



September 10, 2019, Ad Hoc Willis Study Meeting Minutes  
Tacoma Public Library – Moore Branch, 215 South 56<sup>th</sup> Avenue, Tacoma

The Ad Hoc Willis Study meeting of the Washington Citizens' Commission on Salaries for Elected Officials was brought to order by Teri Wright at 1:32 p.m.

**Commission Members Present:**

Andrew Malidore  
Gerry Sherman  
Steven Starkovich  
Larry Turner

**Commission Members Excused:**

Karen White  
Libby Hart  
Sandi LaPalm

**Staff Present:**

Teri Wright, Executive Director  
Lindsay Matthews, Executive Assistant

Teri handed out background information about the Willis Point-Factor Evaluation System. She went over Willis Study basic information relaying that the most important thing to remember is that a Willis Study continues to be valid until a job description changes. The Willis System used by the state contains three compensable factors; knowledge and skills, mental demands, and accountability. The only time a new Willis Study would be requested is when a job description has changed, therefore having a standing order to have Willis Studies done on a regular basis is unnecessary.

Steven clarified that sometimes a job description has not changed although the duties, skills, or nature of the work may be different. He would like to put more thought into what determines that a job description has changed, especially when duties are different even though the written description is the same.

Teri noted that the Commission can ask that specific questions be added to a contract to be answered during a new Willis Study, but the Commission will need to determine what they would like to ask. For example: how much time does “X” position spend doing “Y”, or how have the mental demands changed since the last study? The Commission will need to determine who needs a new Willis Study and specific questions to be answered with, or separate from, the Willis Study. She gathered from the last Commission meeting that the Executive Branch and the Judicial Branch are the two Branches that Commissioners are most interested in having Willis Studies done.

Steven asked a question he thought the Commissioners should consider: How are elected Executive Branch positions to be evaluated in terms of the specialized skills held by the professionals they must lead, manage, and oversee? Steven added that no one expects the elected official to be an expert in all aspects of their department, but the level of technical expertise is growing in all departments, and it is obvious that the elected official needs to have particular skills to lead, manage, and oversee their department; a skill set that does not seem to be explicit in the existing criteria.

Steven shared that he voted for the increase to the Judicial Branch in the last salary setting as a catch up increase because they were far behind their “benchmark.”

Teri added that Commissioners questioned the language from the last Judicial Willis Study, “a degree of parity” because the meaning of “parity” is equal to, however a “degree of parity” is different, how much is a degree, and what does the term “degree of parity” really mean?

Gerry suggested that maybe the Commission could look at other State Judicial Branches as a comparison instead of the Federal Bench since the Commission compares all other Branches to similar states.

Teri reminded the group that the reason the Commission doesn’t compare to other states currently is due to the different structure of the Judicial Branches, Washington is a decentralized state, there are only five other states (there are four comparable states plus Washington) that are decentralized. She suggested that with a new Willis Study the Commission can the question: Should the Commission consider the other decentralized states or continue to use the federal bench as a benchmark? Commissioners can ask other questions as well.

Gerry suggested maybe an online study would be more beneficial for the Judicial Branch. Gerry will send Teri a link to the study he is referencing.

Larry said he would like to see the Judicial Branch continue to have Judges with many years’ experience and believes if the position is paid too well people may choose the career path for monetary gain instead of public service or interest. Larry asked if the judge present could speak to his experience.

Pierce County Superior Court Judge Bryan Chushcoff spoke briefly about his career experience. He practiced general law at a private practice for 19 years, he then felt he could make a bigger difference as a judge. He is now one of the top 10 senior Superior Court Judges in the State of Washington.

Steven asked if Judge Chushcoff is seeing more trials now than 20 years ago. Judge Chushcoff replied that he doesn't know about more trials but they have more judges now versus 20 years ago. Judge Chushcoff gave a few examples of changes he has noticed over the years: there has been a huge increase in self represented people. The digital world has made trails far more sophisticated. He gave the examples of digital videos or photographs, fraudulent account hacking, and jury selection being more sophisticated, complicated and time consuming now. Judge Chushcoff also made note that the off trial hours have increased substantially.

Steven thanked Judge Chushcoff for his examples and reiterated that although the statutory job description may not have changed, the duties, skills, or nature of the work is clearly different.

Larry suggested the Commission ask the Administrative Office of the Courts to list more States that are similar to Washington and the percentage of similarity. Teri replied that the list only shows the States that are decentralized like Washington State, but said the Commission can ask if there are other states that are partially decentralized. Larry would like that, to get a broader spectrum of information.

Gerry mentioned that when an Elected Official says they do "X" as part of the job that their predecessor did not do, it's hard to verify if what they are doing is mandated by law or if they are doing it because it interests them.

Teri asked the group which study they would be most interested in getting done first.

Larry believes that if the Commission could get a broader understanding on the judicial comparisons nationwide the Commission would not need a Judicial Willis Study done. He also believes that the other Willis Studies are still relevant.

Gerry would like to see a Judicial Willis Study done. He would like to refocus the Judiciary comparisons away from the Federal Bench. Teri pointed out that the Willis Study may continue to show that the Federal Bench is still the best comparison.

Steven would like to focus on the "degree of parity" statement. If he has to pick one to start with it would be a Judicial Willis Study with a focus on the statement "degree of parity," maybe changing it out with "benchmark." His second choice would be for the following Executive Branch Elected Officials: Lieutenant Governor, Secretary of State, Auditor, Superintendent of Public Instruction, Insurance Commissioner, and Commissioner of Public Lands.

Andrew would like to see a Judicial Willis Study done, with a focus on the language "degree of parity."

Teri noted that she asked her predecessor how previous Commissions had viewed the wording “degree of parity,” they had always viewed it as a benchmark even though that is not the wording used. Steven said that maybe the honest interpretation of “degree of parity” is comparison or benchmark.

Teri went over next steps, she requested that the group send her questions they would like to have answered with the Willis Study. Teri plans to look for someone to perform the Willis Study for the Judicial Branch. She plans to reach out the Judicial Branch to see if there are any questions they would like to have answered with the Willis Study.

Larry voiced concern for spending money on another Willis Study and worries that asking questions may direct the study. Teri added that questions can be beneficial to understanding comparisons, for example; we have heard from the Administrator of the Courts that there are five states that are most comparable to Washington, would you agree, and are there any others?

Discussion ensued concerning a Willis Study for the Judicial Branch. Key points discussed were salary comparisons to the federal bench and the five decentralized states that are most similar to Washington State as well as the wording from the last Willis Study “degree of parity.”

**Public Testimony**

No members of the public were present.

Next meeting date will be chosen at a later time.

**Teri adjourned the meeting at 3:06 p.m.**

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Teri Wright, Director

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Date