



Access to Justice Board Meeting Minutes

October 11, 2019, 10:00 am – 12:00 pm

Washington State Bar Association, 1325 4th Ave, #600, Seattle, WA 98101

Call: 1-866-577-9294; Access: 52140#

Present: Sal Mungia, Judge Laura Bradley, Esperanza Borboa, Hon. David Keenan, Michelle Lucas, Mirya Munoz-Roach, Hon. Frederick Corbit, Francis Adewale and Terry Price

WSBA Staff: Diana Singleton, Bonnie Sterken

Guests: Natalia Fior, Caitlin Davis, Jessica Niewohner, Catherine Brown, Merf Ehman, Andy Sachs, Jen Werdell, Marley Hochendoner

September Minutes: The minutes were approved without edits.

Chair's Report: Sal reported that the ATJ Board had a special meeting on Tuesday of this week to authorize signing off on a letter encouraging the Court to expedite the process to review the recently proposed edits to RPC 4.4 and a new proposed court rule that prohibits civil arrests for persons coming to and returning from Washington courthouses. Sal also reported that Francis, Mirya and he were reappointed by the Court to serve second terms on the Board. The Board also authorized a letter to Justice Johnson supporting a new comment to RPC 6.5. Sal reported that going forward Board members will stay for 15 minutes after each meeting if guests would like to talk with them. Fred added that those who appear by phone in eastern WA are encouraged to reach out to himself and Francis as well. Sal noted that is Pro Bono Month and there are many activities around the state.

ICE in the Courthouse: Francis reiterated that the Board signed a joint letter with the Minority and Justice Commission and the Gender and Justice Commission earlier in the week encouraging expedited review of the recently proposed edits to RPC 4.4 and a new proposed court rule that prohibits civil arrests for persons coming to and returning from Washington courthouses. Francis summarized the issues with ICE in the courthouse and its impact on access to justice. Francis made a series of motions for the Board to consider to further support these rules and access to justice:

Motion 1: Francis moved that if the edits to RPC 4.4 are posted for comment, the Board will submit a letter of support for the proposed amendments to the Court. Espy seconded. The Board had a discussion. All approved. Sal will work with Francis to draft the letter.

Motion 2: Francis moved that if the edits to RPC 4.4 are posted for comment, the Board will send a letter to the District and Municipal Court Judges' Association and the Superior Court Judges' Association asking them to support the proposals. Espy seconded. The Board had a discussion. All approved.

Motion 3: Francis moved that the Board distribute the courthouse arrest protocols, provided in the meeting materials, to Alliance members and encourage them to advocate with local courts to use the protocols. Michelle seconded. The Board had a discussion. All approved.

Motion 4: Francis moved that if the new proposed court rule regarding civil arrests in courthouses is posted for comment, the Board will submit a letter of support for the proposed new rule to the Court. Michelle seconded. The Board had a discussion. All approved. Sal will work with Francis to draft the letter.

Motion 5: Francis moved that if the new proposed court rule regarding civil arrests in courthouses is posted for comment, the Board will send a letter to the District and Municipal Court Judges' Association and the Superior Court Judges' Association asking them to support the new rule. Michelle seconded. All approved.

Once the Court posts the proposals for comment, the Board will send a notice to the Alliance.

Bridging the Civil/Criminal Divide: Francis summarized the proposal presented in the materials and the importance of building collaboration between the civil and criminal sides of the justice system. Francis is asking the Board to form a work group to evaluate the issue and develop a list of recommendations of specific projects to address. Francis moved for the Board to create a work group that will make recommendations to the full Board on how to take concrete action to bridge the civil and criminal system. The motion included asking JustLead to provide the structure and staffing for the work group and to present the recommendations at the January 2020 Board meeting. Espy seconded. The Board had a discussion. All approved.

Committee Updates:

- Michelle and Natalia Fior reported that the Legal Aid Fundraising and Communications Roundtable met for the first time this month. The meeting was well attended and included a training from Voices for Civil Justice.
- Laura reported that the Organizational Identity Workgroup is continuing to develop a survey to distribute widely to the Board's stakeholders regarding the Board's mission and purpose.

Liaison Updates:

- Terry reported that he has started to attend meetings with the Supreme Court's Court Users Work Group, which is discussing the ongoing conversion to Odyssey.
- Terry reported that the Judicial Information System Committee is discussing the impact when not all counties convert to Odyssey and how to address counties that aren't complying with the new standards.
- Francis reported Race Equity and Justice Initiative members recently met and shared updates about what they are individually doing to implement the REJI commitments. The next meeting is on December 4th.
- Espy reported that the Minority and Justice Commission has been discussing the ICE in the courthouse issues and the proposed court rules. They are also working on an LGBTQ judicial officer registry. She also noted that they shared a variety of conferences around the state and she will follow up with those specifics.
- Laura reported that the Board of Governors recently discussed the proposed amendments to the MCLE rules that would update ethics requirements to include topics on equity, inclusion, and the mitigation of both implicit and explicit bias; mental health and addiction; and the use of technology as it pertains to professional responsibility including how to maintain security. Laura encouraged

the Board to engage more with the BOG on the continued need for race equity initiatives in the state.

- Laura reported that she has been attending the Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Court User Work Group (CUWG) meetings. They are also discussing the proposals to allow counties to opt out of Odyssey and Laura noted there are access to justice implications.
- Fred reported that he is working with Diana to create a dialogue with the LLLT Board about how organizations are utilizing LLLTs to address access to justice issues.

Equal Justice Coalition Update: Andy reported that they are turning their attention to how best to strategize for the 2021 session. They have decided not to make and ask during the 2020 session. The EJC is hosting another stakeholder meeting on November 14th.

Funding Updates: Caitlin reported that LFW has promoted Emily Van Yuga to serve as the Director of Grant Programs. They are now recruiting for a grants coordinator. LFW received grant requests totaling approximately \$10.5mil this year. The LFW Board will be reviewing the requests in November and they have about \$9mil to offer. LFW is looking at a potential new revenue generating idea with lawyer trust accounts. They are in the process of drafting a rules proposal and will likely approach the Board for support. Natalia shared about upcoming Beer and Justice events across the state and the Goldmark Awards Luncheon on February 14th.

Other Updates: Sal share about upcoming events and directed people to the Alliance calendar.

The meeting adjourned at 11:49am