



## **Stakeholder Meeting Minutes**

### **November 22, 2024**

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

Holly Kessler  
Isabel A. M. Cole  
Bob Battles  
Brian Watkins  
Kylee Redman  
Anita Booker-Hay  
Ken Moses  
Jane Dale

Katherine Mason  
Chris Carlisle  
Lonnie Ladenburg  
Shawna Fruin  
Lionel Greaves IV  
Sarah Kortokrax  
Dane Henager  
Jason Dickey-North

Lindsey Hueer  
Rose Gundersen  
Sarah Jackson  
Knowrasa Patrick  
Brenda Heilman

**Seattle Office Update:** Ken reported we will move our Seattle office to Renton in March.

**Scheduling Policy:** Katherine reminded us that way back in the day when we first started stakeholder meetings, one of the topics was to address inconsistent practices in scheduling cases, such as inflexibility when the parties agreed they needed more time for discovery. The stakeholder groups tried to hash out some best practices, such as the discovery cutoff. What our folks are telling us is that there is a lot of inconsistency. There is no disrespect intended to judges running their courtrooms the way they want, but there is ongoing frustration especially when there is an agreement of the parties that there is this over-emphasis on case deadlines. I think folks feel it is not always necessary. Why is there so much pushback?

Chris: There seems to be a "that's how we were trained" response when judges are asked why the timeline was inflexible. An example is an eight-docket appeal where we were not offered any flexibility and when asked why there was no justification. What is the internal policy?

Anita: We try to resolve cases in a timely manner, so we have a 180-day cutoff from the time the matter is assigned to the hearing judge. Judges do have leeway in scheduling. If there is something unique about the case they can talk to their Assistant Chief to go beyond the 180 days. You are also welcome to call Anita.

Regarding inconsistencies, we appreciate the comments, but you will find that judges do things differently. However, you should be able to expect some general guidelines, such as: our scheduling team will blind-set the first event. Discovery is due roughly 40 days before the hearing. Seven weeks after the

scheduling conference is witness confirmation. The deposition take-by date is the hearing date, reply date is 30 days after the hearing. You'll see the desire to make the 180 days, but yes, there should be leeway.

If you have a general concern, again, please call Anita.

Chris: Because we are going two different directions when we are doing our timing, they don't always match up, especially if there are discovery motions. There is no wiggle room built in.

Anita: If there is a crunch, judges are going to ask some questions about why that discovery deadline should be moved. There is no easy solution to this because all cases are unique.

Katherine: The parties are coming to the cases at a different time. I might have been representing the claimant for some time, so I might know my witnesses at the time I file the appeal, but the AAG is coming on at the scheduling conference. Part of the tension might be that meaningful discovery really needs to take place.

Lionel: What I hear is that discovery is more frequent and more formal now. Our work is evolving and the practice is more complex. There is a balance for expediency and meeting the need of complex litigation.

Brian: The cases that go to trial seem more litigious. More discovery, more motions. The way it was taught to me is that in the 80s it got out of control and we had appeals over two years old. We had a reputation as an agency that wasn't processing their files. Then we developed a goal to close the record in six months. It's not in a rule, it's a goal. Maybe it's time to recommunicate to our judges that is not statutory, and we still want to process the files, but a judge should have some leeway. Some cases are more complex. When you move a discovery date you have to move other dates.

Lonnie: For complex cases with multiple dockets, flexibility will allow us to complete the record if we can get through the discovery process thoroughly.

Kylee: There has always been this tension. We are always trying to find the balance between quick resolution and giving the parties the ability to put on their best case.

Anita: We will keep doing what we can to achieve the balance. We do have cases that go beyond the timeline, so please work with your judge.

**Case Management Update:** Anita reported our new system is being built. As Delaney builds it we conduct a narrow scale of user-acceptance testing. We are hoping to be able to have user-acceptance testing for external users too. Right now there is no hard and fast date, but we anticipate April 2025 for implementation.

**BIIA Staff Update:** Anita reported:

- Cindy Becklund, new Judicial Assistant in Lakewood
- Tyler Bailey, new Judicial Appeals Analyst
- Maggie McDonald, new Judicial Assistant in Olympia

- Jason Schuyler, Mark, Fowler, Rene Bernier, Lisa Dublin are new industrial appeals judges
- Corey Larson and James Richardson departed, and Nikole Hecklinger is leaving at the end of the month

**BIIA CLE September 12, 2025.** If you have suggested topics, please email [brian.leech@biia.wa.gov](mailto:brian.leech@biia.wa.gov).

**Rulemaking Update:** Brian gave an update on revised rules effective December 14. If you have rulemaking suggestions, you can file a formal rulemaking petition, but most suggestions come by email to [brian.watkins@biia.wa.gov](mailto:brian.watkins@biia.wa.gov).

**Stakeholder Q&A:** Lionel reported that when someone has limited proficiency in English, it would be a good practice to translate the cover letter for appealing and have it reflected in the CABR. We would be happy to partner to make sure we have optimized our translation process.

Brian: We started translating documents as a matter of course 10 years ago, but we don't translate everything. It came to my attention within the last couple of months that we were not including translations in the CABR. I have directed our staff to include the foreign language versions in the CABR.

Lionel: When we have time-sensitive issues, if we are not getting an answer, what is the best practice for reaching a judge or a JA?

Anita: During working hours our people should be reachable. The first step is to call the front desk. If they can't reach the person you need, please reach out to the Assistant Chief.

Lionel: Kudos to Steve Straume for providing a meaningful opportunity for a pro se party to participate in a hearing; to Eric Senta for handling a sensitive issue with respect; and general kudos to professional staff, especially to Debbie G. for outstanding assistance in scheduling.

Katherine: For some reason I've had some really complicated cases and I have had some excellent flexibility and general goodwill all around. I am appreciative.

Jason: Carla in the Superior Court section goes above and beyond with the CABR.

**Next meeting:** We proposed February 21, 2025, at 10 a.m. Please email [jay.raish@biia.wa.gov](mailto:jay.raish@biia.wa.gov) if you have conflicts.

**Public Comment:** If you have a comment, please email [jay.raish@biia.wa.gov](mailto:jay.raish@biia.wa.gov) and the Board will review it."

**Adjournment:** The meeting was adjourned at 11:08 a.m.

Respectfully submitted,  
/s/  
Jay Raish,  
Confidential Secretary