

WSR 21-14-108
RULES OF COURT
STATE SUPREME COURT
[July 1, 2021]

IN THE MATTER OF THE) ORDER
SUGGESTED NEW) NO. 25700-A-1365
ADMINISTRATIVE RULE FOR)
COURTS OF LIMITED)
JURISDICTION (ARLJ) [14]—)
MANDATORY CONTINUING COURT)
ADMINISTRATOR EDUCATION)

The District and Municipal Court Management Association and the District and Municipal Court Judges' Association, having recommended the suggested new Administrative Rule for Courts of Limited Jurisdiction (ARLJ) [14]—Mandatory Continuing Court Administrator Education, and the Court having approved the suggested new administrative rule for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested new administrative rule as shown below is to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in January 2022.

(b) The purpose statement as required by GR 9(e), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2022. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 1st day of July, 2021.

For the Court

Gonzalez, C.J.

GR 9 COVER SHEET

Suggested New

WASHINGTON STATE COURT RULE:

ADMINISTRATIVE RULES FOR COURTS OF LIMITED JURISDICTION

RULE [14]

MANDATORY CONTINUING COURT ADMINISTRATOR EDUCATION

A. Names of Proponents: District & Municipal Court Management Association (DMCMA)

District & Municipal Court Judges' Association (DMCJA)

B. Spokespersons: Margaret Yetter, DMCMA Representative

LaTricia Kinlow, DMCMA Representative

Judge Michelle Gehlsen, President, DMCJA

C. Purpose: The DMCMA and DMCJA recommend adopting a new Administrative Rule for the Courts of Limited Jurisdiction, which would mandate minimum education requirements for court managers. The rule was written to parallel GR 26 regarding mandatory continuing education for judges, but be specific to courts of limited jurisdiction. Both associations have vetted the rule and unanimously recommend adoption.

Court managers are often responsible for ensuring court compliance with the General Rules and other statutes and ordinances. Effective and efficient management of courts requires knowledge and skills in administrative roles and responsibilities, budgeting, human resource management, and related topics. Mandatory training will help address overall court management needs and ongoing education in order to more effectively serve the public and community.

The BJA Court Education Committee Funding Task Force conducted a survey in January 2018 and found that:

- 1) Training opportunities are limited for court administrators;
- 2) Court administrators were least likely to receive training early in their tenure - 63% of new court administrators received no training during their first six months on the job.
- 3) Court administrators should have mandatory training requirements and more training opportunities.

GR 26 established minimum requirements for continuing judicial education of judicial officers. However, there is no rule that establishes minimum requirements for court managers.

The DMCMA currently offers education and training to all court leaders. A rule requiring mandatory education supports ongoing professional development of court leadership and ensures court management efficiencies that are necessary for those court leaders who are responsible for overseeing the advanced functionality in courts of limited jurisdiction, and may enhance fair access to resources. The DMCMA and the DMCJA worked together to craft the language of this new rule, intended to fill this important gap in training for court personnel. Please note the rule contains a proposed effective date of January 1, 2023 to allow time to provide education about and to prepare for implementation of the new rule.

D. Hearing: A hearing is not recommended.

E. Expedited Consideration: Expedited consideration is not requested.

Proposed New:

ARLJ [14]

MANDATORY CONTINUING COURT ADMINISTRATOR EDUCATION

(a) Purpose. The protection of the rights of free citizens depends upon the existence of an independent and competent judiciary. Courts require skilled court administrators to ensure an open, fair and efficient justice system. This is particularly true in courts of limited jurisdiction—the court level the public most often turns to for services. This rule establishes minimum requirements for education and training of court administrators and equivalent employees in courts of limited jurisdiction.

(b) Definitions.

(1) "Court administrator", as used in this rule, means the court administrator or equivalent employee in a court of limited jurisdiction to whom the presiding judge may delegate administrative functions described in GR 29(f). The presiding judge of each district and municipal court shall designate a minimum of one court administrator or equivalent employee per court to comply with this rule.

(2) "Designee", as used in this rule, means the court administrator or equivalent employee as designated by the presiding judge.

(3) "CEC" means the Board for Judicial Administration's Court Education Committee.

(4) "Academy" means the Washington Court Administrator Academy.

(5) "DMCMA" means the District and Municipal Court Management Association.

(6) "AOC" means the Administrative Office of the Courts described in Ch. 2.56 RCW.

(c) Minimum requirement. Each designee shall complete a minimum of fifteen credit hours of continuing education approved by the CEC every three years.

(d) Court Administrator Academy Attendance.

(1) Each designee shall attend and complete the Academy within twelve months of initial appointment.

(2) Each designee holding this position for fewer than four years at the time this rule becomes effective shall attend and complete the Academy within twenty-four months.

(3) The Academy shall consist of no fewer than fifteen hours of education and shall include instruction about roles and responsibilities of court administration, ethics, GR 29, executive branch collaboration, court finances, human resources, and AOC resources and requirements.

(4) The Academy will be offered in conjunction with the annual DMCMA program that receives funding allocated by the CEC. Subject to the availability of CEC and AOC resources, the Academy may also be offered remotely.

(5) In the event of extreme hardship, a presiding judge may request on behalf of their designee a delay of not more than one year to complete the Academy.

(6) The local court jurisdictions lack of adequate budgeting for the designee to attend the Academy shall not constitute an extreme hardship.

(e) Accreditation. The CEC shall, in consultation with the DMCMA and subject to the approval of the Washington Supreme Court, will establish and publish the required curriculum and accreditation standards for the Mandatory Continuing Court Administrator Education.

(f) Compliance. Each designee shall confirm with the AOC on or before January 31 each year, in such form as the AOC shall prescribe, the designee's progress toward the minimum education requirements of section (c) of this rule during the previous calendar year. If the designee does not respond by January 31, their credits will be confirmed by default. A designee who does not have the requisite number of hours at the end of their three-year reporting period will have until March 1 to make up the credits for the previous three-year reporting period. These credits will not count toward their current three-year reporting period.

(g) Non-Compliance. Notification of non-compliance shall be reported to the chair(s) of the CEC and the presiding judge of the appropriate court.

(h) Effective date. This rule becomes effective January 1, 2023.