement.

X. Reporting Requirements (i.e. quarterly to the BJA)

~~This Court Education Committee~~ The BJACEC will report at each regularly scheduled BJA meeting. ~~via paper or in-person.~~

XI. Budget Requested

Travel reimbursement for voting members only.

Meetings will occur on a monthly basis consisting of face-to-face and online meetings as needed.

Estimate \$4,000 each fiscal year. Perhaps more in the first year.

XII. AOC Staff Support Requested

One AOC personnel from the Office of Trial Court Services and Judicial Education section.

XIII. Recommended Review Date

Every two years from adoption of charter.

Adopted: Mo/Day/Year

Amended: Mo/Day/Year

Memorandum of Understanding
Between
Board for Judicial Administration
And
Board for Court Education

Purpose

The MOU describes how the Board for Judicial Administration (BJA) and the Board for Court Education (BCE) will work together to successfully implement the new BJA Court Education Committee (BJACEC) created under BJAR 3 and support current education programs and planning during the transition of duties from the BCE to the BJACEC.

Background

It is important the BJACEC and the BCE work together to create a positive and effective transfer of roles and responsibilities from the BCE to the BJA Court Education Committee. The educational knowledge the BCE has accumulated since 1980 should be preserved so that it is available for use by the BJACEC and is too important to be lost in this transition.

Agreement

1. The Board for Judicial Administration (BJA) and the BJA Court Education Committee (BJACEC) will honor the Board for Court Education's (BCE) Fiscal Year 2015 budget allotments for educational programming between July 1, 2014 and June 30, 2015. Facility and faculty contracts have already been executed for education programs. Cancellation would be expensive and disruptive to education planning.
2. BCE policies, procedures and guidelines will remain in effect until the BJACEC changes them.
3. The BJACEC and the BCE will work together to plan and implement the complete transition any necessary BCE functions no later than June 30, 2015.

Duration

This MOU may be modified by mutual consent of authorized official from the BJA and BCE. This MOU shall become effective upon signature by the authorized officials from the BJA and the BCE and will remain in effect until modified or terminated. In the absence of mutual agreement by authorized official from the BJA and the BCE, this MOU shall end on June 30, 2015.

Chief Justice Barbara A. Madsen, BJA Co-Chair
Date: _____

Judge Kevin G. Ringus, BJA Co-Chair
Date: _____

Commissioner Eric B. Schmidt, BCE Chair
Date: _____



Board for Judicial Administration (BJA) Legislative Committee

STANDING COMMITTEE CHARTER

I. Committee Title

Board for Judicial Administration Legislative Committee

II. Authorization

BJAR 3

III. Charge

The purpose of the Legislative Committee is to develop proactive legislation on behalf of the Board for Judicial Administration and to advise and recommend positions on legislation of interest to the BJA and/or the BJA Executive Committee when bills affect all levels of court or the judicial branch as a whole.

IV. Policy Area

Staff to the Legislative Committee shall refer bills to the committee based on the following criteria:

- The topic is highly visual, controversial or of great interest to the judiciary;
- The bill applies to multiple court levels or the entire branch;
- The bill is referred by another entity;
- There is or could be disagreement between associations or judicial branch partners.

Legislation or ideas for legislation may be referred to the Legislative Committee by other entities at any time. Staff to the Legislative Committee shall confer with staff to the trial court associations for potential referrals when developing agendas. The Legislative Committee cannot reject referrals but may choose not to act on the referred issue or bill after discussion.

V. Expected Deliverables

The BJA Legislative Committee shall:

- Review and recommend positions on legislation as described in Section IV;
- Recommend action by associations or individual persons based on positions taken;
- React quickly as issues arise during the legislative session;
- Ensure regular communication and that no other committee's authority is being inappropriately or inadvertently usurped;
- Develop a communications plan regarding the how committee will interact with relevant stakeholders.
- During legislative sessions, conduct telephone conferences for the purpose of reviewing legislation and taking legislative positions. These calls should be held as soon as practicable in an effort to accommodate the weekly legislative schedule;
- During the interim, meet monthly or as needed, to develop legislative issues and potential "BJA request" legislation. These meetings should be held in conjunction with the standing BJA meetings whenever possible in order to minimize travel-related expenses and time away from court; and
- The BJA Executive Committee shall serve on the Legislative Committee as established under BJA 3(b) (1). A majority vote of the Executive Committee members shall be necessary for positions taken;
- The BJA Executive Committee shall take any emergency action necessary as a result of legislative proposals. All members of the Legislative Committee shall have a vote on the recommendation to the Executive Committee.
- Legislative Committee members shall be well versed in all bills they act upon and shall be expected to communicate all relevant positions or information to the organizations they represent, as well as other parties, including legislators, as needed.

VI. Membership

The BJA Legislative Committee shall be composed of

- The voting members of the BJA Executive Committee;
- DMCJA and SCJA Legislative Committee Chairs; and
- Three BJA members, one from each court level, as nominated and chosen by the BJA.
- Each member will have one vote per seat on the committee. In the event of co-chairs at an association level, that position will have only one vote.

- The chair of the Legislative Committee shall serve for a one-year term, shall be chosen from the three BJA members that are nominated by the BJA, and shall rotate between the three court levels.

VII. Term Limits

The term of standing committee members shall be two years. Each committee member may be reappointed by the Board for Judicial Administration to one additional two-year term.

Term limits should be consistent with a member's term on BJA or commensurate with the term in the office that compels participation on the Legislative Committee.

Representative	Term/Duration
Chief Justice (Exec Com)	Same as term as BJA Chair
BJA Member Chair (Exec Com)	Same as term as BJA Member Chair
COA Presiding Chief Judge (Exec Com)	Same as term as COA PCJ
SCJA President (Exec Com)	Same as term as SCJA President
DMCJA President (Exec Com)	Same as term as DMCJA President
DMCJA Legislative Committee Chair	Same as term as DMCJA LC Chair
SCJA Legislative Committee Chair	Same as term as SCJA LC Chair
BJA Member, SCJA Rep.	2 years
BJA Member, DMCJA Rep.	2 years
BJA member, Appellate Courts	2 years

VIII. Other Branch Committees to Partner With on Related Issues

- SCJA Legislative Committee;
- DMCJA Legislative committee; and
- Other Judicial Branch Boards, Commissions, and Associations.

IX. Reporting Requirements

The BJA Legislative Committee shall report monthly, or upon request, to the BJA.

During session, staff to the Legislative Committee will provide an update to the full BJA after the chair of the committee has made opening remarks.

The Legislative Committees shall report in writing to the Board for Judicial Administration as requested.

The Chair of the Legislative Committee shall attend one BJA meeting per year, at a minimum, to report on the committee's work, if so requested.

X. Budget Requested

In contemplation of activities beyond the legislative session, such as committee meetings and "retreats," as well as costs related to the legislative session, a budget of \$3,000 is requested.

Additional funding requests may be made to the BJA for special educational programs developed for legislators.

XI. AOC Staff Support Requested

- Associate Director, Office of Judicial and Legislative Relations
- Senior Court Program Analyst, Office of Trial Court Services & Judicial Education
- Senior Administrative Assistant

XII. Recommended Review Date

The committee will have a review date of every two years.

Adopted: Mo/Day/Year
Amended: Mo/Day/Year



Board for Judicial Administration (BJA)

PROPOSED COMMITTEE CHARTER: POLICY AND PLANNING COMMITTEE

I. Committee Title:

Policy and Planning Standing Committee

II. Authorization:

BJA Rule 3(b)(1) as proposed for amendment.

III. Charge or Purpose:

The charge and purpose of the Policy and Planning Standing Committee is to create and manage a process of engagement within the judicial branch around policy matters affecting the courts of Washington, to identify and analyze priority issues, and to develop strategies to address those issues. In doing so the standing committee will work to advance the mission ~~and~~ vision and principal policy goals of the BJA ~~and the five principal policy goals~~.

The Policy and Planning Standing Committee shall:

1. Create and oversee a planning process on a two-year cycle that accomplishes the following:
 - a. Sets out a clear and accessible plan and schedule for outreach to justice system partners and stakeholders that provides multiple opportunities for input ~~from the judicial branch~~ and identifies major decision points.
 - b. Provides for preliminary identification of issues advanced for attention by the BJA.
 - c. Produces written analyses of proposed issues that examine outlines the substance of ~~each~~the issue, its impact on the courts, the scope of potential strategies to address the issue,

the potential benefits and risks of undertaking a strategic initiative to address the issue, a statement of desired outcomes and the feasibility of achieving desired outcomes, the major strategies that might be employed to address the issue, the resources necessary, and a timeline.

- d. Provides analyses of issues to branch stakeholders for their review and additional input.
 - e. Selects one or more issues for recommendation as strategic initiatives to be sponsored by the BJA.
 - f. For any strategic initiative approved by the BJA drafts and submits to the BJA a proposed charter for a steering committee or task force to implement the initiative. The charter should provide for the composition of the task force or steering committee, its charge, desired outcomes of the campaign, its deliverables, a timeline for reporting and ending of the body, and a detailed identification of resources ~~necessary to implement the initiative to be made available to the body,~~ including ~~AOC staff resources~~ and fiscal resources.
 - g. Produces recommendations to the BJA for action, referral, or other disposition regarding those issues not recommended for a strategic initiative.
 - h. Provides a critique and recommendations for changes in the planning process for consideration in subsequent cycles.
2. Serve as the oversight body of any committee or task force created to implement a strategic initiative.
3. Identify strategic goals of the BJA and propose recommendations to address them in conjunction with the other standing committees.
- ~~3.4.~~ Propose a process and schedule for the periodic review of the mission statement, vision statement, and principle policy goals of the Board for Judicial Administration, and oversee any process to propose revisions and present proposed changes to the ~~Board~~BJA.
- 4.5. Provide analyses and recommendations to the ~~Board~~BJA on any matters referred to the standing committee pursuant to the bylaws of the Board.

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IV. Policy Area:

The standing committee is authorized to research and make recommendations regarding any area of policy affecting the ~~judicial system~~ courts of Washington which is within the plenary authority of the BJA.

V. Expected Deliverables or Recommendations:

The Policy and Planning Standing Committee will produce interim and final reports and recommendations, ~~shall provide~~ analyses of issues conducted during its planning cycle, and ~~shall provide~~ reports of the status of ongoing strategic initiatives.

VI. Membership:

All members of the Policy and Planning Standing Committee shall be voting members regardless of voting status on the full body.

Representative	Term/Duration
Chief Justice (BJA voting)	Ex officio
Superior Court Judge (BJA voting)	(TBD)
District or Municipal Court Judge (BJA voting)	(TBD)
Court of Appeal Chief Judge (BJA non-voting)	Ex officio
President-elect of the SCJA (BJA non-voting)	Ex officio
President-elect of the DMCJA (BJA non-voting)	Ex officio

VII. Term Limits:

The terms of members shall coincide with their term and seat on the BJA. The president-elects of the judicial associations shall serve on the committee until becoming president, and shall be then be replaced by the incoming president-elects.

VIII. Other Branch Committees Addressing the Same Topic:

There are a number of existing committees within the branch created to address policy in specific subject matter areas or functions. The Policy and Planning Standing Committee has a uniquely general assignment concerning any policy matter that affects the judicial branch.

IX. Other Branch Committees with Which to Partner:

The Policy and Planning Committee will conduct its work in consultation with the other standing committees of the BJA.

The Policy and Planning Standing Committee will initiate and maintain dialog with a number of branch entities and committees both within and outside of the judicial branch.

Branch committees and entities include:

- [Washington Supreme Court](#)
- [Court of Appeals](#)
- Superior Court Judges' Association
- District and Municipal Court Judges' Association
- Judicial Information System Committee
- Access to Justice Board
- Gender and Justice Commission
- Minority and Justice Commission
- Office of Public Defense
- Office of Civil Legal Aid

Other entities include:

- Office of the Governor
- Washington State Legislature
- Washington State Bar Association
- Washington Association of Prosecuting Attorneys
- Washington Association of Criminal Defense Attorneys
- Washington State Association for Justice
- Washington State Association of Counties
- Association of Washington Cities
- Washington State Association for Municipal Attorneys

XIII. Reporting Requirements:

The Policy and Planning Standing Committee shall provide a final report and recommendations near the conclusion of its two-year planning cycle, and shall provide an interim biennial report of activities and the status of any ongoing strategic initiatives or other projects.

X. Budget:

The anticipated activities of the Policy and Planning Standing Committee include regular meetings as well as outreach activities and events.

The costs of the regular meetings depends on frequency and the home locations of members. Assuming bi-monthly, separate from BJA meetings or other events: (6/yr): \$3,000.

The costs of outreach events cannot be calculated with certainty at this point. Some personal interactions will be necessary, either through events sponsored by the committee or by member attendance at events sponsored by others. Outreach to locations statewide is recommended during the planning and implementation phases. (\$5,000 - \$10,000)

In addition the committee might employ a facilitator or consultant to assist in outreach planning and execution. (\$5,000)

(Total: \$13,000 - \$18,000)

XI. Formal Request for AOC Staff Support and Resources to Support the Committee on an Ongoing Basis:

Ongoing staffing of the standing committee:

- Planning Specialist .75 FTE
- BJA Manager .25 FTE
- Administrative Assistant .25 FTE

Subtotal: 1.25 FTE

Staffing for the Planning Cycle:

During the period in the planning cycle when issues are being analyzed the Policy and Planning Standing Committee is expected to require additional support of various AOC staff with expertise in: programmatic subject matter, legal, statistical, fiscal, information systems, and others. Total contribution on an annualized basis of:

- Subject Matter .50 FTE
- Legal .10 FTE
- Statistical .10 FTE
- Fiscal .10 FTE
- Information Systems .10 FTE
- Other .10 FTE
- Administrative Support .25 FTE

Subtotal: 1.25 FTE

Staffing of Strategic Initiatives:

At the conclusion of each planning cycle it is expected that the standing committee will propose a charter for a task force or steering committee to implement the selected strategic initiative. The proposed charters will include estimates of staffing needs.

XII. Duration/Review Date:

The standing committee should be reviewed every three years to ensure that it is functioning consistent with its charge, producing deliverables and that the mission and goals of the BJA are being advanced. The first review should occur in 2018 and reoccur every three years thereafter.

Tab 4



July 10, 2014

TO: Board for Judicial Administration (BJA) Members and Liaisons

FROM: Shannon Hinchcliffe, BJA Administrative Manager

RE: BJA FINANCIAL INFORMATION

I. Source of BJA Monies

The BJA receives its budget from state general funds allocated to the Administrative Office of the Courts (AOC). The BJA does not currently maintain grants or technical assistance monies outside of the state funds received by AOC.

II. 2013-2014 Budget Expenditures

The most recent accounting report received for the BJA was dated June 15, 2014. Since the 2013-2014 budget was closed on June 30, 2014 and a final report has not been received, the following numbers are approximations of total expenditures:

Budget Item	Allocated	Expended
Administration	\$24,600	\$12,611
Public Trust and Confidence	\$2,500	\$289
Long-Range Planning	\$2,500	\$0
Best Practices Committee	\$2,000	\$89
Legislative	\$700	\$506
Regional CLJ Workgroup	\$6,500	\$0
Trial Court Operations Funding Committee	<i>*no funding allocated/not addressed</i>	\$0
Total	\$38,800	\$13,495

III. 2014-2015 Budget Allocation

Based on historical funding allocations, the anticipated budget for 2014-2015 is \$38,800.

IV. 2014-2015 BJA Budget Requests

Budget Items	Money Requested	Description
Public Trust and Confidence	\$2,500	Historical allocations.
Best Practices Committee	\$1,000 (wrap up)	Based on the Policy and Planning Committee recommendation that the Best Practices Committee should wrap-up and transition to a new format. This would fund committee meetings, formalizing and distributing approved measures.
Legislative	\$3,000	Committee meetings, legislative session costs, special meetings.
Budget and Funding	\$1,000	Travel and refreshments for 6 meetings per year. No pro tem reimbursement.
Education	\$4,000	Face to face and online committee meetings, travel for voting members only.
Policy and Planning	\$13,000-\$18,000	Committee meetings (if separate from Board meetings), outreach events to other locations in the state for the planning process and implementation, professional services for assistance in outreach planning and execution
Administration	TBD	Monthly or bi-monthly meetings, refreshments, print materials, professional services, member and staff travel to BJA related events.
*Trial Court Operations Funding Committee	Unknown	
*GR 31.1 Committees	Unknown	
*Regional Courts Oversight Committee	Unknown	
*BJA Filing Fee Workgroup	Unknown	
*Problem Solving Courts Work Group	Unknown	
*BJA GR 34 Work Group	Unknown	

V. Costs for Consideration Which are not Reflected in Current Requests

“Administration” has been treated as a catch-all budget item. Traditionally, it includes any cost related to general BJA business. Last year’s costs included member and staff travel, printed materials and monthly meeting expenses. Other costs which should be anticipated for 2014-2015, but were not expended in the last year’s administrative budget, include any speaker or facilitator costs, professional services for reports or document production, travel for BJA members or staff to attend any related event or conference as a speaker or participant, special meetings such as Board retreats or orientation.

Subcommittees, task forces and workgroups have not been contemplated within these requests. There are no standards for operation of committees or subcommittees, for example no pro tem reimbursements will be contemplated for the Budget and Funding Committee service but will other committee members request or expect pro tem reimbursement for their participation? On the Education Committee, travel reimbursement will only be provided to BJA members but not other committee members, will this be true of all committees? Should these types of decisions be left to individual committee discretion or should there be a standard for all committees and members?

It is unclear what savings or resources can be gained through the agency and allocated to the BJA under the current transition plan with the Board for Court Education.

VI. Conclusion

The BJA has an ambitious purpose:

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. BJAR 1.

I would offer that the BJA is intended to be a professional organization comprised of judicial branch leaders who are informed by knowledgeable educators and the presence of comprehensive information. Although the practical use of resources is foremost, i.e. which budget item will get what amount; I submit that the allocation and use of any resources should be considered with the above in mind.

Tab 5

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration
October 18, 2013**

Charge

The Board for Judicial Administration (BJA) formed the Committee Unification Workgroup under a charter in November 2012 (see Attachment 1). The purpose of the workgroup was to make recommendations to reduce the confusion and duplication of effort associated with the myriad of committees, boards and commissions undertaking work within the judicial branch of the State of Washington. The charge states that the expected product of the workgroup was a proposal for the “consolidation of like-minded committees, task forces, work groups and other entities.” The charge also states that the proposal developed should seek to “retain meaningful input from interested stakeholders” while reducing confusion and “undue burden on judges, clerks, court administrators, court personnel and/or AOC staff.”

History and Context

The BJA has ongoing concerns about the committee structure in the Judicial Branch and how to ensure coordination and effective use of limited resources to address key priorities. The pressures and increasing competition for resources from state and local budgets since the onset of the Great Recession of 2008 gave additional impetus to addressing the committee structure in 2013. Members of the Washington State Legislature became aware of the workgroup’s charge during the 2013 legislative session and were appreciative of its efforts to increase efficiencies and reduce costs.

The issue of bringing focus to committee work was raised most recently at the BJA retreat held September 21-22, 2012 as one key to improving the effectiveness of the BJA. At the same time, a team of consultants from the National Center for State Courts (NCSC) arrived at the same conclusion after conducting interviews with key judicial branch leaders. As a result, the BJA created the Committee Unification Workgroup in November 2012. At the same time, the BJA chartered the BJA Restructure Work group to look at the governance and committee structure of the BJA itself. The BJA Restructure Workgroup was expected to propose a new set of standing committees for the BJA, so the Committee Unification Workgroup started with the intention of including in its findings and suggestions recommendations to organize some of the work of existing committees under the proposed standing committees. When the BJA Restructure Workgroup’s recommendations were not accepted by the BJA in August 2013, the Committee Unification Workgroup continued its work to meet its charge within the current BJA structure.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration
October 18, 2013
Page 2**

Membership:

Judge Scott Sparks, Chair
Judge Deborah Fleck (term ended 6/30/2013)
Judge Janet Garrow
Judge Jill Johanson
Judge Linda Krese
Judge Michael Lambo
Justice Susan Owens
Judge James Riehl (term ended 6/30/2013)
Judge Ann Schindler
Judge Kevin Korsmo
Judge Kevin Ringus
Judge Vickie Churchill (term began 7/1/2013)
Judge Judy Jasprica (term began 7/1/2013)
Judge Kim Prochnau (term began 7/1/2013)

Staff:

Jennifer Creighton, AOC Office of Trial Court Services and Judicial Education
Mary Beth Brown, AOC Judicial Planning Specialist

Timeline:

The workgroup convened on December 14, 2013 and met seven times through September 20, 2013. Some members ended their terms on the committee as of July 1, 2013 and were replaced by new members of the BJA as indicated above.

Process and Approach

In the first meeting, the chair, Judge Sparks, led a discussion about how to approach the charge given to the workgroup. The direction set was to group the committees by topic and to arrange meetings around groups of committees that appeared to be aligned by subject matter. Judge Johanson sought a means to sort the committees according to the "best and highest use of resources" and requested that the workgroup use the guidance of the 2010 customer service survey of AOC activities as well as "Maintaining Justice: A Profile of the Administrative Office of the Courts" (2012) that describes the activity of the agency. The workgroup requested that AOC staff contact each chair of the committees and the AOC staff participating in or staffing committees to assess the committee's status, current activities and plans for the near future.

The following were the categories used to group the committees and the number of committees associated with each. Several committees fell into more than one category.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration
October 18, 2013
Page 3**

The total number of associations, boards, and commission committees reviewed by the workgroup was 205.

Education

Technology: Standing Committees

(non-project)

Traffic and Vehicle

Problem Solving Courts

Regional courts

Rural Courts

*Miscellaneous (Water workgroup, Byrne
JAG)*

Best Practices

Research

Court Management Council

Court Records

Public Trust and Confidence

Technology

JISC Committees

Other Technology Committees

BJA Committees

Planning

Budget/HR

Legislation

Jury Management

Sentencing and Supervision

Court Security

Court Rules

Ethics

Guardians/Elder Abuse

Juvenile Justice

Child Welfare

Court Access

ATJ

Court Facilitators

Interpreter Commission

Diversity

Minority and Justice Commission

Gender and Justice Commission

The list of committees was generated in 2012 when AOC requested that any staff person with responsibilities for a committee provide information on that committee, the purpose, activities, staffing commitment, and membership. Part of the process involved making corrections to the list based on current information, as the committee structure for some of the commissions, boards and associations have been changed to adapt to current priorities. The original list was organized alphabetically by the parent association, board, or commission.

Recommendations regarding individual committees

At each meeting, AOC staff presented AOC's review and recommendations regarding groups of committees, boards and commissions addressing related issues. The approach presumed that the committees addressing like subject matter might be candidates for consolidation or collaboration. The workgroup reviewed recommendations related to each individual committee. The workgroup's decisions can be found in Attachment 2 of this report.

The organization of the list of recommendations in Attachment 2 reflects the sensitivity the workgroup had to seek consultation from the governing bodies that had created any of the groups reviewed during this process. Each recommendation is only that; a recommendation based on the information available to the workgroup. The majority of the committees reviewed were created by the BJA, the Supreme Court, one of the associations, an organization outside the Judicial Branch or by AOC and the recommendations are listed according to these categories. Those with the authority to create or terminate the committees are encouraged to review their own committees and take into account how their work aligns with others addressing similar issues within the branch. Active and voluntary networking throughout the branch among those working on similar issues will be necessary to support continued focus of committee work on the judicial branch's highest priorities.

Board for Judicial Administration Committees

The individual recommendations for the BJA and its committees and workgroups are listed beginning on page 1 of Attachment 2 – Recommendation on Committees. In addition to the individual committee recommendations, the workgroup recommends that the BJA reconsider the portion of the restructure proposal related to the establishment of four standing committees.

In addition to the Policy, Legislative and Budget Committees, the workgroup recommends the BJA institute a standing Education Committee. The workgroup further recommends that other subcommittees and workgroups addressing related issues are organized under the major standing committees to facilitate information sharing, coordination and effective decision making. Committees and workgroups that can be organized under a standing committee are noted in the "Recommendation" column of

Attachment 2. This would ensure that programs are coordinated with and available to all committees active within the judicial branch.

Supreme Court Boards, Commissions and Committees

The Supreme Court, either by court rule or court order, has created the boards and commissions listed in section 2 of Attachment 2 – Recommendation on Committees. The workgroup asks that the BJA submit these recommendations to the Supreme Court so that the Supreme Court might consider them and provide appropriate direction to the boards and commissions under its auspices.

Association Committees, Subcommittees and Workgroups

Similarly, the workgroup acknowledges the independence of the various associations active in the judicial branch and their power to create, maintain, and terminate committees, subcommittees, and workgroups. The workgroup asks that the BJA submit the recommendations for consideration to each appropriate association so that they might consider them and how best to coordinate their work with others within the Judicial Branch. In most cases, the workgroup has chosen to make “no recommendation,” deferring instead to the relevant association to consider the need to sunset, reconstitute, or refocus a given committee.

External associations with recommendations for AOC participation

The fourth set of committees is governed by organizations outside of the judicial branch. They may be convened by executive branch agencies, such as the Department of Licensing, the Office of the Chief Information Officer, or the Department of Social and Health Services. Some workgroups are convened by the Legislature or by private non-profits or a federal agency. What they have in common is that they require support or participation by AOC staff. The workgroup’s recommendations are meant to support the State Court Administrator in allocating staff resources as wisely as possible, with full recognition that participation in many is obligatory and cannot be withdrawn.

AOC Committees

The last set of committees in Attachment 2 – Recommendation on Committees lists those created by AOC itself to meet its obligations and to advance its work. The workgroup asks that the BJA communicate these recommendations to the State Court Administrator and communicate its willingness to offer assistance where needed to address needs to balance demands on AOC staff in supporting the extensive committee structure.

Recommendations regarding judicial branch committee structure and management

In addition to considering each committee on a case by case basis, the workgroup has examined the general state of committees in the judicial branch and arrived at additional recommendations to the BJA to better manage committees, resources allocated to them and the communication between the BJA and other boards, commissions and associations regarding the work and activities of the committees created under their authority.

Throughout the process of reviewing the judicial branch committees, as well as others external to the branch, the workgroup grappled with recurring issues that constrained the scope of their authority and ability to streamline the judicial branch's committee structure. The workgroup deferred to the associations, commissions and other boards to largely manage their own committee structure. The workgroup also hesitated to direct AOC resources while at the same time understanding the strain on AOC to adequately and effectively support all committee work. The question of how the various boards, commissions, and associations would align with one another and keep one another informed of policy initiatives led to thoughtful yet inconclusive conversations. The learning process yielded the following operating assumptions that guided the workgroup's decisions and led to the general recommendations beginning on page 6.

Operating Assumption #1: BJA and its role with other boards, associations, and commissions

The Board for Judicial Administration is only one of many authorizing entities that may create, maintain and terminate committees in the judicial branch. The authority to create boards, committees, and commissions is derived from statute (e.g., the associations) or from Supreme Court order or rule (e.g., the boards and commissions). With the exception of BJA's own committees, the BJA Committee Unification Workgroup is putting forward recommendations rather than directives for the consideration by other boards, associations, and commissions within the judicial branch.

Operating Assumption #2: AOC staff resources

While the BJA currently does not direct the activities of AOC or the duties assigned to its staff, AOC allocates staff resources to committees on a case by case basis, whether the requests come from associations, commissions, boards, collaborating state agencies or other judicial partners and stakeholders. The workgroup acknowledges the strain on AOC staff to balance competing needs for committee support with limited resources.

Operating Assumption #3: Communications across committees

Policy issues and decisions are being considered throughout the various committees in the judicial branch on a regular basis. The communication channels and reporting

relationships between the various boards, commissions, and associations are largely ad hoc and informal.

The BJA has a role to guide policy in the judicial branch of the State of Washington and as such has a concern with the global picture of policy related work being conducted throughout the complex and dynamic committee structure. The BJA's role in a decentralized system is to act as a coordinating body that facilitates communication and interaction across and between all levels of court, commissions, boards, and other entities addressing matters of policy concern to the Washington courts.

Recommendation #1

The workgroup recommends that every BJA authorized entity review and assess their current committee structure and align their committees with the proposed standard for creating, managing, and reviewing committees. The intent is to separate ongoing committees, focused on internal issues, from those that are policy focused, project oriented or of a defined scope that would be candidates for alignment with others throughout the judicial branch.

All committees would adopt a charter containing the following information:

- Committee title
- Authorization (court rule, court order, by-law, statute or other)
- Charge or purpose
- AOC staff support required
- Policy area
- Other branch committees addressing the same topic
- Other branch committees to partner with
- Committee type: standing, subcommittee, workgroup
- Membership
- Term limit
- Duration/review date
- Budget
- Reporting requirements (i.e., quarterly to the BJA, the authorizing organization and/or other entities addressing same topic)
- Expected deliverables or recommendations

Create and adopt a standard for committees that would include an agreement on the following items:

- Committee types
- Committee duration limit to two years unless specifically extended after review
- Commitment to periodic review, including a reporting requirement on activities, decisions, and initiatives
- Formal request for AOC staff support and resources

Recommendation #2

The workgroup recommends BJA send a letter containing the Committee Unification Workgroup's recommendations to the following courts and associations that have the authority to create, maintain, and terminate committees:

- Supreme Court
- Court of Appeals
- Superior Court Judges Association
- District and Municipal Judges Association
- Washington Association of Juvenile Court Administrators
- Washington Association of Superior Court Administrators
- District and Municipal Court Managers Association
- Washington State Association of County Clerks
- The State Court Administrator

The letter would include Recommendation #1 above to standardize committee management as well as the relevant recommendations for each recipient from Attachment 2.

The Supreme Court, the Court of Appeals and the associations would be asked to communicate with the boards, commissions, and committees under their jurisdiction to consider the workgroup's recommendations and to voluntarily commit to implementing the proposed chartering and committee standard in their own committee structure.

Recommendation #3

BJA ask AOC to develop a proposal to support tracking ongoing committee work within the judicial branch that supports collaboration and interaction through web based tools.

An interactive tracking database of all judicial branch committees could be designed to support reporting requirements to the BJA, track AOC staffing requests, and facilitate information sharing across the judicial branch. A web based tool could be a repository of all the active committees requiring AOC staffing or support.

Should such a tool be built by AOC, the workgroup recommends that BJA endorse the reporting and data entry requirements for all committees throughout the judicial branch. Each committee could be asked to keep its own contact information, membership and ongoing activities current in this tracking system. The information could be accessible to the members of other committees to facilitate coordination and networking among those engaged in similar or related topics and to support voluntary coordination in a vibrant and active decentralized committee structure.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 1**

BJA COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
14	Board for Judicial Administration (BJA)	Supreme Court Rule BJAR 1	The Board for Judicial Administration (BJA) is charged with providing effective leadership to the state courts & to develop policy to enhance the administration of the court system in Washington State. Judges serving on the BJA shall pursue the best interests of the judiciary at large.	Retain with changes. Institute four standing committees: 1. Legislative 2. Policy and planning 3. Budget 4. Education
14a	BJA Best Practices Committee	Supreme Court	2001: To define the core mission of the courts & recommend ways for courts to improve the administration of justice for the citizens of Washington. 2003: Focus turned to framework for performance audits. 2004: Propose General rule (GR32) & performance audit policy adopted by Supreme Court. Development of performance audits began with ACS project.	BJA review the committee as to the name of the committee, the charter the deliverables created, and what to do with those deliverables. Expedite the work and then sunset.
14b	BJA Trial Court Operations Funding Committee	Supreme Court	To develop specific funding proposals & implementation plans for trial court operations, in accordance with the Supreme Court budget development process, for recommendation to the BJA. Also to collect statistical & other data & make reports relating to the expenditure of public moneys, state & local for the maintenance & operation of the judicial system & the offices connected therewith.	BJA acknowledge the ad hoc nature of this group and examine how the work can be accomplished under a standing BJA budget committee. Recommend that group work more closely with association budget committees.
14c	BJA Legislative/ Executive Committee	Supreme Court	The role of the Leg/Exec Committee is to discuss & decide upon legislative issues that affect the judiciary, including developing legislation to be submitted to the legislature as BJA request legislation. Legislation may be referred to the Leg/Exec Committee for review by the trial court associations or others.	This committee will be subsumed by the new BJA standing legislative committee. As well as reviewing and proposing legislation that affects the judiciary, it should also play a role in coordinating the efforts of all leg committees.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 2**

BJA COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
14d	BJA Long Range Planning and Funding Committee	Supreme Court	To sponsor a long range planning process for the funding of the courts, taking into account unfunded state mandates, initiatives and changes to the way federal, state and local funds are distributed.	BJA rules require establishment of a long range plan and a funding strategy consistent with that plan (BJAR 4). BJA to discuss if this committee will add policy to its charter.
14e	BJA Public Trust and Confidence Committee	Supreme Court	To achieve the highest level of public trust in the judicial system by assessing & re-assessing public opinion, concern & level of trust in the judicial system while developing strategies to address them. Making recommendations to the BJA regarding the need for legislative changes, or changes to court rules & procedures including those that reduce court complexity, cost, & delay while ensuring that the courts demographically reflect the communities they serve. Identifying existing activities throughout the state aimed at achieving trust & confidence in the courts, while coordinating with the Council on Public Legal Education, Access to Justice Board, & other entities working to improve the system.	Retain with no changes. The Chair is supportive of aligning this committee with an Education Standing Committee, should that be approved.
14f	Regional Courts Oversight Committee	BJA	To provide oversight to NCSC study of Washington municipal courts.	Work completed. Sunset
14g	BJA Filing Fee Workgroup	BJA	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 & other jurisdictions & to make recommendations to the BJA regarding whether changes should be made to the current structure.	Sunset and allow restructured BJA to reconvene if need still exists.

**Report from the Committee Unification Workgroup
to the Board for Judicial Administration**

**Attachment 2 – Recommendations on Committees
Page 3**

BJA COMMITTEES				
	NAME	Authorizing Entity	Mission/ Purpose	Committee Unification Workgroup Recommendation
14h	Problem Solving Courts Work Group	BJA	Determine whether the establishment of problem solving courts in statute is necessary & advisable. If it is advisable to establish problem solving courts in statute, determine whether it is preferable to have a separate statute for each type of problem solving court or to have a single statutory frame work under which courts may establish different types of problem solving courts.	Work completed. Sunset.
14i	BJA - GR34 work group (see 14b)	BJA	Determine judicial education opportunities around the implementation of GR 34.	Work suspended. Sunset.



June 25, 2014

TO: BJA Interim Policy and Planning Committee Members

FROM: Shannon Hinchcliffe, Board for Judicial Administration Manager (with assistance from David Elliott, Senior Court Program Analyst)

RE: BEST PRACTICES COMMITTEE HISTORY AND CURRENT STATUS

BACKGROUND

The Best Practices Committee (BPC) has existed for many years as part of the Board for Judicial Administration (BJA) subcommittee structure. Cited in Project 2001 as newly created, the report recommended that the Best Practices Committee should act as a clearinghouse to promote best practices and innovative ideas among all trial courts. The passage of Initiative 900 on performance audits and the passage of ESHB 1064 (c 385 laws of 2005) caused the branch to explore the concept of performance auditing. This also resulted in the GR 32 Court Performance Audits rule.

RCW 2.56.200 Performance audits.

The office of the administrator for the courts is encouraged to conduct performance audits of courts under the authority of the supreme court, in conformity with criteria and methods developed by the board for judicial administration that have been approved by the supreme court. In developing criteria and methods for conducting performance audits, the board for judicial administration is encouraged to consider quality improvement programs, audits, and scoring. The judicial branch is encouraged to submit the results of these efforts to the chief justice of the Supreme Court or his or her designee, and with any other applicable boards or committees established under the authority of the Supreme Court to oversee government accountability. [2005 c 385 § 10.]

Pursuant to the provision of RCW Chapter 2.56 and to ensure that minimum service levels for the administration of justice are in place, the Administrative Office of the Courts (AOC) is directed to conduct performance audits of courts under the authority of the Supreme Court, in conformity with criteria and methods developed by the Board for Judicial Administration which have been approved by the Supreme Court. (GR 32)

TEMPLE OF JUSTICE

The BPC was the logical location for the branch's work on these audits and soon the process came to dominate the agenda for the committee. The BPC conducted an elaborate process examining over 70 potential measures, ultimately selecting 16 measures for further testing and examination. The committee has been engaged in the testing process ever since. (Attachment 1)

CURRENT STATUS OF THE COMMITTEE

The committee has not met since 2013. Many members' terms have expired and several of them are out of eligibility to serve. The committee slowed their progress during the first attempted re-structure in 2012-2013 to await the outcome of that effort. Also, AOC staff to the committee has significant duties during each legislative session, therefore the committee was often on hiatus for three to four months of the year due to limited resources. (Attachment 2)

MEASURES

GR 32 requires that the BJA set criteria and methods for performance audits and the Supreme Court approve them. The attachment shows a snapshot of the status of measures, below is a brief description of the measures to date (Attachment 3)

Rejected

The only rejected measure involved attorney surveys. The BPC determined that this measure would not work and rejected it after testing.

Adopted by BJA

Measures tested and adopted by the BPC include caseflow management, effective use of jurors, evaluation of a court's response to financial audits, access measures (for persons with disabilities), access for self-represented and/or the financially disadvantaged, and access for court users with limited English proficiency.

In Process

The committee is currently evaluating trial date certainty for superior court civil cases.

Not Yet Begun

The remaining measures are "Integrity of Trial Court Outcomes," collection of monetary penalties, accuracy, consistency, and timeliness of case file information and docket entries, court and public access to court records, "structure interviews of presiding judges and court administrators," compliance with reporting and distribution of no contact orders, and "perceptions of the court's independence and comity."

National Center for State Courts – CourTools

The National Center for State Courts (NCSC) has a nationally developed set of standards known as CourTools. Those tools were not available when the BPC began its work. Many of the CourTools standards are similar to those adopted by the BPC. CourTools offers supporting

“how-to” documents and training and many courts in Washington have used various measures to examine themselves. Additionally, the larger courts have adopted case clearance measures published monthly. A table is attached which compares the BPC measures with CourtTools. (Attachment 4)

It should be noted that there are some topics/measures where the agency has developed reports which are better tailored to our individual courts. Where that is true, the tailored measures should supersede where there are equivalent CourTools measures. (Examples in Attachment 5.) This also includes the Court of Appeals measures which were submitted in 2013. (Attachment 6)

OPTIONS TO PROCEED

The BJA is still responsible to develop criteria and methods for performance audits pursuant to RCW 2.56.200 regardless of the existence of the Best Practices Committee. Effective September 1, 2014, BJAR 3 will reflect the elimination of the Best Practices Committee as a *standing* committee but does not terminate the responsibilities under the RCW and General Rule.

After a review of the Best Practices Committee meeting minutes, a discussion with the current Chair of the committee and discussions with current and former members of the committee, it is clear that the long-standing list of measures given to the committee has been daunting and staff resources given to assist with committee work has been limited.

The interim committee should considering recommending replacing the standing Best Practices Committee with a responsive ad hoc committee which is charged with developing criteria and methods for performance audits on specific issues or measures. The ad hoc committee could function as a disappearing task force, charged with an issue and upon completion of the finite charge, they are disbanded. Measurements should also be contemplated as a part of any campaign initiative if possible. It is important to be able to retain the institutional history and knowledge of the committee’s members for future projects.

The committee should also consider recommending working on a transition plan with the existing Best Practices Committee Chair and/or members to wrap up their current work and publish the results of that work so that courts can use the tools to evaluate their performance. The Best Practices Committee and corresponding staff should be consulted on their opinions of wrapping up the work on the measures that are in process and are not yet begun as a part of the transition plan. Also, the committee should consider whether to recommend to the full BJA whether to adopt a policy statement encouraging courts to use whatever practices, methods or tools that are approved and adopted.

It is also important to remember that specialized AOC staff resources are critical to completing this work and fulfilling BJA duties. Work related to performance measures require a specialized skill set with a research and data background. It is imperative to make a request to keep this resource dedicated to these functions even if the standing committee is eliminated.

Attachments

**BOARD FOR JUDICIAL ADMINISTRATION
BEST PRACTICES COMMITTEE**

BJABESTPRACTICES@listserv.courts.wa.gov

Updated August 28, 2012

Name	Address	Phone	E-Mail
Co-Chairs			
Judge Christine Quinn-Brintnall Term Expires: 6/13	Court of Appeals, Div II 950 Broadway Ste 300, MS TB-06 Tacoma, WA 98402-4454	253-593-5447	J_c.quinn-brintnall@courts.wa.gov
Judge Jean Rietschel Term Expires: 6/13	King County Superior Court 516 3rd Ave, Rm C-203 Seattle, WA 98104-2361	206-296-9100	jean.rietschel@kingcounty.gov
Supreme Court (1)			
Ms. Susan Carlson Term Expires: 6/13 (third term)	WA State Supreme Court Clerk's Office-Temple of Justice P.O. Box 40929 Olympia, WA 98504-0929	360-357-2081	susan.carlson@courts.wa.gov
Court of Appeals (1)			
<i>Filled by Judge Christine Quinn-Brintnall, co-chair</i>			
Superior Court (3)			
Judge Linda Krese Term Expires: 6/13 (second term)	Snohomish Cty Superior Court 3000 Rockefeller Ave, MS 502 Everett, WA 98201-4046	425-388-3421	Linda.Krese@co.snohomish.wa.us
Judge Stephanie Arend Term Expires: 6/13 <i>Filled by Judge Jean Rietschel, co-chair</i>	Pierce County Superior Court 930 Tacoma Ave S, Rm 334 Tacoma, WA 98402-2108	253-798-3654	sarend@co.pierce.wa.us
Limited Jurisdiction Ct (3)			
Judge Steven Buzzard Term Expires: 6/13 (second term)	Lewis County Centralia PO Box 609 Centralia, WA 98531-0609	360-330-7667	Steven.buzzard@mail.courts.wa.gov buzzardlaw@comcast.net
Judge Gregory Tripp Nomination to BJA 9.21.12 Term Expires: 6/14	Spokane County District Court PO Box 2352 Spokane, WA 99260-0150	509-477-2965	gtripp@spokanecounty.org
Judge Jerry Roach Term Expires: 6/13 (second term)	Franklin County District Court 1016 N 4th Ave Pasco, WA 99301-3706	509-545-3593	jroach@co.franklin.wa.us
Court of Appeals Clerk (1)			
Mr. David Ponzoha Term Expires: 6/13 (fourth term)	Court of Appeals, Division II 950 Broadway, Suite 300 MS TB-06 Tacoma, WA 98402-4454	253-593-2970	dave.ponzoha@courts.wa.gov
Superior Ct Admin (2)			
Ms. Pat Austin Term Expires: 6/13 (second term)	Benton/Franklin Superior Courts 7122 W Okanogan Pl, Bldg A Kennewick, WA 99336-2359	509-736-3071	pat.austin@co.benton.wa.us
Mr. Ron Miles Term Expires: 6/13	Spokane County Superior Court 1116 W Broadway Ave Spokane, WA 99260-0350	509-477-5790	rmiles@spokanecounty.org

County Clerk (2)			
Honorable Barbara Christensen Term Expires: 6/13	Clallam County County Clerk 223 E 4th St, Ste 9 Port Angeles, WA 98362-3015	360-417-2231	bchristensen@co.clallam.wa.us Only serving one year, left committee June 2012; waiting for new appointment.
Honorable Ruth Gordon Term Expires: 6/13	Jefferson County County Clerk PO Box 1220 Port Townsend, WA 98368-0920	360-385-9125	rgordon@co.jefferson.wa.us
Honorable Virginia Leach (Alternate) Term Expires: 6/13	Pacific County County Clerk Location: 300 Memorial Dr South Bend, WA 98586	360-875-9320 ext 2222	vleach@co.pacific.wa.us
CLJ Administrator (3)			
Ms. Cynthia Marr Term Expires: 6/13	Pierce County District Court 930 Tacoma Ave South Tacoma, WA 98402-2115	253-798-7419	cmarr@co.pierce.wa.us
Ms. Terri K. Cooper Nomination to BJA 9.21.12 Term Expires: 6/14	Cheney Municipal Court 611 2 nd Street Cheney, WA 99004-1697	509-498-9232	tcooper@cityofcheney.org
Ms. Sandy Ervin Term Expires: 6/14	Okanogan County District Court PO Box 980 Okanogan, WA 98840	509-422-7173	servin@co.okanogan.wa.us
Juvenile Ct Admin (1)			
Ms. Lisa Rumsey Term Expires: 6/14	Skagit County Juvenile Court 611 S 2 nd Street Mount Vernon, WA 98273	360-419-7725	lisag@co.skagit.wa.us
WSBA Representative (1)			
Mr. Michael J. Shinn Term Expires: 6/13	Office of the Attorney General 1220 Main St Ste 510 Vancouver, WA 98660-2964	360-759-2122	michaels@atg.wa.gov
Staff			
Mr. David Elliott Program Staff	Administrative Office of the Cts P. O. Box 41170 Olympia, WA 98504-1170	360-705-5229	David.elliott@courts.wa.gov
Ms. Caroline Tawes Administrative Staff	Administrative Office of the Cts P. O. Box 41170 Olympia, WA 98504-1170	360-70-5307	caroline.tawes@courts.wa.gov

Geana Van Dessel
WSBA Representative

**PROPOSED
PERFORMANCE AUDIT BASE MEASURES**

Measure	Title	Status
In Process		
2a, 2b, 14	Caseflow Management Measures:	On hold COA***. On hold CLJ**.
2a	Time to Disposition*	Ditto
2b	Age of Active Pending Caseload*	Ditto
14	Clearance Rates*	Ditto
3	Trial Date Certainty*	In Process SC civil cases
Not Yet Begun		
5	Integrity of Trial Court Outcomes	
6	Collection of Monetary Penalties*	
7	Accuracy, Consistency, and Timeliness of Case File Information and Docket Entries	
9	Court and Public Access to Court Records	
10	Structured Interviews of Presiding Judge and Court Administrator	
11	Compliance with Reporting and Distribution of No Contact Orders	
13	Perceptions of the Court's Independence and Comity	
Complete		
4	Effective Use of Jurors	Adopted by the BJA.
2a, 2b, 14	Caseflow Management Measures	Adopted by the BJA —superior court.
8	Evaluation of the Court's Response to Financial Audits	Adopted by the BJA.
	Access Measures (added to original list by BPC):	Adopted by the BJA.
12	Access for the Self-Represented and/or Financially Disadvantaged	Adopted by the BJA.
15	Access for Court Users with Disabilities	Adopted by the BJA.
16	Access for Court Users with Limited English Proficiency	Adopted by the BJA.
Rejected		
1	Attorney Survey	Rejected by BPC after testing.

*These measures are similar to the National Center for State Courts' established CourTools measures.

**Data deficiencies need to be resolved before CLJ measure can proceed.

*** COA association unable to reach consensus on measures.



**Board for Judicial Administration
Trial Court Operations Funding Committee Charter**

Charge:

The Trial Court Operations Funding Committee (TCOFC) was reactivated as a standing committee under the auspices of the Board for Judicial Administration (BJA) in March 2011. Consistent with the role and responsibilities of the BJA under BJAR 4, the TCOFC is charged with developing specific funding proposals and implementation plans for trial court operations, in accordance with the Supreme Court's budget development process, for recommendation to the BJA. The TCOFC shall also assist the Administrative Office of the Courts (AOC) in identifying data to collect pursuant to RCW 2.56.030(6), which requires AOC to "collect statistical and other data and make reports relating to the expenditure of public moneys, state and local, for the maintenance and operation of the judicial system and the offices connected therewith."

Approach:

The TCOFC shall submit preliminary recommendations to the BJA for initial review prior to full development of a budget proposal. The BJA shall provide feedback and recommendations to the TCOFC. The TCOFC shall then develop a more detailed proposal, incorporating BJA feedback when appropriate. AOC staff shall work with the TCOFC chair to develop a meeting schedule that allows the BJA schedule to comport with the Supreme Court's budget development process.

The TCOFC may make recommendations to the BJA regarding whether a proposal should be submitted to the Supreme Court as either a request to be included in the budget submission or to be worked through the legislative process without inclusion in the budget submission.

Meetings shall be scheduled in such a manner as to minimize travel and other meeting-related expenses while maintaining the integrity of the committee process.

Membership:

Upon reconstitution of the committee in March 2011, the membership composition reflected that of the 2008 committee. With the creation of the committee charter, the composition has been changed to achieve better representative balance while maintaining a manageable committee size.

Membership shall consist of the following:

- Two members from the Superior Court Judges' Association
- Two members from the District & Municipal Court Judges' Association
- One member from the Association for Washington Superior Court Administrators
- One member from the Washington Association of Juvenile Court Administrators
- Two members from the District & Municipal Court Management Association

The above associations shall nominate members for approval by the BJA. In nominating and approving members, consideration shall be given to maintaining geographic and court-size diversity of membership. In accordance with BJA by-laws, members are eligible for one two-year term and reappointment for one additional two-year term. Initial terms will be staggered, with half lasting one year.

Membership:

Name	Court	Representing	Term Expires
		SCJA	2 years
		SCJA	1 year
		DMCJA	2 years
		DMCJA	1 year
		AWSCA	2 years
		WAJCA	1 year
		DMCMA	2 years
		DMCMA	1 year

AOC Staff:

Court Services Manager
Administrative Secretary



Public Trust and Confidence (PTC) Committee

Vision

To achieve the highest possible level of public trust and confidence in the Washington judicial system.

Mission

To assess the public's level of trust and confidence in the Washington judicial system and to develop strategies to increase that trust and confidence.

Goals:

1. To catalog potential and current activities promoting public trust and confidence in the judicial system.
2. To identify areas where public trust and confidence is lacking and to prioritize these needs for consideration by the committee.
3. To develop and disseminate tools and resources to address those needs.
4. To encourage and monitor use of tools and resources developed by the committee.
5. To collaborate with other individuals and groups working to improve public trust and confidence.

- > [Welcome](#)
- > [Committee Members](#)
- > [Public opinion poll](#)

Overview of Washington Courts

- > [Report of the Courts of Washington](#)
- > [Juror Website](#)

Statewide Resources

- > [Administrative Office of the Courts](#)
- > [Gender & Justice Commission](#)
- > [Minority & Justice Commission](#)
- > [Law for Washington \(lawforWA\)](#)
- > [State Bar Association](#)
- > [State Law Library](#)
- > [Washington LawHelp](#)
- > [Washington State Media Guide](#)

Brochures

- > [A Guide to Washington State Courts](#)
- > [A Guide to Terms used in WA Courts](#)
- > [Small Claims Court](#)
- > [A Juror's Guide](#)
- > [Criminal History and Criminal Records](#)

Tab 6



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

May 28, 2014

SAM MEYER
THURSTON CO DISTRICT COURT
BUILDING 3
2000 LAKERIDGE DR SW
OLYMPIA WA 98502-6045

Subject: 45 Day Citizen Complaint filed by Arthur West, PDC Tracking No. T14-107

Enclosed is a copy of a 45-day Citizen Action Complaint (Complaint) filed by Arthur West pursuant to RCW 42.17A.765(4) that was received by the Attorney General's Office and the Thurston County Prosecuting Attorney's Office on May 20, 2014, alleging that the Washington State District and Municipal Court Judges' Association (DMCJA); Sam Meyer; Brett Buckley; and Thurston County "*colluded to make unlawful lobbying expenditures, misappropriate public funds, and engage in frequent, unreported, unlawful lobbying activity.*" The Public Disclosure Commission (PDC) has jurisdiction over the portion of the complaint alleging violations of lobbyist and lobbyist employer registration and reporting requirements (RCW 42.17A.600 and .615 and .630). The sections of law cited in this letter can be found on our website, www.pdc.wa.gov, under the "Home" link, and then by selecting "Laws and Rules."

The Attorney General's Office has referred the Complaint to the PDC for review and possible investigation. Please note that under RCW 42.17A.765(4), the complainant can commence an action in superior court if the state fails to take action within the prescribed timeframes. PDC staff will attempt to complete its investigation and take appropriate action within 45 days of May 20, 2014.

Please provide a detailed written explanation by **no later than June 5, 2014** of the allegations relating to lobbyist registration and reporting. Your answer should include, but not be limited to, the following:

1. Did the DMCJA lobby the Washington State Legislature or State Agencies during 2012 or 2013?
2. Did Sam Meyer and Brett Buckley lobby for the DMCJA?
3. What were the terms of the lobbying agreement?
4. Did Thurston County participate in the lobbying agreement by paying for any of the lobbying services, or in any other way?
5. Were Lobbyist Registration Reports (L-1 reports) filed with the PDC?
6. Were monthly Lobbyist Expense Reports (L-2 reports) filed by the lobbyists?

7. Were annual Lobbyist Employer Reports (L-3 reports) filed by the DMCJA or Thurston County?
8. Did the DMCJA report its lobbying expenditures on a quarterly Lobbying by State and Local Government Agencies report (L-5 report)?
9. Does the DMCJA consider itself a public agency?
10. Did Thurston County reports its lobbying expenditures on a quarterly Lobbying by State and Local Government Agencies report (L-5 report)?

If you have questions, please contact Kurt Young at (360) 664-8853 or by email at kurtyoung@pdc.wa.gov or Phil Stutzman at (360) 664-8853 or by email at phil.stutzman@pdc.wa.gov, toll-free at 1-877-601-2828.

Sincerely,



Philip E. Stutzman
Director of Compliance

Enclosure – Copy of Complaint

MAY 27 2014

Public Disclosure Commission

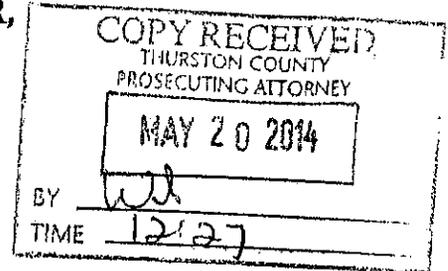
**TO: ATTORNEY GENERAL BOB FERGUSON,
THURSTON COUNTY PROSECUTOR,
AND THE WASHINGTON STATE PUBLIC
DISCLOSURE COMMISSION**

May 28 2014
June 28, 2013
RECEIVED
H.L.B.

2014 MAY 20 PM 12:43
ATTORNEY GENERAL
OF WASHINGTON

**RE: CITIZEN'S ACTION LETTER RE UNLAWFUL
LOBBYING BY THE DMCJA, SAM MEYER,
AND THURSTON COUNTY**

**FROM: ARTHUR WEST
120 State Ave #1497
Olympia, WA. 98501**



Please consider this as a formal citizen's action letter under RCW 42.17.460 concerning the continuing unregistered lobbying activity and unreported lobbying expenditures by Sam Meyer, Brett Buckley, the Washington State District and Municipal Court Judges' Association and Thurston County.

The facts are as follows:

During the 2012-2013 legislative session the Washington State District and Municipal Court Judges Association, Sam Meyer, Brett Buckley and Thurston County colluded to make unlawful lobbying expenditures, misappropriate public funds, and engage in frequent, unreported, unlawful lobbying activity.

As testified to in open session by Sam Meyer, (while lobbying on behalf of the DMCJA) Thurston County unlawfully expended public funds to hire pro tem judges for the Thurston County District Court for the express purpose of allowing Sam Meyer to leave the bench to lobby the Legislature during business hours, while Meyer was employed full time as a Thurston County District Court Judge.

COMPLAINT RE UNLAWFUL CAMPAIGN ACTIVITY BY DMCJA

1

Both Buckley and Meyer lobbied repeatedly during the session, apparently more than 4 times per month, often during regular business hours while employed full time as Thurston County judges, on behalf of the Association of Judges, with Thurston County paying their salaries and expending funds on pro tem judges to cover their lobbying related absences.

These expenditures were not authorized by law and were further not reported as legitimate lobbying expenditures. Nor were Judge Meyer or Judge Buckley registered as lobbyists for Thurston County or the DMCJA as required by RCW 42.17A.600. Nor were the DMCJA or Thurston County registered as lobbyist employers as required by State law.

As John Kingdon observes in *Agendas, Alternatives, and Public Policies*, (Boston: Little, Brown, 1984) "...judges cannot roam the corridors of Congress buttonholing members and pleading the case of the Courts.

This appears to be exactly what the DMCJA and Thurston County have improperly expended public funds to allow in regard to the lobbying activities of the Honorable Judges Buckley and Meyer.

In the absence of action on your part in 45 days, the complainant will submit a further 10 day letter and institute a citizen enforcement action.

Thank you for your consideration.

RECEIVED

MAY 27 2014

S/Arthur West Public Disclosure Commission
ARTHUR WEST

District and Municipal Court Judges' Association

RECEIVED

MAY 27 2014

Public Disclosure Commission

March 26, 2013

Mr. Arthur West
120 State Ave NE #1497
Olympia, WA 98501

Re: Records Request

Dear Mr. West:

I am writing to you in my capacity as president of the Washington State District and Municipal Court Judges Association (DMCJA). Past President Gregory Tripp received a forwarded email from you requesting certain records.

Your email indicated that you were making a request for public records pursuant to Chapter 42.56 RCW, the Washington Public Records Act. As I am sure you are aware, it is settled law that the PRA does not apply to the judicial branch of government. Please see, Nast v. Michels, 107 Wash. 2d 300 (1986) and its progeny. More recently, the Supreme Court reiterated this holding and also applied it to records related to the administration of the judicial branch of government:

More notably, the legislature has declined to modify the PRA's definitions of agency and public records in the 23 years since the Nast decision. This court presumes that the legislature is aware of judicial interpretations of its enactments and takes its failure to amend a statute following a judicial decision interpreting that statute to indicate legislative acquiescence in that decision. Soproni v. Polygon Apartment Partners, 137 Wash.2d 319, 327 n. 3, 971 P.2d 500 (1999). By not modifying the PRA's definition of agency to include the judiciary, the legislature has implicitly assented to our holding in Nast that the PRA does not apply to the judiciary and judicial records.

City of Federal Way v. Koenig, 167 Wash.2d 341 (2009).

The DMCJA is an association of judges of limited jurisdiction courts in the state of Washington. We have no employees and are funded by member dues. Pursuant to RCW 3.70.040, the DMCJA is required to:

President

JUDGE SARA B. DERR
Spokane County District Court
Public Safety Building
1100 W Mallon Avenue
Spokane, WA 99260-0150
(509) 477-2959

President-Elect

JUDGE DAVID A. SVAREN
Skagit County District Court
600 S 3rd Street
PO Box 340
Mount Vernon, WA 98273-0340
(360) 336-9319

Vice-President

JUDGE VERONICA ALICEA-GALVAN
Des Moines Municipal Court
21630 11th Ave S Ste C
Des Moines, WA 98198
(206) 878-4597

Secretary/Treasurer

JUDGE DAVID STEINER
King County District Court
585 112th Ave. S.E.
Bellevue, WA 98004
(206) 205-9200

Past President

JUDGE GREGORY J. TRIPP
Spokane County District Court
Public Safety Building
1100 W Mallon Avenue
Spokane, WA 99260-0150
(509) 477-2965

Board of Governors

JUDGE SANDRA L. ALLEN
Ruston/Milton Municipal Courts
(253) 759-8545

JUDGE JOSEPH M. BURROWES
Benton County District Court
(509) 7535-8476

JUDGE JEFFREY J. JAHNS
Kitsap County District Court
(360) 337-7033

JUDGE JUDY RAE JASPRICA
Pierce County District Court
(253) 798-3313

JUDGE MARY C. LOGAN
Spokane Municipal Court
(509) 622-4400

JUDGE G. SCOTT MARINELLA
Columbia County District Court
(509) 382-4812

JUDGE KELLEY C. OLWELL
Wakima Municipal Court
(509) 575-3050

JUDGE REBECCA C. ROBERTSON
Federal Way Municipal Court
(253) 725-3000

JUDGE BRADLEY C. SMITH
Wellingham Municipal Court
(60) 778-8150

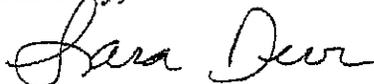
- (1) Continuously survey and study the operation of the courts served by its membership, the volume and condition of business of such courts, the methods of procedure therein, the work accomplished, and the character of the results;
- (2) Promulgate suggested rules for the administration of the courts of limited jurisdiction not inconsistent with the law or rules of the supreme court relating to such courts;
- (3) Report annually to the supreme court as well as the governor and the legislature on the condition of business in the courts of limited jurisdiction, including the association's recommendations as to needed changes in the organization, operation, judicial procedure, and laws or statutes implemented or enforced in these courts.

As this statute makes clear, the DMCJA is a part of the judicial branch of government in Washington State. Thus, the PRA does not apply to the DMCJA. For that reason we do not have any formal process for dealing with requests for information.

Nonetheless, we thank you for your interest in our association and would like to provide answers to the questions which seem to have spurred your interest. Judge Samuel Meyer is not a lobbyist; rather he chairs the Legislative Committee of the DMCJA. Melanie Stewart is a registered lobbyist for the DMCJA and has been paid \$35,000.00 this fiscal year (July 2012 to date). We have also reimbursed Ms. Stewart in the amount of \$626.01 for lobbying expenses during the same period. Pro tem reimbursements have been made for pro tem time for Judge Michelle Gehlsen, in the amount of \$227.50 (March 25, 2013); Judge Brett Buckley in the amounts of \$217.55 (August 2, 2012), \$135.96, \$54.38 and \$135.90 (March 25, 2013); and Judge Samuel Meyer in the amounts of \$136.00 (August 2, 2012), \$108.77, \$135.96 and \$108.77 (March 25, 2013).

Again, thank you for your interest in our association.

Sincerely,


Sara B. Derr
DMCJA President

RECEIVED

MAY 27 2014

Public Disclosure Commission



WASHINGTON
COURTS

District and Municipal Court Judges' Association

President

JUDGE DAVID A. SVAREN
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President-Elect

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Vice-President

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Secretary/Treasurer

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Past President

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JUDGE JEFFREY J. JAHNS
Kitsap County District Court
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JUDGE MARY C. LOGAN
Spokane Municipal Court
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JUDGE SAMUEL MEYER
Thurston County District Court
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JUDGE KELLEY C. OLWELL
Yakima Municipal Court
(509) 575-3050

JUDGE KEVIN G. RINGUS
Fife Municipal Court
(253) 922-6635

JUDGE REBECCA C. ROBERTSON
Federal Way Municipal Court
(253) 835-3000

COMMISSIONER PETE SMILEY
Bellingham Municipal Court
(360) 778-8150

JUDGE HEIDI SMITH
Okanogan County District Court
(509) 422-7170

June 4, 2014

Public Disclosure Commission

Attn: Philip E. Stutzman
P.O. Box 40908
Olympia, WA 98504-0908

Re: Arthur West complaint
PDC tracking number T14-107

Dear Mr. Stutzman:

I am the current President of the Washington State District and Municipal Court Judge's Association (DMCJA). I am responding to your letter dated May 28, 2014 concerning the complaint filed by Arthur West.

Last spring, Mr. West instituted litigation against the DMCJA and the State of Washington in King County Superior Court under cause number 13-2-16034-0 SEA. Among other allegations, this claim asserted violations of the Public Disclosure Act on the same vague and generalized grounds as the complaint he just filed with the PDC. There is a summary judgment motion pending in the superior court action above referenced. Among the various issues raised, DMCJA pointed out Mr. West's non-compliance with RCW 42.17A.765. That statute requires a complaint such as the one just filed as a condition precedent to bringing a citizen enforcement action for an alleged violation of the PDA.

The DMCJA does employ a registered lobbyist, Ms. Melanie Stewart and has lobbied the legislature in years past including the years 2012 and 2013. The gravamen of Mr. West's complaint, however, has nothing to do with the actions of Ms. Stewart on the DMCJA's behalf but, instead, alleges lobbying by Thurston County District Court Judges Sam Meyer and Brett Buckley. Accordingly, my responses your queries will relate to the judges.

The DMCJA is not a public agency. It is, instead, an association of judges organized pursuant to RCW Chapter 3.70 and registered with the Secretary of State as a non-profit corporation. Established case



WASHINGTON
COURTS

District and Municipal Court Judges' Association

law indicates that neither the judiciary nor an association of judges such as DMCJA are subject to the dictates of the PDA (or the PRA which utilizes the same definitions of included parties/entities). See *Nast v. Michels*, 107 Wn. 2d 300 (1986) and *City of Federal Way v. Koenig*, 167 Wn. 2d 341 (2009). Pursuant to RCW 3.70.040 the DMCJA is directed to "(1)...survey and study the operation of the courts.....(3) report annually to the.....legislature on the condition of business in the courts of limited jurisdiction, including the association's recommendations as to needed changes in the organization, operation, judicial procedure, and laws or statutes implemented in or enforced in these courts."

Judges Meyer and Buckley are not lobbyists. They are members of the DMCJA's legislative committee. Judge Meyer is chair of said committee. As members of the legislative committee and due to their physical proximity to the legislature, Judges Meyer and Buckley are heavily relied upon to report to and testify before the legislature on the matters identified in RCW 3.70.040. At times the President of DMCJA or other member with particular expertise on a particular subject may appear before the legislature but for most appearances we rely upon our Thurston County members. Neither judge is compensated for their efforts on behalf of the association. While both judges are often able to arrange their schedules so they can testify without needing a pro tem judicial replacement, at times a pro tem is required to cover for the testifying judge. Recognizing that it is inequitable to require a judge or their county/city to incur the monetary loss associated with obtaining pro tem coverage, the association adopted a policy some years ago that provided an offset for the costs of pro tem judicial coverage for a judge attending association business. Otherwise, such a judge would be penalized for attending to association business and, in the cases of Judges Meyer and Buckley, such penalty would directly result from performing the duties set forth in RCW 3.70.040. I have reviewed the letter from Judge Derr regarding pro tem reimbursement for Judges Meyer and Buckley and it appears fairly de minimus. Given the judicial salary schedule in effect in 2013, it amounted to slightly less than a day of pro tem reimbursement per judge.

Even if the DMCJA was a public agency, the actions of Judges Meyer and Buckley above described do not constitute lobbying. RCW 42.17A.635 (5) (d) (ii) clearly states that "lobbying" does not include "Recommendations or reports to the legislature in response to a legislative request expressly requesting or directing a specific study, recommendation, or report by an agency on a particular subject." Further, even if Judges Meyer and Buckley's activities could, by some stretch of the imagination, be construed as lobbying, they still would not be required to register because they are exempt under RCW 42.17A.610 (1) and (4) in that their activities are limited to appearing before public sessions or public hearings and do so without compensation or other consideration and make no expenditure on behalf of members of the legislature, elected official or state agency.



WASHINGTON
COURTS

District and Municipal Court Judges' Association

I trust the information I have provided will answer the questions you posed. Judges Meyer and Buckley do not lobby for the DMCJA and therefore forms L-1, L-2, L-3 and L-5 have never been filed with respect to the activities of these judges on behalf of the DMCJA.

Further, DMCJA has no relationship to Thurston County with respect to lobbying activity.

Please give me a call or send me a letter if you have any further questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "David A. Svaren".

David A. Svaren

Judge Samuel Meyer - Citizen Action Complaint filed by Arthur West, PDC Tracking No. 14-107

From: Tony Perkins <tony.perkins@pdc.wa.gov>
To: "meyers@co.thurston.wa.us" <meyers@co.thurston.wa.us>
Date: 07/02/2014 12:17 PM
Subject: Citizen Action Complaint filed by Arthur West, PDC Tracking No. 14-107

Judge Meyer,

Phil Stutzman, the PDC's Director of Compliance, asked me to connect with you regarding the 45-day Citizen Action complaint that Arthur West filed against the District and Municipal Court Judges Association (DMCJA), et al. I have reviewed your letter of June 5, 2014, concurring with Judge David Svaren's June 4, 2014 response to the complaint, and reviewed your email of June 30, 2014 to Phil. I have also reviewed a March 23, 2013 letter from Judge Sara Derr on behalf of DMCJA, which was attached to Mr. West's complaint.

Following our receipt of a citizen action complaint filed under RCW 42.17A.765, PDC staff must make a recommendation to the Public Disclosure Commission on the appropriate action to dispose of the complaint. In the case of Mr. West's complaint, our staff needs to develop certain facts in order to make an appropriate recommendation, and so are seeking information from you. (Staff will contact Judge Buckley separately for a response.) Please review the questions below and reply with the information requested. Please contact me before responding if you have questions about the information being sought. Please respond on or before Wednesday, June 9, 2014.

1. **Excluding** appearances before public sessions of committees of the legislature, or public hearings of state agencies, did you have contact with state officials on behalf of DMCJA on **more than four occasions during any three-month period** since December of 2011? In tabulating the number of occasions, please **include** your participation in the legislative work groups encouraged by Senate Bill 5797. Please also identify the periods in question.
2. During any three-month period since December of 2011, did you make entertainment expenditures exceeding \$25 on behalf of any state official in connection with your work with DMCJA? If so, please identify the periods in question.
3. If the answer to either of the above questions is yes, during the affected three-month periods, did your contacts with state officials on behalf of DMCJA occur on your own time? If not, did Thurston County retain a pro tem judge to handle your court cases on any occasion, and did DMCJA reimburse the county for its expense? Please identify the dates in question.
4. On any of the occasions described above, was Melanie Stewart or an agent of her lobbying firm present during your contact with state officials? If so, please identify the dates in question.

Please answer the above with as much specificity as possible. I appreciate your assistance in resolving this issue, and look forward to hearing from you.

Sincerely,

Tony Perkins

Lead Political Finance Specialist
 Washington State Public Disclosure Commission

 (360) 586-1042

 [\(360\) 753-1112](tel:(360)753-1112)

 tony.perkins@pdc.wa.gov

From: Judge Samuel Meyer [<mailto:meyers@co.thurston.wa.us>]

Sent: Monday, June 30, 2014 4:56 PM

To: Phil Stutzman

Subject: Therapeutic Courts Bill

Mr. Stutzman,

As per your request I am attaching a copy of a bill that legislatively creates a work group. Please review section 3. I am also relying on your assurance that no adverse ruling will be forthcoming from the PDC without first giving either or both myself and Judge Buckley an opportunity to be heard on the issue.

Thanks,

Sam Meyer

Judge

Thurston County District Court

2000 Lakeridge Drive SW

Olympia, WA 98502

[\(360\) 786-5149](tel:(360)786-5149)

Judge Samuel Meyer - RE: Citizen Action Complaint filed by Arthur West, PDC Tracking No. 14-107

From: Tony Perkins <tony.perkins@pdc.wa.gov>
To: Judge Samuel Meyer <meyers@co.thurston.wa.us>
Date: 07/08/2014 11:11 AM
Subject: RE: Citizen Action Complaint filed by Arthur West, PDC Tracking No. 14-107

Thanks for your response, Judge Meyer. We'll continue to review Mr. West's complaint and the information you've provided. As soon as possible, we will provide guidance to you about the application of our registration and reporting requirements for lobbyists, including the exemptions from those requirements in RCW 42.17A.610.

Tony Perkins

Lead Political Finance Specialist
Washington State Public Disclosure Commission

☎ (360) 586-1042

☎ (360) 753-1112

✉ tony.perkins@pdc.wa.gov

From: Judge Samuel Meyer [meyers@co.thurston.wa.us]
Sent: Tuesday, July 08, 2014 11:01 AM
To: Tony Perkins
Subject: Re: Citizen Action Complaint filed by Arthur West, PDC Tracking No. 14-107

Mr. Perkins,

I have consulted with Melanie Stewart and answer your four questions as follows:

- 1). I do not believe that I have had contact with state officials on more than four occasions during any three month period since December of 2011. I did not take specific notes but Melanie and I could think of approximately 6 meetings with state officials since December of 2011. Those meetings have taken place over a three and one half year period. The longest of those meetings was approximately 20 minutes and the others were no more than 5-10 minutes each. I have not participated in any work groups from December 2011 to the present.
- 2). I have never made any entertainment expenditures of any kind on behalf of any state official.
- 3). I do not believe that any pro tem time was necessary for any of the above referenced meetings, if there was, the DMCJA did not reimburse Thurston County for pro tem expense. The DMCJA only reimburses local jurisdictions for pro tem time when the judicial officer agrees to TESTIFY at a public hearing. With regard to the occasions that the DMCJA has reimbursed Thurston County for pro tem time when I have testified I would refer you back to the letter from Judge Sara Derr to Arthur West dated March 26 2013 which indicated the occasions and amounts that the DMCJA reimbursed Thurston County.
- 4). As far as I can recall, Melanie Stewart was with me during any meeting that I had with any state official.

Please let me know if you need any additional information, please also advise me when this case has resolved.

Sam Meyer
 Judge
 Thurston County District Court
 2000 Lakeridge Drive SW
 Olympia, WA 98502
 (360) 786-5149

>>> Tony Perkins <tony.perkins@pdc.wa.gov> 07/02/2014 12:17 PM >>>
 Judge Meyer,

Phil Stutzman, the PDC's Director of Compliance, asked me to connect with you regarding the 45-day Citizen Action complaint that Arthur West filed against the District and Municipal Court Judges Association (DMCJA), et al. I have reviewed your letter of June 5, 2014, concurring with Judge David Svaren's June 4, 2014 response to the complaint, and reviewed your email of June 30, 2014 to Phil. I have also reviewed a March 23, 2013 letter from Judge Sara Derr on behalf of DMCJA, which was attached to Mr. West's complaint.

Following our receipt of a citizen action complaint filed under RCW 42.17A.765, PDC staff must make a recommendation to the Public Disclosure Commission on the appropriate action to dispose of the complaint. In the case of Mr. West's complaint, our staff needs to develop certain facts in order to make an appropriate recommendation, and so are seeking information from you. (Staff will contact Judge Buckley separately for a response.) Please review the questions below and reply with the information requested. Please contact me before responding if you have questions about the information being sought. Please respond on or before Wednesday, June 9, 2014.

1. **Excluding** appearances before public sessions of committees of the legislature, or public hearings of state agencies, did you have contact with state officials on behalf of DMCJA on **more than four occasions during any three-month period** since December of 2011? In tabulating the number of occasions, please **include** your participation in the legislative work groups encouraged by Senate Bill 5797. Please also identify the periods in question.
2. During any three-month period since December of 2011, did you make entertainment expenditures exceeding \$25 on behalf of any state official in connection with your work with DMCJA? If so, please identify the periods in question.
3. If the answer to either of the above questions is yes, during the affected three-month periods, did your contacts with state officials on behalf of DMCJA occur on your own time? If not, did Thurston County retain a pro tem judge to handle your court cases on any occasion, and did DMCJA reimburse the county for its expense? Please identify the dates in question.
4. On any of the occasions described above, was Melanie Stewart or an agent of her lobbying firm present during your contact with state officials? If so, please identify the dates in question.

Please answer the above with as much specificity as possible. I appreciate your assistance in resolving this issue, and look forward to hearing from you.

Sincerely,

Tony Perkins

Lead Political Finance Specialist
 Washington State Public Disclosure Commission

 [\(360\) 586-1042](tel:(360)586-1042)

 [\(360\) 753-1112](tel:(360)753-1112)

 tony.perkins@pdc.wa.gov

From: Judge Samuel Meyer [<mailto:meyers@co.thurston.wa.us>]
Sent: Monday, June 30, 2014 4:56 PM
To: Phil Stutzman
Subject: Therapeutic Courts Bill

Mr. Stutzman,

As per your request I am attaching a copy of a bill that legislatively creates a work group. Please review section 3. I am also relying on your assurance that no adverse ruling will be forthcoming from the PDC without first giving either or both myself and Judge Buckley an opportunity to be heard on the issue.

Thanks,

Sam Meyer
Judge
Thurston County District Court
2000 Lakeridge Drive SW
Olympia, WA 98502
[\(360\) 786-5149](tel:(360)786-5149)

Judge Samuel Meyer - Fwd: PDC Review of Complaint against DMCJA

From: Melanie Stewart <melaniesuestewart@gmail.com>
To: Judge Samuel Meyer <Meyers@CO.THURSTON.WA.US>, Sharon Harvey <Sharon.Har...>
Date: 07/08/2014 3:00 PM
Subject: Fwd: PDC Review of Complaint against DMCJA

Hi,
What are your thoughts?
Melanie

Sent from my iPhone

Begin forwarded message:

From: Tony Perkins <tony.perkins@pdc.wa.gov>
Date: July 8, 2014 at 1:46:36 PM PDT
To: "votesrus2@comcast.net" <votesrus2@comcast.net>
Subject: PDC Review of Complaint against DMCJA

Dear Melanie,

Following up on my voice message left for you this afternoon, I'm contacting you in your role as the registered contract lobbyist for the District and Municipal Court Judges Association (DMCJA). PDC staff is currently reviewing a 45-day Citizen Action complaint that Arthur West filed against the DMCJA and other respondents on May 20, 2014. The complaint alleges that DMCJA and its officials failed to disclose lobbying activity as required under RCW 42.17A. Following our receipt of a Citizen Action complaint filed under [RCW 42.17A.765](#), PDC staff must make a recommendation to the Public Disclosure Commission on the appropriate action to dispose of the complaint. We plan to present our findings and make a recommendation to the Commission at the its July 24, 2014 meeting.

We have reviewed Judge David Svaren's June 4, 2014 response to the complaint on behalf of DMCJA, and responses from Judge Sam Meyer and Judge Brett Buckley. We are exploring whether Judge Meyer and Judge Buckley's contact with state officials during the period in question made them subject to the lobbyist registration and reporting requirements under our chapter of law, or if they may have been exempt from those requirements. (See [RCW 42.17A.610](#) for the exemptions from the lobbyist registration and reporting requirements of our chapter.)

Separately, we have learned that in some instances, DMCJA has made payments to Thurston County District Court and possibly other jurisdictions to reimburse the jurisdictions for pro tem judicial coverage they must engage while their judges are away from the bench, performing duties for DMCJA. Even in the event that we determine Judge Meyer and Judge Buckley are individually exempt from lobbyist registration and reporting requirements, to the extent that DMCJA incurs expenses to allow its members to lobby or testify before public hearings of the legislature, those expenses should be disclosed in some manner. We believe it would be appropriate for the association's registered lobbyist to include that information in L-2 filings, as an "other lobbying expense" on lines 9 and 18.

After reviewing this email, please make contact with DMCJA officials to learn the date, amount, and recipients of any DMCJA expenditures as described above, made since December of 2011. Again, only reimbursements made in connection with lobbying (public testimony or private lobbying meetings) need be disclosed. When you have that information, in lieu of filing a series of amended L-2 reports, we recommend that you submit a letter to the PDC, with a listing of the relevant expenditures. We will scan that letter into your file of lobbying reports. In the future, we recommend that such payments by DMCJA be disclosed on your L-2 report as described above.

To assist PDC staff in addressing this complaint in a timely manner, if possible, I would appreciate an email by tomorrow, Wednesday, June 9, 2014, confirming that you will supply the requested listing, and the date that you expect to deliver it.

Thank you for your attention to this. Please contact me by telephone at the number below if you have any questions before responding.

Sincerely,

Tony Perkins

Lead Political Finance Specialist
Washington State Public Disclosure Commission

 [\(360\) 586-1042](tel:(360)586-1042)

 [\(360\) 753-1112](tel:(360)753-1112)

 tony.perkins@pdc.wa.gov

-----Original Message-----

From: Veronica Alicea-Galvan [mailto:VAlicea-Galvan@desmoineswa.gov]

Sent: Wednesday, July 09, 2014 3:28 PM

To: tony.perkins@pdc.wa.gov

Cc: Sam Meyer; melaniesuestewart@gmail.com; David Svaren; David Steiner; Scott Marinella

Subject: PDC Review against DMCJA

Mr. Perkins,

Good afternoon, my name is Judge Veronica Alicea-Galvan and I am currently the president of the District and Municipal Court Judges Association. I am in receipt of your correspondence to Melanie Stewart dated July 8, 2014, requesting a response by June 9, 2014 (which I presume to be July 9, 2014). At this time, I have requested Ms. Stewart refrain from responding to you until we have addressed this issue with the full DMCJA board of governors this Friday, July 11, 2014.

Our position as the DMCJA Remains as stated in Judge David Svaren's letter to you dated June 4, 2014, in which he indicates that we are a separate branch of government and not a state agency subject to the dictates of the PDA or the PRA.

Furthermore, we will be consulting with counsel to determine what actions, if any, need to be taken from this point forward.

Sincerely,

Judge Veronica Alicea-Galvan

Pres. DMCJA

Sent from my iPhone

Tab 7



July 11, 2014

TO: Board for Judicial Administration (BJA) Members and Liaisons
FROM: Shannon Hinchcliffe, BJA Administrative Manager
RE: JULY ADMINISTRATIVE MANAGER STATUS UPDATE

BJA Standing Committees Interim Work Plan Progress

BJA staff has assessed the level of completion towards its work plan goals and objectives. Included in the work plan were the objectives to 1) create individual committee charters, 2) review recommendations about relevant BJA committees and evaluate their relationship to the committee's scope of work, 3) recommend any necessary communication between the BJA and its standing committees, subcommittees and workgroups, and 4) identify the roles and responsibilities of committee members in relation to the scope of work.

Standing committee charter recommendations are on the July agenda for action. Committee budget requests have been separated out as a discussion item for July in order to facilitate a discussion regarding how to apportion the requests because the overall FY budget of \$38,800 does not cover all the requests. Additionally, assignment of AOC staff resources have not yet been made for the standing committees although Ms. Dietz, the State Court Administrator is aware of the requests.

It is anticipated that in the course of the charter discussions in July, committees will report on their work related to the remaining objectives. After the action items are resolved in July, staff will bring back any administrative housekeeping issues.

Request to Judicial Branch Organizations that Create and Maintain Committees

The BJA Co-chairs sent letters to judicial branch organization chairs and staff requesting they create charters or submit charters for their respective organizations and committees by June 2014. We have received six sets of documents out of 23 requests. Eight others are in progress of completing a response to the request. Documents received include charters, work plans, annotated rosters, Supreme Court Orders, and purpose statements.

Attached is the original sample letter and results spreadsheet.

Second Quarter BJA Business Account Summary

The balance of the BJA Business Account as of June 26, 2014 is \$11,561.66. A detailed report is attached.

Attachments



March 3, 2014

Ms. Callie Dietz
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

Dear Ms. Dietz:

In 2012, the Board for Judicial Administration (BJA) held a retreat to discuss issues of governance and allocation of Administrative Office of the Courts (AOC) resources dedicated to supporting boards, commissions, committees, task forces, and workgroups. The BJA agreed to divide these issues between two workgroups. The BJA recently adopted recommendations made from the workgroup charged with looking at all judicial branch committees and identifying opportunities to improve efficiency and effectiveness by merging or restructuring some groups. The workgroup reviewed 205 committees of associations, boards and commissions. Although the BJA realizes that examining the efficiency and relevance of any committee is actually the responsibility of that organization and its own related committees, the BJA is undertaking the job of examining each of its own BJA committees and workgroups and is asking that every association, board or commission do the same.

This workgroup recommended, and the BJA adopted the following:

- Every BJA authorized entity shall review and assess their current committee structure and align their committees with the proposed standard for creating, managing, and reviewing committees.
- All committees will adopt a charter containing the following information: Committee title; authorization (court rule, court order, bylaw, statute or other); charge or purpose; AOC staff support required; policy area; other branch committees addressing the same topic; other branch committees to partner with; committee type: standing, subcommittee, workgroup; committee membership; term limit; duration/review date; budget; reporting requirements (i.e., quarterly to the BJA, the authorizing organization and/or other entities addressing same topic); and expected deliverables or recommendations.
- Create and adopt a standard for committees that would include an agreement on the following items: 1) committee types; 2) committee duration limit to two years unless specifically extended after review; 3) commitment to periodic review, including a reporting requirement on activities, decisions, and initiatives; 4) formal request for AOC staff support and resources.

The BJA is currently re-examining and chartering our standing committees pursuant to this recommendation. We anticipate that the body will examine other committees, workgroups and task forces which were previously created by the BJA and determine whether they should continue in their current form or be incorporated into a standing committee.

The workgroup also focused on how the AOC uses its staff and resources, recognizing the need to prioritize requests for resources so the core work of the judicial branch can be done effectively. The demand for staff support and proliferation of committees and workgroups often create a strain on resources and result in limited support.

Recognizing the limited AOC staff and resources, the BJA requests that all judicial branch entities which operate committees under their authority using AOC staff or resources discuss and consider implementing the proposed chartering and committee standards. We hope these discussions will help define the core mission of the committees and possibly result in the merging or elimination of duplicative committees which require judicial and AOC resources.

If your organization has recently done work like this we encourage you to share the results. The BJA is interested in creating a central repository for charter documents so they are centrally located and can be accessible to others. This repository could function as a resource for all the judicial branch entities and staff and would facilitate collaboration and information sharing. If your organization has not done work like this recently, we urge you to adopt the recommendations of the BJA workgroup as outlined earlier in this letter. Staff will follow-up in June to determine whether you have any finalized documents that you can share.

If you would like a template for the committee charter, please contact Beth Flynn at beth.flynn@courts.wa.gov or (360) 357-2121.

If you have any questions regarding this request, please contact Shannon Hinchcliffe at shannon.hinchcliffe@courts.wa.gov or (360) 705-5226.

Thank you for your consideration of this information.

Sincerely,



Barbara Madsen, Chair
Board for Judicial Administration



Kevin Ringus, Member Chair
Board for Judicial Administration

cc:

Database for Committee Letters

Name	Salutation	cc #1	To E-mail	cc E-mail(s)	Status as of July 1, 2014
Bench-Bar-Press Committee	Chief Justice Madsen	Ms. Wendy Ferrell	Barbara.Madsen@courts.wa.gov	wendy.ferrell@courts.wa.gov	Committee has not met since letter: received detailed purpose statement ; statement of principles
Board for Court Education (BCE)	Judge Ross	Ms. Judith Anderson	MROSS@co.pierce.wa.us	judith.anderson@courts.wa.gov	Received
Certified Professional Guardian Board (CPGB)	Judge Lawler	Ms. Shirley Bondon	james.lawler@lewiscountywa.gov	shirley.bondon@courts.wa.gov	Received
Commission on Children in Foster Care (CCFC)	Justice Bridge	Ms. Paula Odegaard	bjbridge@ccvj.org	paula.odegaard@courts.wa.gov	No response yet
Court Management Council (CMC)	Ms. Dietz and Mr. Escamilla	Mr. Dirk Marler	callie.dietz@courts.wa.gov ; pat.escamilla@clark.wa.gov	dirk.marler@courts.wa.gov ; caroline.tawes@courts.wa.gov	In progress per Callie
Ethics Advisory Committee	Judge Hancock	Ms. Nan Sullins	alanh@co.island.wa.us	nan.sullins@courts.wa.gov	Received
Gender and Justice Commission (GJCOM)	Chief Justice Madsen	Ms. Danielle Pugh-Markie	Barbara.Madsen@courts.wa.gov	danielle.pugh-markie@courts.wa.gov	In progress per Danielle and Pam
Interpreter Commission	Justice González	Mr. Robert Lichtenberg	J.S.Gonzalez@courts.wa.gov	robert.lichtenberg@courts.wa.gov ; danielle.pugh-markie@courts.wa.gov	In progress
Judicial Information System Committee	Justice Fairhurst	Ms. Vonnie Diseth	mary.fairhurst@courts.wa.gov	vonniediseth@courts.wa.gov	In progress, took vote to sunset some committees on June 27 (per Callie)
Minority and Justice Commission (MJCOM)	Justice Johnson	Ms. Cynthia Delostrinos	J.C.Johnson@courts.wa.gov	cynthia.delostrinos@courts.wa.gov ; danielle.pugh-markie@courts.wa.gov	In progress
Supreme Court Budget Committee	Chief Justice Madsen	Mr. Ramsey Radwan	Barbara.Madsen@courts.wa.gov	ramsey.radwan@courts.wa.gov	No response yet
Pattern Jury Instructions Committee	Judge Downing and Judge Halpert	Ms. Lynne Alfasso	william.downing@kingcounty.gov ; helen.halpert@kingcounty.gov	lynne.alfasso@courts.wa.gov	The Chairs discussed the letter and felt that the Supreme Court Orders that created WPI is sufficient to describe their function without a creating an additional charter.
Supreme Court Rules Committee	Justice Johnson	Ms. Nan Sullins	J.C.Johnson@courts.wa.gov	nan.sullins@courts.wa.gov	Received
Temple of Justice Security Workgroup	Justice González		J.S.Gonzalez@courts.wa.gov		<i>Have not followed up with Justice Gonzales</i>
Washington Pattern Forms Committee	Judge Middaugh	Ms. Merrie Gough	Laura.middaugh@kingcounty.gov	merrie.gough@courts.wa.gov	Follow up email, no response yet
Washington State Center for Court Research Advisory Board	Judge Schindler	Dr. Carl McCurley	ann.schindler@courts.wa.gov	carl.mccurley@courts.wa.gov	Meeting with Carl on 7/3 – A strategic oversight committee is being created, WSCCR is considering the request in its work.
Court of Appeals	Judge Dwyer	Ms. Lynne Alfasso	stephen.dwyer@courts.wa.gov	lynne.alfasso@courts.wa.gov	Haven't discussed the request specifically per Lynne

Name	Salutation	cc #1	To E-mail	cc E-mail(s)	Status as of July 1, 2014
Association for Washington Superior Court Administrators	Mr. Amram	Ms. Sondra Hahn	jeff.amram@clark.wa.gov	sondra.hahn@courts.wa.gov	Received
District and Municipal Court Judges' Association	Judge Svaren	Ms. Michelle Pardee	dsvaren@co.skagit.wa.us	michelle.pardee@courts.wa.gov	Received committee rosters which includes additional information such as charges, budget, assigned staff
Superior Court Judges' Association	Judge Snyder	Ms. Janet Skreen	csnyder@co.whatcom.wa.us	janet.skreen@courts.wa.gov	Emailed Janet 7/1, Janet emailed Chairs 7/2 for follow up
Washington Association of Juvenile Court Administrators	Mr. Fenton	Ms. Regina McDougall	fentonm@co.thurston.wa.us	regina.mcdougall@courts.wa.gov	Emailed Regina 7/1 – she's out of office.
Washington State Association of County Clerks	Ms. Kraski		sonya.kraski@snoco.org		
Administrative Office of the Courts	Ms. Dietz		callie.dietz@courts.wa.gov		In progress? (per Callie)

Last Updated July 1, 2014

BJA BUSINESS ACCOUNT – SECOND QUARTER 2014 SUMMARY

APRIL – JUNE 2014			
ITEM	WITHDRAWAL	DEPOSIT	BALANCE
BEGINNING BALANCE			\$12,402.08
BOOKKEEPING SERVICES	\$150.00		
EXPENSES	\$900.42		
DEPOSITS		\$210.00	
ENDING BALANCE			\$11,561.66

BJA BUSINESS ACCOUNT SECOND QUARTER 2014 DETAIL ACTIVITY

DATE	CK #	TO	FOR	AMOUNT	CLEARED
4.9.14	3680	MELLANI MCALEENAN	BILL SIGNING PHOTOS SB 5981 (MASON COUNTY JUDGE) AND HB1651 (JUVENILE RECORDS)	10.00	X
4.24.14	3681	2014 DOUBLE CUP CLASSIC	REGISTRATION FOR MELLANI MCALEENAN	*155.00	X
4.29.4	3682	COLLEEN CLARK	BOOKKEEPING FEES – APRIL	50.00	X
5.28.14	3683	COLLEEN CLARK	BOOKKEEPING FEES – MAY	50.00	X
6.16.14	3684	2014 DOUBLE CUP CLASSIC	REGISTRATION FOR MELLANI MCALEENAN	155.00	
6.24.14	3685	COLLEEN CLARK	BOOKKEEPING FEES – JUNE	50.00	X
6.25.14	3686	MELLANI MCALEENAN	DOUBLE CUP EXPENSES (HOTEL AND MILEAGE) – LEGISLATIVE RELATIONS	396.24	X
6.26.14	3687	BETH FLYNN	MATS/FRAMES FOR OUTGOING BJA MEMBERS: PROCHNAU, CHURCHILL, JOHANSON, SNYDER, KRESE	184.18	
				\$1,050.42	

DEPOSIT DATE	AMOUNT
4.8.14	55.00
5.19.14	*155.00
	210.00

*Deposit from Mellani McAleenan; refunding registration, check #3681, not attending Double Cup Event (but then her plans changed and she did attend, see check #3684). (Total cost of event: \$551.24)

Tab 8

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.)