

**DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION (DMCJA)
BOARD MEETING**

JANUARY 8, 2010 BY PHONE

MINUTES

Judge Glenn Phillips, President	Judge Darrel Ellis
Judge Scott Ahlf	Commissioner Douglas Haake
Judge Veronica Alicea-Galvan	Judge Frank La Salata
Judge Stephen Brown	Judge Marilyn Paja
Judge Patrick Burns	Judge Linda Portnoy
Judge R.W. Buzzard	Judge David Svaren
Commissioner Adam Eisenberg	Judge Gregory Tripp

AOC Staff: Ms. Ashley DeMoss
Mr. Chris Ruhl

Guests: Ms. Jeri Cusimano, DMCMA
Mr. Leland Kerr, WSBA
Judge Michael Lambo, BJA Member-Chair
Judge Steve Warning, SCJA

President-Judge Phillips called the meeting to order and noted a quorum existed.

ASSOCIATION BUSINESS

Board Meeting Minutes of December 18, 2009: Minutes approved as amended.

Treasurer's Report: Report approved as amended.

Special Fund Report: None this month.

ACTION ITEMS

Review/Comment on Revised WSBA Bylaw Definition of Judicial Officer:

Comments and concerns submitted by our members on the latest draft of the WSBA bylaws were reviewed and discussed. The absence of part-time judges who do not otherwise practice law was flagged for communication to the WSBA. Also, the lack of provision for retired state judges was discussed and noted for Association comment. There was discussion that the Bar's development process for this bylaw did not provide adequate outreach and opportunity for the judiciary to review and contribute to the drafting of this significant change in licensing, which will directly affect judicial officers.

The BJA will be taking up review of the draft at its next meeting. DMCJA's comments will be expressed directly to the WSBA and at the BJA meeting (which both the WSBA president and executive director attend).

Approve DMCJA Bylaw Amendments Proposed to Membership: The Bylaws Committee's proposed amendments to the DMCJA Bylaws were approved for submittal to the membership at the next business meeting at Spring Conference.

Consistency with Federal and State Per Diem Rates: The Internal Revenue Service and Washington State Office of Financial Management reduced the mileage rates effective January 1, 2010, from 55 cents per mile to 50 cents per mile. The Board approved adoption of that new change and approved an operational policy that the Association will follow the state per diem standards in the future without requiring action by the Board.

DISCUSSION

Education Session for Selection of Judges: Judge Portnoy provided information on Justice Sandra Day O'Connor's effort to change the model of selection of judges from election to merit selection. Judge Portnoy also revealed the existence of a DUI defense lawyer Political Action Committee (PAC) that has formed in Washington State to screen judges who would receive their endorsement; however, this is not a passive process. Apparently, they are also soliciting candidates to run for judicial vacancies and bankrolling their election expenses. The PAC is funded by large DUI defense law firms. The topic of judicial selection is being actively discussed by a number of judicial focused organizations around the country.

Including municipal court judges in Washington State's judicial selection system is the immediate priority. BJA is running the municipal court judge election bill this session. Judge Phillips and Judge Brown will forward the topic of judicial selection to our Education Committee for the 2011 Conference. Fall Conference would be the best forum, since it affects all court levels. However, if there isn't one next year, Spring Conference would be the forum. Suggestion was for a moderated discussion session, which could possibly include some of the speakers from the recent Justice O'Connor summit on this topic in Seattle.

Justice System Review re Recent Deaths of Police Officers: The Governor convened a summit of justice system organizations to conduct a fast tracked review of its systems in response to the Maurice Clemmons killings. Judge Steve Warning, SCJA liaison and president-elect, was part of those meetings representing the Superior Court Judges' Association (SCJA) and described the process and results to date. The summit produced an array of recommendations and the Governor will initiate legislation and constitutional amendments to address them. Bail setting will receive focused attention. Since courts of limited jurisdiction set bail for a wide range of offenses, the DMCJA will also be involved in further work on bail issues.

Judge Prochnau's Anti-Harassment Report: Judge Steve Warning indicated that the SCJA is considering legislative changes in anti-harassment and no contact orders. He will coordinate with the DMCJA legislative committee on language if they move forward.

INFORMATION

Noted.

OTHER BUSINESS

Judge Phillips announced that the Secretary-Treasurer position had not become vacant this month. The Treasurer was appointed as a part-time commissioner in a different jurisdiction, allowing him to continue his valuable service to the DMCJA.

The President also reported his denial of the request made of DMCJA to begin funding the cost of some education materials historically provided by the Administrative Office of the Courts for Judicial College.

NEXT MEETING

Board Meeting February 12, 2009, starting at 12:15 p.m. at SeaTac.

ADJOURN

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