



**WASHINGTON
COURTS**
ADMINISTRATIVE OFFICE OF THE COURTS

Supreme Court Budget Committee

Thursday, August 4, 2016

8:30 a.m. to 12:00 p.m.

Chief Justice's Reception Room

Temple of Justice

Olympia, Washington

TO LISTEN TO PRESENTATIONS: (877) 820-7831, PIN 751738 #

8:30 a.m.-9:15 a.m.	Introduction	
	Overview of process and materials- Pg 2 Overview of statewide revenue, branch concerns and expenditure history- Pgs 4-8 Board for Judicial Admin. Prioritization Process Budget and Funding Committee Prioritization Pgs 9-14	Mr. Ramsey Radwan Judge Scott Sparks Judge Ann Schindler
9:15 a.m. – 11:15 a.m.	Requests impacting the budget of the Administrative Office of the Courts	
	Guardian Monitoring- Pgs 16-25	Judge Lewis, Shirley Bondon
	Court Personnel Education- Pgs 26-37	Judge Douglas Fair
	AOC Pattern Forms- Pgs 38-43	Dirk Marler, Shannon Hinchcliffe
	Trial Court Interpreter Services and Telephonic Interpreting- Pgs 44-56	Robert Lichtenberg, Cynthia Delostrinos
	Therapeutic Courts Best Practices- Pgs 57-64	Janet Skreen, Carl McCurley
	Courthouse Facilitator Training- Pgs 65-72	Dirk Marler, Janet Skreen
	AOC Web Services- Pgs 73-79	Dirk Marler
	CASA Program Expansion- Pgs 80-87	Ryan Murrey
	AOC Salary Adjustment Request- Pgs 88-90	Ramsey Radwan
	AOC Information Technology Requests- Pgs 91-123	Ms. Vonnie Diseth
11:15 a.m. – 11:45 a.m.	Requests submitted by agencies of the judicial branch	
	Supreme Court- Pgs 125-130	Ramsey Radwan
	Court of Appeals- Pgs 132-145	Judge Lisa Worswick
	Office of Public Defense- Pgs 147-160	Ms. Joanne Moore
11:45 a.m. – 12:00 p.m.	Closing comments and questions	

Persons with disabilities requiring accommodation may contact Jenny Kropelnicki at jenny.kropelnicki@courts.wa.gov to discuss assistance needed. While notice 5 days prior to the event is preferred, every effort will be made to provide accommodation when requested.



WASHINGTON COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

TO: Washington Judicial Branch Stakeholders
FROM: Ramsey Radwan
SUBJECT: 2017-2019 BIENNIAL BUDGET REQUEST PRESENTATIONS
DATE: July 25, 2016

The Supreme Court Budget Committee is pleased to extend an invitation to the presentation of 2017-2019 biennial budget requests at a meeting on Thursday August 4, 2016.

The purpose of this meeting is for all participants to gain a better understanding of each funding request; to increase awareness of the impact the funding, or lack thereof, would have on the public and the courts; and to provide an opportunity for the presenters to provide additional information as necessary.

The presentations will be given in the Chief Justice's conference room at the Temple of Justice. The meeting will begin at 8:30 a.m. and continue to 12:00 p.m. Parking is available in the non-reserved spots in the Governor's Mansion parking lot just west of the Temple of Justice.

For the full packet including the agenda, budget information and proposed budget request packages, please follow this link: [Agenda and Materials for the August 4, 2016 Supreme Court Budget Committee Meeting](#).

Please contact me at ramsey.radwan@courts.wa.gov if you should have any questions.



Washington State Capitol Campus

-  Government building
-  Intercity Transit
-  Free shuttle
-  Bikerack
-  Guard Stations
-  Visitor Parking - \$1.50 per hour (requires coin change)
-  Entrance
-  Parking
-  Point of Interest
-  School Bus Parking
-  Electric Vehicle Parking

Apr. 2014



June 2016 Near General Fund Revenue Forecast Update

On June 15, 2016 the Economic and Revenue Forecast Council (ERFC) updated the general fund and near general fund forecast for the current and ensuing biennium.

2015-2017 Biennium-Figure 1

The June forecast predicts that current near general fund revenue will be \$308 million more than the February 2016 forecast, representing a .8% increase.

The current 2015-2017 near general fund forecast of \$38.1 billion is \$2.1 billion greater than the November 2012 forecast. This represents a 5.6% increase in the forecast since November 2012.

The current near general fund forecast of \$38.1 billion is \$3.8 billion (11.2%) greater than 2013-2015 collections.

2017-2019 Biennium-Figure 1

The June 2016 revenue forecast predicts that 2017-2019 near general fund revenue will be \$126 million more than the February 2016 forecast. This represents a .3% increase.

The current 2017-2019 near general fund forecast of \$41 billion is \$1.5 billion greater than the June 2014 forecast. This represents a 3.2% increase in the forecast since June 2014.

The current near general fund forecast of \$41 billion is \$3.1 billion (7.5%) greater than 2015-2017 forecast and represents a \$6.5 billion/19% increase in revenue when compared to 2013-2015 collections.

Note: In February the net change in expected near general fund collections for the 15-17 and 17-19 biennia was estimated to be a **\$585 million decrease**; the June forecast expects the net change to be a \$435 million increase-the change between forecasts represents a **\$75 million decrease** in estimated near general fund collections.

Budget Outlook-Figure 2

There are two budget and revenue forecasts (budget outlooks) for the 2015-2017 and 2017-2019 biennia. The budget outlook produced by the Economic and Revenue Forecast Council includes the February 2016 (not June) revenue forecast and the results of the 2016 supplemental as signed by the Governor. **This forecast projects a \$314 million deficit by June 30, 2019.** The second budget outlook, as requested by State Treasurer McIntire, includes the February 2016 revenue forecast, the results of the 2016 supplemental budget as signed by the Governor and \$3.5 billion in estimated expenditures for McCleary. **This outlook projects a \$3.8 billion deficit by June 30, 2019.** Neither outlook includes costs for mental health, Hepatitis C, case load changes or policy items.

June 2016 Near General Fund Revenue Forecast Update Page 2

The next revenue forecast will be published on September 7, 2016.

Expenditures-Figure 3

It is currently anticipated that the estimated revenue will not meet the needs to maintain services at current levels. The ERFC Budget Outlook based upon the 2016 supplemental budget predicts a \$314 million deficit. This deficit is understated by a number of factors including:

- McCleary \$3.5 billion
- Hepatitis C Vaccinations \$?
- Mental Health Costs \$?
- Caseload Increases \$?
- Policy Enhancements \$?

It is anticipated that the state will have about \$41 billion in revenue next biennium. If so, McCleary alone represents an 8.5% increase in costs over revenue, without considering other budget pressures or budget reductions.

Approximately sixty percent (60%) of the AOC near general fund budget is protected. If reductions were implemented a one percent general fund reduction would represent approximately \$500,000 of AOCs near general fund budget, excluding funding for constitutional items, funds protected by budget proviso and funds beyond our control.

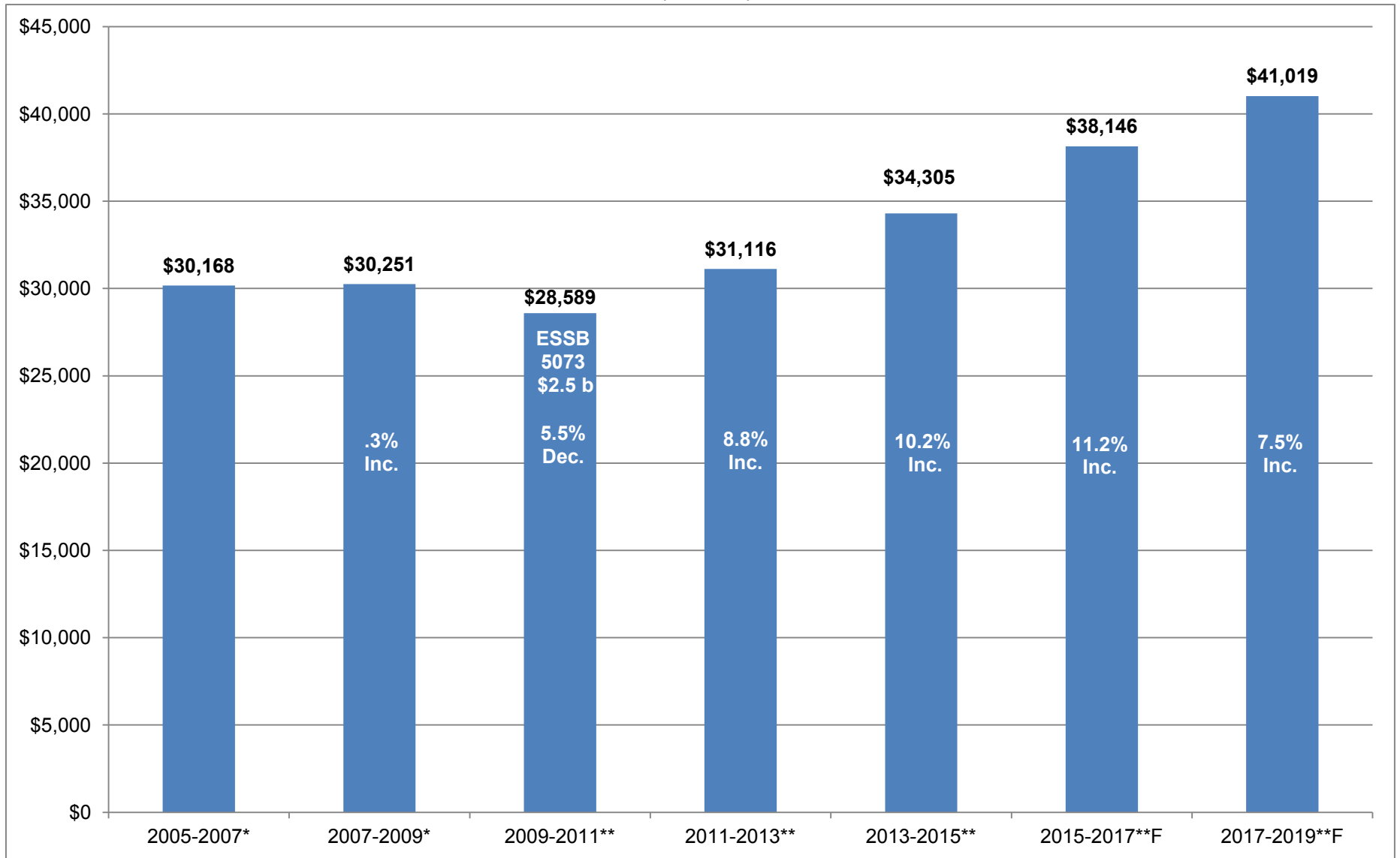
About two-thirds (67%) of the state budget is protected. Assuming that the \$41 billion is the statewide expenditure level (and it's not) then about \$13.5 billion can be cut (ignoring stakeholders, etc.) A one percent reduction would be approximately \$135 million or about 20-25 times less than what's needed.

In conclusion, it is highly unlikely that the legislature will seriously consider budget increases for non-emergency items, unless a new or enhance revenue is identified. Further, it is highly likely that some level of budget reductions will be implemented.

Information from the Economic and Revenue Forecast Council and the Caseload Forecast Council

Revenue Collection and Forecast History (Near General Fund Accounts)

(in millions)



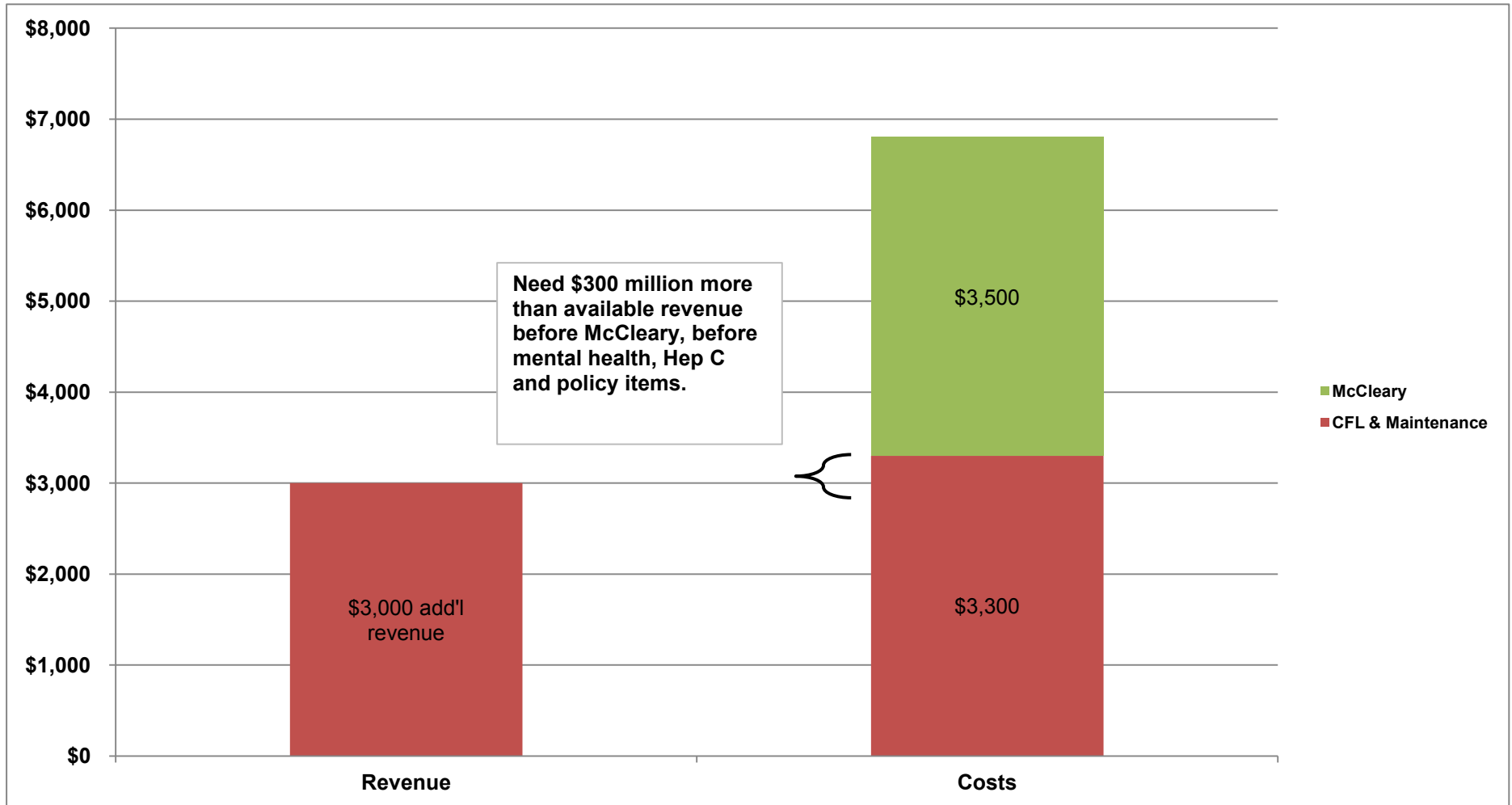
* State general fund, related funds (moved to state general fund in 2009) and education legacy trust.

** State general fund, related funds (moved to state general fund in 2009), education legacy trust and opportunities pathway account.

FIGURE 1

2017-2019 Additional Revenue vs Anticipated Additional Costs-Statewide

(in millions)

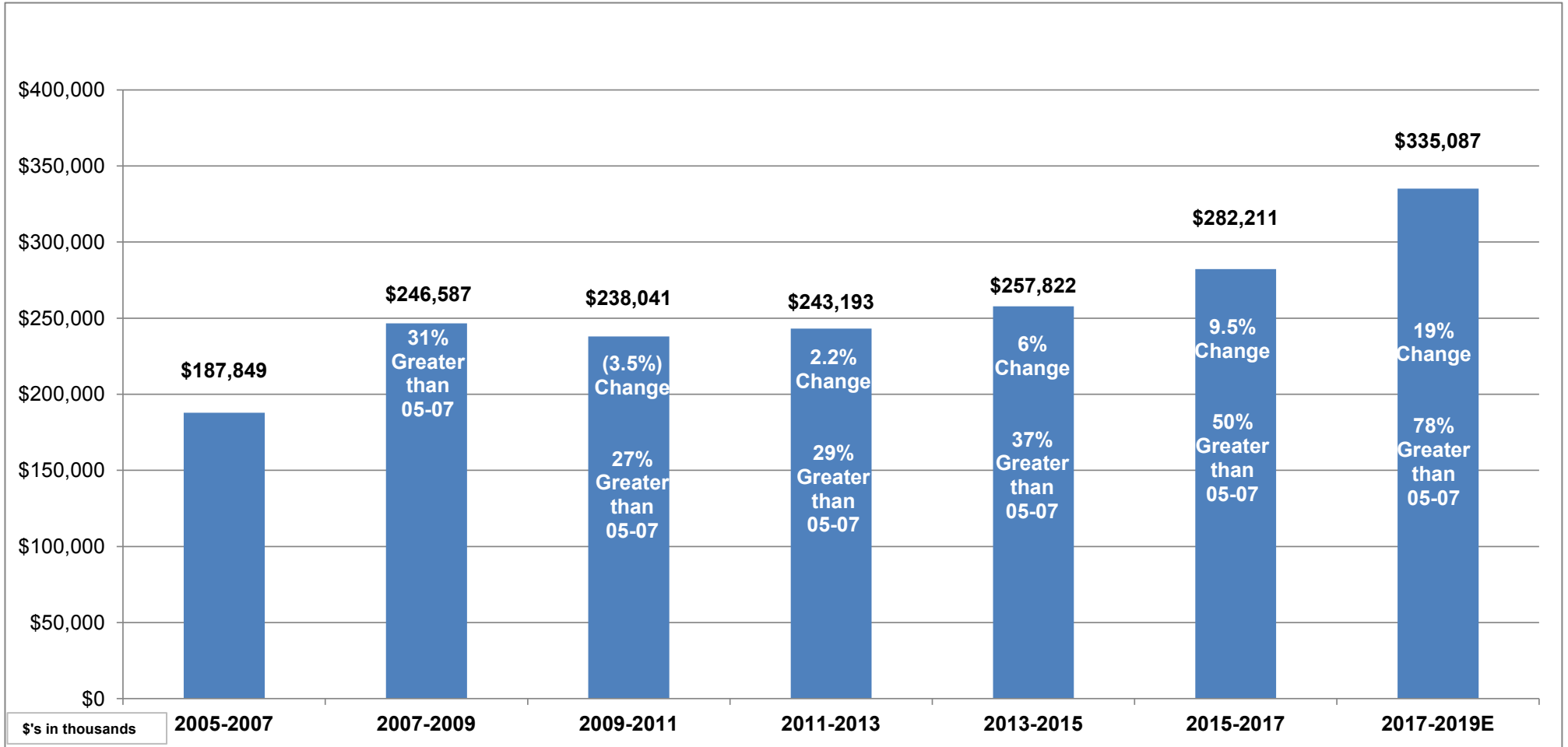


All amounts noted above are estimates and will change; the magnitude however remains.

It is anticipated that there will be an additional \$3.0 billion in general fund revenue during the 2017-2019 biennium, however it is also anticipated that costs, including McCleary, will substantially exceed additional revenue by at least \$3.5 billion.

FIGURE 2

State Judicial Branch Near General Fund Appropriation History



Historic branch growth is almost solely comprised of new or expanded pass through or direct service programs, new superior court judges and compensation rate changes authorized by the legislature. There is very little growth in internal agency staffing or programs.

FIGURE 3



Board for Judicial Administration (BJA)

BUDGET AND FUNDING STANDING COMMITTEE CHARTER

I. **Committee Title**

Budget and Funding Committee (BFC)

II. **Authority**

Board for Judicial Administrative Rules (BJAR 3)

III. **Purpose and Policy**

The BFC is created by the BJA and is responsible for 1) coordinating efforts to achieve adequate, stable and long-term funding of Washington's courts to provide equal justice throughout the state, and 2) reviewing and making recommendations, including prioritization, regarding proposed budget requests routed through the BJA.

Recommendation and Prioritization Criteria

The review and recommendations will be made in accord with the mission, core functions and Principal Policy Goals of the Washington State Judicial Branch and the Board for Judicial Administration.

The BFC will also take into consideration other factors including:

- Impact on constitutional and/or state mandates
- Impact on the fair and effective administration of justice in all civil, criminal, and juvenile cases
- Enhancement of accessibility to court services
- Improved access to necessary representation
- Improvement of court management practices
- Appropriate staffing and support

The BFC has the authority to establish guidelines regulating the format and content of budget request information received for the purposes of review, recommendation and prioritization.

IV. Membership and Terms

Members of the BFC must be voting members of the BJA. Members will be selected by the representative associations.

DMCJA Representative
SCJA Representative
COA Representative

V. Committee Interaction

Groups interested in seeking BJA support for funding initiatives must submit materials in accordance with AOC and BFC guidelines. The BFC will communicate and coordinate with other BJA standing committees when budget requests impact their mission.

VI. Reporting Requirements

The BFC will review materials as submitted and forward its recommendation to the BJA.

VII. Recommended Review Date

January 1, 2019

Adopted: July 18, 2014

Amended: September 19, 2014

Amended: September 18, 2015

Board for Judicial Administration Budget and Funding Committee Criteria

The Budget and Funding Standing Committee (BFC) of the Board for Judicial Administration is responsible for reviewing, making recommendations, and initially prioritizing budget requests submitted to the BJA. The following criteria will be used by the BFC to evaluate budget proposals submitted to the BJA.

Mandatory Criteria

- The budget request is for an activity essential to a constitutional, statutory or court rule mandate.
- The budget request is necessary to carry out the Principal Policy Goals of the Washington State Judicial Branch
 - Fair and Effective Administration of Justice in all Civil and Criminal Cases
 - Accessibility
 - Access to Necessary Representation
 - Effective Court Management
 - Appropriate Staffing and Support.
- The budget request implements a resolution adopted by the BJA.

Additional Criteria

- The budget request provides a complete and detailed description of the justification for the request, written in plain language so that an outside reader will understand the problem and the proposed solution. The request will include the following elements.
 - A description of the funding requested supported by empirical data.
 - Specifically identified outcomes.
 - Organizations and groups that support the request.
 - The impact if not funded.
- The request is an innovative approach or a more effective means of addressing a mandate or the principal policy goals, and includes a description of the justification and proposed empirical evaluation criteria.
- The budget request builds on or enhances existing and ongoing efforts and seeks to achieve more cost-effective outcomes.
- The request is designed to mitigate or eliminate structural or systemic funding problems.

**2017-2019 Budget Requests
Budget and Funding Committee
BJA 2017-2019 Budget Request Priority Recommendation**

Administrative Office of the Courts – General Fund State Requests ONLY			
Title	FTE	Preliminary Amount	BFC Priority
Trial Court Interpreter Services	FTE 0.5	\$4,192,000 Subject to Revision	1
<p>Funding is requested to expand the existing program statewide for civil and criminal cases at 100% reimbursement over 3 biennia. It is projected that 50% of all interpreter costs for civil and criminal will be reimbursed during 2017-2019, 75% will be reimbursed in 2019-2021 and 100% reimbursement in 2021-2013. Current funding level is \$610,000 per year. This request would add \$7.8 per year by FY 23 for a total anticipated reimbursement level of \$8.4 million per year. Funding to meet current needs (criminal) and new funding for new services (civil).</p>			
Pattern Forms	FTE 1.5	\$371,000	Tied 2
<p>Funding is requested for additional staff necessary to meet the growing demand from the legislature and stakeholders. Staff currently maintains over 700 forms. Funds would be used to update forms into a fillable format, translate forms into other languages and into a plain language format and implement legislative and other changes in a timely manner. Current funding level is 1.25 FTE. Funding to meet current needs.</p>			
Court Personnel Education	FTE 1.0	\$396,000	Tied 2
<p>Funding is requested for the development of online delivery models and timely training for judges and court personnel, including targeted training for presiding judges and court administrators. Funding would be used to develop efficient and cost-effective delivery systems for training all judicial officers and court personnel. Current funding includes AOC staff and \$312,500 per year for education and training programs. Funding to meet current needs.</p>			
Courthouse Facilitator Training	FTE 1.0	\$268,000	4
<p>Funding is requested to provide regular education opportunities for courthouse facilitators. Funds would be used to immediately update the Courthouse Facilitator Training Manual, regularly update the manual, webinar trainings and periodic in-person training. There is no dedicated funding for this purpose at AOC. New funding.</p>			
Web Services Support	FTE 2.0	\$487,000	5
<p>Funding is requested to modernize and maintain web services to serve the increasing needs of the public and stakeholders. The number and complexity of web applications has grown and will continue to grow at the public, courts, county clerks and other state agencies gather and transmit data and information through web applications. The AOC maintains over 180 web applications and has developed and must manage 7 new websites. Web services and applications must be changed as technology changes and as court and other state agency business processes change. Existing staff cannot meet the need to update, develop and maintain new applications resulting changes to legislation, technology changes, business process changes and impacts resulting from the 3 new case management systems. Current funding allows for three (3) staff. Funding to meet current needs.</p>			

Administrative Office of the Courts – General Fund State Requests ONLY			
Title	FTE	Preliminary Amount	BFC Priority
Telephonic Interpreting Services	FTE 0.5	\$3,166,000 Subject to Revision	6
Funding is requested to offset 50% of the costs associated with on-demand telephonic interpretation. New services and funding.			
Guardian Monitoring	FTE 9.0	\$1,243,000	7
Funding is requested to create a statewide guardianship monitoring program. Funds would be used to implement a statewide guardianship monitoring program modeled after successful programs in Spokane, Wisconsin and Minnesota as well as best practices developed by AARP. Volunteers, volunteer coordinators and accounting experts would monitor approximately 1/3 of the open guardianship cases each year, conduct site visits and review case files. Currently there are no dedicated funds or staff at AOC to monitor guardianships. New services and funding.			
Therapeutic Courts Best Practice	FTE 0.5	\$136,000	8
Funding is requested to improve drug court functioning and adherence to research based best practices in 4 adult drug courts. Funds would be used to determine adherence to research and implementation of national best practices, through self-assessment and peer review in four adult drug courts. This request assumes the services would be expanded to other therapeutic courts over time. New funding and services.			
CASA Program Expansion	FTE 0.0	\$12,100,000 Subject to Revision	9
Funding is requested to increase the number of CASA volunteers and to provide regionally based CASA program attorneys. Funds would be used to fully fund CASA programs in order to meet CASA case standards and to provide services to approximately 10,000 children per year. Funds would also be used to support 10 full-time attorneys to provide legal representation and consultation for CASA programs. Current funding is approximately \$3 million per year for pass through to local CASA programs. This package would more than double the annual amount (increase by approximately \$4.6 million per year) and expand services to include attorney services. Expand existing program and funding for new services.			
AOC Salary Adjustment	FTE 0.0	\$TBD	TBD
Funding is requested to align salaries with the salary survey.			
Total-Non-IT State General Fund Request	FTE 16.0	\$22,359,000 Subject to Revision	

BJA BUDGET AND FUNDING COMMITTEE AOC BUDGET REDUCTION CRITERIA

Preface:

A sizeable portion of the Administrative Office of the Courts' budget cannot be reduced due to several factors including, but not limited to, constitutional provisions, statutory provisions, statewide federal cost allocation rules and executed legal agreements. Funds allocated to superior court judges' salary and benefits, Becca/Truancy pass through funding, central service and revolving fund costs and lease payments are a few examples. The budget allocation for items exempted from reduction will be identified and removed from consideration prior to any reduction exercise.

- Will the reduction adversely impact an activity that meets a constitutional, statutory or court rule mandate?
- Will the reduction adversely impact the Principal Policy Goals?
- Will the reduction adversely impact a BJA resolution?
- Does the activity further AOC's mission, goals and/or objectives?
- What would be the programmatic consequences if the reduction were implemented?
 - Will the reduction impact the activity such that the remaining funding is insufficient to produce the intended outcome? Will remaining funding maintain an adequate level of service?
 - How will the reduction be perceived by the public? Legislature? Stakeholders?
 - Will the reduction shift costs to another organization(s) including local government?
- Have previous reductions been taken in this area?
- If the reduction were to occur are there funding or other alternatives?
- Is there research or data that supports reduction or exemption/exclusion from reduction?

2017-2019 Administrative Office of the Courts Biennial Budget Request

	GF	JST	JIS	Total	% Inc
2017-2019 Carry Forward Level	\$121,030,000	\$0	\$30,595	\$121,060,595	
Maintenance Level					
Total Maintenance Level	\$0	\$0	\$0	\$0	0.00%
Policy Level					
1. OPG Superior Courts (GF-S)	\$1,243,000	\$0	\$0	\$1,243,000	
2. Court Personnel Education (GF-S)	\$396,000	\$0	\$0	\$396,000	
3. Pattern Forms - Maintenance, Translation, and Implementation of Access to Technology Principle (GF-S)	\$371,000	\$0	\$0	\$371,000	
4. Trial Court Funding for Language Access - Criminal and Civil (GF-S)	\$4,192,000	\$0	\$0	\$4,192,000	
5. Telephonic Interpreting for Court Customer Services Language Access (GF-S)	\$3,166,000	\$0	\$0	\$3,166,000	
6. Therapeutic Courts Best Practice Implementation (GF-S)	\$136,000	\$0	\$0	\$136,000	
7. Courthouse Facilitator Training (GF-S)	\$268,000	\$0	\$0	\$268,000	
8. Web Services Support (GF-S)	\$487,000	\$0	\$0	\$487,000	
9. CASA Program Expansion and Enhancement (GF-S)	\$12,100,000	\$0	\$0	\$12,100,000	
10. Salary Adjustment TBD	\$0	\$0	\$0	\$0	
11. Superior Court Case Management System (SC-CMS) (JIS)	\$0	\$0	\$1,792,000	\$1,792,000	
12. Appellate Court Electronic Case Management System (AC-ECMS) (JIS)	\$0	\$0	\$347,000	\$347,000	
13. Courts of Limited Jurisdiction Case Management System (CLJ-CMS) (JIS)	\$0	\$0	\$13,182,000	\$13,182,000	
14. Enterprise Data Repository (EDR) Data Exchange Superior Court (JIS)	\$0	\$0	\$815,000	\$815,000	
15. External Equipment Replacement (JIS)	\$0	\$0	\$2,266,000	\$2,266,000	
16. Internal Equipment Replacement (JIS)	\$0	\$0	\$1,823,000	\$1,823,000	
17. Expedited Data Exchange Carry Forward (GF-S) * TBD	\$0	\$0	\$0	\$0	
18. Expedited Data Exchange On-Going Maintenance (JIS)	\$0	\$0	\$400,000	\$400,000	
19. Odyssey Continuing Operations Support (JIS)	\$0	\$0	\$1,385,000	\$1,385,000	
Total Policy Requests	\$22,359,000	\$0	\$22,010,000	\$44,369,000	36.65%
Total Request	\$22,359,000	\$0	\$22,010,000	\$44,369,000	36.65%
% by Fund	18.47%	0.00%	71939.86%	36.65%	
Total 2017-2019 Biennium	\$143,389,000	\$0	\$22,040,595	\$165,429,595	36.65%

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Office of Public Guardianship Superior Courts

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to create a statewide guardianship monitoring program that provides assistance to the Superior Courts lay and professional guardians that are appointed by the courts to execute the court's authority.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 389,000	\$ 854,000	\$ 1,243,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 389,000	\$ 854,000	\$ 1,243,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	4	9	6.5

Package Description

Description of the Problem

Washington residents age 65 and over have increased 53% since 2010 and are estimated to increase 45% by 2040. The effect of dementia, Traumatic Brain Injury

(TBI), serious mental illness and developmental disabilities on decision-making create particular challenges for individuals and systems, including courts.

The number of persons with dementia, including Alzheimer's disease, will increase significantly in the next 25 years. The Alzheimer's Association expects between 215,000 and 270,000 citizens age 65 or older will have a form of dementia in 2040. National estimates indicate that about two percent of the US population live with long-term or lifelong traumatic brain injury (TBI) related disability. The National Alliance on Mental Illness of Washington reports that seven percent of the US population is seriously affected by mental health challenges. These trends are likely to result in a substantial increase in the number of proceedings heard to protect vulnerable and elderly persons including abuse and neglect cases, and guardianships. Thus, the need for protections such as qualified guardians and effective court monitoring of guardians increases. Unfortunately, lay guardians find it difficult to perform their duties with limited resources and assistance. Likewise courts are finding it increasingly difficult to provide the necessary guardian oversight. Also it is difficult to plan for the growing demand for guardians and other protections without a thorough profile of incapacitated persons, their numbers, characteristics and needs.

Background

Guardianships are one alternative for people who are unable to manage their personal and/or financial affairs due to age-related diseases, mental illness, or developmental disability. The legislature set out a procedure for a court determination whether a person should be found to be incapacitated and have a guardian appointed. Guardians have the authority to make personal and/or property decisions for the incapacitated person.

The guardians appointed by the courts are either professional guardians or lay guardians. A professional guardian, defined as a guardian who serves for pay in more than two cases, must be certified by the Supreme Court pursuant to GR 23. Lay guardians are often either family members of the incapacitated person or community volunteers. Lay guardians are required to complete a two-hour on-line training course, but generally receive no other training or assistance after appointment.

The legislature gave courts the authority and responsibility to direct and control guardians, rendering the court the "Super Guardian". This includes the authority to monitor existing guardianships to ensure that the incapacitated person is receiving the care and protection he or she needs while protecting the liberty and autonomy of the incapacitated person to the maximum extent consistent with the care he or she needs. Monitoring helps courts to manage risk, prevent abuse, and increase public confidence in the judicial system

National and state experts including the Conference of Chief Justices, the Conference of State Court Administrators, the National Center for State Courts, the American Bar

Association, the U.S. Governmental Accountability Office (GAO) and the Elder Law Section of the Washington State Bar Association have acknowledged that there is insufficient data to determine the incidence of abuse of incapacitated persons by guardians or if guardians are protecting incapacitated persons.

The findings, discussion and conclusions of these entities solidifies the belief that there is little state-level guardianship data collected beyond filings and dispositions. As currently collected, county-level data in Washington State cannot be aggregated in a manner that makes it usable for effective guardianship monitoring, or provide guidance for policy makers and practitioners to strengthen the guardianship system and prevent elder abuse. Effective monitoring should facilitate (1) effective case processing; (2) gauge the extent of abuse by guardians and the extent to which guardians protect incapacitated persons from abuse; (3) gauge the effect of court orders; (3) shape guardianship policy, practice, training and education; (4) provide useful feedback and support in a demanding role; and (5) have a preventive effect.

Washington's superior courts have addressed their responsibility to monitor guardianship cases in a variety of ways, some more effectively than others. Concerning, is that many courts have no monitoring program at all. In other counties, the monitoring program consists primarily of ensuring that the reports a guardian is required to file are filed in a timely manner, with little or no evaluation by the court of their contents or accuracy. Because the needs of an incapacitated person under guardianship may change over time and the guardian may need to make complex decisions about health care, residential placement, finances and property, the court's oversight role is critical.

Proposed Solution

In the late 80s, AARP created the model for a Volunteer Guardianship Monitoring Program that was used by several courts in Washington State. Today, Spokane Superior Court continues to successfully use this model to monitor guardianships under its jurisdiction. Volunteer monitoring programs have identified failures to report to the court, inadequate communication with protected persons and improper use of funds.

In 2010, Minnesota courts employed a new model of monitoring that mandated auditing conservator accountings. In 2015, four full-time and three part-time auditors completed 1085 audits. Eighty-seven accountings involved possible loss of funds, where the auditor may have recommended court removal of the conservator and/or repayment of funds to the protected person. Concerns identified included loans from the protected person to the conservator, expenditures without court approval or expenditures not in the best interest of the protected person, and co-mingling of funds between the conservator and the protected person where there was no close family relationship.

To assist a relatively unsophisticated volunteer guardianship community, Wisconsin established, the Wisconsin Guardianship Support Center (GSC) . The Center provides information and assistance on issues related to guardianship. The Center is staffed by an attorney who responds to requests for information through a toll-free helpline or by e-mail. The Center fields more than 2,000 calls annually, produces a quarterly newsletter; and annually holds at least 12 outreach educational events.

This budget request combines aspects of volunteer guardianship monitoring, formal auditing and data collection and services delivered via a helpline and recommends a regional model that considers the differences in county needs, resources, and number of guardianship appointments.

The following regions are recommended (see attached maps):

Region 1 - Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, Yakima

Region 2 - Island, King, San Juan, Skagit, Snohomish, Whatcom

Region 3 - Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Kitsap, Lewis, Mason, Pacific, Pierce, Skamania, Thurston, Wahkiakum

The recommended model includes the following components:

- (1) Regional volunteer coordinators and volunteer researchers, visitors and auditors;
- (2) Centralized auditors, data collection, complaint analysis and helpline services.

Regional volunteer coordinator (s) – At least one person in each region should be designated as the manager or coordinator of volunteers. This person will be responsible for:

- Recruiting and screening new volunteers
- Working with local/regional educational institutions to arrange for student volunteers
- Training new volunteers
- Matching volunteers to cases and providing forms to get started on a case
- Supervising and supporting volunteers – including answering questions about cases, acting as liaison with court staff, and engaging in regular communication with volunteers
- Reviewing volunteer reports for completeness and need for action; routing complex cases to a judge or other court staff for review when necessary
- Routing questionable accountings to the audit program for a complete audit
- Tracking court response to volunteers' recommendations and keeping volunteers informed
- Maintaining volunteer records; tracking volunteer participation including number of

cases completed and amount of time devoted to program

- Handling volunteer reimbursement
- Convening regular meetings of volunteers
- Meeting with student volunteers to provide required oversight for educational credit
- Conducting periodic evaluations of program
- Serving as liaison with community agencies
- Developing and implementing a procedure to regularly update contact information for each person in a guardianship and their court-appointed guardian
- Collecting and reporting data, such (1) number of audits performed; (2) number of visits performed; and (3) status of guardianship cases— is the person under guardian deceased? Was the guardianship terminated or is the guardianship active?- to the central office for statewide reporting and distribution

Volunteer researchers, visitors and auditors – After training, volunteer researchers will collaborate with county clerks and court administrators to research guardianship court records, obtain the current address of the person in a guardianship and his or her court-appointed guardian, verify the status of the court file, and prepare cases for assignment to volunteer visitors.

During visits, volunteer visitors will observe the person in a guardianship. Utilizing an approved checklist volunteer visitors will assess the person's well-being and provide an opinion on the physical cleanliness of facility/house/room, perception of happiness/despair/fear of the person in a guardianship, and prepare a report to the court.

Volunteer auditors will perform a cursory review of accountings and refer concerns to the professional audit team.

Professional auditors will review accountings to (1) determine accurate beginning and ending year balances; (2) ensure expenditures are appropriately substantiated; (3) confirm that expenditures are reasonable based on the needs of the protected person; and (4) confirm that all funds are accounted for.

Throughout monitoring and auditing, the coordinators will seek to identify essential adult guardianship data being collected and not being collected by the court system and determine the quality of data collected. They will develop an appropriate design for data collection and reporting pertaining to the number, type and status of guardianships and regularly report to the courts.

Complaint Analysis

When organizations gather and maintain data about complaints from customers, it is easier to implement a problem-solving process. A formal complaint handling process can improve customer satisfaction and result in increased public confidence. In 2014, the legislature passed Senate Bill 5607 that established a guardianship complaint process. Unfortunately, complaints are received and acted on by 39 individual

superior courts. There is no mechanism for sharing information between courts or for reviewing the aggregate data extracted from individual complaints to develop conclusions and make recommendations.

To address concerns, the Office of Guardianship and Elder Services recommends developing a Memorandum of Understanding with all superior courts, where they agree to send a copy of each complaint regarding the conduct of a guardian and any action take by a court regarding the complaint to the AOC. The AOC would record relevant complaint information and develop a report that includes all complaints data, including number of complaints received, number of complaints resolved, reasons for complaints, relationship of complainants to persons in a guardianship, and more.

To assist volunteer guardians, the Office of Guardianship and Elder Services recommends establishing a guardianship helpline that will be staffed by a guardianship expert. The expert will provide legal information via phone and e-mail and an electronic newsletter and will develop and coordinate training events throughout the state.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Under the current system, each superior court can develop its own monitoring program with no standardization on the objectives and components of an effective monitoring program (or have no monitoring program at all.) This creates a system in which guardianships are being monitored inconsistently, leading to a perception that the courts are not fulfilling their responsibility to incapacitated persons and to the public. The patchwork approach to monitoring does not provide consistent accountability. Creating a monitoring system using agreed upon best practices will bolster public trust and confidence.

Accessibility.

Improvements by courts in the monitoring of guardianships ensures that incapacitated persons are receiving the care they need and provides a systematic procedure for informing the court about any concerns regarding care.

The development and dissemination of pattern forms for common guardianship matters would also improve accessibility. This program would encourage the continued development of pattern forms and translation of those forms into other languages.

Access to Necessary Representation.

Pursuant to RCW 11 alleged incapacitated persons have a conditional right to counsel because of the possible loss of individual rights. Application of that right is not uniform. A monitoring program could help ensure consistent application of the right and provide a system to ensure that representation occurs

Commitment to Effective Court Management.

Creating a statewide system of best practices for monitoring programs will enhance effective court management. The data collected will be used to improve effective guardianship case management, and provide guidance for policy makers and practitioners to strengthen the guardianship system and prevent elder abuse. Effective monitoring should (1) facilitate effective case processing; (2) gauge the extent of abuse by guardians and the extent to which guardians protect incapacitated persons from abuse; and (3) shape guardianship policy, practice, training and education.

Appropriate Staffing and Support.

The monitoring program is designed to include qualified paid staff to train and manage volunteers, audit accountings, receive, organize and report to the court.

Measure Detail

Impact on clients and service

A monitoring program would benefit all of AOC's clients—the courts, the general public and, especially, incapacitated persons. As the population ages, more people may become subject to guardianships, making it even more critical that they are effectively monitored.

The program will enhance operational efficiencies and effectiveness, improve the usage of human and financial resources, improve communication about best practices in guardianship monitoring, and provide better access to the courtroom.

Impact on other state services

None

Relationship to Capital Budget

None

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

The court has the authority to direct and control guardianships. Several counties have local rules that set out the procedures for reviewing guardian reports and the sanctions for filing late reports. It may be necessary to amend the local rules and set forth the specific authority under which court investigators/visitors would act, including a

description of their duties and how the incapacitated person's rights would be protected in the process of the investigation.

Alternatives explored

In 2015, the AOC applied for an AmeriCorps grant from the Corporation for National and Community Service (CNCS). Although the application was not approved, Serve Washington, the local administrator for AmeriCorps grants, stated that guardianship monitoring represented a compelling need.

Distinction between one-time and ongoing costs and budget impacts in future biennia

All costs are ongoing.

Effects of non-funding

Monitoring of guardianships would continue to be addressed on a county by county basis with many counties having no monitoring programs. Incapacitated persons would continue to be at risk of having ineffective, negligent or criminal guardians managing their personal or financial affairs. There would continue to be wide variation between counties of acceptable guardianship practices, placing incapacitated persons at risk and reducing public confidence in the courts.

Expenditure calculations and assumptions and FTE assumptions

Fiscal and Object Detail assume that year one (FY 2018) will be used to establish the program and during year two (FY 2019) to program will ramp up.

FY 2018, the Office will hire four FTEs, one lead Regional Volunteer Coordinator, one lead Professional Auditor, one Guardianship Expert to staff the helpline, and one Program Assistant. These individuals will develop program policies and practices, develop volunteer training, recruit additional staff and volunteers.

FY 2019, the Office will hire five FTEs, two Regional Volunteer Coordinators, two Professional Auditors and one other Administrative Secretary.

FY 2018 Expenses

Regional Volunteer Coordinators (1) Range 62
(Annual Salary + Benefits) \$101,183 each

Professional Auditors (1) Range 58
(Annual Salary + Benefits) \$91,770 each

Guardianship Expert (1) (Helpline Staff)
(Annual Salary + Benefits) \$101,183 each

Program Assistant (1) Range 50

(Annual Salary + Benefits) \$77,325

Mileage for volunteers
(50 volunteers @ 100 miles each x \$.54) \$2,700

Background checks
(100 volunteers (2 to 4 volunteers per county) @ \$53.00 ea.) \$5,300

Volunteer recruitment ads
(39 counties @ \$10 per column inch x 4 inch) \$1,560

Volunteer training development
\$10,000

FY 2019 Expenses

Regional Volunteer Coordinators (3) Range 62
(Annual Salary + Benefits) \$101,183 each

Professional Auditors (3) Range 58
(Annual Salary + Benefits) \$91,770 each

Guardianship Expert (1) (Helpline Staff)
(Annual Salary + Benefits) \$101,183 each

Program Assistant (1) Range 50
(Annual Salary + Benefits) \$77,325

Administrative Secretary (1) Range 46
(Annual Salary + Benefits) \$73,925

Mileage for volunteers
(100 volunteers @ 100 miles each x \$.54) \$5,400

Background checks
(50 volunteers (2 to 4 volunteers per county) @ \$53.00 ea.) \$2,650

Volunteer recruitment ads
(39 counties @ \$10 per column inch x 4 inch) \$1,560

Volunteer training
\$20,000

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 369,000	\$ 824,000	\$ 1,193,000
Non-Staff Costs	\$ 20,000	\$ 30,000	\$ 50,000
Total Objects	\$ 389,000	\$ 854,000	\$ 1,243,000

DRAFT

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title New Generation Court Personnel Education

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to provide cost-effective training for the influx of the new generation of court personnel. This request provides funding for the development of online delivery models, timely training for new judges and court personnel, and essential training for Presiding Judges and Court Administrators.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 182,000	\$ 214,000	\$ 396,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 182,000	\$ 214,000	\$ 396,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	1	1	1

Package Description

Background

As a result of increasing demand due to the rapid influx of the next generation of court personnel, significant AOC budget reductions, and diminished purchasing power due

to increased cost, the judicial branch lacks the necessary resources to adequately train the new generation of judicial officers and court personnel.

The AOC, on behalf of the Board for Judicial Administration's (BJA) Court Education Committee (CEC), requests funding to develop efficient and cost-effective delivery systems for training all judicial officers and court personnel statewide. This request would enable the AOC to develop a robust online training system, provide specific knowledge and skill development for new judicial officers, county clerks, administrators and court personnel, and address areas of training not met by the current system due to lack of funding.

The rapid turnover of court personnel and judges in recent years has outpaced the resources available to provide timely training on best practices, rapid changes in law and procedure, and other skills that are essential to access to justice in our geographically and culturally diverse state. Since 2012 there has been an unprecedented turnover in judicial officers and court personnel: 35% turnover of appellate judges, 35% of superior court judges, 20% of district and municipal court judges, 46% of county clerks, 59% of superior court administrators, 13% of district and municipal court administrators, and 38% of juvenile court administrators. This rate is expected to continue over the next decade.

New judges must attend a one-week Judicial College program within their first year in the position. In 2016, out of the 29 Judicial College attendees, 27% of the new judicial officers in attendance had been on the bench deciding cases for six to seven months before they could attend the college, and 35% were on the bench at least twelve months. These judicial officers did not have access to training to help them build their knowledge and skills on the bench. New judicial officers and court personnel do not have adequate training available to them.

The AOC, with guidance from the judges, clerks, and administrators on the BJA Court Education Committee, is responsible for providing training to court personnel at all court levels. General Rule 26; See, RCW 2.56.030, .060; RCW 13.32A, 13.34, and 13.40; RCW 9A.36.080; RCW 43.113, .115 and .117.

General Rule 26 – Mandatory Continuing Judicial Education

Preamble. The protection of the rights of free citizens depends upon the existence of an independent and competent judiciary. The challenge of maintaining judicial competence requires ongoing education of judges in the application of legal principles and the art of judging in order to meet the needs of a changing society. This rule establishes the minimum requirements for continuing judicial education of judicial officers.

RCW 2.56.060 – Annual conference of judges

The supreme court of this state may provide by rule or special order for the holding in this state of an annual conference of the judges of the courts of record of this state, judges of the courts of limited jurisdiction, and invited members of the bar, for the consideration of matters relating to judicial business, the improvement of the judicial system and the administration of justice.

RCW 2.56.030 – (AOC powers and duties) has education-related duties:

The administrator for the courts shall...:

(10) Administer programs and standards for the training and education of judicial personnel;

(14) Within available funds, develop a curriculum for a general understanding of child development, placement, and treatment resources, as well as specific legal skills and knowledge of relevant statutes including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules, interviewing skills, and special needs of the abused or neglected child. This curriculum shall be completed and made available to all juvenile court judges, court personnel, and service providers and be updated yearly to reflect changes in statutes, court rules, or case law;

(16) Develop a curriculum for a general understanding of crimes of malicious harassment, as well as specific legal skills and knowledge of RCW 9A.36.080, relevant cases, court rules, and the special needs of malicious harassment victims. This curriculum shall be made available to all superior court and court of appeals judges and to all justices of the Supreme Court;

(17) Develop, in consultation with the criminal justice training commission and the commissions established under chapters 43.113, 43.115, and 43.117 RCW, a curriculum for a general understanding of ethnic and cultural diversity and its implications for working with youth of color and their families. The curriculum shall be available to all superior court judges and court commissioners assigned to juvenile court, and other court personnel. Ethnic and cultural diversity training shall be provided annually so as to incorporate cultural sensitivity and awareness into the daily operation of juvenile courts statewide;

No state funding is currently available to provide essential training for presiding judge-administrator teams who are responsible for leading our courts. Effective and efficient management of courts requires knowledge and skills in the courts' administrative roles and responsibilities, budgeting, human resource management, and related topics.

The creation of an effective and efficient online delivery system and funding for specific trainings is more cost effective and efficient in meeting the needs of judicial officers and court personnel in small or rural courts. Small and rural court judges,

administrators, and personnel would not have to travel or take extensive time away from the court. Online trainings can provide specific trainings at any time relating to their responsibilities and enhance the functions of our courts statewide.

The AOC already has a distance learning product in place; what it lacks is a skilled Court Education Professional (CEP) to manage and create a robust, cost-effective online learning knowledge base.

The development of a production and delivery infrastructure would allow programs to be videotaped, edited, or possibly internet streamed to improve training access throughout the state, including court personnel and judicial officers in small and rural courts for whom travel is a significant barrier.

Training and development of county clerks, administrators, and other court personnel is very limited or non-existent. These personnel are the first individuals encountered by the public, yet skills and ability training is rarely available to a new court employee, county clerk, or administrator. Customer service, data accuracy, and due process all start at the front desk and continue throughout the court system process. If forms or procedures change, court personnel need immediate training but often do not receive it because of resource constraints. Development of online training capability is necessary to provide immediate training throughout the state, particularly on emergent changes to laws, forms, and procedures.

Current situation

In a 2015 survey of all the judicial and administrative associations' education committees they were unanimous in stating that current funding levels and training resources are not sufficient.

“This is a critical time to train our appellate judges, as over half have joined the court since funding was cut, and they need to be able to attend programs specifically designed for the work they do and the legal issues they encounter.” — Justice Debra Stephens, Chair, Appellate Education Committee and Court Education Committee Representative.

“To achieve the goal of highly effective judges and commissioners, and provide relevant and substantial education, funding needs to return to a higher level. . .” — Judge T.W. “Chip” Small, Education Committee Co-Chair, Superior Court Judges' Association Education Committee and Court Education Committee Representative.

“There is no [state] funding available to assist Association members in either attending national conferences or in developing, via “train-the-trainer” programs . . . this substantially limits the State's overall ability to establish robust/standardized programs which effectively train future court leaders. . .” — Mr. Frank Maiocco, Administrator, Kitsap County Superior Court, President, Association of Washington Superior Court

Administrators.

“Inadequate or infrequent trainings on SCOMIS, JIS, or the accounting program (JRS), results in inconsistencies in entering data statewide. Clerks train their own staff, but having a statewide training on these systems is invaluable.” — Ms. Kimberly Allen, Grant County Clerk, Court Education Committee Representative.

“DUI regional training was eliminated for lack of [state funding] and other grant funding in 2011. The DMCJA education committee would like to implement specialized training on critical DUI Issues.” — Judge Joseph Burrowes, District and Municipal Court Judges’ Association Education Committee Co-Chair, Benton Franklin District Court.

“It is our position that we (DMCMA) do not have adequate funding for our educational needs. Based on the fact that membership to DMCMA and education is not mandatory for court administrators we struggle to reach all courts in Washington. While we are educating a larger population of court managers and court staff, many rural courts cannot afford to send court managers, nor court staff to training. The lack of court education for these courts hinders them from meeting standards and being abreast of how to respond/adjust to legislative changes, DOL requirements, state and federal interpreter requirements, and general caseflow management issues.” — Ms. Margaret Yetter, Kent Municipal Court, District and Municipal Court Management Association Education Committee Co-Chair, Court Education Committee Representative.

“We would like to have ongoing curriculum and program development education to enhance our knowledge base and skill for future educational development . . . to ensure consistent quality and content across all associations.” — Ms. Paula Holter-Mehren, Co-Chair, Juvenile Court Administrators Education Committee, Pend Oreille, Ferry, Stevens Juvenile Courts and Court Education Committee Representative.

Reason for change

Over the last decade, the training funds available to the judiciary have diminished while both demand and the cost for providing training have increased.

Focusing on building a strong infrastructure for the development of online trainings, focusing on the leadership of our courts, and providing opportunities for judicial and court personnel to attend specialized trainings will begin to move training forward again and would be cost effective and beneficial to the judiciary.

This is an important step toward providing timelier and more effective training to ensure those who administer justice in all parts of Washington are well trained.

Proposed Solution

The training needs of the judiciary have increased due to ongoing complexities of the laws, new initiatives, new forms, and a high turnover of judicial officers, county clerks, administrators, and court personnel with more turnover anticipated in the future. All this is in addition to the continual need to train experienced judicial officers, county clerks, administrators and court personnel in order for the courts to remain a vital public service. The lack of training in emerging areas of the law, as well as changes in laws, procedures, and forms will result in courts being out of sync with the communities they serve.

The BJA Court Education Committee has concluded that investing in an online delivery system is the most cost-efficient method for addressing emergent training needs of new judicial officers, county clerks, administrators, court personnel, and presiding judges. The expert will provide legal information via phone and e-mail and an electronic newsletter and will develop and coordinate training events throughout the state.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Judicial officers and court personnel work hard every day to serve their communities, but due to limited resources, isolation, and time constraints, they often find themselves unable to access timely and essential trainings. Lack of local funding for training and the cost of employing temporary staff to cover the work of the court while they are away continue to hamper judicial officers and court personnel to keep up-to-date on basic policies and procedures and best practices necessary for the fair and effective administration of justice. Each legislative session there are changes to civil and criminal laws, to pattern forms, and to procedures at all levels of court, and judicial officers need to know how these changes impact their sentencing practices and decision making, and administrators need training on the changes in order to be effective and efficient. This request would open up resources to develop training to meet their needs in a timely, efficient, and cost-effective manner. On-demand webinars that are developed, scheduled, and facilitated will disseminate the information quickly and at low cost. Trainings can be recorded, edited, and placed in a knowledge-based repository created by the AOC.

Accessibility.

Judicial officers, county clerks, administrators, and court staff have the responsibility and duty to their communities to provide access to the court system. This includes providing special services such as an interpreter (no matter the language) or other special accommodations. Yet, the courts rarely have the resources needed to keep

judicial officers and court personnel up-to-date on how to best serve their communities. This is especially true in the small and rural courts that do not have the resources to address the needs of veterans or persons with addictions or mental health concerns. These issues are as prevalent within their communities as they are in larger communities. Specialized training and resources are needed to help judicial officers, court administrators, and line-staff recognize and address these sometimes underlying issues in cases within their court. Working with therapeutic court committees within the various judicial and administrative associations and the interpreter's commission, a library of extensive online trainings, either live, recorded, or self-paced, would be developed.

Access to Necessary Representation.

Every individual who comes to court expects representation at the highest professional level and judicial officers hearing their cases who are fair and unbiased in their rulings. Ensuring the highest quality of justice in our courts requires affording the judicial officers and staff in these courts equal access to quality training, including online and regional training programs. The new judicial officers who attend the in-state judicial college often come on the bench a few months before the college itself and have remarked that having an ethics resource and "how to" information would be invaluable to them as they are learning their new role and responsibility. In 2016, out of the 29 Judicial College attendees, over 27% of the new judicial officers had been on the bench six to seven months before they could attend the college, and 35% were on the bench twelve plus months. The development of online and specific trainings to address not only the upfront training needs of new judicial officers but also county clerks and administrators and all court personnel will uphold the integrity of the judicial system and the rights of those utilizing its' services.

Commitment to Effective Court Management.

New administrators and county clerks currently do not have access to intensive and transformative training in the area of court management. In the past, there was funding to develop the knowledge, skills, and abilities of court staff to manage their courts effectively and efficiently. Online and specific training programs will benefit the community that depends on them. There is a need for specialized training and there are several national organizations that specialize in training judicial officers and administrators to become future leaders. Funding individuals to attend those programs is also cost effective since most programming is via webinars and on subject areas that are not available in-state. Training assistance, especially for those in small or rural courts who would not have to travel to take training courses, begins to develop an extensive, well-trained administrative staff across the state to succeed those retiring, which in turn improves the commitment to effective court management across the state.

Appropriate Staffing and Support.

The hiring, disciplining, and firing of court personnel is a complex and demanding process. Presiding judges, administrators and county clerks must be trained sufficiently in matters relating to human resources so they will have the skills to appropriately staff, manage, and train their employees. Since comprehensive and coordinated training has not been available to court administrators or county clerks, it has been up to their predecessors to train them on how things are done. This risks perpetuating bad practices and inconsistency in basic court procedures and support across the state. As current court leadership begins to retire, the depth of their knowledge and their training will disappear. Successors need the ability to train extensively on best practices in the area of human resources and budgeting in order to continue the effectiveness and efficiency of the court and advance how the courts can best meet the needs of their communities.

Measure Detail

Impact on clients and service

Funding for training is needed to develop programs that address the basic knowledge, skills, and abilities required to fairly and effectively manage the courts. Funds would be utilized to create training modules designed specifically for new judicial officers, county clerks, administrators, and court personnel. Trainings could be developed specifically for small and rural courts (both judicial officers and court personnel) as well as for Presiding Judges and their administrative teams. Funding would be used as training assistance for judicial officers and administrators who seek specialized trainings both in-state or out-of-state that improve their effectiveness in the court and on the bench. As judicial personnel are trained they become more effective and efficient, which translates into more effective and efficient courts and ensures access to the public, no matter what community they live in.

This request would also fund a new educator with specialized skills in producing web-based programs, including webinars, recordings of live programs, self-paced programming, and assessments. This staff member would conduct needs assessments, determine gaps in training needs for judicial officers, administrators, county clerks, and court personnel, and develop a comprehensive plan of cost-effective and efficient ways to deliver needed training.

Impact on other state services

Other state programs will benefit indirectly through the enhanced efficiency and effective trainings provided to the judicial officers and court personnel.

Relationship to Capital Budget

N/A

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

N/A

Alternatives explored

Limited grant funding may be available but does not provide sustainable programs and services.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Costs noted in this request will continue into future biennia.

All costs are on-going and not a one-time request. It is the intent of the CEC and the AOC to seek stable, ongoing funding to meet evolving training needs of the courts, judicial officers, county clerks, administrators, and court personnel.

Effects of non-funding

Rural and small courts continue to lag behind in their ability to access statewide training. Funding is required to develop programs to address their needs in order to ensure equal access to justice across the state. Small and rural court judicial officers, administrators and line-staff often forgo any of the limited trainings because of the disproportionate impact on small county and city budgets. They should have access to up-to-date and informative training to ensure consistent application of the law and access to justice across the state. In addition, there is an urgent need to provide timely, cost-efficient training for court personnel across the state, as we welcome a new generation of court personnel, whose work will shape the justice system for years to come.

Expenditure calculations and assumptions and FTE assumptions

	FY 1	FY 2
CEP	\$109,409	\$111,980
Hardware – CEP	\$5,000	\$2,000
Software – CEP	\$2,000	\$1,000
Travel – CEP	\$2,000	\$4,000
Faculty travel (recordings)	\$2,000	\$4,000
Materials	\$500	\$1,000
Facility costs (recordings)	\$2,000	\$4,000
Equipment rental	\$4,000	\$6,000
Online training development	\$10,000	\$10,000
New judicial officers, court personnel	\$10,000	\$10,000
online training development		
Presiding Judge/online and live	\$5,000	\$30,000

program development		
Training assistance	\$30,000	\$30,000
Total Costs	\$181,909	\$213,980
Biennial Total		\$395,889

Definitions

CEP (Instructional Designer)

In conjunction with current educators, the CEP would manage the online training development process and delivery system. This person would evaluate trainings and technologies and build the infrastructure for the development of online trainings available to the court system. This individual would work closely with clients, researching and incorporating proven learning strategies and best practices during the development of trainings. The specific skills needed for this position would be online curriculum development, instructional design, needs assessment, writing and editing skills, and experience in online learning technologies and pedagogies (methods and practice of teaching).

Hardware – CEP

These costs are the standard start-up costs of setting up the working area of an AOC employee (phone, computer, standard software, chair, etc.)

Software – CEP

These costs are for specific software needed to develop online trainings. This software goes beyond the standard Microsoft Suite provided by the AOC, such as Mindflash, ProProfs, or other software that would meet the need.

Travel – CEP

The CEP needs to understand the stakeholders and their particular needs and to understand the nature of the courts, the resources for judicial officers, county clerks, administrators and court personnel that are available and assess how best to develop course content. He or she would meet with various association education committees to discuss their specific needs.

Faculty Travel (recording)

It is anticipated there will be a need to ask faculty to be recorded for specific trainings. These funds would be utilized to bring faculty to a controlled studio site to be filmed and recorded.

Materials

Production of materials is crucial to trainings. Checklists, instructional manuals, and training materials are some of the materials needed to augment any training.

Facility Costs (recording)

The AOC does not currently have a studio site and may have to rent a site from a local organization or businesses, such as the Washington State Bar Association or film companies, until the AOC can find funding to develop their own site. This also includes editing capabilities.

Equipment Rental

The AOC currently has limited video and audio equipment. It does not have specific lighting or support software to help with recording, editing and producing quality training modules.

Online Training Development

These are funds needed to conduct a needs assessment of the various stakeholders and address the training needs of judicial officers, county clerks, administrators, and court personnel who have experience but lack specific training. Funding could be used for as-needed webinars or trainings as laws change.

Online Training – New Judicial Officers, County Clerks, Administrators and Court Personnel

These funds would be targeted specifically to the development of online modules for new judicial officers, county clerks, administrators, and court personnel. New employees have more immediate and basic training needs such transition to the bench, managing the courtroom, caseload management, role in the community, and ethics. These trainings would address immediate “how to” questions for the new judicial officer. The new county clerk and administrator face the same issues and would benefit from online resources to help them manage their new role.

Presiding Judge and Administrator Program

In 2008 all training funds were eliminated for Presiding Judge and Administrator training. Since then the Presiding Judge and Administrator Education Committee have conducted limited webinars and the associations have sponsored portions of an in-person training. The development of an up-to-date website for Presiding Judges and Administrators currently exists on the AOC extranet; however, it lacks a library of online training modules for new and experienced Presiding Judges and Administrators, and a repository for recorded webinars. There is also a need to fund an in-person

training for Presiding Judges and Administrators every other year to allow the Presiding Judge and Administrator Education Committee to design more in-depth trainings to develop knowledge, skills, and abilities that cannot be obtained via the online training format. The BJA recognizes the specific trainings needed for the state's court leadership, yet funds are not available to do so.

Training Assistance

Training assistance is a cost-effective way to allow judicial officers, administrators, and court personnel to attend specific out-of-state trainings that meet their particular needs. Assistance would be governed by the CEC, who would develop criteria and limitations in the allocation and use of the funding. Attending national programs provides judicial officers and court personnel, at all court levels, to bring innovative ideas and resources back to the state and many become future faculty for training programs. It is more cost effective to pay the registration fee for an administrator to attend a National Center for State Court webinar than fund their travel costs to attend in-person. Judicial officers needing specialized training would have the opportunity to attend national programs to provide specific skill building training not available in-state (e.g., capital cases management, finances in the courtroom, therapeutic courts (veteran courts, mental health courts, drug courts.))

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 109,000	\$ 112,000	\$ 221,000
Non-Staff Costs	\$ 73,000	\$ 102,000	\$ 175,000
Total Objects	\$ 182,000	\$ 214,000	\$ 396,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency	Administrative Office of the Courts
Decision Package Title	Pattern Forms - Maintenance, Translation, and Implementation of Access to Technology Principle
Budget Period	2017-2019 Biennial Budget
Budget Level	Policy Level

Agency Recommendation Summary Text

Washington statutes direct the Administrative Office of the Courts to develop, maintain, and in some instances, translate pattern forms for use in Washington Courts. Legislators, U.S. Department of Justice (DOJ) Guidance, court stakeholders, the Access to Justice community and public participants have asked for court forms to be accessible, easier to understand, and to be translated. Funds are requested for additional legal and administrative support necessary to meet the growing demand from the legislature and stakeholders to maintain forms.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 187,000	\$ 184,000	\$ 371,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 187,000	\$ 184,000	\$ 371,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	1.5	1.5	1.5

Package Description

One staff person supports the Pattern Forms Committee, subcommittees and maintenance and translation of over 700 pattern forms. Administrative staff support

has been reduced and the dedicated staff person cannot support more than mandatory updates related to forms and translation.

Drafting/Maintaining Pattern Forms

Several statutes direct AOC to develop and maintain mandatory or model pattern forms, instructions and other supporting documentation, they include:

RCW 26.18.220, mandatory domestic relations pattern forms
RCW 13.34.035, mandatory dependence pattern forms
RCW 26.50.035, mandatory domestic violence forms
RCW 7.90.180, mandatory sexual assault protection order forms
RCW 74.34.035, mandatory vulnerable adult protection forms
RCW 10.14.050, model unlawful harassment protection order forms
RCW 10.99.040, mandatory domestic violence no-contact order
CrRLJ 7.3, judgment and sentence form

The Washington Pattern Forms Committee and its six subcommittees create forms and oversee all maintenance and redrafting. For example, in 2015, pursuant to Laws of 2015, 1st Spec. Sess., Ch. 7, sec. 12, the committee was required to draft Forensic Evaluation and Competency Restoration Orders and Involuntary Civil Commitment Orders which temporarily increased the work of the subcommittees and permanently increased the ongoing maintenance by twenty-one forms. Form maintenance includes updating forms when there is a legislative or case law change and updating any translation associated with the form. AOC currently maintains more than 700 pattern forms.

Plain Language Forms

Washington Association of County Clerks and Washington Association of Superior Court Administrators have requested plain language forms. The Access to Justice Board's Pro Se Plan prioritized domestic relations forms and completed them with limited AOC staff assistance in February 2016. The Pattern Forms Committee with AOC staff are responsible for maintaining those forms on an ongoing basis.

Technological Adaptation of Pattern Forms

AOC has the competency to adapt the forms but not the capacity. Pattern forms were originally drafted and adopted in a Microsoft WORD format and were mailed or posted for download on the courts website. The Washington Association of County Clerks, Washington Association of Superior Court Administrators and others have requested that forms be more accessible in a simplified electronic format. While the agency owns the technology to create "fillable" forms which are more interactive with the drafter and can create an online document assembly of a large subset of the forms, the AOC does not have sufficient staff available to adapt and maintain the forms within new technology platforms. The new case management systems provide both challenges and opportunities to adapt traditional forms to the platform and make them more accessible to pro se litigants by using products created to work with these

systems.

Translating Pattern Forms and Materials

Court demographics have demanded, and the court community has requested, that the AOC translate these forms in order to make them accessible to the growing Limited English Proficiency (LEP) public. Executive Order 13166 and DOJ Guidance explains that court systems receiving federal assistance, either directly or indirectly, must provide meaningful access to Limited English Proficient (LEP) persons. The requirement for translation of forms continues to grow, for example 2ESHB 1553 requires AOC to create forms and materials for the Certificate of Restoration of Opportunity and have them translated into multiple languages.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Creating and maintaining standardized pattern forms that conform to current technology and are easy to read, allow all parties, which include pro se litigants to understand and easily fill out pleadings for their respective cases. Adapting pattern forms to new technology platforms implements the Access to Justice Technology Principles.

Accessibility.

Pattern forms are key to parties' access. Some statutes require AOC to translate protection order instructions into the languages spoken by the five most significant LEP populations in Washington state (RCW 26.50.035-mandatory domestic violence forms; RCW 7.90.180-mandatory sexual assault protection order forms; RCW 74.34.035-mandatory vulnerable adult protection order forms). Every time the law is changed, the forms, and their respective translations, must be updated. We currently await vacancy or agency savings at the end of the year to see if funding is available for translations. This does not allow us to plan for or secure cost-efficient translators with regularity.

Access to Necessary Representation.

Pattern forms are key to parties' access. Some statutes require AOC to translate protection order instructions into the languages spoken by the five most significant LEP populations in Washington state (RCW 26.50.035-mandatory domestic violence forms; RCW 7.90.180-mandatory sexual assault protection order forms; RCW 74.34.035-mandatory vulnerable adult protection order forms). Every time the law is changed, the forms, and their respective translations, must be updated. We currently await vacancy or agency savings at the end of the year to see if funding is available for

translations. This does not allow us to plan for or secure cost-efficient translators with regularity.

Commitment to Effective Court Management.

Maintaining statewide pattern forms enhances effective court management by providing courts with a standardized work product that they do not have to create independently. For example, the recently standardized mental health proceedings forms gives some relief to courts who don't deal with the competency issues on a regular basis but can adopt the statewide form if they do hear relevant issues. Creating fillable forms would assist the courts with legibility issues.

Appropriate Staffing and Support.

Statewide pattern forms assist court management by creating useful, comprehensive forms for their use. Having current (and translated) pattern forms allows jurisdictions to focus on their core functions and not the independent task of updating forms themselves.

Measure Detail

Impact on clients and service

Postive impact: Fillable forms for domestic relations would be created and maintained. Fillable forms for other sets of forms could be created and maintained. Instructions, summaries of changes and other optional forms would be updated or created if necessary. Translation of 10 vital forms into the five common languages. The committee could determine which non-mandatory forms would be translated into other languages based on demand and monies allocated.

Impact on clients if not funded: In order to try to keep pace with the growing body of pattern forms, AOC must prioritize its focus on maintaining the current body of pattern forms and instructions, along with implementing legislative mandates related to forms. If staff capacity is not increased, AOC will continue to be unable to adapt those forms to different technology platforms - leaving them as simply "paper forms." Ancillary documents to the forms such as summaries of changes, brochures or other publications may continue to not be completed. Currently, one legal analyst and one quarter of an administrative secretary is dedicated to the Pattern Forms Committee and all statewide pattern forms and related assignments.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

Alternatives have been explored and used for the last ten years. In 2007 and 2008 the Washington Pattern Forms Committee and Interpreter Commission formed an ad hoc Forms Translation Committee which developed a translator protocol and selected the top five language groups in the state. The committee discussed whether the domestic relation forms that had been translated into Spanish by the Northwest Justice Project and King County Superior Court should be placed on the statewide website. They found that the forms did not comply with the forms protocol which calls for three reviews. At that time, the Interpreter Commission used available funds to assist in translating forms in Spanish. Additionally, the Access to Justice Board's Pro Se Plan Committee entered into contracts to convert 142 forms into plain language. They had a contract attorney and volunteers convert the domestic relations forms into plain language forms. Although collaborative one-time efforts move forms forward, whether it be in translation or plain-language, the responsibility to update those forms remains with AOC staff and the Pattern Forms Committee.

Reallocation of current staff and administrative support has been explored but both classifications are at capacity with their current duties. AOC currently outsources discrete tasks such as proofreading of forms between offices when possible, however this support is infrequent and unable to support the more substantive demands for maintenance.

Distinction between one-time and ongoing costs and budget impacts in future biennia

This request represents ongoing costs to absorb the increased demand and build continuity into the support of pattern forms.

Effects of non-funding

If the decision package is not funded, the judicial branch will continue to prioritize statutorily required forms but will not necessarily be able to continue to create or update all of the desired forms and relevant documentation and publication. Adapting statewide pattern forms to fillable forms and other interactive formats for pro se litigants will not be achieved and translation of documents will continue to be very limited to those which are statutorily required. AOC language access practices will be inconsistent with federal requirements. Local trial courts must expend more money to create and or translate forms they can use if AOC is unable to provide them which results in inefficiency and potential inconsistency.

Expenditure calculations and assumptions and FTE assumptions

A) Legal Staff to Draft and Maintain Statewide Pattern Forms - 1 FTE

This FTE would work with the currently assigned analyst to cover the workload of over 700+ statewide pattern forms, instructions, summaries of changes and other relevant publications. This person would also be an alternate staff person for Pattern Forms Committee and a primary staffer for drafting subcommittees. This staff person would also be responsible for managing ongoing translation responsibility for statewide pattern forms. If over time, they have additional capacity past forms, translation coordination, and committee work, they can contribute to Legal Services publications such as benchbooks, legal opinions and liaison work with new case management system form products.

B) Administrative Support - .5 FTE

This .5 FTE would support the current and new analyst with committee duties and assist with creating and updating fillable .pdf form for statutory required forms.

C) Translation of Statewide Pattern Forms - The translation protocol which was agreed upon by the Washington Interpreter Commission and the Pattern Forms Committee requires translation and two reviews by a total of three different interpreters to ensure accuracy. The Supreme Court Language Access Plan, as of 2015, requires the identification of vital forms and information and translated into the five most common languages as determined by the Interpreter Commission. According to the LAP the five most common languages are: Spanish, Chinese (Simplified), Vietnamese, Russian, and Korean. Statutes require Spanish translation of nine forms. AOC currently has a list of 10 vital forms which have not been translated. Based on previous translation contracts, AOC estimates translation the translation of 10 vital forms in the five common languages would cost approximately \$20,000.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 172,000	\$ 172,000	\$ 344,000
Non-Staff Costs	\$ 15,000	\$ 12,000	\$ 27,000
Total Objects	\$ 187,000	\$ 184,000	\$ 371,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Trial Court Funding for Language Access - Criminal and Civil

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Utilizing state funds allocated by the 2007 Legislature, the Administrative Office of the Courts developed an effective program to improve the quality and availability of interpreting services and to reduce costs at the local level. This allocation has improved state and federal statutory compliance for superior, district and municipal courts and has to that extent preserved the integrity of the judicial process.

The request will extend the success of the grant program to all trial courts over a period of time. The total increase reflects state resources to fund interpreter services in all criminal and civil cases at all levels of trial courts. This funding increase would achieve 100% funding spread out over 3 biennia.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 244,000	\$ 3,948,000	\$ 4,192,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 244,000	\$ 3,948,000	\$ 4,192,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0.5	0.5	0.5

Package Description

Introduction

The administration of justice requires clear communication in the courtroom. Using properly credentialed interpreters is imperative in cases involving people who have hearing loss and need sign language interpreters or those who have limited English proficiency as a result of national origin.

State and federal laws require Washington courts to provide meaningful access to court proceedings and court services for persons who have functional hearing loss or have limited English proficiency. Failure to provide clear, concise interpretation services denies these individuals that opportunity, leading to mistrust, confusion, administrative inefficiencies, additional costs caused by court hearing delays and continuances, and potentially incorrect judicial orders and verdicts.

According to the U.S. Census American Community Survey 1-Year Estimates, the number of foreign-born, limited English proficient (LEP) persons age 5 and older in Washington who speak a language other than English in their home increased by 50,561 between 2010 and 2014, growing from 717,942 to 768,503 persons. In addition to that population set, the number of persons with hearing loss needing court interpreting services has grown, as evidenced by the increased per case expense local jurisdictions have incurred for sign language interpreting services. This growth of demand within Washington has directly impacted local courts resources, and their ability to fund state and federal requirements to provide interpretation services. The inability of many local courts to fully fund interpreter services creates a non-compliance atmosphere across the state that can result in the withdrawal of federal funds by the U.S. Department of Justice.

Legal Obligations

RCW Chapters 2.42 and 2.43 prescribe the requirements for providing court interpreter services in Washington. RCW 2.42.120 requires the appointing authority (i.e., the court) to pay sign language interpreter costs for all court proceedings for parties, witnesses and parents of juveniles, court-ordered programs or activities, and communication with court-appointed counsel.

RCW 2.43.030 compels courts to "... use the services of only those language interpreters who have been certified by the administrative office of the courts..." when appointing interpreters to assist LEP litigants and witnesses during legal proceedings. RCW 2.43.040 instructs the governmental body initiating the legal proceedings to pay all interpreting costs in criminal cases, mental health commitment proceedings, and all other legal proceedings initiated by government agencies. It further requires the governmental body to pay all interpreting costs in civil matters for LEP persons who are indigent.

Courts that are direct or indirect recipients of federal funding are obligated to meet higher standards of ensuring language access to the LEP public. These courts are

required to take reasonable steps to meet standards established by Title VI of the 1964 Civil Rights Act and the Omnibus Crime Control and Safe Streets Act, which taken together, have more expansive access requirements for ensuring language access. Under the DOJ standards for compliance with those statutes, state courts receiving federal financial assistance cannot allocate or otherwise charge the costs of interpreter services to the parties involved in the court proceeding, including civil cases, or make any type of indigent determinations that assess the ability of a party to contribute to the costs. Furthermore, to be consistent with DOJ language access requirements, courts must provide meaningful access to all court programs and activities, including court functions provided outside of the courtroom.

History of State Funding

The 2007 Legislature recognized the increased financial demand faced by local courts to ensure language access for Deaf and LEP communities, and allocated \$1.9 million to the Administrative Office of the Courts (AOC) for purposes of passing that funding to local courts to support language access costs. This money was designed to be used in assisting courts develop and implement Language Access Plans, as well as offset 50% of interpreter expenses for qualifying courts. The AOC developed an effective program to improve the quality of interpreting, reduce costs at the local level, and improve compliance with state and federal requirements.

After nearly 10 years of implementation, this reimbursement program has improved court interpreter services for those counties. Because reimbursement eligibility requires hiring credentialed court interpreters and paying them fair market rates, the Washington courts and communities have received higher quality interpreting services. Participating courts submit data on their interpreter usage to the AOC, which helps identify language needs, actual costs, and geographic trends. The 50% cost-sharing requirement has encouraged participating courts to implement cost-saving and quality-ensuring practices such as web-based scheduling, multi-court payment policies, grouping of interpreter cases, and sharing of staff interpreters.

Funding Levels

In 2007 the Washington Judiciary asked the Legislature to provide 50% reimbursement for the cost of court interpreters statewide. In response the Legislature appropriated \$1.9 million biannually in pass-through money to the courts. This money was designed to be used in assisting courts with creating Language Access Plans (LAPs) as a condition of receiving funding, as well as to serve to offset 50% (or up to \$25 per hour) of interpreter expenses for those courts with approved LAPs. However, due to the extraordinary fiscal environment over the succeeding years since 2009, the reimbursement funds have dropped to \$1,221,004 biannually and is used solely to cover in-person and telephonic interpreting services provided in court. This represents a decrease of 36% in language access funding for those fifty-two superior, district and municipal courts representing ten counties that are in the program. While the program has continued in light of those cuts, the funding for the participating courts only covers approximately seven months of their fiscal year qualifying interpreter costs. In addition

to not being able to fully fund even 50% of a participating court's annual interpreter expenses, funding is clearly insufficient to expand into additional trial courts necessary to maintain compliance with federal statutes and regulations.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Judicial officers cannot effectively preside over proceedings involving Deaf or limited English proficient (LEP) parties, witnesses or participants without being able to accurately communicate with them. Public trust and confidence in the courts begins, at a minimum, with the public being able to effectively access and participate in the judicial process. Such participation is not possible for individuals with hearing loss that need sign language interpretation and for LEP individuals without quality interpretation services.

Accessibility.

Court proceedings and court services are not accessible to Deaf persons or LEP persons who are not provided with meaningful access using interpreting services. In addition, those individuals who interact with court staff for civil and criminal matters, such as child support matters, domestic violence protection forms and services, making payment plans for victim restitution or court fines, and/or housing evictions, are often unable to fully understand what is required due to inability of many courts to afford using quality interpreting services at those court services access points.

Access to Necessary Representation.

N/A

Commitment to Effective Court Management.

Efficient and effective court interpreter management requires implementation of practices and policies which save money, yet ensure high quality language access. Courts involved with the state reimbursement program have taken substantial steps to modify their interpreter scheduling and payment practices to achieve better economies of scale, sharing of resources, and collaborating with neighboring courts.

Appropriate Staffing and Support.

N/A

Measure Detail

Impact on clients and service

With the availability of expanded State funding, nearly all local and county courts will be able to provide court interpreting services and will more easily be able to afford the higher costs associated with credentialed court interpreters, especially in those cases where the market cost for those services are extraordinary due to language resource scarcity or the hearing location. Access to higher quality interpreters will improve the accuracy of communication in the courtroom. It would also create a more seamless integration of access to court functions and court services outside the courtroom for those with language barriers.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

It would require language changes to RCW 2.43.040(2), (3) and (5).

Alternatives explored

There are no local funding alternatives that would not require state support in order to be in compliance with state judicial policy objectives and federal statutory requirements as regards language access obligations. With limited budgets, local courts must prioritize the hearing types for which they will provide certified interpreters at court expense. Therefore, many municipal courts (which usually have a larger LEP caseload) retain non-certified language interpreters to save money. It is believed that some rural courts charge litigants for interpreter expenses in non-indigent civil matters, as this is allowed by RCW 2.43 language. Charging LEP parties for civil case interpreting jeopardizes the state's federal funding for the courts as this is not permitted under Title VI of the Civil Rights Act of 1964.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Court interpreter funding will be an ongoing cost, fluctuating based on immigration trends in the Washington population.

Effects of non-funding

Prior to program implementation, courts paid lower hourly rates for interpreting services. As a result of this program participant courts are paying higher hourly interpreter rates for credentialed interpreters in order to receive higher quality services. While those courts are spending less local money because of the State's contribution,

the rates paid by those courts have greatly impacted courts not participating in the program because interpreters now expect all trial courts to pay the same higher rates. Courts not in receipt of state funding are forced to either pay the higher hourly rates in order to ensure interpreting services, or risk losing interpreters to the program participant courts who pay higher amounts. Most Washington trial courts have increased their interpreter fees without increased revenues, thereby reducing funds for other court services. As previously noted, the current funding level only lasts for a portion of the fiscal period for the majority of participating courts. When the funding is used up, those courts often resort to using non-credentialed interpreters that charge less, which defeats the judicial policy purpose of ensuring meaningful access through the use of quality services based on a quality threshold.

Additionally, US DOJ and King County Superior Court have mutually agreed on ways to satisfy federal expectations to provide interpreters for non-indigent civil litigants and is likely that the agreement will serve as a baseline for compliance for other Washington courts in any future DOJ action. Full state funding will address the US DOJ mandate.

Expenditure calculations and assumptions and FTE assumptions

Current Reimbursement Program Interpreter Cost Data:

While the AOC has court interpreter usage and language data from a variety of courts, it does not have complete data on actual court interpreter expenditures for all Superior, District and Municipal trial courts. However, by figuring the average interpreter cost per case incurred by courts in the reimbursement program and extrapolating that figure to all JIS-reported cases for which a language type was noted, one can arrive at an estimate of the total annual expense for interpreter services in legal proceedings. The data takes into account all those cases that were filed with a language noted, which is not to mean that all those cases actually went to a hearing. However, by using the "cases filed" statistic, it denotes the upper limit of the funding need as the "cases filed" statistic is an undercount due to the fact that not all courts are consistent with entering language need data.

For all courts in fiscal year 2015, JIS logged 54,118 cases filed in which a language type was denoted. Of those, 15,082 were filed in the courts participating in the Reimbursement Program. Those courts reported interpreter expenses of \$2,343,058 in FY 15. This gives an average interpreting cost of \$155 per case filed to be used as a calculation factor to arrive at projected program costs.

Total interpreter expenses for those participating courts have not increased to any significant degree since the FY 2010-11 period as shown below:

Statewide Actual Expenditures for courts in the Reimbursement Program:

2010-11	\$2,369,771
2011-12	\$2,296,420

2012-13	\$2,233,589
2013-14	\$2,044,882
2014-15	\$2,339,761

The increase in expenditures borne by the courts is due primarily to slightly higher per hour costs being charged by interpreters in many languages as well as the use of 2-person interpreter teams for hearings of two hours or longer.

Implementation Process Assumptions:

Courts currently in the Court Reimbursement Program will continue to receive contracts for FY 18-19 using the current biennial allocation of \$1.2 Million. Those courts and other courts not in the program will be required to complete an application for reimbursement funding that will take into consideration submitted historical interpreter cost and associated caseload interpreter need data as well as interpreter availability in the region for the most needed languages. Contract award amount criteria will be developed by the AOC using the data provided by applying courts.

AOC will need to hire one half-time FTE to support program expansion as well as invest staff IT resources in developing additional reporting and data collection applications as may be needed from July 2017 onwards. The implementation-prior-to-award period is expected to last up to 8 months, as local court staff training on using the online database reporting application and contract development will be needed in advance of the disbursement of Program funds. This leaves 4 "billable" months out of FY18 in which the courts with contract awards will be compensated for 50% of their in-person civil and criminal case interpreting costs.

The first year expansion phase will result contract award amounts to rural courts currently not in the Program, primarily because rural courts do not have enough interpreters available locally and have to pay travel expenses in order to secure their in-person interpreting services from AOC-credentialed interpreters. Due to their lower tax revenues and higher per case costs compared to larger cities and counties, they will benefit from state support in order to comply with state statutes as well as comply with federal language access policies.

In the second fiscal year of the biennium, the Reimbursement Program could either expand to include both Urban/Rural and Urban counties identified in Appendix A or be limited to only Rural and Urban/Rural counties, with Urban counties being added to the program in the FY 19-21 biennium. The cost projections for FY 19 inclusive of both disbursement scenarios are outlined below.

Cost Projections for FY 18 and FY 19:

Using caseload data for Superior Courts (SC) and Courts of Limited Jurisdiction (CLJ) from fiscal years 2014 and 2015 the estimated FY cost total for rural counties is \$274,130*.

*(Referring to Appendix A: Rural Courts FY14-15 costs: *\$3,289,565 / 2 years= \$1,644,782 divided by 12 months =\$137065/month x 4 months =\$548,260, divided by 50% =\$274,130 for 4 months of projected FY18 interpreter expense reimbursement).

Subtracting contract awards of \$30,034 for FY16 program participation by those courts now in the Program leaves an estimated need of \$244,096 for FY18 for those Rural County Courts not in the program at present.

For FY18, the least amount requested is \$244,096 in new funding plus 0.5 FTE and IT staff time costs. If the Legislature were to award 50% reimbursement funding for all courts in FY18, the statewide amount would be \$3,947,930 (after deducting the \$610,000 current annual allocation from the Legislature).

For FY19, the annual all-Rural Court 50% reimbursement amount is \$792,357 (assuming the current annual \$610,000 allocation continues, this figure is after the \$30,034 Rural courts allocation is subtracted). Half of the of the annual cost for Urban/Rural Counties would come to \$1,107,858 (after subtracting \$133,110 for Urban/Rural counties and allowing for the 50% reimbursement factor). Adding Urban counties' 50% reimbursement costs after subtracting the current allocation to Urban counties of \$447,327 of would place the statewide FY19 reimbursement need for Urban Counties at \$2,047,243.

Taking it all into consideration for FY19:

Rural Courts: \$792,357
 Urban/Rural: \$1,107,858
 Urban: \$2,047,243
 Total \$3,947,458

Managing the court interpreter reimbursement program at current levels requires a significant amount of staff time. Funding for an additional .5 FTE is requested as a Range 62 to serve as a project manager to coordinate funding distribution and oversee deliverables. The project manager will develop and monitor contracts, evaluate and verify data that is reported, audit participating courts to ensure accuracy in reported numbers, and provide technical support to participating courts. Expansion of the state grants to all local court jurisdictions requires additional staff.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 244,000	\$ 3,948,000	\$ 4,192,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 244,000	\$ 3,948,000	\$ 4,192,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Telephonic Interpreting for Court Customer Services Language Access

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Access to full use of our courts requires clear lines of communication both inside and outside the courtroom. When persons with limited English proficiency are scheduled for proceedings, prearrangements are made for interpreting services. However, in-person interpreting is not typically available for the many instances when individuals call or visit the courts to file paperwork, pay fines, or request information. This proposal is to obtain state funding to offset 50% of the costs associated by on-demand telephonic interpretation to ensure that language is not a barrier from full participation in court services.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 731,000	\$ 2,435,000	\$ 3,166,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 731,000	\$ 2,435,000	\$ 3,166,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0.5	0.5	0.5

Package Description

State and federal laws require Washington courts to provide meaningful access to

court proceedings and court services for persons who have limited English proficiency. Failure to provide clear, concise interpretation denies these individuals that opportunity, leading to mistrust, confusion, administrative inefficiencies and potentially incorrect judicial orders and verdicts.

According to the U.S. Census American Community Survey 1-Year Estimates, the number of foreign-born, limited English proficient (LEP) persons age 5 and older in Washington who speak a language other than English in their home increased by 50,561 between 2010 and 2014, growing from 717,942 to 768,503 persons. This shift in Washington's population has directly impacted local courts resources, and their ability to fund state and federal requirements to provide interpretation services.

In addition, for persons who are deaf and rely on sign language, telephone interpreting services using remote video interpreters are now available and a few local courts are employing the technology to provide prompt, on-demand communications access for court customers. It is expected that remote video interpreting will grow in demand due to the increased accuracy in interpretation it provides for foreign language speakers as well.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Public trust and confidence in the courts begins, at a minimum, with the public being able to access and communicate effectively with staff providing court services and programs. Such participation is not possible for LEP individuals without on-demand interpretation services. Full access to court services and effective management of court cases require communication between litigants and court staff outside of the courtroom.

Accessibility.

With the far majority of court staff, services, websites and documents being provided in English only, LEP individuals have limited opportunity to access court services. Without on-demand telephonic interpreting services, LEP individuals are forced to bring their own family or friends to assist in communicating with court staff. They risk losing a full and complete understanding of what is needed to be known by themselves or the court and in many cases, they may be hindered from full and frank communication due to the sensitive nature of the matters leading them to court.

Access to Necessary Representation.

N/A

Commitment to Effective Court Management.

On-demand telephonic interpreting services will assist court staff in more effectively serving the LEP public, and processing their cases. Interpretation from objective language experts will avoid confusion or misunderstandings, and ensure that parties are informed of their rights and responsibilities.

Appropriate Staffing and Support.

The request also includes .5 FTE for AOC for administrative work in contracts and fiscal as the proposal seeks to offer reimbursement program participation to all Washington cities and counties rather than the currently fiscally-limited pool of cities and county courts in the existing program.

Measure Detail

Impact on clients and service

With the current limited State funding, many courts often rely on LEP persons bringing their own family and friends to interpret. In urgent customer service matters, such as when needing clerical assistance to complete protection order forms, to payment plans, or in other court services encounters that could result in court sanctions against a person for non-compliance, telephone interpreting services provide more prompt and meaningful participation. This reduces the need for future encounters with court staff due to the successful communication with the Limited-English person that is provided by the telephone interpreting service interpreter.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

In addition to the need for possible RCW language to authorize the AOC to reimburse courts for customer service communications with court staff if this is to be the program set up, it may require AOC to create a program for tracking telephone interpreting expenses between different types of telephone service encounters for the courts participating in a telephonic interpreting reimbursement program.

Alternatives explored

With limited budgets, courts must currently prioritize the use of limited interpreting funds in-person courtroom interpretation, often leaving court customers who need to access court services and programs (but who do not have court-related hearings) without access to effective communication when needed. As a result, they are forced

to rely on their children or friends' capability or availability to assist in English-foreign language interpreting.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Telephonic interpreter funding will be an ongoing cost, fluctuating based on immigration trends in the Washington population.

Effects of non-funding

Courts will continue to provide interpreting services when possible, but prioritization of interpreting resources will remain focused on assigning in-person interpreters for courtroom proceedings. However, the absence of resources for ensuring interpretation services are available for non-courtroom services will cause our state courts and counties to run afoul of both state and federal requirements which can place their award of federal funds in jeopardy of being retracted.

Expenditure calculations and assumptions and FTE assumptions

Implementation Process Assumptions

This funding request, if approved, will make funds available to all state courts for telephonic interpreting at courthouse public service counters. All courts seeking funds under this funding will be required to complete an application for reimbursement funding that will take into consideration submitted telephonic interpreter cost history and associated interpreter need data as well as interpreter availability in the region for the most needed languages. Contract award amount criteria will be developed by the AOC and awards will be given using the data provided by applying courts to the extent funds are available.

AOC will need to hire one half-time FTE from July 2017 onwards to support program expansion as well as invest staff IT resources in developing additional reporting and data collection applications as may be needed. The implementation-prior-to-award period is expected to last up to 8 months, as local court staff training on using the online database reporting application and contract development will be needed in advance of the disbursement of Program funds. This leaves 4 "billable" months out of FY18 in which the courts with contract awards will be compensated for 50% of their in-person civil and criminal case interpreting costs.

Calculation Assumptions and Methodology

It is currently impossible to estimate the level at which the Limited English Speaking public encounters court staff for non-case related services, one must rely on the number of cases in which a LEP speaker is involved to set the base floor for projecting cost estimates. In 2015, there were 54,118 cases in Washington courts which had a foreign language need associated with a case. King County has previously shared the view that it is estimated that each litigant for each case will have an average of nine

encounters for non-courtroom related services or support, such as calling the court with questions, setting up payment plans, completing forms or other paperwork, meeting with court facilitators, etc. These conversations typically last 5 minutes, but when interpreted, they take at least twice the amount of time.

The average per minute cost for telephonic interpreting is \$.90, and may vary based on the language used. In the majority of requested languages, the companies will connect the requester with an interpreter upon demand, as is currently done in the courts that use telephonic interpreters for court hearings. So for each case, 90 minutes of telephonic interpreting services is estimated to be needed (e.g. 10 minutes x 9 encounters = 90 minutes). Multiplying that by .90 cents gives a figure of \$81 per case.

Taking into consideration an implementation phase of 7 or 8 months, only 4 months of the first fiscal year would be covered by any contract awards. The telephonic cost figure for FY18 is thus calculated by dividing 54,118 by 12 to get the monthly average of cases, then multiplying that average by \$81 to get the monthly expense average.

FY 18: 54,118 cases divided by 12 x 4 months = 18,039 cases x \$81 per case = \$1,461,185. Applying the 50% reimbursement for \$1,461,185 gives \$730,592 for the first fiscal year cost.

FY 19: 54,118 cases x 9 x 10 minutes x \$0.90 = \$4,870,620

Given the 50% State reimbursement approach, the full amount needed for the second fiscal year is \$2,435,310. The request also seeks 0.5 FTE at Range 62 for the AOC for a project manager to conduct administrative work in contracts and fiscal.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 731,000	\$ 2,435,000	\$ 3,166,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 731,000	\$ 2,435,000	\$ 3,166,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Therapeutic Courts Best Practice Implementation

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

AOC seeks to improve drug court functioning and adherence to research based best practices (including medically assisted treatment) through self-assessment, peer review in four adult drug courts, and the development of a learning community for those courts. The request contemplates starting with the four adult drug courts as pilots, with the project expanding over time to all therapeutic courts.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 74,000	\$ 62,000	\$ 136,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 74,000	\$ 62,000	\$ 136,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0.5	0.5	0.5

Package Description

This package provides training and staff support to promote adherence to research based best practices in drug courts.

RCW 2.30.030 provides in pertinent part:

(2) While a therapeutic court judge retains the discretion to decline to accept a case into the therapeutic court, and while a therapeutic court retains discretion to establish processes and determine eligibility for admission to the therapeutic court process unique to their community and jurisdiction, the effectiveness and credibility of any therapeutic court will be enhanced when the court implements evidence-based practices, research-based practices, emerging best practices, or promising practices that have been identified and accepted at the state and national levels. Promising practices, emerging best practices, and/or research-based programs are authorized where determined by the court to be appropriate. As practices evolve, the trial court shall regularly assess the effectiveness of its program and the methods by which it implements and adopts new best practices. (Emphasis added)

The Board for Judicial Administration supports therapeutic courts, as evidenced by a March 16, 2012, resolution that provides in pertinent part:

NOW THEREFORE BE IT RESOLVED that the Board for Judicial Administration strongly supports Problem-Solving Courts in general and Drug Courts in particular; and

BE IT FURTHER RESOLVED that the Board for Judicial Administration supports:

- 1) The development and expansion of Drug Courts and other Problem-Solving Courts in Washington.
 - 2) Adequate funding for these courts.
 - 3) The development, identification and adoption of best practices and promising practices in Drug Courts and other Problem-Solving Courts.
 - 4) The collection of data through the Washington State Center for Court Research on Drug Courts and other Problem-Solving Courts to evaluate and monitor outcomes and performance.
 - 5) Appropriate training for judicial officers and staff on the principles and methods of Drug Courts and other Problem-Solving Courts.
 - 6) The education of law students, lawyers and judges concerning the existence and principles of Drug Courts and other Problem-Solving Courts.
- (Emphasis added)

The Washington State Association of Drug Court Professionals passed a resolution in October 2015 to “adopt the National Adult Drug Court Best Practice Standards and urge all Drug Courts in Washington State to aspire to achieve them.”

This decision package combines attributes of previous federal drug court grant applications and a peer review process that is currently being developed in two small counties. The package will permit self-assessments, peer reviews, and implementation of national best practice standards in four adult drug courts as pilot sites, with all therapeutic courts to follow eventually.

Washington’s first adult drug courts were established in 1994. Currently adult drug

courts operate in 24 of Washington's 39 counties. These courts are a part of the superior court in each county. Washington's situation is characterized by partial and disjointed statewide reporting of drug court activity and outcomes, limited implementation of best practices, and no coordinated training to address these challenges. Because Washington has a non-unified trial court system, operation of the courts is funded largely by counties. While AOC provides support to the courts and the judges, there is no state oversight or management of court operations; decisions about drug court organization, operations, and services are based on court preference and local priorities. The result is varied program structures, activities, community partnerships, data collection practices, and participant outcomes. While independence allows for responsiveness to local needs, the lack of consistent oversight of the courts may lead to a lack of fidelity to the drug court model and best practices, and reduced effectiveness. Differing data collection practices have limited the AOC's ability to analyze the impacts of the drug courts.

Three problem areas hamper the implementation of best practices, accumulation of data, and the ability to develop a coordinated training and quality assurance process in Washington State. There is no program to implement best practices in the drug courts; no means available to ensure that drug courts are receiving relevant, targeted training on National Best Practice Standards; and data collection and application are inconsistent and irregular. Most of the drug courts have committed to following the 10 Key Components (attached). However, the National Best Practice Standards (attached) have been developed and released over the last three years, and actual implementation of these practices varies. For example, the use of sanctions and incentives varies widely and only a few courts use sanctions grids. There is a need to create awareness, and to enhance understanding and understanding about best practices. Additionally, both the best practice standards and key components contemplate regular measuring and evaluation, which both require competent data collection and application. Historically, adult drug courts in Washington have expressed concerns about evaluations and incorrect assumptions being drawn by unartful comparisons.

To address these problems, the budget request will provide for a project that will empower the courts to use data, a self-assessment tool, and a peer review program to improve their drug court programs, and training on how to implement National Best Practice Standards and the 10 Key Components.

This request builds on efforts in Washington to organize drug courts around best practices and improve services, including the 2011 "Statewide Drug Court Strategic Plan" that was developed by Division of Behavioral Health Recovery, the AOC, the Office of Washington State Attorney General, the Superior Court Judges' Association, drug courts, law enforcement, and the Association of Public Defenders. The plan supports the incorporation of research-based best practices" and use of the 10 Key Components.

NPC Research will lead development of the peer review materials and process for the state. NPC's existing peer review materials will be adapted to Washington's specific needs with participation from project staff from the AOC and DBHR and with input from drug court team members. The peer review process will also take advantage of the existing best practices self-assessment tool, which will allow the peers and the court being reviewed to identify the areas where its program may need assistance, such as areas where the program is not using best practices. NPC will develop peer review materials specific to Washington State, prepare materials for pilot peer reviews, train pilot peer review teams, debrief pilot teams after pilot reviews, and incorporate feedback into materials to create a final version. AOC staff will work with NPC on the development and conduct four pilot peer reviews. The nature of the peer review process is that it requires in-person observations and feedback. Therefore, the budget includes travel costs for peer reviewers, AOC staff, and an NPC consultant. Last, when the self-assessment and peer reviews are complete in the four counties, training on best practices will follow, with monitoring by NPC and AOC staff on implementation practices and progress.

NPC Research has developed a peer review process to help drug courts ensure that they are following research-based best practices. The idea is for drug court professionals from different courts within a state ("peers") to help each other identify areas needing improvement and share successes and challenges. This process creates a sustainable learning community and enables drug courts throughout a state to access ongoing peer support while building relationships between programs. It also provides important information about training and technical assistance needs and how to focus resources most effectively.

The self-assessment tool is called BEST, an automated online assessment tool developed by NPC Research and automated by Advanced Computer Technologies. It asks drug court teams for basic, objective information about procedures and practices in their drug court program and translates this information into measures of the court's fidelity to research-based best practices. When the team completes the online assessment, the BEST creates an immediate, automated report detailing the court's level of adherence to a variety of best practices. The assessment helps the drug court team and stakeholders understand how well their program is implementing the 10 Key Components of Drug Courts and assists in identifying training and technical assistance needs.

The BEST was originally developed to address both state-specific drug court standards and national best practices. With a small amount of work, however, the BEST can be modified into a "generic" tool that can be used to measure best practices that are relevant to all drug courts. This approach would allow any state in the country to use the BEST with minimal cost after the pilot project concludes and other therapeutic courts in Washington are assessed and best practices are instituted.

Current Needs

The proposal seeks to identify weaknesses and strengths in the implementation of the National Best Practice Standards by developing a peer review process for the adult drug courts, utilizing a self-assessment tool. With support from NPC Research, court representatives will be trained on the National Best Practice Standards.

This package contributes to the Judicial Branch Principle Policy Objectives as identified below:

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.

Making drug courts more effective targets this policy objective square on. Making offenders accountable for their crimes, providing restitution, obtaining a sober and productive life, and reducing recidivism does nothing if not promoting the public's trust and confidence in the courts. The national best practice standards when adopted pursuant to local nuances, will help promote the open, fair, efficient and effective administration of justice, in both the criminal case at hand, and often in civil matters, such as dependency or family law issues that occur concurrently with drug court cases.

Accessibility.

Washington courts, court facilities and court systems will be open and accessible to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.

While increasing the number of existing drug courts is beyond the scope of this request, it is hoped that improvements attendant with adoption of best practices, better data collection and application, and the start of evaluative processes, other counties will see the benefits conferred upon their neighboring counties' courts, parties, community partners, and the public at large and will move toward implementation in their courts. Adoption of best practices will help ensure that every qualified applicant will find a slot in a drug court and that qualified applicants are not unnecessarily turned away. Best practices number one and two, target population and historically disadvantaged groups, address this policy objective.

Access to Necessary Representation.

Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.

Constitutional right to counsel attaches to drug court participants and their counsel are important members of the therapeutic team. Best practice number eight addresses the important roles of the team members, including defense counsel. Adherence to this best practice will also strengthen this policy objective.

Commitment to Effective Court Management.

Washington courts will employ and maintain systems and practices that enhance effective court management.

Careful case management and progress oversight of components such as treatment lend to effective court management. The drug court model itself, with phases participants move through based on reaching standards, regular and frequent review hearings, and cooperative, collaborative team work, all addressed in the total best practices, contribute toward orderly, predictable, and organized management of drug court cases.

Appropriate Staffing and Support.

Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.

Best practice numbers three -- roles and responsibilities of the judge, and eight -- multidisciplinary team, directly impact this policy objective. The self-assessment and peer review process will help identify relative strengths and weaknesses of how the drug court judge and team operate as both individuals and as collaborative team members to ensure that all personnel are adequately and effectively supported, and in turn support the entire system.

Measure Detail

Impact on clients and service

Clients and service should see positive improvement, with better and more efficient drug court operations that have been enhanced with implementation of the adult drug court best practice standards. Court observations have revealed a lack of consistency across courts in use of sanctions, including consistent application of both incentives and sanctions, and possible over-use of jail as a sanction.

Impact on other state services

Other state services should derive benefit from improvement in drug court operations. Successful participants will not have to rely as much on social services as the participants move toward sobriety, education goals, stable housing, and productive employment. If jail time is reduced, incarceration costs of participants should decrease.

Relationship to Capital Budget

No capital expenditures are needed to implement this request.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

No changes to court rules or statute are anticipated when the request is granted and implemented.

Alternatives explored

Exploration of alternatives have included two failed federal drug court grant applications. The denial reasons included lack of consistency in practices across the state.

Distinction between one-time and ongoing costs and budget impacts in future biennia

One-time costs are those needed to provide professional consultation and assistance.

Funding will be ongoing as additional drug courts are educated as to best practices. However, the professional consultation will not be needed as staff gains expertise in identifying and addressing issues and implementation of best practices.

Effects of non-funding

Effects of non-funding include maintenance of the status quo, with drug courts' continuation with inconsistent practices, possible lower success rates, and disparate data that make evaluation and comparisons difficult.

Expenditure calculations and assumptions and FTE assumptions

Expenditure calculations and assumptions and FTE assumptions

Staff Costs

.25 FTE Court Association Coordinator or Equivalent \$58,118

.25FTE Administrative Assistant \$29,000

Non-staff costs

* Personal Service Contract for NPC Research Associate Peer Review Process and Technical Assistance

* Materials

* Travel expenses

Assumptions:

- AOC staff time will be consistent over the two years of the biennium and will continue thereafter to train all courts on best practices.
- One-time costs for first two years for professional consultation and services.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 44,000	\$ 44,000	\$ 88,000
Non-Staff Costs	\$ 30,000	\$ 18,000	\$ 48,000
Total Objects	\$ 74,000	\$ 62,000	\$ 136,000

DRAFT

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Courthouse Facilitator Training

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

The Administrative Office of the Courts requests funding to provide regular education opportunities for courthouse facilitators.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 133,000	\$ 135,000	\$ 268,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 133,000	\$ 135,000	\$ 268,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	1	1	1

Package Description

The Administrative Office of the Courts is required to assist counties in administering courthouse facilitator programs. This support includes training, GR 27 Advisory Committee support, and facilitators' qualifications.

GR 27 states in pertinent part:

(b)The Washington State Supreme Court shall create a Family Courthouse Facilitator Advisory Committee supported by the Administrative Office of the Courts to establish minimum qualifications and administer a curriculum of initial and ongoing training requirements for family law courthouse facilitators. The Administrative Office of the Courts shall assist counties in administering family law courthouse facilitator programs. (emphasis added)

A 2008 report by the Washington State Center for Court Research at AOC concluded:

By opening the doors of the courthouse to a large number of individuals who cannot afford legal representation, by reducing litigants' anxiety and confusion about the legal process and their situation, and by helping litigants navigate a complex system of forms and procedures, facilitator programs have, by all accounts, significantly improved the administration of justice.

... [S]elf-represented litigants who use facilitator services, as a whole, have more positive court experiences, have a greater sense that justice was served, and have more trust and confidence in the courts than those who do not use facilitator services.

In 2016, the legislature passed SB 5647, Chapter 295 Laws 2015, allowing counties to create a guardianship courthouse facilitator program. A suggested amendment to GR 27 has been brought forward by the Access to Justice Board. This decision package assumes the expansion of GR 27 to include other substantive areas of law, including but not limited to guardianship cases under Title 11 RCW.

The courthouse facilitator program was established in family law cases under Title 26 RCW in seven pilot counties in 1992-1993. An evaluation of the pilot programs was conducted by Urban Policy Research, finding that the program was successful and brought advantages to both the court and to self-represented litigants. In 1993, legislation was passed and codified at RCW 26.12.240, permitting counties to establish a family law courthouse facilitator program and authorizing courts to impose a capped filing fee surcharge and uncapped user fee for facilitator services. Consistent with the recommendations outlined by the Urban Policy Research report, GR 27 was adopted in 2002 and authorized courthouse facilitators to assist self-represented litigants with family law related matters. This assistance was achieved by providing information about local court procedures; helping with selection and completion of family law forms and child support schedules; making referrals to legal aid and social services resources, interpreters and other court services; and reviewing forms to ensure their conformity with local court rules and procedures. The objective is to enable facilitators to help unrepresented litigants work their way through the complex court system, thereby increasing the chance of their securing appropriate relief and reducing staff and costs burdens carried by court and clerical staff who find themselves spending more and more time addressing the deluge of unrepresented family law litigants.

As each program was developed locally, variances evolved and continue to exist among the programs across the state. Administration of the programs is almost evenly divided between the local County Clerk's Office and local court administrators. A handful of counties outsource the function, utilizing contracts with pro bono legal programs or private attorneys. Over time, additional counties established family law facilitator programs. As of 2016, programs are now operational in 34 counties. Counties without programs are Adams, Ferry, Kittitas, Pacific, and Walla Walla. Guardianship courthouse facilitator programs have been established in only a few counties and operate without formal training.

Training of courthouse facilitators for the most part has been sporadic. In the very early years, counties tried to offer yearly all-day trainings, with agendas developed by ad-hoc committees of facilitators and program managers. Hosting counties covered expenses for materials. Each of the counties provided travel and lodging expenses for their facilitators to attend the distant trainings. Additional funding in the late 1990's came from the Access to Justice Board, by means of stipends for the Access to Justice Conference registration fee, lodging, and provision of meeting space and lunch the day before the conference. Eventually that support was lost as many facilitators sent staff for the pre-conference training only, and not the full conference. By the early 2000's, part-time staff at the Administrative Office of the Courts was hired to assist with establishing regular trainings with the bulk of expenses borne by the AOC.

When GR 27 was passed in 2002, AOC provided staff support to the GR 27 Advisory Committee, which created the Courthouse Facilitator Training Manual. In January 2004, trainings were increased to twice-yearly. Because of the severe economic crisis, counties had indicated they would not be able to continue sending facilitators to training, so AOC completely funded four trainings from October 2009 to April 2011. No in-person trainings have been held since April 2011. However, facilitators have been afforded opportunity to attend recent Children's Justice Conferences under the federal STOP grant because of inclusion of domestic violence training at the conference. In the past two years, 28 facilitators have attended this conference.

Webinars were conducted in December 2015 and April 2016. An in-person domestic violence training, funded by a federal STOP Grant, is planned for May 23, 2016. AOC continues to provide support for the courthouse facilitators' ListServ, consultation, and technical support.

Current Needs

Current needs are for bi-monthly webinar trainings, semi-annual in person trainings, and an immediate, and thereafter regular, update of the Courthouse Facilitator Training Manual. In the two months of in-person trainings, no webinar training would be conducted. A sample training schedule is below:

January – Webinar

March – Webinar
April – In-person education
May – Webinar
July – Webinar
September – Webinar
October – In-person education
November – Webinar

The Courthouse Facilitator Training Manual’s substantive law portion currently addresses only family law. Guardianship law must be immediately addressed to support existing and newly-created programs. Eventually, as other substantive areas of law are added to facilitator programs, those areas will also need to be added. Such areas are anticipated to be unlawful detainer actions, appeals from lower courts and administrative law hearings, and adoptions, particularly step-parent adoptions.

The GR 27 Courthouse Facilitator Advisory Committee has been dormant for many years. Its chief accomplishment was the creation of the Courthouse Facilitator Training Manual. The Committee must be revamped to assist with the updating of the manual, direction for development of webinar and in-person training modalities, and establishment of minimum and ongoing qualifications for courthouse facilitators. Funding for regular, quarterly Advisory Committee meetings is needed (travel, lodging, and per diem), as well as compensation for any experts that may be needed as consultants or contributing authors.

Additionally, no mechanism now exists for tracking compliance with qualification and training requirements. Once those requirements have been established by the GR 27 Advisory Committee, principles of consumer protection and public trust and confidence in the court system requires that accountability for these public servants’ credentials to provide service. Careful examination of competing principles (autonomy over employees; consumer protection; costs and benefits; economy of scale; etc.) will reveal to what degree such a system will operate. For purposes of this request, a moderate approach is suggested, similar to the process for reporting continuing judicial education credits. The FTE encompasses compliance tracking as well as the training and GR 27 Advisory Committee duties.

Existing comparable programs are judicial education programs, and clerk and administrator conferences. Funding for those programs comes in part from the judicial and administrative/management associations with dues most often paid by local governments. State funding is provided through AOC. Courthouse facilitators have no cohesive organization, such as the Superior Court Judges’ Association and pay no dues. No other organization provides regular training for courthouse facilitators.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.

Fair, efficient, and effective administration of justice in civil cases requires equitable treatment of litigants with attorney representation and of litigants who are unrepresented. Unnecessary repeated visits to the clerk's office for filing documents and unnecessary multiple court hearings to obtain relief are often the plight of litigants who attempt to handle civil cases without the assistance of trained and knowledgeable attorneys. Provision of all allowed services by trained and knowledgeable courthouse facilitators reduce staff and judicial time, promote the efficient administration of justice in more timely resolution of cases, and helps maintain the public trust and confidence in the courts.

Accessibility.

Washington courts, court facilities and court systems will be open and accessible to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.

Access to justice requires a system that can be utilized by litigants without attorneys. Unrepresented status is very often, but not always, a result of inadequate financial resources. Not only do courthouse facilitators offer direct services, such as assistance with forms identification and completion, but programs also offer referrals to interpreter services, housing assistance, and community resources. Adequate and stable education funding will avoid "justice by geography" with resource-poor counties being able to provide well-trained facilitators.

Access to Necessary Representation.

Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.

Not many other interests at stake rise to the level of family, home, and the right to govern oneself. Courthouse facilitators provide necessary and meaningful guidance – but not substantive legal advice or representation – to thousands of litigants in superior courts each year. It is precisely the inaccessibility to affordable, competent legal representation that led to the development of the courthouse facilitator program in Washington. Public trust and confidence in the justice system requires that court staff providing assistance be informative, educated, and able to competently relay vital

information. Consumer protection principles led to the development of GR 27, which itself provides for establishment of initial and ongoing training. It is precisely because users of facilitator services are by definition unrepresented that the need for educated, competent facilitators is mandated.

Commitment to Effective Court Management.

Washington courts will employ and maintain systems and practices that enhance effective court management.

Providing courts with adequately trained courthouse facilitators who can provide efficient, necessary services will promote practices that enhance effective court management. From appropriate calendaring to offering “do-it-yourself” classes, courts can improve court management of unrepresented civil cases.

Appropriate Staffing and Support.

Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.

A hallmark of effectively supported court personnel is competent, focused, and relevant training opportunities. Confidence of program managers in their qualified staff gives opportunity for meaningful oversight, guidance, and growth.

Measure Detail

Impact on clients and service

Impact on clients and service will be apparent in increased courthouse facilitator knowledge and application of that knowledge. Improved accuracy in assistance with: selection and completion of forms; calculation of child support; provision of procedural and process information; and overall preparation for court appearances should lead to fewer mistakes in form completion and filing, fewer and more efficient court hearings, and enhanced confidence in the court system. Court and clerical staff, and judicial officers should spend less time providing explanations and information to unrepresented litigants who have used facilitator services.

Impact on other state services

Other state services, such as the Division of Child Support’s establishment and enforcement services, should be strengthened with better-educated facilitators who have had regular and frequent training on child support matters. Aging and Long-Term Support Administration may find better-functioning guardians of vulnerable adults because of court personnel duly trained and qualified to provide assistance with guardianship matters. Parents needing an approved parenting plan to resolve a dependency case will work with facilitators who have received up-to-the date training

on parenting plans designed to promote protection of children with provisions established by the dependency court.

Relationship to Capital Budget

No capital expenditures are needed to implement this request.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

Changes to GR 27 will be needed to accommodate provision of facilitation services in more areas of law. As other areas of law, enabling legislation similar to RCW 26.12.240 is necessary to provide partial funding, absent adequate and stable state-sourced funding.

Alternatives explored

The last five years have served as exploration of alternatives. Limited funding was provided by the federal STOP Grant, but with decreased grants amounts, that funding is uncertain, and of limited benefit because of the narrowly defined assistance facilitators can provide in domestic violence and dependency cases. The last in-person training was hosted by Skagit County Superior Court, on a shoe-string budget, with donated meals and refreshments. No other county in the ensuing years has stepped forward to host a training. AOC's Legal Department has struggled with inadequate resources for maintaining and updating existing benchbooks or creating new benchbooks.

Distinction between one-time and ongoing costs and budget impacts in future biennia

One-time costs are those needed to develop a training manual for each additional area of law encompassed by GR 27.

Effects of non-funding

Effects of non-funding will be maintenance of the status quo, with limited to no opportunities for in-person trainings, creation of new training manuals, upkeep of existing manuals, and support of the Advisory Committee, which would lend oversight and guidance. Additionally, resources have not been adequate to update and maintain the existing initial Courthouse Facilitator Training Manual; without additional resources to do so likely means the Manual will not be updated in the foreseeable future.

Costs noted in this request will continue into future biennia.

Effects of non-funding will be maintenance of the status quo, with limited to no

Expenditure calculations and assumptions and FTE assumptions

Assumptions:

- 1.0 FTE will be required to carry out the responsibilities of conducting family law courthouse facilitator education and GR 27 Advisory Committee support.

- Because knowledge of substantive law and research abilities are required to support development and delivery of training materials, a court association coordinator level, or other attorney equivalent position, is necessary.
- Administrative staff support is estimated at .1 for event coordination, material preparation, and assistance with tracking of training compliance. An additional .1 FTE would be needed for every two areas of law added to GR 27. Additional administrative staff support is not requested for this biennium but may be necessary in the future.
- Off-site venue for training will be needed for family law facilitators, as capacity at SeaTac AOC has been exceeded. SeaTac AOC is anticipated to be adequate for guardianship facilitator training for at least the next two biennia, based on the historical growth of the family law facilitator program.
- Additional new substantive law initial training manuals do not need to include guidance on facilitation strategies, as that section of the existing initial family law facilitator training manual needs minor updating. A comprehensive training curriculum in five discrete areas was created under personal services contract for \$50,000. It is assumed that an initial training manual can be developed for \$5,000 per subject area and that an additional two areas (including guardianship) will be added in the request biennium.

Non-staff costs include:

- * Courthouse Facilitator Attendance at Semi-annual in-person training events
- * Venue for training
- * Speaker costs
- * Program materials
- * Personal Service Contract(s) for training manual development for new areas of law
- * Necessary meeting expenses

1 FTE Court Association Coordinator or Equivalent at \$110,000 per year

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 110,000	\$ 110,000	\$ 220,000
Non-Staff Costs	\$ 23,000	\$ 25,000	\$ 48,000
Total Objects	\$ 133,000	\$ 135,000	\$ 268,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Web Services Support

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to modernize and maintain Web Services to serve the increasing demand of multiple programs and exchanges.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 248,000	\$ 239,000	\$ 487,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 248,000	\$ 239,000	\$ 487,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	2	2	2

Package Description

Web Services is no longer a splash page of internet information but complicated interfaces and collaboration to other agencies, courts, applications, and assistance. Advanced information technology has changed the way governments operate and the public's expectations about how they interact with courts.

The Administrative Office of the Courts (AOC) Web Services supports over 293 courts, state and federal agencies, law enforcement, prosecutors, criminal justice partners and the public.

Several major AOC Commercial-Off-The-Shelf (COTS) technology projects, necessitate additional Web Services work on items like API interfaces, applications, maintenance, and daily support for stakeholders both externally and internally.

External Agencies, such as the FBI Criminal Justice Information Services Division (NICS), require important data connected through Internet exchanges and web portals. These services require ongoing infrastructure upgrades, security, and staff and are indicative of the many applications needing change due to modernization by COTS products.

These projects and daily operations now exceed the capacity of the current Web Services team.

The public and decision-makers demand that information be easy to access, quick to retrieve, and secure. This requires advanced operations and infrastructure, along with staff to steward information and development.

Web Services is constrained to provide these services as demand outweighs capacity. Once fairly simple problem identification and resolution now requires sifting through multiple levels of servers, applications, load balancers, code, and firewalls. Tracking these instances and determining mitigation doubles as security tightens and technology advances and expands.

AOC has five new major technology projects in various stages of completion. Each of these projects, which effect all levels of courts, necessitate Internet updates, API interfaces, and support. Current resources are inadequate for Web Services to keep up with daily operational duties let alone sophisticated development and strategic planning.

Proportionately as new technology applications continue to come online the volume of work will increase not only to develop new applications but to sustain and support existing applications until they are retired. Retiring an old application can take years due to roll out schedules across the state.

While new applications and updates continue, more and more emphasis is placed on web interfaces, portals, and exchanges. As this trend accelerates Web Services will not be sustainable without additional resources.

SSolution:

Web Services needs a minimum of two (2) additional Full Time Employee's (FTE).

The positions needed are of a senior developer level and must understand highly

technical and complicated assimilations with multiple stakeholders. The senior web integration specialists will provide enhanced solutions to application integrations and reduce the crisis for operational support.

These staff members will require specialized software and equipment estimated at \$10,000. DreamWeaver licenses/subscriptions and 3 three upgrades licenses (\$1,900) along with three (3) Developer PC's, Monitors and Keyboards (\$8,000) will be required.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Fair and Effective Administration of Justice in All Civil and Criminal Cases. Washington courts will openly, fairly, efficiently and effectively administer justice in all criminal and civil cases, consistent with constitutional mandates and the judiciary's duty to maintain the highest level of public trust and confidence in the courts.

Fair and effective administration of Justice starts with open access to information. The Washington Courts website and its applications has an important role in being the guidepost and in some cases a repository of judicial information. It is an 'always available' source of information for applications, procedures, court logistics, Opinions and data. Web services will be better positioned to help state and federal agencies, law enforcement, prosecutors, criminal justice partners and the public if this request is funded.

Accessibility.

Washington courts, court facilities and court systems will be open and accessible to all participants regardless of cultural, linguistic, ability-based or other characteristics that serve as access barriers.

Washington courts, court facilities, and court systems require important data connected through Internet exchanges and web portals. These services require ongoing infrastructure upgrades, security, and staff in order to maintain accessibility.

Access to Necessary Representation.

Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.

Having properly supported data applications and websites is important for all stakeholders in judicial proceedings and research. This is particularly important in self represented litigants.

Commitment to Effective Court Management.

Washington courts will employ and maintain systems and practices that enhance effective court management.

Properly functioning web services and applications has the potential to significantly improve court operations. This allows courts to focus on implementing more efficient workflows thereby reducing the time court users are in court or navigating the judicial system.

Appropriate Staffing and Support.

Washington courts will be appropriately staffed and effectively managed, and court personnel, court managers and court systems will be effectively supported.

Advanced information technology and web services has changed the way governments operate. Escalating trends demand information be easy to access, quick to retrieve, and secure. These advances come at a price, requiring advanced operations and infrastructure, along with staff to steward information and development. By supporting the Web Services FTE decision package it better positions AOC to meet the need of the Judicial Branch Principle Policy Objectives. It enables courts to be more effective, and provides enhanced functionality without increasing court staff while providing the public with greater access to information.

Measure Detail

Impact on clients and service

Web Services provides essential information to several State & Federal agencies, local law enforcement agencies, prosecutors, other criminal justice partners, and the public. Web Services reduces costs to Washington Courts and the public by enabling expanding access to critical judicial information and self-service options.

Services and applications are built for court communities, professionals and the public listed below:

- Supreme Court

Clerk's Office, Law Library, Commissioners Office

- Judicial Services'

Trial Court Services, Judicial Education, Legal Services, Court Business and Technology

- Court of Appeals

Division I, II, III

- Management Service Division
Contracts, Data Dissemination, Budget, Guardianship & Elder Services
- Trial Courts
Superior, District & Municipal
- Administrative Services
Human Resources, Judicial & Legislative Office
- Information Service Division
Security, Operations, Data, Quality Assurance, Infrastructure, Case Mgmt. Projects
- State/Federal/Public
FBI, DOL, DSHS, DOC, SOS, Vendors, Public

Impact on other state services

Vital information from the courts is provided through AOC to the Washington State Patrol, Department of Corrections, Office of the Secretary of State, Sentencing Guidelines Commission, Department of Licensing, local law enforcement agencies, Federal government, prosecutors and defense attorneys.

Service Examples:

Application Description State Service/Stakeholder
 Attorney Notifications Nightly JIS data run to create a list of calendared cases for attorneys. Extracted JIS case information is emailed to Attorneys.
 Court Briefs Nightly run associates JIS data with briefs uploaded by the appellate courts.
 Appellate Courts
 Briefs are made available on the public website.
 JIS Table Structures and JIS Codes Application extracts used to describe DB2 table elements All Courts
 Convicted Felon and Restoration of Voter's Rights Report Application reports cases with felony conviction and Voter Rights restoration.

A nightly process selects the data for reporting to DOL and generation of Felony Convicted Notification data. Department of Licensing
 ETP Reporting CLJ reporting for tickets filed electronically with the court.
 Courts of Limited Jurisdiction (CLJ)
 Washington State Patrol (WSP)
 Firearms Reporting for Mental Health Commitment's Application provides courts the ability to identify mental health cases that need to be reported to NICS and DOL.
 Nightly run looks for new cases or changes to existing cases FBI
 National Instant Criminal Background Check System (NICS)
 Department of Licensing (DOL)
 Trial Courts

Firearms Report for Juveniles and DV Applications report Qualifying Juvenile

Offenders and Adult Criminal DV Related Misdemeanors Convictions to DOL.

Nightly JIS extracts send information to DOL via their web service, and PDF reports to courts confirming the mandated reporting has completed. Department of Licensing (DOL)
Superior Courts

Opinion Upload An application allows courts to upload and distribute opinions. Appellate Courts, Reporter of Decisions, LEXIS. Public
Court Of Appeals Dockets (COA) Nightly creates COA dockets Court of Appeals
WSHA Reporting Generates nightly WSHA report Washington State Hospital Association
Public Bulk Data
JIS Link Allows agencies/organizations to download data from AOC site.
Most data on the site is controlled via a contract and fees are charged for accessing the data. Public

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

Contracting for additional support has been explored. This option would also require additional funding, divert already scarce resources for re-training of new contractors, and lacks stability.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Most of the costs identified in this request will continue into future biennia.

Effects of non-funding

There are many dependencies on the capacity of Web Services. If non-funding occurs projects will be delayed and productivity will suffer, both of which will adversely impact the state, federal agencies, law enforcement, prosecutors, criminal justice partners and the public.

Expenditure calculations and assumptions and FTE assumptions

Hardware and Software costs were determined through the AOC Infrastructure Manager and the Infrastructure Program Associate.

Staff costs are based on current AOC staff costs for similar positions.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 239,000	\$ 239,000	\$ 478,000
Non-Staff Costs	\$ 9,000	\$	\$ 9,000
Total Objects	\$ 248,000	\$ 239,000	\$ 487,000

DRAFT

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title CASA Program Expansion and Enhancement

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Washington State CASA requests funding to increase the number of CASA volunteers statewide to advocate for the best interests of abused and neglected children in dependency court and to provide regionally based CASA program attorneys to assist local CASA programs and their volunteers in children's best interest advocacy in court.

CASA volunteers are often considered the "eyes and ears of the court." Low caseloads allow the volunteer to focus on the individual and unique circumstances that brought the child into the dependency system and make recommendations to the court that are specifically tailored to meet the needs of the child so that the judicial officer can make informed rulings that promote child safety, permanence and wellbeing and are truly in "the best interests" of the child.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 6,050,000	\$ 6,050,000	\$ 12,100,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 6,050,000	\$ 6,050,000	\$ 12,100,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

Problem Statement

State and Federal law require that abused and neglected children have someone to represent their best interests in court when they are subjects of a dependency proceeding:

RCW 13.34.100(1)

The court shall appoint a guardian ad litem for a child who is the subject of an action under this chapter, unless a court for good cause finds the appointment unnecessary.

42 U.S.C. § 5106a(b)(2)(A)(xiii):

...provisions and procedures requiring that in every case involving a victim of child abuse or neglect which results in a judicial proceeding, a guardian ad litem, who has received training appropriate to the role, including training in early childhood, child, and adolescent development, and who may be an attorney or a court appointed special advocate who has received training appropriate to that role (or both), shall be appointed to represent the child in such proceedings

In Washington State, there are approximately 10,000 court-involved children in our state's dependency system on any given day, and approximately 15,000 over the course of the year; 5,000 children enter the system each year. In 2015, CASA programs statewide supported more than 2,100 volunteers statewide who advocated for more than 7,000 children—just under half of all children in dependency. Another 25% of dependent children are represented by staff guardians ad litem (GALs); the remaining have either contract GALs or attorneys appointed to them. A very small percentage are on a waitlist or have no representation at all.

Furthermore, lack of legal representation and consultation for the programs has become an even greater issue. Many CASA volunteers and staff perceive that the focus of the proceedings has shifted away from the child and are not equipped to provide the same level of legal advocacy to the children they represent when compared with other parties to the case.

Background

Funding for CASA in Washington State is a joint effort: state, county and private donations all work together to provide CASA volunteer advocacy for dependent children.

In 2007, the state made a substantial investment in CASA statewide, providing an additional \$3.4 million dollars per year to support volunteer advocacy across the state. This increase, in addition to the \$7 million already invested by local county government, increased the number of children served from an average of 6,500 per year to now over 7,000; expansion in to Whatcom County, Yakama Nation and

Kalispel Tribe and provided a full-time equivalent staff member in each county in all but the smallest counties.

Increase the number of children with CASA volunteers

With the statewide CASA infrastructure now substantially in place, we have reached a pivot point in our ultimate goal of every child in dependency having a CASA volunteer. We are now ready to scale the CASA program. This next wave of expansion will focus our efforts on ensuring that even more children have a CASA volunteer assigned to their case and increasing the number served. To achieve this ambitious goal, we are requesting an increase of \$4.65 million/year (\$7.7 million total) to provide additional CASA volunteer supervisors statewide, particularly in large and mid-sized CASA programs.

According to National CASA best practice standards, 1 full-time volunteer coordinator can supervise 30 volunteers, each of whom can advocate for 2-3 children - generally a sibling group at a time. Funding through this proposal would allow CASA programs statewide, particularly in mid to large size counties, to hire additional volunteer coordinators, thus reducing the reliance on staff GALs (who can have caseloads as high as 100 children each), eliminate CASA "waitlists" and ensure that CASA volunteers are assigned earlier in the dependency process.

Regional Program Attorneys

Access to legal resources and consultation for most CASA programs across the statewide is minimal. Only the three largest programs (King, Pierce and Snohomish) have attorneys on staff for dependency matters; the remaining programs report that they struggle to find appropriate and consistent legal representation.

This proposal seeks to balance the equation of legal representation in dependency matters as it currently stands.

Washington State CASA proposes state funding for 10 full-time attorney contracts to provide legal representation and consultation for CASA programs statewide. The attorneys will be selected in consultation with local CASA program managers and based in the geographic region of the CASA programs they support. This proposal also includes an attorney that specializes in tribal/ICWA related cases to provide consultation for three tribal CASA programs as well as consultation to all CASA programs regarding Native American children dependency cases.

Under this proposal, programs will receive a monthly allotment of hours based on the number of children in dependency in their county and they will be free to use these hours as best fits their local legal needs. For example, CASA programs may use attorneys in preparing and filing motions, appearing in court, case staffing, trial preparation and participation, and dependency-related legal consultation.

We are requesting \$1.4 million/year for Regional Program Attorneys under this

proposal. Attorney contracts will be administered by Washington State CASA and overseen by an attorney on staff who will coordinate the project, administer the contracts and ensure that attorneys are adequately trained, knowledgeable in performing the functions requested by the programs and understand their role. The Washington State CASA staff attorney will also be responsible for providing consultation to programs on meeting requirements of new state legislation as it occurs. Attorneys under contract will be required to participate in quarterly meetings and trainings provided by Washington State CASA.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Volunteer CASA volunteers come from all walks of life, encouraging community involvement in a nationwide problem by allowing individuals to take ownership in a solution. CASA volunteers bring the community perspective into dependency proceedings, thus contributing to the court's desire to operate openly and fairly. Furthermore, by relying on professionally trained and supervised volunteers to provide best interest advocacy for dependent children, CASA volunteers combine efficiency and effectiveness on a scale unmatched by many other programs.

To put this in perspective: National CASA standards indicate that one volunteer supervisor can supervise 30 volunteers, each representing 2-3 children each and contributing 5-10 hours per month per child. Even at the minimal end of this equation, the efficiency of the CASA program effectively doubles the hours of advocacy one paid staff guardian ad litem can provide. Combine this with the CASA volunteer's focus on one child/sibling group at a time, and the child advocacy program is unsurpassed in both efficiency and effectiveness.

Accessibility.

Consider a pre-verbal child. How does the court receive information about what is in this child's best interests? The child can't direct legal counsel; the social worker on the case is mandated by policy to consider the child's safety first; and the parents' failure (particularly at the early stages of the case) to provide and safe and stable environment for the child is what necessitated the dependency action in the first place. It is the CASA volunteer who provides the court the necessary information so that the dependency process is open and accessible to the children the court is trying to serve.

Additionally, CASA volunteers receive training on legal and cultural issues before being assigned cases as required by 13.34.100(9). In addition to the 30 hours of initial training the CASA volunteer receives prior to their appointment, CASA volunteers are mandated by National CASA best practice standards to undergo an additional 12

hours of training yearly to ensure they are kept up to date with current child welfare trends, policy and statutory requirements regarding the children they serve.

Access to Necessary Representation.

As stated previously, both state and federal law mandate the appointment of someone to represent a child's best interest in court. In addition to providing more CASA volunteers to advocate for children's best interests, this proposal seeks to augment the efficacy of the CASA volunteer by providing CASA programs access to regional program attorneys statewide.

Commitment to Effective Court Management.

CASA programs are effective engines of innovation and implementation in providing the court an enhanced ability to provide effective court management and successful outcomes for children who are the subjects of dependency proceedings. CASA programs across the state have assisted in the development and implementation of programs such as Family Treatment Court, Parent for Parent, Best for Babies, Paternity Establishment, ATEAM (mentors for adolescents in foster care) and many, many other programs.

Appropriate Staffing and Support.

The 2007 CASA funding package was used to solidify CASA program management statewide by providing a base level of funding for all CASA programs statewide. This next phase of expansion will focus on "scaling up" the CASA model by providing additional CASA volunteer supervisors in mid to large size program and providing improved access to attorney support for CASA programs.

Measure Detail

Impact on clients and service

Key Outcomes for the CASA/GAL Model

For a more comprehensive list (including citations) of positive outcomes for children in dependency with a CASA volunteer, please visit: http://www.casaforchildren.org/site/c.mtJSJ7MPisE/b.5332511/k.7D2A/Evidence_of_Effectiveness.htm

A child with a CASA/GAL volunteer is more likely to find a safe, permanent home:

- More likely to be adopted
- Half as likely to reenter foster care
- Substantially less likely to spend time in long-term foster care
- More likely to have a plan for permanency, especially children of color

Children with CASA volunteers get more help while in the system...

- More services are ordered for the children... and are more likely to have a consistent, responsible adult presence.
- Volunteers spend significantly more time with the child than a paid guardian ad litem.

Children with CASA volunteers spend less time in foster care...

- "It is quite remarkable that children without CASA involvement are spending an average of over eight months longer in care, compared to children having CASA involvement."

... and are less likely to be bounced from home to home.

- CASA volunteers improve representation of children
- Reduce the time needed by lawyers
- More likely than paid lawyers to file written reports
- For each of nine duties, judges rated CASA/GAL volunteers more highly than attorneys
- Highly effective in having their recommendations adopted by the court

Children with CASA volunteers do better in school...

- More likely to pass all courses
- Less likely to have poor conduct in school
- Less likely to be expelled

... and score better on nine protective factors

- Neighborhood resources, interested adults, sense of acceptance, controls against deviant behavior, models of conventional behavior, positive attitude towards the future, valuing achievement, ability to work with others and ability to work out conflicts

Anticipated Outcomes

- Serve a minimum of 10,000 children statewide with a CASA volunteer.

This request will increase the number of CASA volunteer supervisor positions statewide and thus increase the number of children served by CASA volunteers.

Programs will have enhanced capacity to attain the National CASA standard of one volunteer coordinator to 30 volunteers, who average three children each.

- Establish CASA programs in Skagit County and potentially three new Tribal jurisdictions.

- Increase quality and reduce the risk of poor outcomes for children through reduction of staff GAL caseloads by adding volunteer supervisor positions.

- Increase retention of experienced volunteers.

A recent statewide survey of CASA volunteers in Washington indicated that they need increased access to staff for support and increased performance evaluation and feedback. Increasing the staff capacity to support volunteers will increase volunteer retention and will dramatically increase the number of CASA volunteers available to

represent children.

- Increase program capacity to recruit and support a more diverse volunteer pool
Increased funding for staff presents an opportunity to local CASA programs to hire a more diverse staff. For example, programs have indicated a need for staff and volunteers who speak Spanish, who are fluent in Indian Child Welfare Law, or who share the language and culture of the children for whom they advocate. Increased diversification of CASA program supervisors leads to an increased diversification of the CASA volunteer pool.

- Provide every CASA program access to a dedicated CASA program attorney by providing eight regionally based attorneys statewide; an ICWA attorney specialist to support Tribal programs and Native American children in state court; and an attorney at the state CASA office to oversee the other nine attorneys and provide assistance in appellate matters.

Impact on other state services

Included above.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

Staff GALs

In many of the mid- to large sized counties, programs rely on staff guardians ad litem to fulfil the requirement of 13.34.100. Caseloads for these paid professionals range anywhere from 50 to 100+ children per person. While the appointment of staff GALs to children in dependency meets the technical requirements of best interests' advocacy, staff GALs' high caseloads prohibit them from providing the same level of advocacy that a CASA volunteer (who generally are advocating for 2-3 children at a time) can provide.

Program Attorneys

As stated previously, 3 counties employ full-time CASA program attorneys. In the remaining counties, a variety of ad hoc solutions are employed: finding another party (either the parents, AAG or the child's attorney) sympathetic to the CASA's concern to file the appropriate motion; using county attorneys with little to no experience with dependency matters and pro bono support from a board or advisory board member.

This proposal seeks to enhance all CASA programs access to legal support by providing regional program attorneys who are compensated sufficiently to provide full-time CASA support to the counties they will serve. Current local county-employed attorneys will not be impacted by this proposal, but will be encouraged to attend the trainings and staffings provided by the state CASA office for the regional program attorneys.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Ongoing. This new funding request would augment CASA's current \$3,050,000/yr. allocation.

Effects of non-funding

CASA programs in urban areas will be unable to meet the statutory mandate for CASA volunteers to represent children's best interests. The 2,100 currently active CASA volunteers will not have the level of support and supervision needed to ensure retention. Staff with high caseloads of CASA volunteers (who often carry dependency cases themselves) will continue to have excessive workloads and be unable to engage in adequate recruitment and support activities, thus continuing the cycle of losing and replacing the same number of volunteers each year. In addition, high caseloads contribute to high staff turnover, which impacts the stability and quality of the program. Insufficient funding puts dependent children at serious risk and presents liability issues for the child representation in the dependency system.

Expenditure calculations and assumptions and FTE assumptions

CASA funds would be distributed per an allocation formula developed by the JCAs and approved by AOC/SCJA.

Regional program attorneys assume a \$125,000 contract per attorney and AOC administrative fees.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 6,050,000	\$ 6,050,000	\$ 12,100,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 6,050,000	\$ 6,050,000	\$ 12,100,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Salary Adjustment

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to bring selected salaries to an appropriate level as determined by a salary survey.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$	\$	\$
543-1 JIS Acct	\$	\$	\$
Total	\$ TBD	\$ TBD	\$ TBD
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

Budget reductions sustained by the Administrative Office of the Courts have made staff salary increases impossible over the past several years.

A compensation survey was completed to contrast judicial branch staff salaries with

salaries of comparable public and private sector positions. Funding is requested to bring selected salaries to an appropriate level as determined by the survey.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

N/A

Accessibility.

N/A

Access to Necessary Representation.

N/A

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

The Administrative Office of the Courts is staffed by a skilled workforce. Many of the employees are now paid at a rate below salaries paid in equivalent positions elsewhere. The Administrative Office of the Courts requests funding to bring selected salaries to an appropriate level, supporting valued staff and improving the ability of the AOC to recruit and retain skilled employees.

Measure Detail

Impact on clients and service

None.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

None.

Distinction between one-time and ongoing costs and budget impacts in future biennia

These costs are ongoing in nature.

Effects of non-funding

Further delaying salary increases will make recruitment and retention of qualified staff more difficult.

Expenditure calculations and assumptions and FTE assumptions

These costs are TBD.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ TBD	\$ TBD	\$
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Superior Court Case Management System (SC-CMS)

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to continue the implementation of the new commercial off the shelf (COTS) case management system for the Superior Courts. Additional funding is needed in the current biennium to complete Phase 5, Statewide Rollout and finish the transition to operations.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
543-1 JIS Acct	\$ 1,292,000	\$ 500,000	\$ 1,792,000
Total	\$ 1,292,000	\$ 500,000	\$ 1,792,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	15	15	15

Package Description

The 2011 Legislature funded a project for the AOC to replace its aging superior court case management system with a new commercial off-the-shelf (COTS) application. The application being implemented is known as "Odyssey". The Legislature reconfirmed its support of the project in 2013 and 2015 by extending the funding.

In June of 2015, the pilot court in Lewis County was implemented and has been successfully running Odyssey since then. Three early adopter courts (Franklin, Thurston and Yakima counties) were implemented in November 2015 and the remaining 33 counties that are implementing SC-CMS will be completed by May 2018. As the statewide rollout is completed, more work is transitioned to an operations. This request is to fund the staff required to maintain the application in an operational mode, as well as increase project staffing in order to implement between five and twelve counties every six months until May 2018. Some of the required activities include installing patches and releases from the vendor; maintaining the integrations between Odyssey and existing or external applications; keeping configurations, forms, and reports up to date; and maintaining appropriate security.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Managing technology to ensure that systems used by Washington State courts are current and the data is secure and available is key to maintaining the highest level of public trust and confidence in the courts. It has been observed by the Chief Justice that, "essentially, the Judicial Information System (JIS) equals justice".

Accessibility.

With more than one court filing for every three citizens in Washington, vast numbers of people are served by our courts. The SC-CMS project will assist in making Washington court data available to all, whether to a judge during a trial or to the public by removing the need to travel physically to a court location for information. SC-CMS in particular will increase access to court information, reduce delays, and enhance efficiency in the courts.

Access to Necessary Representation.

None.

Commitment to Effective Court Management.

The Administrative Office of the Courts has built, as part of the SC-CMS project, a new Court Business Office (CBO) which will conduct a significant review of court operations. In addition to providing services to courts implementing the new system, the CBO identifies ways in which all courts may benefit from shared processes and information.

Appropriate Staffing and Support.

None.

Measure Detail

Impact on clients and service

In addition to serving as the statewide court case management system, the existing Judicial Information System (JIS) provides essential information to several state agencies, local law

enforcement agencies, prosecutors, criminal justice partners, and the public. The JIS is also responsible for accurately tracking, recording and distributing over \$240 million per year in state and local revenues (excluding restitution and other "trust" monies).

Implementation of a new Superior Court calendaring and case management system will provide:

- Enhanced data sharing capabilities.
- Cost avoidance through the elimination of redundant data entry.
- Error reduction through training, standardization of business practices, and value-limited data entry fields.
- Flexibility to meet new and emerging business needs
- Improved tracking and analysis capabilities

Impact on other state services

Other state programs will benefit through AOC's enhanced efficiency and effectiveness. The AOC and courts exchange information and provide essential information to the Washington State Patrol, Department of Corrections, Office of the Secretary of State, Sentencing Guidelines Commission, Department of Licensing, local law enforcement agencies, Federal government, prosecutors and defense attorneys.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

Several significant alternatives were explored within the SC-CMS feasibility study completed by Management Technologies Group (MTG) in January 2012. The four alternatives were:

1. Use of the Pierce County Legal Information Network Exchange (LINX) application as an SC-CMS statewide.

2. Acquisition of a commercial application focused on calendaring, scheduling, and caseflow management for the superior courts.
3. Acquisition and central implementation of a full featured commercial application providing calendaring, scheduling, case flow management, and other record keeping functions for the superior courts.
4. Acquisition and local implementation of a full featured commercial application providing calendaring, scheduling, caseflow management, and other record keeping functions for the superior courts.

As a result of the feasibility study, MTG recommended option 3.

Distinction between one-time and ongoing costs and budget impacts in future biennia

With the exception of three FTEs who will transition to operations, this is a one-time request. The costs of the remaining three FTEs will be included in future AOC operational budget requests.

Effects of non-funding

Not funding this request will result in minimal support of the new case management system such that not all of the advantages of it will be realized. Additionally, project staff will be pulled off to work on operational support thus putting the completion of the project at significant risk.

Expenditure calculations and assumptions and FTE assumptions

CASA funds would be distributed per an allocation formula developed by the JCAs and approved by AOC/SCJA.

Regional program attorneys assume a \$125,000 contract per attorney and AOC administrative fees.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 1,292,000	\$ 500,000	\$ 1,792,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 1,292,000	\$ 500,000	\$ 1,792,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Appellate Court Electronic Case Management System (AC-ECMS)

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

This is a request is to continue funding for development of the new commercial off-the-shelf electronic case management system for the Supreme Court and Court of Appeals.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
543-1 JIS Acct	\$ 329,000	\$ 18,000	\$ 347,000
Total	\$ 329,000	\$ 18,000	\$ 347,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

This request is supported by the Washington State Supreme Court, Court of Appeals, the Judicial Information Systems Committee (JISC), and the Administrative Office of the Courts (AOC).

Funds are requested to continue supporting the implementation of a new appellate case management system currently under development. Specifically, this request is to fund integration between the existing case management system and the new document management system.

The AC-ECMS project was initiated using the IT governance process established by the AOC and approved by the JISC. The system has introduced technology that is new to the areas of knowledge and expertise within the Information Services Division (ISD) of the AOC.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

All court levels need support for the technology which allows them to maintain smooth operations and thus foster public confidence. The AC-ECMS allows the Supreme Court and Court of Appeals to streamline operations thereby enhancing the effective and efficient administration of justice.

Accessibility.

The AC-ECMS will provide standardized electronic filing (E-filing) services statewide. Standardized E-filing practices and services may reduce entrance costs, facilitating access to the appellate courts.

Access to Necessary Representation.

None.

Commitment to Effective Court Management.

The AC-ECMS will improve the court operations by replacing what today is essentially a manual workflow for documents. It will ensure that there are consistent practices between the three divisions of the Court of Appeals and improve data and information flow. It will also provide:

- Improved tracking and analysis capabilities
- Enhanced data sharing capabilities
- Cost avoidance through the elimination of redundant data entry
- Flexibility to meet new and emerging business needs
- Error reduction through training, standardization of business practices, and value-limited data entry fields

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between the three divisions of the Court of Appeals and improve data and information flow. It will also provide:

- Improved tracking and analysis capabilities
- Enhanced data sharing capabilities
- Cost avoidance through the elimination of redundant data entry
- Flexibility to meet new and emerging business needs
- Error reduction through training, standardization of business practices, and value-limited data entry fields

Appropriate Staffing and Support.

This request seeks to fund the appropriate staffing and support level in order to deliver a new application to assist the Washington court system.

Measure Detail

Impact on clients and service

Funding will standardize business practices across the state, thereby improving service and making appellate attorney filing processes more efficient and effective.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

There were no other alternative explored for this request. Alternatives were considered when choosing the particular system being implemented.

Distinction between one-time and ongoing costs and budget impacts in future biennia

This is a one-time cost, however there will be ongoing software maintenance costs in future biennia.

Effects of non-funding

The investment made in the AC-ECMS will not be efficiently leveraged to capture the gains presented by the new system.

Delay or elimination in productivity gains made by replacing legacy software.

Individual courts will pursue stand-alone systems, thereby further fragmenting the system and increasing cost statewide.

Expenditure calculations and assumptions and FTE assumptions

Expenditure calculations for application software and infrastructure were based on vendor pricing. Calculations for professional services were based on market rate.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$	\$	\$
Non-Staff Costs	\$ 329,000	\$ 18,000	\$ 347,000
Total Objects	\$ 329,000	\$ 18,000	\$ 347,000

DRAFT

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency	Administrative Office of the Courts
Decision Package Title	Courts of Limited Jurisdiction Case Management System
Budget Period	2017-2019 Biennial Budget
Budget Level	Policy Level

Agency Recommendation Summary Text

Funding is requested to continue the implementation of the new commercial off the shelf (COTS) case management system for the Courts of Limited Jurisdiction. This project will replace the outdated AOC system (DISCIS). During the 2017-2019 biennium, 36 FTEs will be needed to work on the following activities:

- Execution of the vendor contract.
- Project initiation deliverables including the project management plan and schedule, status meeting and monthly progress reports.
- System configuration which includes a requirements gap analysis; a design, configuration, and construction plan; requirements implementation tracking; the final design of the CLJ-CMS solution; and a completed/verified system test.
- The pilot implementation which includes the statewide configuration components, pilot court configuration, data conversions, custom development, user training, system administration training, system testing, user acceptance, and the pilot court implementation.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
543-1 JIS Acct	\$ 5,143,000	\$ 8,039,000	\$ 13,182,000
Total	\$ 5,143,000	\$ 8,039,000	\$ 13,182,000
Staffing	FY 2018	FY 2019	Total

FTEs (number of staff requested)	25	36	30.5
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Package Description

This decision package will fund the continuance of the Courts of Limited Jurisdiction Case Management System (CLJ-CMS) implementation project. AOC understands replacing a major legacy system is a multi-year effort and requires a multi-million dollar investment. During the 17-19 biennium the project will focus on collaboration between AOC, the courts, probation departments, and the selected solution provider to configure and transform the commercial off-the-shelf (COTS) product into the CLJ-CMS solution.

The project will have between 25 and 36 FTEs with salary/benefit costs of \$5.3M. In addition travel and equipment cost for project staff are \$234,500. These are project related and are above and beyond the ISD and JSD non-dedicated staff who will be working on the project. Also in the estimate is \$4.5M for vendor costs and \$100,000 for computer equipment including servers.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

The current CLJ Management Information System (DISCIS) was implemented in the 1980's and is obsolete. While it does what it was designed to do and considered state of the art technology at the time, court business and technology needs have evolved. The vision of the CLJ-CMS provides a number of desired functions that are intended to address the needs of the courts for business improvement. Improved and expanded capabilities will help the courts meet their business needs by providing improved capabilities involving data management, access, and distribution; more robust calendar management and statistical reporting capabilities; enhanced business process automation and management; and improved service to partners and the public.

Accessibility.

There is more than one court filing for every three citizens in Washington. Vast numbers of people are served by our courts. The CLJ-CMS project will help in making Washington court data available to all, whether during a trial or by removing the need to travel physically to a court location for information. AOC will modernize legacy systems at the local court level to allow faster flexibility to provide core court information. CLJ-CMS in particular will increase access to court information, reduce delays and reduce strain on judicial decision-makers that have been impacted by the loss of judicial officers and staff as a result of current economic difficulties throughout

government at all levels.

Access to Necessary Representation.

None.

Commitment to Effective Court Management.

None.

Appropriate Staffing and Support.

Courts make certain that basic rights and protections are available to Washington citizens. Supporting those basic rights efficiently through the provision of modern infrastructure and systems ensures that, in the end, those basic rights and protections do occur and that they are at the core of how the Washington courts function.

Measure Detail

Impact on clients and service

In addition to serving as the statewide court case management system, the existing Judicial Information System (JIS) provides essential information to several state agencies, local law enforcement agencies, prosecutors, criminal justice partners, and the public. The JIS is also responsible for accurately tracking, recording and distributing over \$240 million per year in state and local revenues (excluding restitution and other “trust” monies).

Implementation of a new Courts of Limited Jurisdiction Court calendaring and case management system will provide:

- Enhanced data sharing capabilities.
- Cost avoidance through the elimination of redundant data entry.
- Error reduction through training, standardization of business practices, and value-limited data entry fields.
- Flexibility to meet new and emerging business needs.
- Improved tracking and analysis capabilities.

Impact on other state services

Other state programs will benefit through enhanced efficiency and effectiveness. AOC and courts exchange information and depend on the systems of other agencies. We provide essential information to the Washington State Patrol, Department of Corrections, the Office of the Secretary of State, Sentencing Guidelines Commission, Department of Licensing, local law enforcement agencies, federal government, prosecutors and defense attorneys.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan
None.

Alternatives explored

None.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Costs noted in this request will continue into future biennia.

Effects of non-funding

- Delay or elimination in productivity gains made by replacing legacy software.
- Loss of operations with the risk of old mainframe system issues.
- Additional functionality would not be incorporated into the legacy system.
- Maintenance costs will continue to increase.
- Individual courts will pursue stand-alone systems, thereby further fragmenting the system and increasing costs statewide.

Expenditure calculations and assumptions and FTE assumptions

Based on project work activities, anticipated project deliverables, and resource knowledge, skills, and abilities I created an estimated project plan, a staffing plan, equipment purchase estimates, travel and accommodations for out of town resources, and projected contract deliverable costs. In addition contractor costs for project oversight QA are included in the estimate.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 2,239,000	\$ 3,295,000	\$ 5,534,000
Non-Staff Costs	\$ 2,904,000	\$ 4,744,000	\$ 7,648,000
Total Objects	\$ 5,143,000	\$ 8,039,000	\$ 13,182,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Enterprise Data Repository (EDR)
Data Exchange Superior Court

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to build the data exchange for the superior court case management system (Odyssey) to send data to the Enterprise Data Repository.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
543-1 JIS Acct	\$ 247,000	\$ 568,000	\$ 815,000
Total	\$ 247,000	\$ 568,000	\$ 815,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	5	5	5

Package Description

The new superior court case management system called Odyssey is currently configured, as a stop-gap measure, to replicate data to the existing JIS systems. This data replication is necessary to support judicial decision making, statewide history of cases and individuals and other statewide justice partner data exchanges. Through the

Expedited Data Exchange project funded by the Legislature in 2015/17, AOC is developing an enterprise data repository (EDR) to enable statewide data sharing capability.

The Odyssey to EDR data integration effort involves analysis, design, programming and testing of the data integration code.

After the EDR is ready (planned for Jan 2017), the Odyssey data must be redirected to EDR directly as the permanent solution. This will enable SC-CMS replication to be stopped. The EDR is a necessary and required component for the eventual retirement of SCOMIS (planned for 2019).

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

To provide statewide data for judicial decision making, data must be exchanged between case management systems and the EDR.

Accessibility.

None.

Access to Necessary Representation.

None.

Commitment to Effective Court Management.

The Odyssey to EDR data exchange will provide case information from 37 counties directly to the EDR for statewide viewing without going through SCOMIS, the current 35+ year old case management system.

By moving the data directly, the old case management system SCOMIS can be retired and Odyssey case data will be sent directly to the EDR.

Appropriate Staffing and Support.

None.

Measure Detail

Impact on clients and service

Provides timely and complete case management data to all clients.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

The alternative is to continue replicating data from Odyssey to SCOMIS before sending it the EDR. This would result in an inability to retire SCOMIS, and require AOC to maintain two case management systems, one being old, expensive to maintain, and increasingly brittle.

Distinction between one-time and ongoing costs and budget impacts in future biennia

One time costs to create the data exchange.

Effects of non-funding

AOC would not be able to retire SCOMIS, resulting in additional staff to support both the old and new case management systems. Also, as SCOMIS ages, it becomes more fragile increasing the risk of it breaking and not being able to pass data between Odyssey and the EDR.

Expenditure calculations and assumptions and FTE assumptions

The effort is expected to involve one business analyst, one architect/technical lead, two developers and one tester.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 247,000	\$ 568,000	\$ 815,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 247,000	\$ 568,000	\$ 815,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title External Equipment Replacement

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funds are sought to replace aged computer equipment at the courts and bring the supply level to an equitable share of the information technology hardware needed to provide access to JIS.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
543-1 JIS Acct	\$ 1,226,000	\$ 1,040,000	\$ 2,266,000
Total	\$ 1,226,000	\$ 1,040,000	\$ 2,266,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

Funds are sought to replace aged computer equipment at JIS courts by providing 100% of the information technology needed by judicial officers and 75% for court and clerk staff, a ratio that balances access to JIS with local computer applications.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

The mission of the Administrative Office of the Courts is to support the courts in the fair and effective administration of justice, providing centralized administration, fiscal services, and technology support for all of the courts, trial and appellate. Managing technology to ensure that information systems are current and the data is secure and available is a key to continuing to maintaining the 'right to justice' in all cases.

Accessibility.

None.

Access to Necessary Representation.

None.

Commitment to Effective Court Management.

To manage court effectively, equipment must be up to date so that breakages do not occur and negatively impact the court's business.

Appropriate Staffing and Support.

Without modern infrastructure and the most current technology, the courts cannot be managed effectively.

Measure Detail

Impact on clients and service

Use of the Judicial Information System (JIS) by all court levels, their judges, and other criminal justice agencies continues to increase. During the past twenty (20) years, the JIS has grown from 2,500 users to over 16,000 users, or 540%, and the volume of data stored in the JIS databases has also increased by 9% per year.

The AOC is responsible for providing computer equipment to the state (Supreme Court and Court of Appeals), county clerks, county courts (superior and district) and city (municipal) courts. Judicial Information System Policy 1.2.1 calls for a 5-year replacement cycle for computers and other information technology equipment supplied by the AOC.

Because AOC replaces computer equipment on a cyclical basis, funding needs are

periodic and short-term in nature. Accordingly, replacement monies are not part of our carry-forward or maintenance budget levels, and funding must be requested for each cycle. The AOC collaborates with the courts to share responsibility for providing equipment based on an equitable ratio approved by the JISC that reflects the percent of time personal computers are used for JIS versus local applications, such as document management systems and office programs.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

N/A

Distinction between one-time and ongoing costs and budget impacts in future biennia

None.

Effects of non-funding

None.

Expenditure calculations and assumptions and FTE assumptions

Pricing per unit is as follows. Pricing includes shipping, sales tax, and 3 years of vendor warranty.

	FY18 Qty	Price	Total FY18
Computers	260	\$1,460	\$379,600
Laptops	7	\$1,780	\$12,460
Laser Printers	83	\$varying	\$208,900
Impact Printers	225	\$2776	\$624,600
Total			\$1,225,560

	FY19 Qty	Price	Total FY19
Computers	512	\$1,460	\$747,520
Laptops	143	\$1,780	\$254,540

Laser Printer (Judges)	125	\$300	\$37,500
Total			\$1,039,560

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$	\$	\$
Non-Staff Costs	\$ 1,226,000	\$ 1,040,000	\$ 2,266,000
Total Objects	\$ 1,226,000	\$ 1,040,000	\$ 2,266,000

DRAFT

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Internal Equipment Replacement

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to replace end of life equipment and to improve performance of heavily used JIS services.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
543-1 JIS Acct	\$ 1,823,000	\$ 0	\$ 1,823,000
Total	\$ 1,823,000	\$ 0	\$ 1,823,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

Use of the Judicial Information System (JIS) by all court levels, their judges, and other criminal justice agencies continues to increase. During the past twenty (20) years, the JIS has grown from 2,500 users to over 16,000 users (an increase of over 540%) and the volume of data stored in the JIS databases has increased 9% per year, and more

recently 15% per year (with the eTicketing data). These increases in both user and data volumes not only require that current software and hardware be expanded but it also necessitates the need to employ newer, more technologically advanced, hardware and software.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

The mission of the Administrative Office of the Courts is to support the courts in the fair and effective administration of justice, providing centralized administration, fiscal services, and technology support for all of the courts, trial and appellate. Managing technology to ensure that information systems are current and the data is secure and available is a key to continuing to maintaining the 'right to justice' in all cases.

Accessibility.

None.

Access to Necessary Representation.

None.

Commitment to Effective Court Management.

None.

Appropriate Staffing and Support.

Without modern infrastructure and the most current technology, the courts cannot be managed effectively.

Measure Detail

Impact on clients and service

Use of the Judicial Information System (JIS) by all court levels, their judges, and other criminal justice agencies continues to increase. During the past twenty (20) years, the JIS has grown from 2,500 users to over 16,000 users, or 540%, and the volume of data stored in the JIS databases has also increased by 9% per year.

Many of the components providing service for the JIS Applications and has reached their effective end-of-life. This means the hardware vendor will no longer support the equipment if it fails, causing disruption to JIS services.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

N/A

Distinction between one-time and ongoing costs and budget impacts in future biennia

None.

Effects of non-funding

Equipment is no longer supported by the vendors and outages can not be repaired.

Expenditure calculations and assumptions and FTE assumptions

BizTalk Server Replacement

The BizTalk servers in use by the JIS Applications are seven years old and need to be refreshed with current technology. BizTalk is used heavily by the JIS application for messaging with other Justice Partners. Additionally, it is part of the networking HUB for other JIS applications to share data. The current servers were acquired between 2005 and 2007. 13 BizTalk servers will be replaced by 2 servers designed and built to run all the current BizTalk servers virtually. Cost of this equipment and software licenses is \$43,610.

Virtualization of Equipment at the Court of Appeals

The three offices of the Washington State Court of Appeals is running on server equipment that is end of life. Each sites has about 5-8 servers performing various independent functions. This equipment is housed at each of the Court of Appeals. We are replacing the equipment with Virtual Servers such that we will only need two servers at each location. The servers are a total of \$110,113.00 and the storage array for each site is \$79,000. Both of these costs include maintenance and support for three years. Total Cost of this equipment is \$182,344.00.

Network Equipment Replacement

Network Equipment used at the AOC was installed in 2004. This equipment will be end of life by the vendor this biennium and needs to be replaced. This equipment services the Computers, Printers, Wireless Access Points, and other network connected devices at the numerous AOC locations. A total of 54 devices need to be replaced. These costs include maintenance and support for three years. Total Cost of this equipment is \$1,597,365.00.

Cost Summary

Item Cost

BizTalk Server Upgrade/Replacement \$43,510.00

COA Server Upgrade/Replacement \$182,344.00

Network Equipment Upgrade/Replacement \$1,597,365.00

Total \$1,823,219.00

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$	\$	\$
Non-Staff Costs	\$ 1,823,000	\$	\$ 1,823,000
Total Objects	\$ 1,823,000	\$ 0	\$ 1,823,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Expedited Data Exchange - Carry Forward

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to continue the implementation of the Expedited Data Exchange with King County District Court and County Clerk's Office. The original plan for the EDE Project, as funded by the Legislature in the 2015-2017 biennial budget, envisioned King County District Court (KCDC) implementing its new case management system in the current biennium. Based on the actual procurement results of KCDC, the planned implementation of KCDC now falls in the 2017-2019 biennium. King County Department of Judicial Administration (KC DJA) anticipates implementing their new system in January 2018. The EDE Project anticipates that funding authorized for the current biennium will actually need to be expended in the next biennium.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$	\$	\$
543-1 JIS Acct	\$	\$	\$
Total	\$ TBD	\$ TBD	\$ TBD
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

The EDE Project requires funding appropriated for the current biennium be re-appropriated for the 2017 - 2019 biennium. The project currently estimates that between \$2 - 5 million will be expended in the 2017 - 2019 biennium as a result of system implementations for KCDC and KC DJA occurring in that biennium.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

The EDE project is intended to provide the courts with a enterprise repository to collect and present statewide data from all systems regardless of whether they are provided by AOC or implemented by the local jurisdiction. Without this work, as courts implement their own case management systems, there will be no single source of statewide data.

Accessibility.

The EDE project ensures accessibility of statewide data no matter which case management solution is used by the local court.

Access to Necessary Representation.

None.

Commitment to Effective Court Management.

Accurate and complete statewide data is essential to the operation of the judiciary of the State of Washington.

Appropriate Staffing and Support.

None

Measure Detail

Impact on clients and service

All users who access statewide data using AOC systems require access to statewide data to support judicial decision making.

Impact on other state services

AOC provides data to numerous public agencies and justice partners. Without the EDE project, AOC itself will not have access to the statewide data needed to provide this information.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

Expending all available funds in the current biennium would be problematic as KCDC would not be ready to implement their system before the end of the current biennium.

Distinction between one-time and ongoing costs and budget impacts in future biennia

This is a one-time request. A separate decision package is being submitted to create the support structure required for future biennia.

Effects of non-funding

The EDE Project will not be able to continue functioning past June 30, 2017.

Expenditure calculations and assumptions and FTE assumptions

These costs are TBD

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$	\$	\$
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Expedited Data Exchange On-Going Maintenance

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to provide on-going maintenance and support for the Information Networking Hub (INH). The INH is the solution created for the Expedited Data Exchange project funded by the 2015 Legislature.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
543-1 JIS Acct	\$ 76,000	\$ 324,000	\$ 400,000
Total	\$ 76,000	\$ 324,000	\$ 400,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

In its 2015 session, the Washington State Legislature funded the "Expedited Data Exchange (EDE)" project in support of King County District Court's and King County Department of Judicial Administration's case management projects. After the implementation of KCDC and DJA, AOC will require staff to maintain the solution.

Additionally, on-boarding activities will be necessary for any other non-JIS court to supply their shared, statewide data as defined by the JIS Standard Data Elements. Courts which are anticipated to on board to the INH in order to share statewide information include Pierce County Superior Court, Spokane Municipal Court, and Seattle Municipal Court.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

The EDE implementation and support is intended to provide the courts with an enterprise repository to collect and present statewide data from all systems regardless of whether they are provided by AOC or implemented by the local jurisdiction. In order to provide the needed support and provide accurate, and complete information statewide, as courts implement their own case management systems, on-going maintenance is necessary.

Accessibility.

The EDE implementation and support of the shared, statewide data will ensure accessibility no matter which case management solution is used by the local court.

Access to Necessary Representation.

None.

Commitment to Effective Court Management.

Accurate and complete statewide data is essential to the operation of the judiciary of the State of Washington.

Appropriate Staffing and Support.

None.

Measure Detail

Impact on clients and service

All users who access statewide data using AOC systems require access to statewide data to support judicial decision making.

Impact on other state services

AOC provides data to numerous public agencies and justice partners. Without the

EDE implementation and support, AOC itself will not have access to the statewide data needed to provide this information.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

Continued dual data entry by non-JIS courts.

Distinction between one-time and ongoing costs and budget impacts in future biennia

This decision package is needed to establish the support structure required to maintain the INH. Going forward, support will be built into the operational support of managed data.

Effects of non-funding

Non-JIS courts would have to do dual data entry or statewide data would not be available to judicial decision makers.

Expenditure calculations and assumptions and FTE assumptions

In order to support the Enterprise Data Repository infrastructure, five FTEs will be required. One will be filled using existing resources, but two developers and two business analysts are still necessary.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 76,000	\$ 324,000	\$ 400,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 76,000	\$ 324,000	\$ 400,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Offices of the Courts

Decision Package Title Odyssey Continuing Operations Support

Budget Period 2017-2019 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for continuing operations support staff for the Odyssey superior court case management system's transition from project to operational status.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
543-1 JIS Acct	\$ 445,000	\$ 940,000	\$ 1,385,000
Total	\$ 445,000	\$ 940,000	\$ 1,385,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	8	8

Package Description

Since 2013 the Administrative Offices of the Courts has worked with contracted vendors and State Superior Courts to replaced the 30 year old case management system currently used by state superior courts. In fiscal year 2016 the Odyssey case management system became operational in 5 superior courts and effectively shifted

from a development project to a support system in place for court management. With the transition from development to active use, the Administrative Office of the Courts is requesting funding to provide ongoing technical and operational support to superior courts using the new case management system.

The positions in which funding is requested for include:

Two (2) Customer Service Positions - One position to support case management and one position to support personnel management.

Three (3) System Integrator - To support communications from legacy systems to Odyssey.

One (1) Security Administrator - To support granting access to various public users (prosecutors, law enforcement agencies, etc.).

One (1) Report Writer - To support enterprise custom reporting through extensive knowledge of structured query language.

One (1) Configurations Specialist - To support ongoing product enhancements and maintenance patches released by the vendor.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Customer support for both the legacy and new Odyssey systems is critical to the day-to-day operations of the courts, whether a judge on the bench needs assistance or staff in the county clerk's office needs assistance closing the financial statements. Providing these services will foster the efficient and effective administration of justice by ensuring that judges and staff have the knowledge and support necessary to hear and decide cases and to properly record pre- and post-court case actions.

Accessibility.

Washington courts, court facilities and court systems will be open and accessible to all participants regardless of cultural, linguistic, agility-based or other characteristics that serve as access barriers.

Access to Necessary Representation.

Constitutional and statutory guarantees of the right to counsel shall be effectively implemented. Litigants with important interest at stake in civil judicial proceedings should have meaningful access to counsel.

Commitment to Effective Court Management.

Washington courts will employ and maintain systems and practices that enhance effective court management.

The Odyssey system is designed to increase the effectiveness of court management by stream lining the administration of justice from various perspectives. Odyssey supports fast more efficient means of managing; case schedules, fee collections, disbursements, arbitration, civil and criminal proceedings.

Appropriate Staffing and Support.

Funding for this request will make AOC staff available to assist courts and county clerks' offices that have transitioned to the new court case management system while maintaining support for those courts and clerks' offices that have not transitioned. Continued assistance and system maintenance is critical to ensuring that practices and outcomes are consistent statewide.

Measure Detail

Impact on clients and service

Maintenance, configuration and customer support for both existing and new systems are necessary to ensure that courts and county clerks' offices can seamlessly function during the transition and implementation of a new statewide court case management system. Without support for both the legacy and new systems and the staff using them, the risk of serious error increases. Incorrect or incomplete data could lead to uniformed decisions and adverse consequences.

Impact on other state services

Maintaining existing systems while developing new integrations is extremely important to state agencies such as the Departments of Corrections and Licensing as well as superior courts that have systems that augment or use data from the case management system.

Relationship to Capital Budget

No Relationship.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

No Required Changes.

Alternatives explored

There are no viable alternatives; the request for staff has been vetted, analyzed and reduced. Use of contract staff is not cost effective and contract staff turnover is extremely high.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Funding for staff will continue through the end of the 2017-2019 biennium, at which time staffing levels will be reassessed.

Effects of non-funding

Maintenance, configuration, and customer support for both existing and new systems are necessary to ensure that courts and county clerks' offices can seamlessly function during the transition and implementation of a new statewide court case management system. Without support for both the legacy and new systems and the court staff using them, the risk of serious error increases. Incorrect or incomplete data could lead to uninformed decisions and adverse consequences.

Expenditure calculations and assumptions and FTE assumptions

At a minimum, funding for additional staff will be needed through June 30, 2019. It is assumed that eight (8) staff will be hired throughout FY 2017 and will continue through June 30, 2019.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 445,000	\$ 940,000	\$ 1,385,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 445,000	\$ 940,000	\$ 1,385,000

2017-2019 Supreme Court Biennial Budget Request

	GF	JST	JIS	Total	% Inc
2017-2019 Carry Forward Level	\$15,327,000	\$0	\$0	\$15,327,000	
Rounded (000)					
Maintenance Level					
1. Continuation of Merit Increments	\$443,000	\$0	\$0	\$443,000	
Total Maintenance Level	\$443,000	\$0	\$0	\$443,000	2.89%
Policy Level Changes					
1. Comprehensive Salary Survey Implementation	\$405,000	\$0	\$0	\$405,000	
Total Policy Level	\$405,000	\$0	\$0	\$405,000	2.64%
Total Request	\$848,000	\$0	\$0	\$848,000	5.53%
% by Fund	5.53%	0.00%	0.00%	5.53%	
Total 2017-2019 Biennium	\$16,175,000	\$0	\$0	\$16,175,000	5.53%

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Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Continuation of Merit Increments

Budget Period 2017-2019 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

The Supreme Court requests funding to continue salary step increases for eligible employees. Staff salaries were frozen six years ago as part of the austerity measures necessitated by severe budget reductions. Employees did not advance to the next salary step within their salary ranges, as is customary for state employees. Staff were moved to the step they would have moved to six years ago. This request is to continue with those step increases.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 288,000	\$ 155,000	\$ 443,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 288,000	\$ 155,000	\$ 443,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

In order to achieve reductions totaling 17% of its budget, the Supreme Court was forced to eliminate salary step increases for current employees.

There are approximately 55 employees at the Supreme Court, including the commissioner, staff attorneys, security officer, judicial assistants, and court clerk. Those employees who are at the top of their salary ranges are not eligible for further step increases. This request seeks to provide step increases for those employees who are not yet at the top of their salary ranges and who are eligible for step increases, but who did not receive increases due to the budget reductions implemented by the Supreme Court.

Allowing each of these eligible employees to receive a step increase on the next Periodic Increment Date (PID) would begin the process of bringing them to the salary they should be receiving based on their tenure in the job class. Restoring step increases would assist in the retention of these skilled employees.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

N/A

Accessibility.

N/A

Access to Necessary Representation.

N/A

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

Supreme Court staff salaries were frozen the past four years to enable the Court to operate on a severely reduced budget. The affected employees have continued to carry out their duties despite the fact that they did not receive step increases as they were earned. Restoring the Court's ability to provide step increases to eligible employees will ensure that court personnel are effectively supported.

Measure Detail

Impact on clients and service

None.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

Although increases have been frozen for some time, Supreme Court staff cannot be expected to serve indefinitely without receiving the merit increments they have earned.

Distinction between one-time and ongoing costs and budget impacts in future biennia

These are ongoing costs.

Effects of non-funding

It will be difficult to recruit and retain qualified employees if merit increments cannot be provided.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 288,000	\$ 155,000	\$ 443,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 288,000	\$ 155,000	\$ 443,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Comprehensive Salary Survey Implementation

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested for implementation of the 2014 Comprehensive Judicial Branch Salary Survey for Supreme Court employees.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 208,000	\$ 197,000	\$ 405,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 208,000	\$ 197,000	\$ 405,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Supreme Court is committed to providing adequate compensation to all employees based on position classification and experience. The Human Resources Planning Group completed a comprehensive judicial branch salary survey for all non-judicial job classifications within the Washington State Supreme Court in December

2014. The survey found that the salaries of Supreme Court staff trail the identified market averages by an average of 16 percent, with Senior Staff Attorneys and Law Clerks averaging 26 percent below market.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

N/A

Accessibility.

N/A

Access to Necessary Representation.

N/A

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

In 2014, the judicial branch initiated a comprehensive salary survey of judicial branch job classifications. The results of that effort reflected that the current salaries of Supreme Court employees is substantially below market. Funding for this request is necessary to adequately compensate Court employees and address ongoing recruitment and retention problems. Funding is requested to move these employees to a salary range more closely aligned with the salary survey.

In addition to the compensation adjustments for permanent long term Supreme Court employees, the Court is requesting additional funding for Law Clerk positions. Law Clerks are usually hired for a two year clerkship and receive a fixed salary of \$55,728, or 20% below the market average for comparable positions. This situation has resulted in recruitment and retention problems for the Court.

Given the substantial differential in compensation of law clerks compared to market, the salary for Supreme Court law clerks must be raised significantly. The proposed salary for Supreme Court Law Clerks is \$61,512 per year and represents the salary associated with Range 55, Step K of the current range. Clerks continuing for more than one year would receive a merit increment to \$64,420 which is Range 55, Step M

of the Law Clerk Salary Schedule.

Measure Detail

Impact on clients and service

None.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

None.

Distinction between one-time and ongoing costs and budget impacts in future biennia

The cost is ongoing.

Effects of non-funding

None.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 208,000	\$ 197,000	\$ 405,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 208,000	\$ 197,000	\$ 405,000

2017-2019 Court of Appeals Biennial Budget Request

	GF	JST	JIS	Total	% Inc
2017-2019 Carry Forward Level	\$34,564,000	\$0	\$0	\$34,564,000	
Maintenance Level Changes					
1. Salary Adjustment Bow Wave	\$398,000	\$0	\$0	\$398,000	
2. Reinstatement of Merit Increments	\$514,000	\$0	\$0	\$514,000	
Total Maintenance Level	\$514,000	\$0	\$0	\$514,000	1.49%
Policy Level Changes					
1. Comprehensive Salary Survey Implementation	\$2,228,000	\$0	\$0	\$2,228,000	
Total Policy Level	\$2,228,000	\$0	\$0	\$2,228,000	6.45%
Total Request	\$2,742,000	\$0	\$0	\$2,742,000	7.93%
% by Fund	7.93%	0.00%	0.00%	7.93%	
Total 2017-2019 Biennium	\$37,306,000	\$0	\$0	\$37,306,000	7.93%

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Salary Adjustment Bow Wave

Budget Period 2017-2019 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

The Court of Appeals requests funding for salary adjustments that were made in FY 2016.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 199,000	\$ 199,000	\$ 398,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 199,000	\$ 199,000	\$ 398,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

Staff salaries were frozen in 2009 as part of the austerity measures necessitated by severe budget reductions. Job functions had not been reassessed during this time. After reviewing job descriptions, it was determined that select positions required a salary adjustment to ensure retention. Therefore, these staff received salary

adjustments.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

N/A

Accessibility.

N/A

Access to Necessary Representation.

N/A

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

Court of Appeals staff salaries were frozen in 2009 to enable the Court to operate on a severely reduced budget. The affected employees have continued to carry out their duties and have assumed new duties during this time. The staff should be compensated for these duties.

Measure Detail

Impact on clients and service

None.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

None.

Distinction between one-time and ongoing costs and budget impacts in future biennia

None.

Effects of non-funding

It will be difficult to recruit and retain qualified employees if these pay increases cannot be sustained.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 199,000	\$ 199,000	\$ 398,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 199,000	\$ 199,000	\$ 398,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Comprehensive Salary Survey Implementation

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested for implementation of the 2014 Comprehensive Judicial Branch Salary Survey for Court of Appeals employees.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 1,114,000	\$ 1,114,000	\$ 2,228,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 1,114,000	\$ 1,114,000	\$ 2,228,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Court of Appeals is committed to providing adequate compensation to all employees based on position classification and experience. The Human Resources Planning Group completed a comprehensive judicial branch salary survey for all non-judicial job classifications within the Washington State Court of Appeals in December

2014. The survey found that the salaries of Court of Appeals staff trail the identified market averages by an average of 16 percent, with Senior Staff Attorneys and Law Clerks averaging 26 percent below market.

Funding is requested to implement the Survey's findings during the 2017-2019 biennium.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

N/A

Accessibility.

N/A

Access to Necessary Representation.

N/A

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

Reason for change:

In the late 1990's the Court of Appeals noted that Court compensation levels were much lower for equivalent work at the local and federal level as well as in the private sector. In addition, recruitment and retention issues began to surface. In order to alleviate these issues the Court of Appeals directed its Personnel Committee to analyze and update all job descriptions to ensure they accurately represented the work being accomplished and to conduct a comprehensive salary survey to determine the appropriate salary for each position. Further, the Court directed the Personnel Committee to update the salary survey every four years. The first salary survey was conducted in 2000. In 2001, funding was requested to implement the salary survey findings, however, funding was not provided.

In 2006, the legislature approved funding to the Administrative Office of the Courts engage the Department of Personnel to perform a total compensation survey that included all current job classifications within the Court of Appeals. The Survey noted

that, on average, the salaries assigned to job classifications within the Court of Appeals trailed the identified markets by approximately 27.4 percent. As a result of that effort the Court of Appeals positions were reclassified and the legislature allocated funds in the 2005 – 2007 biennium for implementation of the salary reclassification effort.

Unfortunately, the salaries of Court of Appeals employees have been frozen since 2008, due to the economic downturn and the legislature's failure to fund merit increments. Most employees had their salaries frozen at mid-range and have not received a salary increase in more than seven years. This situation has led to the recurrence of below market salaries for Court employees and have resulted in difficulties in recruitment and selection of qualified employees associated with the below market average compensation.

In 2014, the Administrative Office of the Courts initiated another comprehensive salary survey of judicial branch job classifications. The results of that effort again reflect that the current salaries of some Court of Appeals employees is substantially below market. Funding for this request is necessary to adequately compensate Court employees and address ongoing recruitment and retention problems. Funding is requested to move these employees to the designated step within the current salary range equivalent to five percent under market.

Senior Staff Attorney -21.9% Range 74, Step I
Staff Attorney -13.6% Range 69, Step G
Senior Case Manager -13.8% Range 54, Step K
Judicial Assistant -7.8% Range 52, Step L
Case Manager -7.0% Range 48, Step K
Law Clerk \$49,608 \$64,620 (Range 56, Step M)

In addition to the compensation adjustments for permanent long term Court of Appeals employees, the Court is requesting additional funding for Law Clerk positions. The Law Clerk position was identified as the Court of Appeals position lagging farthest behind the market average at -30.1%. In response to the legislature's ongoing failure to fund merit increments for Court of Appeals employees, the Court froze law clerk salaries at Range 55, Step C. approximately six years ago. Law Clerks are usually hired for a two year clerkship and receive a fixed salary of \$49,608, or 30% below the market average for comparable positions. This situation has resulted in recruitment and retention problems for the Court.

One of the reasons given for the continued failure to fund merit increments for Court of Appeals employees has been that the Court is considered an "agency over 100 employees." Given the substantial differential in compensation of law clerks compared to market, the salary for Court of Appeals law clerks must be raised significantly. The Court recognizes the significant cost associated with setting the law clerk salary at a comparable market rate. The Court has agreed to establish a fixed, market based rate

of compensation for law clerks. If approved, the Court will remove the law clerk position from the Judicial Branch salary schedule, and instead establish a fixed salary for all law clerks with no step or increment eligibility. By doing so, the Court will have less than 100 employees eligible for merit increments and therefore, substantially reduce the scope and cost of future merit increment funding. The proposed salary for Court of Appeals Law Clerks is \$64,620 per year. That salary is just a little more than the market average of \$64,017 and represents the salary associated with Range 55, Step M of the current range.

Measure Detail

Impact on clients and service

None.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

None.

Distinction between one-time and ongoing costs and budget impacts in future biennia

None.

Effects of non-funding

None.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 1,114,000	\$ 1,114,000	\$ 2,228,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 1,114,000	\$ 1,114,000	\$ 2,228,000

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Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Reinstatement of Merit Increments

Budget Period 2017-2019 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

The Court of Appeals requests funding to reinstate salary step increases for eligible employees. Staff salaries were frozen in 2009 as part of the austerity measures necessitated by severe budget reductions. Since 2009, Court of Appeals employees have not advanced to the next salary step within their salary ranges, as is customary for state employees.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 210,000	\$ 304,000	\$ 514,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 210,000	\$ 304,000	\$ 514,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

In order to achieve and maintain reductions over the past eight years, the Court of Appeals implemented austerity measures which included elimination of salary step increases for current employees. The Court's operating budget is not sufficient to support such salary movement without the allocation of additional funding.

There are approximately 140 employees in the three divisions of the Court of Appeals including staff attorneys, judicial assistants, and court clerks. An agreement was previously reached whereby OFM recognized that the Court of Appeals functions as three autonomous courts each with fewer than 100 FTE's and can therefore include the cost of salary increments in the maintenance level request. Most recently, the Court has taken action to exclude temporary law clerk positions from increment eligibility thereby reinforcing the validity of treating the Court as an agency with fewer than 100 FTE's.

This request seeks to provide step increases for those employees who are not yet at the top of their salary ranges and who are eligible for step increases, but who did not receive increases due to the budget reductions. Allowing each of these employees to receive a step increase on their next Periodic Increment Date (PID) would begin the process of bringing them to the salary they should be receiving based on their tenure in the job class.

Employees of the Court of Appeals should be treated comparably to other state employees by funding this merit increment request.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

N/A

Accessibility.

N/A

Access to Necessary Representation.

N/A

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

Court of Appeals staff salaries were frozen in 2009 to enable the Court to operate on a severely reduced budget. The affected employees have continued to carry out their duties despite the fact that they did not receive step increases as they were earned. Restoring the Court's ability to provide step increase to eligible employees will ensure

that court personnel are treated fairly and adequately compensated.

Measure Detail

Impact on clients and service

None.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

The Court was forced to reduce staffing levels to absorb the significant budget reductions imposed on the Court. In addition to lay offs, the court has furloughed employees, frozen salaries, and reduced expenditures.

Distinction between one-time and ongoing costs and budget impacts in future biennia

These are ongoing costs.

Effects of non-funding

It will be difficult to recruit and retain qualified employees if merit increments cannot be provided.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 210,000	\$ 304,000	\$ 514,000
Non-Staff Costs	\$	\$	\$
Total Objects	\$ 210,000	\$ 304,000	\$ 514,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Facility Maintenance - Roof - Division III

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to replace the roof on the Court of Appeals, Division III courthouse located at 500 N Cedar Street in Spokane.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 262,000	\$ 0	\$ 262,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 262,000	\$ 0	\$ 262,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

The building occupied by Division III of the Court of Appeals is owned by the Court. The building was constructed in 1978 with an extensive remodel and enlargement occurring in 1998. Consequently, the roof will be 19 years old by the start of the 2017-2019 biennium.

The present roof is a Built-Up Roof (BUR) which is asphalt/tar based. The proposed roof system would be a PVC or Thermoplastic Polyolefin (TPO) single membrane roof with a 20 year warranty.

In 2014 a full professional facility condition assessment was conducted of the courthouse by VFA, Inc. The facility condition assessment provides detailed information on major components of the building, the current condition, and the recommended renewal action date along with a renewal action estimated cost. The 2014 assessment recommended the roof renewal occur in 2019 at an anticipated cost of \$156,302.89. The Court also requested the local roofing contractor who conducts annual maintenance on the roof to provide their professional opinion on the roof condition and cost to upgrade. The local contractor recommends the Court roof be replaced and upgraded with a PVC or TPO roof system with an estimated cost of \$174,000 (including tax) assuming the job would not be commenced until sometime after July 1, 2017 and before June 30, 2019.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

N/A

Accessibility.

N/A

Access to Necessary Representation.

N/A

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

N/A

Measure Detail

Impact on clients and service

None.

Impact on other state services

None.

Relationship to Capital Budget

Funding is being requested from the Capital Budget.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

Annual maintenance has been conducted on the roof on an ongoing basis since the remodel in 1998. In addition, when roof leaks have occurred from the predominantly flat roof, they have been fixed immediately.

Distinction between one-time and ongoing costs and budget impacts in future biennia

The roof replacement is one-time in nature with a life expectancy of 20 years.

Effects of non-funding

Deferring the roof replacement could potentially result in increased risk to the building and furnishings due to water damage in the event of severe rain storm or winter ice dam in the roof drainage pipes.

Expenditure calculations and assumptions and FTE assumptions

PVC or TPO Roof	\$194,000
DES management overhead, contingency, project management	\$68,000
Total	\$262,000

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$	\$	\$
Non-Staff Costs	\$ 262,000	\$	\$ 262,000
Total Objects	\$ 262,000	\$ 0	\$ 262,000

2017-2019 Office of Public Defense Biennial Budget Request

	GF	JST	JIS	Total	% Inc
2017-2019 Carry Forward Level	\$78,404,000	\$0	\$0	\$78,404,000	
Maintenance Level Changes					
1. Mandatory Caseload Changes	\$1,480,000	\$0	\$0	\$1,480,000	
2. Contractor Retention	\$6,115,000	\$0	\$0	\$6,115,000	
Total Maintenance Level	\$6,115,000	\$0	\$0	\$6,115,000	7.80%
Policy Level Changes					
1. Statewide Expansion of Parents Representation Program	\$5,528,000	\$0	\$0	\$5,528,000	
Total Policy Level	\$5,528,000	\$0	\$0	\$5,528,000	7.05%
Total Request	\$11,643,000	\$0	\$0	\$11,643,000	14.85%
% by Fund	14.85%	0.00%	0.00%	14.85%	
Total 2017-2019 Biennium	\$90,047,000	\$0	\$0	\$90,047,000	14.85%

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Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Washington State Office of Public Defense

Decision Package Title Statewide Extension of Parents Representation Program

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funds are requested to extend the Parents Representation Program to eight juvenile courts -- the only courts not fully served by the state Program. The OPD Parents Representation Program provides quality legal representation for indigent parents who have a right to counsel in child dependency and termination of parental rights cases.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 2,764,000	\$ 2,764,000	\$ 5,528,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 2,764,000	\$ 2,764,000	\$ 5,528,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	1	1	1

Package Description

Program Background:

In 1999, the Legislature directed the Washington State Office of Public Defense (OPD) to report on inequalities in attorney funding in dependency and termination cases. OPD conducted an investigation of Washington's juvenile courts, finding severe

disparities between state funding for the Attorney General’s Office (AGO) for the initiation and processing of these cases and the funds provided by counties for legal representation of the indigent parents involved.

OPD initiated the Parents Representation Program in 2000. The program has been evaluated several times, and has been consistently shown to promoting earlier permanency for children, as reported in the Children and Youth Services Review in 2012 among other national publications. Washington is a founding member of the American Bar Association’s new parents’ representation section.

Funds are requested to extend OPD’s Parents Representation Program (PRP) to the eight counties currently lacking the Program. About 15 percent of Washington state children and their indigent parents who are involved in dependencies and terminations still suffer emergent need for this Program. Quality legal representation in these cases can avoid unnecessary and often irreparable severance of family relationships.

Indigent parents in the 15 percent of the cases without the Program currently are represented by county-funded attorneys, who practice under widely disparate conditions and without vital resources. These attorneys often are burdened with excessive caseloads and practice without the benefit of professional oversight, independent social worker or investigator resources, or specialized dependency/termination training.

Without the requested funding and full implementation of the Parents Representation Program, family reunifications and earlier permanency would decline, and the state likely would spend significantly more on foster care and adoption subsidies. Without funding to extend the Parents Representation Program, attorneys in these eight counties likely will continue to lack caseload controls, professional oversight, readily available social worker and investigator services, and crucial training.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

In 2005, the Legislature declared “the legislature recognizes the state’s obligation to provide adequate representation...to parents in dependency and termination cases.” SB 5454. Since then, the Legislature has extended the Parents Representation Program in stages.

This request seeks funding to extend the Parents Representation Program to the remainder of the counties. At present, indigent parents in Adams, Douglas, Island, Lewis, Lincoln, Okanogan, and Walla Walla counties, and half the indigent parents in

Pierce County do not have access to representation by PRP attorneys while all similarly situated indigent parents in the rest of the state receive PRP services.

Accessibility.

N/A

Access to Necessary Representation.

Funding this request will ensure that indigent parents in all Washington counties can receive appointment of well-qualified Parents Representation Program attorneys, all of whom receive specialized training, access to independent social worker and investigator resources, professional oversight, reasonable caseloads, and adequate compensation.

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

N/A

Measure Detail

Impact on clients and service

Parents represented by PRP attorneys are substantially more likely to succeed in their cases, thus restoring their families, meeting the intent of our child welfare laws, and avoiding state-funded foster care and adoption subsidy costs totaling millions of dollars each year. With extension of the Program to the additional counties, parents and families in those counties would be treated equally with similarly situated indigent parents in the rest of Washington state who now are represented by PRP attorneys.

Extending the Parents Representation Program will help the State of Washington meet its legal mandates, both constitutional and statutory, to ensure that effective counsel is appointed for indigent parents in dependency and termination cases.

Parent clients will have meaningful access to due process and needed services because their attorneys will be dedicated advocates who specialize in this area of the law and who have ready access to independent social workers and others who can help parents engage.

Impact on other state services

Independent evaluations of the Parents Representation Program show that court efficiency is increased when continuances due to overscheduled attorneys are reduced. This increases the efficient use of judicial resources and leads to more high-

quality, timely decisions regarding children's permanency.

Because the Program increases family reunification rates, for each year it is operational in a county, cumulative alternate care savings increase. As the PRP has extended its services to additional counties over the years, foster care and caseload reductions generated by the Program continue to be substantial.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

The right to counsel for indigent parents is constitutionally and statutorily required. The alternative to ensuring these mandatory services statewide via the Parents Representation Program is to maintain the status quo in the eight unserved counties and allow for inconsistent (and in many cases inadequate) representation.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Funding to extend the Parents Representation Program would be an ongoing cost.

Effects of non-funding

Without funding to extend the Parents Representation Program statewide, indigent parents in 15 percent of the counties will continue to receive an inconsistent and often inadequate quality of representation in dependency and termination proceedings, in violation of legal mandates. Dependent children in these areas will spend greater periods of time in foster care at substantial cost to the state. The court system in these counties will continue to struggle with delays and continuances caused by attorneys with high caseloads. The system's failure to provide for checks and balances in the counties without the PRP will continue to harm families, negatively impacting children's well being.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 112,000	\$ 112,000	\$ 224,000
Non-Staff Costs	\$ 2,652,000	\$ 2,652,000	\$ 5,304,000
Total Objects	\$ 2,764,000	\$ 2,764,000	\$ 5,528,000

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Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Washington State Office of Public Defense

Decision Package Title Mandatory Caseload Changes

Budget Period 2017-2019 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested to meet the increase in child welfare cases. The legislature granted funds to all parties in these cases in the 2015-2017 biennial budget. Data shows the overall caseload increase will persist in the foreseeable future, and an appropriate amount of ongoing funding is necessary to maintain representation standards for parents and families.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 740,000	\$ 740,000	\$ 1,480,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 740,000	\$ 740,000	\$ 1,480,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

Funding is needed to meet the increase in child welfare cases. The legislature granted funds to all parties in these cases in the 2015-2017 biennial budget. Data shows the overall caseload increase will persist in the foreseeable future, and an appropriate amount of ongoing funding is necessary to maintain representation standards for

parents and families.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

For dependency and termination case litigation, parents' attorneys need to be available in parity with the state's attorneys. In 2014, the Attorney General's Office received funding for the Permanency Initiative, created to resolve a backlog of termination cases and to handle caseload increases over the past several years. The Children's Administration and the Office of Public Defense also received funds for work created by additional Permanency Initiative filings and case representations. The legislature appropriated funds to all three agencies for this purpose in 2014, 2015, and 2016. Last session, the AGO and Children's Administration received additional funding for 2016. OPD will need additional funding during the 2017-2019 biennium in order to provide high-quality representation services during the continuation of the Permanency Initiative.

Accessibility.

N/A

Access to Necessary Representation.

N/A

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

N/A

Measure Detail

Impact on clients and service

Parents and families in dependency and termination cases must be represented by competent, skilled attorneys. With continued adequate funding, OPD's Parents Representation Program attorneys can continue to represent parents well, resulting in many reunifications and timely resolution of cases.

Impact on other state services

The courts and the state will continue to benefit from Parents Representation Program attorneys' prompt and skilled representation of parents. Courts will continue to be able to minimize case delays and the Children's Administration and AGO will benefit from appropriate case resolutions in accordance with law.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

There is no alternative to the ability of parents' attorneys to maintain appropriate caseloads, especially since the state will maintain increased caseloads through additional funding.

Distinction between one-time and ongoing costs and budget impacts in future biennia

The additional funding for maintaining the Permanency Initiative is expected by all parties to be ongoing.

Effects of non-funding

OPD will be unable to maintain the 80-case caseload set by the Supreme Court Standards for Public Defense (SID 3.4). Parents and families will be less successful in these cases, resulting in unnecessary terminations of parental rights.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$	\$	\$
Non-Staff Costs	\$ 740,000	\$ 740,000	\$ 1,480,000
Total Objects	\$ 740,000	\$ 740,000	\$ 1,480,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Washington State Office of Public Defense

Decision Package Title Contractor Retention

Budget Period 2017-2019 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

A compensation increase is requested to retain qualified contractors to ensure constitutional and statutory rights to counsel for indigent persons on appeal and for indigent parents involved in dependency and termination cases. The 2015 legislature awarded a cost of living increases to these OPD contractors; however, they still earn significantly less than similarly qualified professionals engaged in an appellate or dependency practice on behalf of county Prosecutors or and the state Attorney General (AGO). An adjustment is also necessary for RCW 71.09 sexually violent predator attorneys, who have not had a compensation increase for more than 10 years.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 3,057,000	\$ 3,058,000	\$ 6,115,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 3,057,000	\$ 3,058,000	\$ 6,115,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

An adjustment is required to compensate OPD contractors commensurate with the

market for attorneys and social workers employed by the state and by county prosecutors.

The increase is needed to address difficulties in recruiting and retaining qualified professionals, and in maintaining mandatory standards of performance in these constitutionally and statutorily required representations of indigent parties.

Appellate Program

OPD contracts with 38 FTE attorneys statewide to provide appellate representation for indigent persons who have a constitutional or statutory right to counsel on appeal. OPD-contracted appellate attorneys have, on average, 20 years of experience.

Standard One of the Washington State Bar Association Standards for Indigent Defense directs that public defense attorneys should be compensated at parity with prosecutorial attorneys. With the recent COLA adding \$6,500 per attorney on an ongoing basis, compensation for OPD's indigent appellate attorneys ranges from \$111,500 to \$126,500. Necessary business costs range from \$23,480 to \$57,557 per FTE, depending on business taxes, staff and office costs, with a statewide average of \$42,690.

After subtracting necessary business costs, the full-time OPD appellate contract attorney compensation total is, on average, \$76,600 per year. This total compensation amount includes not only salary, but also all benefits, including health insurance and retirement.

In contrast, in 2014 experienced deputy prosecuting attorneys handling criminal appeals earned an average annual salary of \$87,606 plus health insurance and retirement benefits which brought their compensation up to a total of \$107,606. (As they are county employees, they pay no overhead costs.)

This summer, OPD will complete a 2016 updated salary survey of indigent appellate attorneys and deputy prosecuting appellate attorneys in diverse eastern Washington and medium-sized western Washington counties, in order to update the earlier survey.

As the economy improves and business costs continue to rise, OPD faces difficulty retaining and recruiting qualified contract appellate attorneys unless it can increase contract compensation. Some well-regarded attorneys have already left the OPD program. A professional level of compensation for experienced attorneys or specialize in appellate practice is needed.

Parents Representation Program (PRP) Contract Attorneys

OPD contracts with 113 FTE attorneys who practice as sole practitioners or in firms or county agencies to provide public defense in 31 counties for indigent parents who

have a right to counsel in dependency and termination cases.

Standard One of the Washington State Bar Association Standards for Indigent Defense directs that public defense attorneys should be compensated at parity with prosecutorial attorneys. The vast majority of Parents Representation Program contract attorneys are experienced, a necessity as they are for the most part working independently without direct supervision in the 31 program counties. PRP attorneys are compensated between \$113,010 and \$127,000 per FTE, depending on experience and location. Business costs vary by location, business tax levels, office costs, and staff services costs, among others.

In 2015, the Legislature appropriated funds for a COLA, which in 2017 increased their compensation by 2.7 per cent.

A summer 2014 survey of OPD Parents Representation Program contract attorneys found that among all program counties, after payment of basic business costs, the average annual attorney salary and all benefits including health insurance and retirement was \$70,137 in total compensation. Most program attorneys have from several to 20 or more years of experience, averaging 14-17 years' experience.

In contrast, similar attorneys with 10 years experience practicing on behalf of the state Attorney General received compensation in 2011 at an approximate average of \$89,546 per attorney to cover salary and benefits. Overhead costs and staff are funded through the Attorney General's Office (this survey is being updated.)

Since 2012, approximately 10 percent of the Parents Representation Program contract attorneys have left the program for the stated reason of inadequate compensation. These include attorneys in Kitsap, Kittitas, Mason, and Pierce counties, as well as multiple attorneys in Snohomish, Spokane, Stevens, and Yakima counties.

Providing a professional level of compensation will ensure that OPD can contract with qualified attorneys who have dependency case experience and are reliably able to practice largely without supervision. Retaining skilled attorneys is critical to the program's ability to provide the requisite quality of representation for parents, which has been demonstrated to improve family reunification rates and accelerate all types of permanency outcomes.

Social work support is a necessary component of the Parents Representation Program. OPD contracts with some 30 social workers. These social workers are critical in supporting parent attorneys' effective representations, consistent with Washington State Bar Association standards. Currently, full-time OPD-contracted social workers are compensated between \$55,000 and \$63,000 annually on average. This amount covers salaries and benefits such as health insurance and retirement, as well as business expenses such as insurance, office expenses, and so forth.

PRP contract social workers' compensation needs to be adjusted to rates commensurate with DSHS social workers involved in dependency and termination cases. A survey will be conducted this summer to ascertain the current compensation difference.

RCW 71.09 Sexually Violent Predator Attorneys (SVP)

In 2013, the legislature transferred the SVP public defense program to OPD. Twenty-three attorneys handle these cases. Their compensation level was set in 2006 pursuant to a court order establishing an rate of about \$86 per hour. Subsequently, the state (DSHS) has officially adopted this rate, which has remained unchanged for the past decade.

RCW 71.09 attorneys need an adjustment to reflect inflationary changes over the last 10 years.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

N/A

Accessibility.

N/A

Access to Necessary Representation.

This increase will ensure that OPD can retain and recruit well-qualified Appellate, Parents Representation Program, and RCW 71.09 contractors to serve indigent persons who have a constitutional or statutory right to counsel. Failure to fund this request will result in a shortage of qualified professionals willing to accept OPD contracts.

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

N/A

Measure Detail

Impact on clients and service

Funding this maintenance increase will ensure that every indigent appellant, indigent parent, and RCW 71.09 respondent who has a right to counsel in OPD cases is appointed a well-qualified attorney who will provide effective assistance of counsel.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

None.

Alternatives explored

The right to counsel provided to indigent appellants, parents, and respondents by OPD contract attorneys is constitutionally and statutorily required. Minimum professional qualifications are established by the Supreme Court Standards for Indigent Defense. OPD cannot contract with unqualified or "low bid" attorneys as the Constitution guarantees effective assistance of counsel.

Distinction between one-time and ongoing costs and budget impacts in future biennia

Funding for OPD contractor retention would be an ongoing cost.

Effects of non-funding

Without this rate increase, OPD expects to continue to lose qualified contractors who are unable at current compensation rates to meet OPD's proven performance standards and the Supreme Court Standards for Indigent Defense. Fewer indigent clients are expected to prevail in meritorious cases. Foster care costs can be expected to increase due to derogated defense representation of parents in dependency and termination cases.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$	\$	\$
Non-Staff Costs	\$ 3,057,000	\$ 3,058,000	\$ 6,115,000
Total Objects	\$ 3,057,000	\$ 3,058,000	\$ 6,115,000

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2017-2019 Office of Civil Legal Aid Biennial Budget Request

	GF & NGF *	JST	JIS	Total	% Inc
2017-2019 Carry Forward Level	\$28,024,000	\$0	\$0	\$28,024,000	
Maintenance Level Changes					
Total Maintenance Level	\$0	\$0	\$0	\$0	0.00%
Policy Level Changes					
1. Vendor Rate Adjustment	\$898,000	\$0	\$0	\$898,000	
2. Vendor Rate Adjustment - COLA	\$552,000	\$0	\$0	\$552,000	
3. Civil Justice Reinvestment	\$13,750,000	\$0	\$0	\$13,750,000	
Total Policy Level	\$14,302,000	\$0	\$0	\$14,302,000	51.03%
Total Request	\$14,302,000	\$0	\$0	\$14,302,000	51.03%
% by Fund	51.03%	0.00%	0.00%	51.03%	
Total 2017-2019 Biennium	\$42,326,000	\$0	\$0	\$42,326,000	51.03%

* Includes \$204,000 Fund 17L - Foreclosure Fairness Account

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Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Civil Legal Aid

Decision Package Title Vendor Rate Adjustment

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

The Office of Civil Legal Aid seeks a vendor rate adjustment to address known and measurable personnel and rental cost increases to ensure continuity of client services at currently authorized levels.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 305,000	\$ 593,000	\$ 898,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 305,000	\$ 593,000	\$ 898,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

Vendor rate adjustment to protect legislatively authorized client service capacity in the face of known and measurable personnel and leasehold cost increases.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

This preserves current levels of legal aid services and staffing in the face of increased personnel and space/occupancy costs. Protecting existing capacity from further erosion will ensure continuity of existing levels of legal aid services to low-income families and individuals on legal matters affecting fundamental human needs.

Accessibility.

Persons with disabilities that limit their ability to effectively participate in judicial proceedings are disproportionately poor and, according to the 2015 CLNS Update, disproportionately experience civil legal problems. Protecting existing levels of client service capacity from further erosion ensures continuity of client services for these people.

Access to Necessary Representation.

In an adversary civil justice system, those with an effective legal voice are much more likely to be successful in presenting their cases than those without. The 2015 CLNS Update documents that only 24% of low-income people who experience one or more civil legal problems get any help at all. While OCLA will seek funding to address the crisis documented in the 2015 study, it must first protect existing basic field client service capacity -- already down 20% from 2009 levels -- from further erosion.

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

N/A

Measure Detail

Impact on clients and service

The 2015 CLNS Update documents a grave crisis in the availability of essential legal information, advice, assistance and representation. This vendor rate adjustment allows the Northwest Justice Project to address significant known and measurable cost increases that, if unaddressed, will erode client service capacity beyond the 20% capacity loss experienced since 2009.

NJP pays staff salaries pursuant to a Board-established salary scale. The scale

provides for annual experiential increases (between 2-3% per year). The state's share of the salary and benefit costs associated with these increases is \$253,000 in FY 2018. This carries forward into the base for FY 2019. The incremental increase on top of that amount for FY 2019 is \$261,389, for a total increase in the state's share of NJP's salary and benefit costs of \$514,798.

NJP will experience a very significant rent increase for its principal office space in Seattle. NJP maintains 25,000 square feet of space in Seattle at a current rate of \$22/sq. ft. While still in negotiation, NJP is looking at an increase of between 30% - 50% in rental expenses at that location in FY 2018 and beyond. To ensure equitable geographic presence within King County as contemplated in RCW 2.53.030(4), NJP will open a small office in Kent near the Norm Maleng Regional Justice Center. The state's share of NJP's projected increased occupancy costs in Seattle and elsewhere is \$52,000 in FY 2018, which will carry forward into FY 2019. An additional \$26,000 is anticipated in FY 2019, for a total increase in the state's share of NJP's occupancy costs of \$130,000 for the biennium.

Impact on other state services

This vendor rate adjustment is designed to protect existing client service capacity from further erosion. Additional loss of such capacity may have some negative impact on other state programs in situations where clients who might otherwise have gotten the help they needed to protect themselves from eviction or homelessness, secure federal disability benefits or other critical services were unable to do so.

Relationship to Capital Budget

N/A

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

N/A

Alternatives explored

While a large non-profit organization, Northwest Justice Project is subject to federal restrictions that limit its ability to maintain sufficient reserves to address increased costs of operation over time. This is compounded by the cost-reimbursable nature of its state contract, which requires full expenditure of contract funding each biennium. In light of these circumstances, NJP has no alternative but to seek a periodic vendor rate adjustment.

Distinction between one-time and ongoing costs and budget impacts in future biennia

These are ongoing costs.

Effects of non-funding

Failure to fund will require Northwest Justice Project to reduce operating expenses by \$305,400 in FY 2018 and \$592,800 in FY 2019, for a total of \$898,200 for the biennium. Assuming these reductions are taken from staff, the impact will be a loss of 2 FTE's in 2018 and 3 more FTE's in 2019.

Expenditure calculations and assumptions and FTE assumptions

100% is passed through as a contract amendment to Northwest Justice Project. There are no agency staff expenditures.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$	\$	\$
Non-Staff Costs	\$ 305,000	\$ 593,000	\$ 898,000
Total Objects	\$ 305,000	\$ 593,000	\$ 898,000

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Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Civil Legal Aid

Decision Package Title Vendor Rate Adjustment - COLA Adjustment

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

The Office of Civil Legal Aid seeks a vendor rate adjustment to allow Northwest Justice Project to implement staff cost of living adjustments (COLA's).

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 204,000	\$ 348,000	\$ 552,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 204,000	\$ 348,000	\$ 552,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	0	0	0

Package Description

Vendor rate adjustment to fund the state's share of 3% and 2% COLA adjustments to Northwest Justice Project's attorney and non-attorney salary scale over the FY 2017-19 biennium. The COLA adjustments will allow NJP to take steps to address significant salary comparability gaps, and promote retention of high quality, well-

trained attorneys, and essential, trained support professionals vital to NJP operations.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Ensuring fair compensation for civil legal aid attorneys helps ensure the delivery of high quality, effective legal services over time without disruption caused by staff attrition and the need to replace them.

Accessibility.

NJP attorneys are trained to provide services to persons with disabilities and limited English proficiency in accordance with applicable federal and state law as well as program policies. Staff attrition caused by non-comparable compensation requires NJP to spend funds training replacement staff to effectively serve persons with disabilities and limited English proficiency.

Access to Necessary Representation.

A COLA adjustment will help protect the ability of highly trained civil legal aid attorneys to remain at Northwest Justice Project over time and will reduce the risk of client service capacity disruptions caused by increased attrition due to compensation that is neither comparable to that of other publicly funded attorneys nor sufficient to allow attorneys to meet basic living needs and costs associated with law school debt.

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

N/A

Measure Detail

Impact on clients and service

According to an August 2016 salary compensation assessment conducted by Compensation Connections™, NJP attorney salaries fall far short of comparability for other publicly funded attorney positions. This lack of comparability is exacerbated given that NJP attorneys are not public employees and are not eligible to participate in the state's Public Employees Retirement System (PERS). Thus, employees wishing to capitalize their retirement must do so by reducing pre-tax earnings from salaries that are already below comparability.

NJP pays \$46,114 per year for an entry level attorney. By year 10-11, the salary increases to \$65,113 and by year 14-15 the salary is \$74,075. According to the salary comparability assessment, these levels fall between 15-20% (preliminary estimate pre-final study) below the average level of other public attorneys in Washington State.

According to the American Bar Association, the average law school debt carried by recent graduates is \$84,000 if the attorney graduated from a public law school and \$122,000 if the attorney graduated from a private law school.

NJP's Board of Directors establishes the compensation policy for the program, and adopts the program's salary scales. Since 2008 NJP has adjusted its salary scales one time (a 3% adjustment in 2014). Housing and other costs have gone up substantially more over that time period in the Seattle and Puget Sound region where the great majority of NJP staff reside and practice. Retention in and recruitment to rural areas has also become more difficult.

Stagnant compensation coupled with increasing fiscal pressures has led to significant attorney attrition which, in turn, results in disruptions in client services, a loss of internal substantive and skills expertise, disruption of community-based relationships and an unnecessary expenditure of resources to hire and train replacement attorneys at already inadequate compensation levels.

Similarly, NJP's highly trained non-attorney staff members who are essential to supporting the work of the attorneys and critical to NJP's ability to advance its access to justice mission have also endured 8 years of rising costs (with only one 3% increase). Given their critical role to providing essential services, NJP's non-attorney staff – whose compensation costs comprise 25% of NJP's total compensation expenses – need to be included within the COLA request, as such an increase would preserve and maintain the relative value of the critical services provided by non-attorney support staff.

NJP staff did not receive the benefit of the 3% and 1.8% COLA's enacted by the Legislature for state employees in FY 2015-17. In an initial step toward salary comparability, NJP's Board intends to adjust salary scales by 3% in FY 2018 and 2% in FY 2019. The state's share of these increases will be \$552,557.

Impact on other state services

None.

Relationship to Capital Budget

None.

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan
None.

Alternatives explored

While a large non-profit organization, Northwest Justice Project is subject to federal restrictions that limit its ability to maintain sufficient reserves to address increased costs of operation over time. This is compounded by the cost-reimbursable nature of its state contract, which requires full expenditure of contract funding each biennium. As NJP cannot "bank" sufficient funds to underwrite this necessary COLA adjustment it must either seek additional funding or reduce client service capacity to fund it.

Distinction between one-time and ongoing costs and budget impacts in future biennia

These are ongoing costs.

Effects of non-funding

Failure to fund the state's share of staff COLA's will require Northwest Justice Project to fund the COLA's from within existing operations. This will result in the diversion of \$552,000 from current client service operations during the FY 2017-19 biennium, which will translate into a loss of 3 FTE attorneys during the biennium.

Expenditure calculations and assumptions and FTE assumptions

100% is passed through as a contract amendment to Northwest Justice Project. There are no agency staff expenditures.

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$	\$	\$
Non-Staff Costs	\$ 204,000	\$ 348,000	\$ 552,000
Total Objects	\$ 204,000	\$ 348,000	\$ 552,000

Washington State Judicial Branch 2017-2019 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Civil Legal Aid

Decision Package Title Civil Justice Reinvestment

Budget Period 2017-2019 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to underwrite Phase 1 of the Civil Justice Reinvestment Plan endorsed by the bipartisan Civil Legal Aid Oversight Committee and designed to address the civil legal aid capacity crisis documented in the 2015 Civil Legal Needs Study Update.

Fiscal Detail

Operating Expenditures	FY 2018	FY 2019	Total
001-1 General Fund State	\$ 5,475,000	\$ 8,275,000	\$ 13,750,000
543-1 JIS Acct	\$ 0	\$ 0	\$ 0
Total	\$ 5,475,000	\$ 8,275,000	\$ 13,750,000
Staffing	FY 2018	FY 2019	Total
FTEs (number of staff requested)	1	0	1

Package Description

Funding will underwrite the initial investment in the Civil Justice Reinvestment Plan (Reinvestment Plan). The Reinvestment Plan is designed to address the key findings of the 2015 Civil Legal Needs Study Update by (a) expanding the ability of low-income people to self-diagnose their legal problems, self-refer for legal help and gain access

to essential self-help tools and resources; (b) expanding volunteer delivery of civil legal aid; (c) achieving "minimum access" client service capacity of 1 FTE equivalent legal aid attorney to every 5,000 people at or below 125% of the federal poverty level; and (d) ensuring effective support for high quality legal assistance and contemporaneous assessment of the impact of increased investment in state-funded civil legal aid services, including outcomes achieved for low-income people, net return on investment and public costs avoided.

Narrative Justification and Impact Statement

How does this package contribute to the Judicial Branch Principle Policy Objectives identified below?

Fair and Effective Administration of Justice in All Civil and Criminal Cases.

Access to timely, competent and effective civil legal assistance is essential to the ability of litigants to effectively assert and defend important legal rights within the justice system. Such access is also essential for the courts to deliver on their constitutional duty to administer justice in all cases openly and without unnecessary delay. Wash. Const. art. 1, sec. 10. Civil legal aid provides meaningful assistance to low income people who lack any other means of participating in legal proceedings in which they are involved. In so doing, it is the vehicle through which the justice system offers both fairness and the appearance of fairness.

Accessibility.

Persons with disabilities that limit their ability to effectively participate in judicial proceedings are disproportionately poor and, according to the 2015 CLNS Update, experience a much higher rate of civil legal problems. The availability of civil legal aid services helps ensure that these people are able to assert their rights to reasonable accommodation and otherwise overcome access barriers that limit their ability to meaningfully participate in legal proceedings in which they are parties. The same is true for individuals who are limited English proficient (LEP) and who are also disproportionately poor. Legal aid helps them assert their language access rights and to effectively participate in civil legal proceedings in which they are involved.

Access to Necessary Representation.

In an adversary civil justice system, those with an effective legal voice are much more likely to be successful in presenting their cases than those without. The 2015 CLNS Update documents that only 24% of low-income people who experience one or more civil legal problems get any help at all. Many of the problems experienced by low-income people must be or are addressed through the courts and adjudicative administrative proceedings. In cases where the stakes are important, the issues complex and the other side is represented, an unrepresented individual is at a distinct disadvantage. Within the resource limits available, civil legal aid -- whether offered

through a staffed legal aid program or a pro bono attorney -- levels the playing field and ensures that evidence and arguments of those with important interests at stake will be heard and considered on their merits.

Commitment to Effective Court Management.

N/A

Appropriate Staffing and Support.

N/A

Measure Detail

Impact on clients and service

In 2014 more than seven in ten low income people experience an important civil legal problem each year. Of these 76% received no legal help whatsoever in trying to solve their problems. Problems affect access to basic health and human services, family safety, access to and the ability to retain affordable housing, economic security, employment and freedom from economic exploitation, and a range of other issues that affect basic liberties and implicate core property rights. Low-income people who experience one civil legal problem on average experience nine (9) such problems, most of which arise from a single problem or set of problems. Victims of domestic violence and sexual assault experience more problems across the entire spectrum problem areas and average about 18 problems per capita per year, most of which flow from their victimization.

The 2015 Civil Legal Needs Study Update (2015 CLNS Update) documented significant disparities in the experience of low-income people based on race, immigration status, status as victims of domestic violence or sexual assault, youth and disability. People who identify as African American and Native American experience substantially higher levels of discrimination and differential treatment than members of other groups.

More than 50% of those who experience problems with a legal dimension do not understand that they could benefit from legal advice or assistance, and do not seek legal help to solve these problems. Even for those who do understand the need for legal help, most cannot get it because they do not have the funds, do not know where to go and cannot get through to overwhelmed civil legal aid hotlines and community based legal aid providers. In the end, only 24% of those who experience one or more civil legal problems get any help at all.

Low-income people have little confidence in their ability to solve problems fairly through the courts or the civil justice system. More than two-thirds of respondents in the 2015 CLNS Update said that they did not believe that people like them can effectively use the courts to protect themselves, their families or to enforce their legal

rights.

Between 2009 and 2016, the statewide Northwest Justice Project (NJP) lost 20% of its basic field client service staff capacity. It now operates with 85 FTE staff attorneys from 17 community based locations including the statewide CLEAR call center. Including all state-funded legal aid providers and the effective FTE contributions of pro bono attorneys across the state, there is just one FTE legal aid lawyer for every 9,200 people living at or below 125% of the federal poverty level.

OCLA's governing statute requires that client services be provided in a manner that "maximizes geographic access across the state." The deep staff reductions experienced between 2009 and the present aggravated longstanding geographic client service capacity disproportionalities and continue to threaten the viability of client service presence in key rural areas of the state.

To address the crisis documented in the 2015 CLNS Update's findings, OCLA developed and the bipartisan Civil Legal Aid Oversight Committee established by RCW 2.53.010 unanimously endorsed a Civil Justice Reinvestment Plan (Reinvestment Plan). The Reinvestment Plan will underwrite the development and expansion of technology tools and related strategies to expand the ability of low-income people to understand their legal rights and make informed decisions about whether, when and where to go for legal help. It will also underwrite development of expanded tools to help unrepresented people more effectively navigate the court system and engage in other legal self-help activities. The Reinvestment Plan will also expand support for volunteer attorneys, with the goal of increasing volunteer services by 25% over four years. The Reinvestment Plan will also significantly expand staffed legal aid capacity so that Washington State achieves "minimum access" staffing of 1 effective legal aid attorney (including the FTE equivalent of volunteer attorney contributions) for every 5,000 people living at or below 125% of FPL. Finally, the Reinvestment Plan will underwrite necessary training and support to ensure continuity of high quality services and develop systems to monitor the impact and effectiveness of additional investment in civil legal aid services, including net return on investment and public costs avoided due to the expansion of civil legal aid services.

Implementation of the Reinvestment Plan will substantially expand the number of low-income people who understand their legal rights, make informed decisions to seek legal help and, most importantly, get the legal help they need to solve their problems early, before they cascade into greater and ever more complex problems. By the end of this Phase 1 investment, legal aid services will be provided to 7,300 additional households per year, benefiting nearly 16,000 additional additional low-income people facing critical legal problems that affect personal and family safety and economic security, housing stability and homelessness, access to health and mental health services, and other issues affecting personal liberty and property rights.

Impact on other state services

Civil legal aid - whether provided by a staffed legal aid attorney or a cooperating volunteer attorney -- solves problems that if left unaddressed often result in greater demand for state services or the expenditure of other scarce governmental resources. Increased investment in civil legal aid is expected to help reduce caseload costs for other state funded programs and may also help leverage more federal dollars into the state. Studies in New York State, Illinois, Maryland, Alabama, Massachusetts and other states document that investment in civil legal aid returns substantial benefit to states and local communities well in excess of the cost of providing such services and substantially reduces public expenses that would otherwise be incurred in the absence of timely and effective legal aid.

For example, legal assistance to secure protection from a domestically violent relationship can reduce demand on law enforcement and court services; legal assistance that protects a displaced worker's claim for unemployment insurance protects that worker's family security, housing and income stability while the worker seeks new employment; legal assistance that preserves a family's housing reduces demands on local and state homeless assistance; legal assistance that helps a returning veteran secure access to essential mental health services through the Veteran's Administration reduces demand on state services; legal assistance that secures appropriate special educational services for a failing student could help avoid that student's potential involvement in the juvenile justice system; legal help that results in securing a low income individual's eligibility for federal income and medical assistance programs brings new dollars into the state, results in less demand for scarce state-funded services and, in the case of those who were homeless at the time, saves local government on average \$50,000 per person per year in shelter, transportation and other costs.

Relationship to Capital Budget

N/A

Required changes to existing Court Rule, Court Order, RCW, WAC, contract, or plan

N/A

Alternatives explored

The crisis documented in the 2015 Civil Legal Needs Update requires a substantial infusion of additional funding to achieve minimum access and sustainability. While there is general agreement that civil legal aid -- as a core function of government and necessary to the proper function of the civil justice system -- should be underwritten with general tax revenues, current budget circumstances dictate an inventory of alternatives. Consequently, at the direction of the bipartisan Civil Legal Aid Oversight Committee, OCLA has undertaken a review of fund sources other than the state general fund to provide sustaining funding at the levels required. This review

continues as of the date this decision package was prepared and will likely continue well into the coming legislative session.

Distinction between one-time and ongoing costs and budget impacts in future biennia

These are all ongoing costs.

Effects of non-funding

Washington State's first Civil Legal Needs Study was published in 2003. The study found that the vast majority of low income people lacked access to necessary legal help to solve important civil legal problems. The study's findings kindled a bipartisan effort to address the problem, which efforts resulted in both the establishment of an independent Office of Civil Legal Aid and increases in then-existing levels of appropriated funding. These efforts showed promise and client services were expanded between 2005 and 2009. But progress stagnated in the face of the Great Recession and the continuing state budget crises experienced since then. There were sharp losses of income and employment and significant increases in the numbers of people experiencing civil legal problems. As well documented in the 2015 Civil Legal Needs Study Update, the situation facing low-income people in Washington is as or even more grave than it was in 2003.

If the justice system is to be open and available to all who need it, and fairness to be achieved for those involved in it, there is no meaningful alternative to an increase in state investment in civil legal aid. Failure to fund the Civil Justice Reinvestment Plan will allow the problem to grow beyond our capacity to prudently address it; and will result in ever large numbers of low-income people being effectively written out of the civil justice system. For these people, the laws enacted by the Legislature will bear no meaning and carry no force. Failure to fund the Civil Justice Reinvestment Act virtually guarantees that the picture presented in the next Civil Legal Needs Study Update a decade from now will be ever more dire.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2018	FY 2019	Total
Staff Costs	\$ 86,000	\$ 86,000	\$ 172,000
Non-Staff Costs	\$ 5,389,000	\$ 8,189,000	\$ 13,578,000
Total Objects	\$ 5,475,000	\$ 8,275,000	\$ 13,750,000


COMPONENTS OF THE DRAFT CIVIL JUSTICE REINVESTMENT PLAN

Office of Civil Legal Aid
August 2016



2015 Civil Legal Needs Study Update

Principal Findings


- ▶ Seven (7) in ten (10) households experience at least one civil legal problem affecting basic human needs each year
 - ▶ Those who experience at least one (1) problem average more than nine (9) legal problems per year
 - ▶ >50% of low-income households do not understand that the problem they experience is legal in nature
 - ▶ 65% of those who experience a civil legal problem do not seek any legal help
 - ▶ Low-income people do not receive any help for more than 76% of reported legal problems.
- 

Civil Legal Aid Delivery Capacity in WA Less than ½ Minimum Access Standard


- ▶ Federal “minimum access” standard for civil legal aid is 1 FTE attorney for 5,000 persons living at or below 125% of federal poverty level (FPL)
- ▶ State funded legal aid providers have a combined total of 107 FTE basic field attorneys for 1.2 million Washingtonians living at or below 125% of FPL. **Ratio is 1:11,215**
- ▶ Including effective FTE contributions from volunteer attorneys, ratio improves to **1:9,448**.
- ▶ Net shortfall of FTE attorneys is 110 FTE's

Civil Justice Reinvestment Plan


A four-year *Civil Justice Reinvestment Plan* will:

- ▶ Expand the ability of low-income people to understand their legal rights and make informed decisions about whether, when and where to seek legal help.
 - ▶ Expand self-help resources and tools that will help low-income people solve problems themselves where possible.
 - ▶ Upgrade and expand volume of volunteer (pro bono) services
 - ▶ Expand professional staffed legal aid and pro bono capacity to achieve minimum access of 1:5,000
 - ▶ Invest in essential infrastructure to ensure continuous, high quality services and to track the outcomes and corresponding benefits achieved for clients and taxpayers.
- 

Area of Focus No. 1: Self-Diagnosis, Self-Help, Technology Innovation

- ▶ Develop technology-based tools to help low-income people diagnose their legal problems, make informed decisions about whether to seek legal help and self-refer into the legal aid system
 - ▶ Program and bring online an automated document assembly system for the new mandatory Plain Language Family Law Forms
 - ▶ Create a legal aid delivery technology competitive grant program to stimulate public-private investment in technology based delivery system innovations
- 

Area of Focus No. 2: Upgrade and Expand Volunteer Attorney Involvement in Legal Aid Delivery


- ▶ Upgrade and enhance professional staffing so that community based volunteer attorney programs can more effectively recruit, train, support and mentor volunteer attorneys
 - ▶ Expand investment in pro bono programs capable of engaging significant additional volunteer attorneys
 - ▶ Expand investment in and support for statewide web-based, interactive pro bono website (www.waweblawyer.org)
 - ▶ Achieve a 25% – 30% increase in total volunteer hours per year (the equivalent of 5–7 FTE attorneys)
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Area of Focus No. 3: Expand Professional Staff Attorney Capacity to Achieve Minimum Access

- ▶ Expand legal aid program staffing to achieve 1:5,000 “minimum access” ratio of FTE attorneys (including pro bono attorneys) to residents living at or below 125% of the federal poverty level.
- ▶ Ensure geographic proportionality and equitable access to all state funded legal services throughout the state



Area of Focus No. 4: Statewide Infrastructure and Support

- ▶ Develop and make available regular, high quality substantive law and skills training to legal aid and volunteer attorneys
 - ▶ Monitor trends in legal aid delivery innovations and legal problems experienced by low-income people
 - ▶ Establish a performance-based system to monitor and evaluate the effectiveness of new investments in civil legal aid services, including net return on investment and avoided public expenses in other areas due to effective legal representation.
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Increase Over Current Biennial Levels

Area of Investment Focus	Biennial Investment Above Current Levels
Legal Education/Self-Help/Delivery System Innovation/Technology Innovation	\$1,000,000
Expand Volunteer Legal Aid Capacity	\$2,000,000
Expand Staffed Legal Aid Capacity (1 FTE Atty's to Achieve Minimum Access of 1FTE:5,000 Persons at or Below 125% FPL (+90 FTE staff attorneys)	\$22,500,000
Statewide Oversight, Performance Monitoring, Training and Support	\$600,000
Administration, Oversight and Program Management	\$400,000
Increased Investment Over FY 2015-17 Levels	\$26,500,000

Phase I (FY 2017-19) Investment

FY 2015-17 Carryforward	\$24,800,000	GF-S/JSTA
Object	Biennial Increase Over Carryforward	Funding Source
Phase I Civil Legal Aid Reinvestment Plan		
(i) Self-Help/Legal Literacy Initiative	\$800,000	GF-S
(ii) Pro Bono Support	\$1,250,000	GF-S
(iii) Add 55 Staff Legal Aid Attys	\$10,625,000	GF-S
(iv) Statewide Support, Research, Training	\$200,000	GF-S
(v) Agency Administration	\$200,000	GF-S
Total	\$13,075,000	GF-S