



Stakeholder Meeting Minutes

May 31, 2024

Call to Order: The meeting convened at 10 a.m. with the following participants:

Isabel A. M. Cole
Jack S. Eng
Brian Watkins
Kylee Redman
Anita Booker-Hay
Bob Liston
Katherine Mason

Lee Thomas
Sarah Jackson
Michael Ratko
Knowrasa Patrick
Oscar Chaves
Jane Dale
Shawna Fruin

Chris Carlisle
Ryan Miller
Lionel Greaves IV
Jason Dickey-North
Bob Battles
Chris Bishop

BIIA Telephone Notices: Ms. Booker-Hay described potential revisions to the directions for when the participants call in or when the judge initiates the call, noting that revisions will not be made until our new case management system is in place. We received several requests to differentiate between a mediation notice and a hearings notice.

Seattle Office: Mr. Liston reported that we have been in lease negotiations for about a year with a space in Renton. We're told we should have a signed lease in the next couple of weeks, and we are eyeing a February move.

Electronic Signatures on CRSAs and Deposition Transcript ADA

Compatibility: Mr. Watkins shared that our signature guidance can be found on the [Frequently Asked Questions](#) link on the [Filing](#) page of our website.

- Mr. Miller: what do you do if some don't have access to fancy signature software?
 - A separate signature page might be an option.
 - Mr. Miller noted he sends the document for signature with a self-addressed-stamped envelope

Mr. Watkins shared a very early draft of an addition to our electronic depositions WAC regarding ADA compatibility.

- Ms. Mason suggested everyone check with their court reporters informally and share the suggested list of screen readers and get their feedback.
 - Mr. Watkins will email the early draft to you after this meeting.

Mr. Watkins also reported we will train judges on procedures to handle Cedell requests to pierce the attorney-client privilege in bad-faith litigation, conducting in camera reviews, and how to seal records using existing court

rules. We will develop a manner for separating out sealed records for certified appellate board records for superior court.

BIIA Case Management System: Ms. Booker-Hay reported we are in Phase 1 of the project, which is Discovery. As we build, we're looking into providing a public-facing system for the Board Appeals Management System (BAMS). Our understanding is users will need a Secure Access Washington account.

- Ms. Mason noted that everyone who participates is eager to help with focus groups or pilots before it is rolled out. Do you have a sense of when that might be? Is that in your planning?
 - It is the intent to test this product, which means yes, we need to test it from the outside before it goes live. We don't have a schedule from our build partner yet, we are still in the Discovery phase. The build will be done in Sprints, which means it will be tested as it goes along.

BIIA Staff Update: Ms. Booker-Hay reported:

- New Legal Assistant 3 in Review, Julie Salas
- Haylee Smith promoted to Legal Assistant 4 in Review
- Cynthia Zetts and Neil Horibe promoted to Industrial Appeals Judge 4
- Anne Kysar promoted to Assistant Chief Industrial Appeals Judge
- New Industrial Appeals Judge 3s are David Cedarblade, Nikole Hecklinger, Corey Larson, and James Richardson
- Ken Moses will take over as Chief Financial Officer when William Chase retires at the end of June
- Assistant Chief IAJ Anamaria Gil retired May 3, and has returned as a part-time IAJ4 assisting the Chief Legal Officer

Proceedings Update: Number of In-Person Compared to Remote:

Ms. Booker-Hay reported that between 7/1/23 and 5/30/24 we had 1,126 hearings:

- 217 in person
- 400 by video
- 509 by telephone

Ms. Booker Hay also noted our Moses Lake office is closing August 31, 2024.

- Mr. Battles: do you have an idea of whether the video hearing replaced in person or telephone? Do we know why there are so many telephonic hearings?
 - Anecdotally, video is mostly replacing in person. And some don't have the technology for video.
- Mr. Battles: what does that mean for facilities? At what point do you say it isn't worth it?
 - The governor has mandated state agencies reduce their footprint wherever possible. An example is Seattle office where we are reducing space. Olympia, at some point we will have to examine

that space. The offices probably won't go away but will look different.

- Ms. Mason: I don't like telephone hearings, I'm always surprised when video is not used. Are the telephone hearings more often with pro se parties?
 - We can't answer that from this data.
- Mr. Miller: Board has done a great job meeting the needs of participants; attorneys have better quality of life and offer better service to our clients; reducing footprint is great for everyone. The Board has always found a place to hold a hearing in locations where they don't have an office. Overall, I am super pleased with the way the Board has handled things, although there is always room to improve. I agree with Katherine, we don't want to lose the option for in-person hearings.
- Mr. Battles: I have always preferred the in-person hearing. It would be interesting to know why folks haven't shifted to video over telephone. I support you having offices.

Stakeholder Q&A: Mr. Greaves shared kudos:

- Judge Taylor has done a nice job in mediation, particularly with WISHA cases.
- Judges Cicierski and Swan presented to the AGO on mediation topics.
- AC Redman is a great partner to work with.

Mr. Greaves questioned:

- In a one-off situation, a Tacoma-based court reported had an AI component. Should the Board think about having rules?
 - We've had brief talks about it, yes, it is something we should consider.
- With all the turnover, do you still feel you are in a turnover space or do you think it is slowing down?
 - We are okay for now, but one never knows.

Ms. Booker-Hay offered kudos to Todd Hamilton: he had to step in on several mediations and he kept many cases going with little disruption, including a complicated mediation he joined midway through and he was able to see it to resolution.

BIIA CLE: Mr. Watkins announced our CLE will be held September 12, **2025**. Not this year, next year!

Next meeting: We proposed August 23, 2024, at 10 a.m. Please email jay.raish@biia.wa.gov if you have conflicts.

Adjournment: The meeting was adjourned at 11:11 a.m.

Respectfully submitted,
/s/
Jay Raish,
Confidential Secretary