



WASHINGTON COURTS

ADMINISTRATIVE OFFICE OF THE COURTS

TO: Washington Judicial Branch Stakeholders
FROM: Ramsey Radwan
SUBJECT: 2015-2017 BIENNIAL BUDGET REQUEST PRESENTATIONS
DATE: July 23, 2014

The Supreme Court Budget Committee is pleased to extend an invitation to the presentation of 2015-2017 biennial budget requests at a meeting on Wednesday, July 30.

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 9:00 a.m. and continue until 4:30 p.m. with a break for lunch. Parking is available in the non-reserved spots in the Governor's Mansion parking lot just west of the Temple of Justice. (Please see the attached map with parking areas highlighted in bright yellow.)

For the full packet including agenda, budget information, and proposed budget request packages, please follow this link: [Agenda and Materials for July 30 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 exact change)
-  Entrance
-  Parking
-  Point of Interest
-  School Bus Parking
-  Electric Vehicle Parking

Apr. 2014



**WASHINGTON
COURTS**
ADMINISTRATIVE OFFICE OF THE COURTS

Supreme Court Budget Committee

Wednesday, July 30, 2014

9:00 a.m. to 12:00 p.m. and 1:30 until 4:30 p.m.

Chief Justice's Reception Room

Temple of Justice

Olympia, Washington

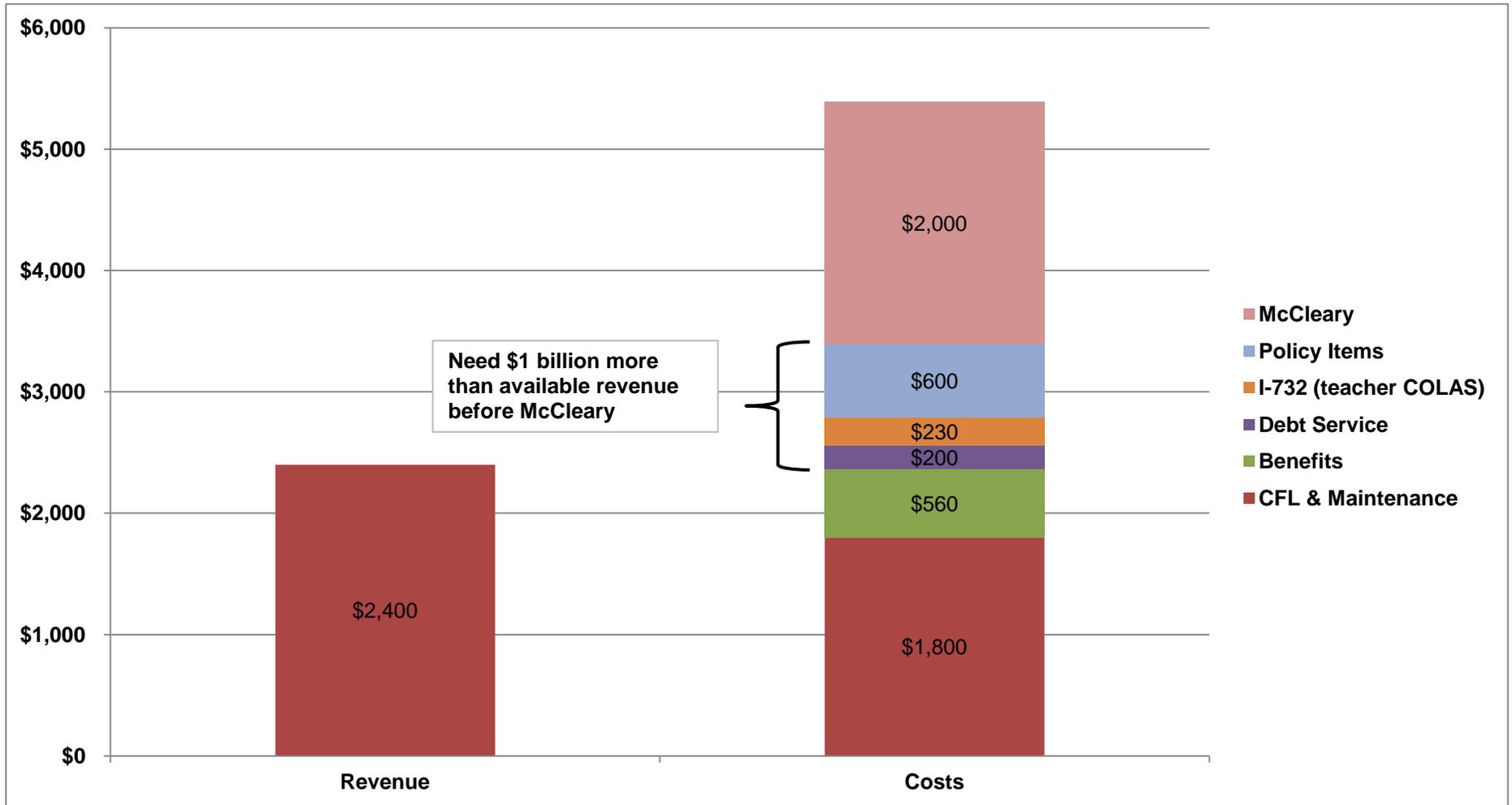
TO LISTEN TO PRESENTATIONS: (360) 407-3780, PIN 191210 #

9:00 a.m.-9:30 a.m.	Introduction	
	Overview of process and materials Overview of statewide revenue, branch concerns and expenditure history Questions	Mr. Ramsey Radwan
9:30 a.m. – Noon	Requests submitted by agencies of the judicial branch	
	Washington Supreme Court Requests	Mr. Ramsey Radwan
	Washington State Law Library	Ms. Kay Newman
	Court of Appeals	Judge Kevin Korsmo
	Office of Public Defense	Ms. Joanne Moore
	Office of Civil Legal Aid	Presentation scheduled August 14, 2014
Noon – 1:30 p.m.	Break – Lunch on your own	
1:30 p.m. – 4:00 p.m.	Requests impacting the budget of the Administrative Office of the Courts	
	Miscellaneous requests	Mr. Ramsey Radwan
	Information technology requests	Ms. Vonnie Diseth
	Trial Court Operations Funding Committee	
	Trial Court Funding for Language Access	Justice González
	Telephonic Interpreting	Justice González
	CASA Restoration and State CASA Funding	Mike Merringer & Ryan Murrey
	FCJIP Program Expansion	Judge Kathryn Nelson & Christine Liebsack
	Juvenile Court and Juvenile Detention Alternatives Initiative (JDAI) Staff	Pat Escamilla, Mike Merringer & Justice Johnson and Carl McCurley
	Misdemeanant Corrections	Judge Veronica Alicea-Galvan (phone), Judge Mary Logan & Carl McCurley
4:00 p.m. – 4:30 p.m.	Closing comments and questions	

Persons with disabilities requiring accommodation may contact Jan Nutting at jan.nutting@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.

2015-2017 Additional Revenue vs Anticipated Additional Costs-Statewide

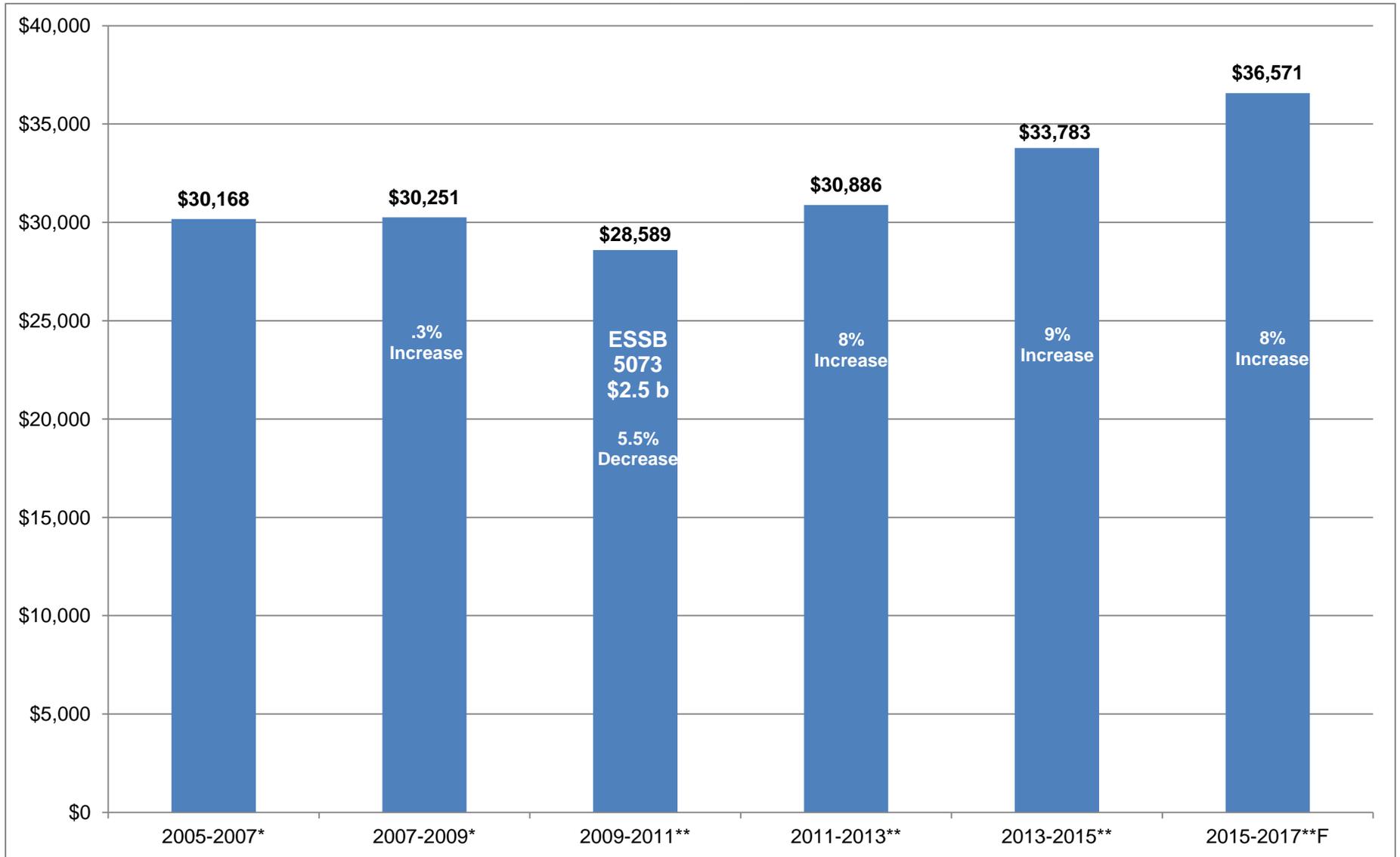
(in millions)



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

Revenue Collection and Forecast History (Near General Fund Accounts)

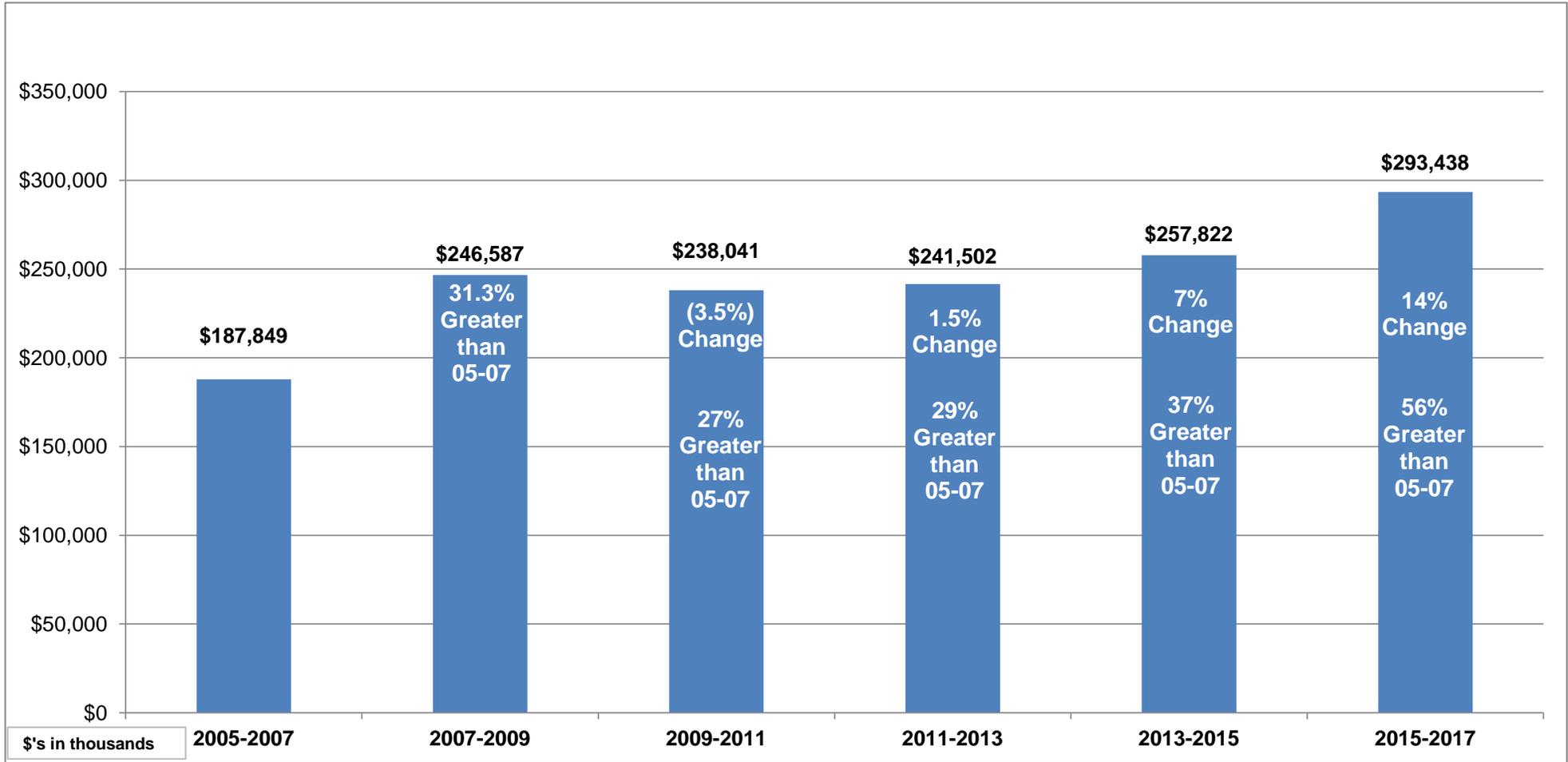
(in millions)



* 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.

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. Approximately 90% of the change between 13-15 and 15-17 is due to maintenance and policy level requests and 10% due to carryforward level adjustments.

2015-2017 Supreme Court Biennial Budget Request

	GF	JST	JIS	Total	% Inc
2015-2017 Carry Forward Level	\$13,908,000	\$0	\$0	\$13,908,000	
Maintenance Level Changes					
1. Reinstatement of Merit Increments	\$128,000	\$0	\$0	\$128,000	
2. Step Increase as Authorized by the Legislature	\$72,000	\$0	\$0	\$72,000	
3. Court Operations	\$100,000	\$0	\$0	\$100,000	
4. Rate Adjustment - Office of the Attorney General	\$0	\$0	\$0	\$0	
5. Rate Adjustment - Employment Security	\$0	\$0	\$0	\$0	
	\$0	\$0	\$0	\$0	
Total Maintenance Level	\$300,000	\$0	\$0	\$300,000	2.16%
Policy Level Changes					
6. Employee Salary Adjustment	\$0	\$0	\$0	\$0	
7. Security for the Supreme Court	\$832,000	\$0	\$0	\$832,000	
Total Policy Level	\$832,000	\$0	\$0	\$832,000	5.98%
Total ML and PL Request	\$1,132,000	\$0	\$0	\$1,132,000	8.14%
% by Fund	8.14%	0.00%	0.00%	8.14%	
Total Biennium	\$15,040,000	\$0	\$0	\$15,040,000	8.14%

Maintenance Level

- 1. Reinstatement of Merit Increments** - Funding is requested to reinstate salary step increases for eligible employees.
- 2. Step Increase as Authorized by the Legislature** - Funding is requested to implement the additional step increase approve by the legislature.
- 3. Supreme Court Operations** - Funding is requested to partially restore support for constitutionally mandated operations of the Supreme Court.
- 4. Rate Adjustments AGO** - Funding is requested to meet increased obligations for the Office of the Attorney General.
- 5. Rate Adjustments ESD** - Funding is requested to meet increased obligations for Employment Security.

Policy Level

- 6. Employee Salary Survey Adjustment** - Funding is requested to bring selected salaries to an appropriate level as determined by a salary survey.
- 7. Temple of Justice Security** - Funding is requested to provide a security detail composed of two WSP cadets or troopers for the Temple of Justice.

Washington State Judicial Branch
2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Reinstatement of Merit Increments

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

The Supreme Court requests funding to reinstate 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.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 64,000	\$ 64,000	\$ 128,000
Staffing	FY 2016	FY 2017	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

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

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.*

Supreme Court staff salaries were frozen the past six 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 2016	FY 2017	Total
Staff Costs	\$ 64,000	\$ 64,000	\$ 128,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 64,000	\$ 64,000	\$ 128,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Step Increase as Authorized by the Legislature

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested to implement the additional step increase approved by the legislature. Because of the magnitude of the budget cuts sustained by the Supreme Court in recent years, there is no additional money for the increase to Step M.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 36,000	\$ 36,000	\$ 72,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Since 2009, the Supreme Court has sustained a 17% reduction to its operating budget. In order to achieve those reductions the Supreme Court made significant reductions in programs and operating expenditures. During the 2011-2013 biennium, step increases were halted due to lack of funding.

Now that an additional step has been added to the salary schedule, funding is requested to enable eligible employees to move to Step M.

Narrative Justification and Impact Statement

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

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.*

Many long-term employees of the Supreme Court are eligible for the increase to Step M as provided by the legislature. The Supreme Court wishes to provide this increase earned by its 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

Implementation of this increase has been delayed due to lack of funding.

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

The costs are ongoing.

Effects of non-funding

Recruitment and retention will continue to be challenging as other state agencies continue to provide both ordinary salary increments as well as the additional increment (step M) for their employees.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 36,000	\$ 36,000	\$ 72,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 36,000	\$ 36,000	\$ 72,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Court Operations

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested to more fully support the constitutionally mandated operations of the Washington Supreme Court. Having sustained reductions totaling 17% of its operating budget since 2009, it is increasingly difficult for the Court to carry out its mission.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 50,000	\$ 50,000	\$ 100,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Since 2009, the Washington Supreme Court (Supreme Court) has sustained substantial reductions to its operating budget. In order to achieve reductions totaling 17% of its operating budget, the Supreme Court was forced to freeze staff salaries, reduce department head salaries, eliminate costs resulting from holding court in areas other than Olympia, virtually eliminate funding for Access to Justice programs, and reduce other operating expenditures by as much as 50%.

Over 86% of the non-staff budget is redistributed to central service agencies. These services and the associated costs are established by the central service agencies, and as such are beyond the control of the Supreme Court; they cannot be managed in a manner that would allow for service reductions leading to cost reductions. The remaining 14% of the non-staff budget is dedicated to ensuring that the Supreme Court

can operate. This category includes the costs of telephones, document reproduction, postage and other business necessities.

As noted above, the Supreme Court has implemented budget austerity initiatives to enable it to function within the confines of its legislative appropriations. It is increasingly difficult for the Supreme Court to focus on and carry out its core mission under the present constraints. As an example, normal operating supply purchases have been cancelled due to increased Attorney General litigation costs.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

The Supreme Court must have adequate base funding in order to carry out its constitutional mandate. Additional funding will enable the Court to operate effectively and efficiently.

Measure Detail

Impact on clients and service

The Supreme Court budget has been reduced to a level that impedes its ability to effectively operate; almost all of the Court's non-staff funding is dedicated to non-controllable costs such as rent, Attorney General services, statewide information technology service costs, and the like.

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 Supreme Court has implemented a number of cost reduction initiatives (see above). However the budget has been reduced to a point that does not allow for efficient and effective operation.

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

This request is ongoing in nature.

Effects of non-funding

If additional funding is not provided, certain costs will not be paid.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 50,000	\$ 50,000	\$ 100,000
Total Objects	\$ 50,000	\$ 50,000	\$ 100,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Rate Adjustment - Office of the Attorney General

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for the increased cost of services provided by the Office of the Attorney General (AGO).

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund-State	\$ 0	\$ 0	\$ 0
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The level of service provided by the AGO has increased in recent years, exceeding the biennial appropriation. As a result, the Supreme Court submits a supplemental budget request for additional funds each year. The amount of this request more closely reflects the anticipated cost of services.

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

Not Applicable.

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

These costs are ongoing.

Effects of non-funding

The Supreme Court will not pay invoices from the Office of the Attorney General.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Rate Adjustment - Employment Security

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for payment of invoices received from the Employment Security Department.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund-State	\$ 0	\$ 0	\$ 0
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Funding is requested by the Supreme Court for payment of invoices received from the Employment Security Department. The amount of this request reflects the anticipated cost of services.

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

Not Applicable

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

These costs are ongoing.

Effects of non-funding

The Supreme Court will not pay invoices from the Employment Security Department.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Employee Salary Adjustment

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to bring selected Supreme Court staff salaries to the appropriate level as determined by a salary survey.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Budget reductions sustained by the Supreme Court have made staff salary increases impossible over the past several years. Staff salaries have not been compared to those of public and private employees in parallel positions for more than six years and staff have not received a cost of living increase since September 2007.

A compensation survey will be carried out to compare judicial 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

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

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.*

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

Staff salaries have been frozen for several years.

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

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Supreme Court

Decision Package Title Security for the Supreme Court

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to provide a security detail composed of two Washington State Patrol cadets or troopers for the Temple of Justice on the Washington State Capitol Campus.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 State General Fund	\$257,000- \$470,000	\$244,000- \$362,000	\$501,000- \$832,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Although the Washington State Patrol provides security for the Legislative Building and the Capitol Campus, there has been no full-time security presence in the Temple of Justice.

Housed in the Temple of Justice are the nine elected Supreme Court justices, the Clerk and Commissioner of the Supreme Court, and the Reporter of Decisions, and approximately 60 staff. Because tourists and visitors are invited to observe court proceedings and tour the facility, the public, justices and court staff are frequently exposed and vulnerable.

Funding is requested for a State Patrol presence to protect the public, justices, Supreme Court staff, and those conducting business and visiting the Temple of Justice.

Washington State Patrol personnel on site would have the ability to anticipate and deter threats and to act quickly when assistance is needed. In addition to providing surveillance and protection during court proceedings, trained law enforcement personnel would ensure a rapid and safe response in an emergency situation or natural disaster.

Narrative Justification and Impact Statement

Measure Detail

Impact on clients and service

A State Patrol presence would provide security not only for the elected judicial officers but for staff, attorneys, and visitors to the Temple of Justice.

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 Supreme Court is also working with the Department of Enterprise Services to implement security features recommended by DES and the U.S. Marshal's Service.

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

Costs are ongoing.

Effects of non-funding

Continuing to leave the state's highest court unprotected could have disastrous results.

Expenditure calculations and assumptions and FTE assumptions

Two Washington State Patrol (WSP) Troopers or cadets working Monday through Friday with .24 FTE for a supervisor. Vehicle fuel and maintenance is based upon \$900 per month. There is a charge the first year for radios for commissioned officers. Travel is also assumed for 8 two day trips per year to include hotel, per diem and flights. Two pursuit vehicles are Ford SUV fully equipped with moving radar. The indirect rate from WSP is 25.63%.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$257,000- \$470,000	\$244,000- \$362,000	\$501,000- \$832,000
Total Objects	\$257,000- \$470,000	\$244,000- \$362,000	\$501,000- \$832,000

2015-2017 Law Library Biennial Budget Request

	GF	JST	JIS	Total	% Inc
2015-2017 Carry Forward Level	\$2,941,000	\$0	\$0	\$2,941,000	
Maintenance Level Changes					
1. Step Increase as Authorized by the Legislature	\$13,000	\$0	\$0	\$13,000	
2. Migration to Innovative Interfaces	\$48,000			\$48,000	
3. Electronic Legal Services	\$10,000	\$0	\$0	\$10,000	
4. Rate Adjustment ESD	\$0	\$0	\$0	\$0	
Total Maintenance Level	\$71,000	\$0	\$0	\$71,000	2.41%
Policy Level Changes					
5. Employee Salary Adjustment	\$0	\$0	\$0	\$0	
Total Policy Level	\$0	\$0	\$0	\$0	0.00%
Total ML and PL Request	\$71,000	\$0	\$0	\$71,000	0.00%
% by Fund	2.41%	0.00%	0.00%	2.41%	
Total Biennium	\$3,012,000	\$0	\$0	\$3,012,000	2.41%

Maintenance Level

- 1. Step Increase as Authorized by the Legislature** - Funding is requested to implement the additional step increase approved by the legislature.
- 2. Migration to Innovative Interfaces** - Funding is requested to upgrade Innovative Interfaces Inc. (III) automated electronic library system.
- 3. Electronic Legal Services** - Funding is requested to upgrade the electronic legal databases.
- 4. Rate Adjustment ESD** - Funding is requested to meet increased obligations for Employment Security.

Policy Level

- 5. Employee Salary Survey Adjustment** - Funding is requested to bring selected salaries to an appropriate level as determined by a salary survey.

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Law Library

Decision Package Title Step Increase as Authorized by the Legislature

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested to implement the additional step increase approved by the legislature. Because of the magnitude of the budget cuts sustained by the Supreme Court in recent years, there is no additional money for the increase to Step M.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 5,000	\$ 8,000	\$ 13,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Law Library seeks funding for those employees eligible for the additional step (step M) authorized by the legislature. The parameters established by the legislature will be used as the criteria to determine which Law Library staff are eligible for the additional increment.

Since 2009, the Law Library has sustained a 36% reduction to its operating budget. In order to achieve those reductions the Law Library made significant reductions to programs and operating expenditures. Without additional funding as requested, it will not be possible to provide the increase for eligible employees.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as 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.*

State Law Library staff have continued to provide exceptional legal services throughout economic downturn, with no salary adjustment to compensate for increased costs of living.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance effective court management.*

To provide salaries commensurate with work quality currently exhibited, present salaries of State Law Library staff should be adjusted.

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.*

In order for the State Law Library to continue providing optimal services for the courts and public, staff salary levels should be increased.

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

Implementation of this increase has been delayed due to lack of funding.

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

This request is ongoing in nature.

Effects of non-funding

Recruitment and retention will continue to be challenging as other agencies continue to provide both ordinary salary increments as well as the additional increment (step M).

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 5,000	\$ 8,000	\$ 13,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 5,000	\$ 8,000	\$ 13,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency State Law Library

Decision Package Title Migration to Innovative Interfaces

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for the upgrade of the Innovative Interfaces Inc. (III) automated electronic library system.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 24,000	\$ 24,000	\$ 48,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Innovative Interfaces, Inc.'s Millennium is the State Law Library's current electronic library system. The State Law Library has maintained the system and server on site for fifteen years, since 1999. Innovative Interfaces, Inc. will no longer support its Millenium system off-site. The State Law Library must purchase Innovative Interfaces, Inc.'s Sierra, an upgrade to the present system. Therefore, Sierra will be hosted and maintained off site by Innovative Interfaces, Inc.

The annual hosting fee covers repair/replacement of hardware, monitoring of hardware, system installation, system upgrades, and system backup. The Innovative Interfaces, Inc. secure server will be located off site, assisting disaster preparedness for the Supreme Court. The hosting fee also covers Innovative Interfaces, Inc.'s monitoring and tuning of file systems; configuration and maintenance of network identity, enabling/disabling, installation, and configuration of Innovative Interfaces, Inc. network services, proactive monitoring of software;

and notification, investigation, and assistance with incident response for computer security events.

Narrative Justification and Impact Statement

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.

An organized technology system enables State Law Library staff to continue to provide current information to courts and the public, monitor expenditures, efficiently order materials, and carefully monitor print and electronic expenditures.

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.*

Automated ordering and records maintenance enable staff to provide correct and timely information to the court and public.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance effective court management.*

Utilizing an off-site system provides data security for the State Law Library's fiscal and information records.

Measure Detail

Impact on clients and service

Improved updates and interface will enable staff to more efficiently request and borrow materials for court and public users.

Impact on other state services

Staff will be able to quickly borrow materials for state agencies. As state agencies and libraries reduce budgets and cut resources, they rely heavily on services of the State Law Library.

Relationship to Capital Budget

None.

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

None.

Alternatives explored

The current on site server will not be supported by Innovative Interfaces, Inc. The State Law Library would have to purchase another system, requiring high cost and staff time to transition to an inferior and ineffective product. Other systems do not have the capabilities of Innovative

Interfaces, Inc. Sierra to track both print and electronic materials, request items from other libraries, track fiscal reports, or monitor and check in materials.

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

The hosting fee is an annual ongoing cost.

Effects of non-funding

Without funding, the electronic library system could not be updated.

Expenditure calculations and assumptions and FTE assumptions

The hosting fee is \$24,000 per year.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 24,000	\$ 24,000	\$ 48,000
Total Objects	\$ 24,000	\$ 24,000	\$ 48,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency State Law Library

Decision Package Title Electronic Legal Services

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

The State Law Library requests funding to upgrade its electronic legal databases. Upgrades necessitated by increased library patron activity and improved services available, will maintain the Law Library's ability to provide up-to-date information while continuing to reduce costs.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 5,000	\$ 5,000	\$10,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Legislature has encouraged the State Law Library to begin migrating its legal resources from print to electronic. The State Law Library must upgrade its current electronic legal databases and add additional electronic legal information to continue to provide services and reduce print costs.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

The State Law Library will be able to disseminate legal information quickly and effectively to an increased number of users, assisting court personnel and the public in the most cost-effective method.

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.*

Providing electronic legal information allows patrons unable to utilize the library in person due to physical, cultural, or geographic constraints to get necessary information. A wide range of electronic legal databases enables staff to provide information in the most effective way for individual patrons.

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

Providing convenient, current, cost-effective legal information electronically saves time and money for legal service providers. The law library provides information to clients of legal service providers, saving time and money as clients' cases progress.

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.*

Providing the most up-to-date electronic legal information will support court personnel, managers, and court systems in accessing necessary information in a timely manner.

Measure Detail

Impact on clients and service

Clients will have increased accessibility to a wide range of electronic databases and reference finding tools. This will reduce the burden on the legal community and courts. Informed clients should not need lengthy counsel interaction and should be able to proceed in the legal system.

Impact on other state services

Providing improved electronic legal services will reduce time needed by state legal services.

Relationship to Capital Budget

N/A

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

None

Alternatives explored

Free electronic legal databases currently available do not provide up-to-date information. Free search engines are slow, produce incorrect results, and the search methodology is ineffective. Patrons using free electronic legal databases often get a large amount of incorrect legal information, requiring multiple visits to other state agencies to get the correct information.

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

The cost of these electronic legal databases will be ongoing.

Effects of non-funding

Patrons would rely on out-of-date, free databases which would provide incorrect legal information.

Expenditure calculations and assumptions and FTE assumptions

WestlawNext upgrade: \$2500 per year
LexisNexis upgrade: \$1300 per year
Legal Library Guides Reference Software: \$1200 per year

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 5,000	\$ 5,000	\$ 10,000
Total Objects	\$ 5,000	\$ 5,000	\$ 10,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Law Library

Decision Package Title Rate Adjustment – Employment Security

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for payment of invoices received from the Employment Security Department.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund-State	\$ 0	\$ 0	\$ 0
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Pursuant to RCW 50.44.020, the Law Library requests funding for payment of unemployment compensation invoices from the Department of Employment Security. The amount of the request more closely reflects the anticipated cost of services.

Narrative Justification and Impact Statement

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

Not Applicable

Alternatives explored

Not Applicable

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

The costs are ongoing.

Effects of non-funding

The Law Library will not pay invoices from Employment Security.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch
2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency State Law Library

Decision Package Title Employee Salary Adjustment

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to bring selected Law Library staff salaries to an appropriate level.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Budget reductions sustained by the Law Library have made staff salary increases impossible over the past several years. Staff salaries have not been compared to those of public and private employees in parallel positions for more than six years and staff have not received a cost of living increase since September 2008.

A compensation survey will be carried out to compare Law Library 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

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

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.*

The Washington State Law Library is staffed by a skilled workforce. Many of the employees are now paid at a rate below salaries paid in equivalent positions elsewhere. The Law Library requests funding to bring selected salaries to an appropriate level, supporting valued staff and improving the ability of the Court 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

Staff salaries have been frozen for several years.

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

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

2015-2017 Court of Appeals Biennial Budget Request

	GF	JST	JIS	Total	% Inc
2015-2017 Carry Forward Level	\$31,913,000	\$0	\$0	\$31,913,000	
Maintenance Level Changes					
1. Reinstatement of Merit Increments	\$620,000	\$0	\$0	\$620,000	
2. Step Increase as Authorized by the Legislature	\$2,000	\$0	\$0	\$2,000	
3. Division II Lease Increase	\$212,000	\$0	\$0	\$212,000	
4. Division I Lease Increase	\$114,000	\$0	\$0	\$114,000	
5. Division III Facility Deferred Maintenance	\$103,000	\$0	\$0	\$103,000	
6. Workers' Compensation Adjustment	\$14,000	\$0	\$0	\$14,000	
7. Rate Adjustment Employment Security	\$0	\$0	\$0	\$0	
Total Maintenance Level	\$1,065,000	\$0	\$0	\$1,065,000	3.34%
Policy Level Changes					
8. Employee Salary Adjustment	\$0	\$0	\$0	\$0	
Total Policy Level	\$0	\$0	\$0	\$0	0.00%
Total ML and PL Request	\$1,065,000	\$0	\$0	\$1,065,000	3.34%
% by Fund	3.34%	0.00%	0.00%	3.34%	
Total Biennium	\$32,978,000	\$0	\$0	\$32,978,000	3.34%

Maintenance Level

1. **Reinstatement of Merit Increments** - Funding is requested to reinstate salary step increases for eligible employees.
2. **Step Increase as Authorized by the Legislature** - Funding is requested to implement the additional step increase approved by the legislature.
3. **Division II Lease Costs** - Funding is requested for an increase in annual lease costs.
4. **Division I Lease Increase** - Funding is requested for an increase in annual lease costs.
5. **Division III Facility Deferred Maintenance** - Funding is requested for facility maintenance.
6. **Workers' Compensation Adjustment** - Funding is requested for the difference between funding and actual costs.
7. **Rate Adjustment Employment Security** - Funding is requested to meet increased obligations for central services.

Policy Level

8. **Employee Salary Survey Adjustment** - Funding is requested to bring selected salaries to an appropriate level as determined by a salary survey.

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Reinstatement of Merit Increments

Budget Period 2015-2017 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. Employees did not advance to the next salary step within their salary ranges, as is customary for state employees.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 310,000	\$ 310,000	\$ 620,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

In order to achieve reductions over the past six years, the Court of Appeals implemented austerity measures which included elimination of salary step increases for current employees.

There are approximately 140 employees in the three divisions of the Court of Appeals, including staff attorneys, judicial assistants, and court clerks. While exempt from RCW 43.88 an agreement has been reached whereby OFM has recognized that the Court of Appeals functions as three autonomous courts each with fewer than 100 FTEs and can therefore include the cost of salary increments in the maintenance level request. 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 Court of Appeals.

Allowing each of these eligible 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.

Restoring step increases would assist in the retention of these skilled employees.

Narrative Justification and Impact Statement

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

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.*

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 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

Court of Appeals 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 2016	FY 2017	Total
Staff Costs	\$ 310,000	\$ 310,000	\$ 620,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 310,000	\$ 310,000	\$ 620,000

Washington State Judicial Branch
2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Step Increase as Authorized by the Legislature

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested to implement the additional step increase approved by the legislature. Because of the budget constraints in recent years, there are no funds available to move eligible employees to Step M.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 1,000	\$ 1,000	\$ 2,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Although employees of the Court of Appeals are exempt from Civil Service regulations, the Court of Appeals has adopted a salary schedule that emulates the non-represented schedule used by the Executive Branch. However, during the 2009-2011 biennium, step increases for Court of Appeals employees were halted due to the lack of funding.

Now that an additional step has been added to by the legislature to the salary schedule, funding is requested to enable eligible judicial branch employees to move to Step M.

Narrative Justification and Impact Statement

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

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.*

Long-term employees of the Court of Appeals are eligible for the increase to Step M as provided by the legislature. The Court of Appeals wishes to provide this increase for its 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

Implementation of this increase has been delayed due to lack of funding.

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

This request is ongoing in nature.

Effects of non-funding

Most eligible state employees have been given the Step M increase. Continued delay in implementation for Court of Appeals employees may make it more difficult to retain staff.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 1,000	\$ 1,000	\$ 2,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 1,000	\$ 1,000	\$ 2,000

Washington State Judicial Branch
2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Division II Lease Increase

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

The monthly lease payment for the building occupied by the Court of Appeals, Division II, will increase on July 1, 2015. Funding is requested to cover the additional cost.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 106,000	\$ 106,000	\$ 212,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The lease for the building owned by the Department of Enterprise Services and occupied by the Court of Appeals, Division II, was renewed on June 30, 2010. Under the terms of the new lease, the monthly lease amount will increase on July 1, 2015. Funding is requested to pay the additional amount.

Narrative Justification and Impact Statement

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. This is a contractual obligation.

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

These are ongoing costs.

Effects of non-funding

The Court of Appeals would be unable to meet its obligations.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 106,000	\$ 106,000	\$ 212,000
Total Objects	\$ 106,000	\$ 106,000	\$ 212,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Division I Lease Increase

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for an increase in the monthly lease payment for the building occupied by the Court of Appeals, Division I, in Seattle.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$33,000	\$81,000	\$114,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The lease for the building occupied by Division I of the Court of Appeals includes an increase in the monthly amount effective September 1, 2015, as well as a provision for periodic increases tied to changes in the Consumer Price Index. Funding is requested to pay the additional amount.

Narrative Justification and Impact Statement

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. This is a contractual obligation.

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

These are ongoing costs.

Effects of non-funding

The Court of Appeals would be unable to meet its obligations.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 33,000	\$ 81,000	\$ 114,000
Total Objects	\$ 33,000	\$ 81,000	\$ 114,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Division III Facility Deferred Maintenance

Budget Period 2015-2017 Biennial Budget

Budget Level Capital Budget

Agency Recommendation Summary Text

Funding is requested to upgrade the deferred maintenance for Division III court facility in Spokane through the Capital Budget process.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 State General Fund	\$103,000	\$ 0	\$103,0000
Staffing	FY 2016	FY 2017	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 flooring, the wall paint and HVAC controls will be 17 years old by the start of the 2015-2017 biennium.

There is funding in the operating budget for a limited level of regular maintenance. With budget reductions totaling 17% over the past six years, long-term maintenance and repair projects have been delayed. While leased facilities receive incremental increases through an increase in lease payments, incremental increases in funding are not provided to building owners on a regular basis.

This request includes funds for the following:

- \$35,600 to replace 865 sq. yards of 17 year-old worn, fraying and deteriorating flooring with commercial grade carpeting and rubber base trim or linoleum in various offices throughout the building. The RSMEANS facilities maintenance & repair cost data reference for interior carpeting replacement frequency is eight (8) years.
- \$13,600 to repaint the gypsum wallboard walls in the court work areas described in item #1 once the flooring from the work areas is complete. The RSMEANS suggested maintenance frequency for interior office painting of drywall is five (5) years.
- \$11,300 for moving expenses to move the office furniture in the work areas before and after the flooring installation and painting.
- \$31,700 to replace the outdated DOS based HVAC control system in the addition portion of the court facility. The current zone control system is managed by a private vendor off-site. A replacement Windows-based software system which provides on-site control of the zone will eliminate third party vendor control of the building's interior temperature.
- \$11,100 to compensate DES for management overhead.

Narrative Justification and Impact Statement

Measure Detail

Impact on clients and service

None

Impact on other state services

None

Relationship to Capital Budget

Funding will be requested in the Capital Budget.

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

None

Alternatives explored

Deferred maintenance cannot be delayed indefinitely without affecting the value of the building.

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

These costs are one-time in nature; however, maintenance is cyclical and we will ask again for maintenance funding in the future.

Effects of non-funding

If the deferred maintenance is not timely kept up, deterioration will continue and eventual repair costs will be significant.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 103,000	\$ 0	\$ 103,000
Total Objects	\$ 103,000	\$ 0	\$ 103,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Workers' Compensation Adjustment

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested to pay the difference between the actual increase in workers' compensation costs and funding provided in the 2014 Supplemental Budget.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$7,000	\$7,000	\$14,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Court of Appeals has sustained numerous funding cuts the past six years. Without additional funding, the Court of Appeals does not have the resources to pay the full amount incurred for workers' compensation.

Narrative Justification and Impact Statement

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

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.*

The Court of Appeals does not have sufficient resources to pay increased workers' compensation costs without additional funding.

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 are ongoing costs.

Effects of non-funding

There will be insufficient funds to pay costs of employee benefits.

Expenditure calculations and assumptions and FTE assumptions

Calculations were based on actual costs from payroll reports in 2014, which were compared with funding provided in the 2014 Supplemental Budget.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 7,000	\$ 7,000	\$ 14,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 7,000	\$ 7,000	\$ 14,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Rate Adjustment – Employment Security

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for payment of invoices from the Department of Employment Security.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund-State	\$ 0	\$ 0	\$ 0
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Pursuant to RCW 50.44.020, the Court of Appeals requests funding for payment of invoices from the Department of Employment Security. The amount of the request more closely reflects the anticipated cost of services.

Narrative Justification and Impact Statement

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

Alternatives explored

Not Applicable

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

The costs are ongoing.

Effects of non-funding

The COA will not pay invoices from Employment Security.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Court of Appeals

Decision Package Title Employee Salary Adjustment

Budget Period 2015-2017 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 2016	FY 2017	Total
001-1 General Fund State	\$ 0	\$ 0	\$ 0
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Budget reductions sustained by the Court of Appeals have made staff salary increases impossible over the past several years. Staff salaries have not been compared to those of public and private employees in parallel positions for more than six years and staff have not received a cost of living increase since September 2007.

A compensation survey will be carried out 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

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

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.*

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

Staff salaries have been frozen for several years.

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

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

2015-17 Office of Public Defense Biennial Budget Request

	GF	JST	JIS	Total	
2015-2017 Carry Forward Level	\$72,016,000	\$3,648,000	\$0	\$75,664,000	% Inc
Maintenance Level Changes					
1. Contract Attorney Retention - Appellate	\$1,320,000	\$0	\$0	\$1,320,000	
2. Contract Attorney Retention - Parents Representation Program	\$3,634,000	\$0	\$0	\$3,634,000	
3. Pass-Through Funding for Washington Defender Association	\$188,000	\$0	\$0	\$188,000	
4. Parents Representation Program Caseload Increase	\$0	\$0	\$0	\$0	
5. Rate Adjustments	\$0	\$0	\$0	\$0	
Total Maintenance Level	\$5,142,000	\$0	\$0	\$5,142,000	6.80%
Policy Level Changes					
6. Parents Representation Program Statewide Expansion	\$4,980,000	\$0	\$0	\$4,980,000	
	\$0	\$0	\$0	\$0	
Total Policy Level	\$4,980,000	\$0	\$0	\$4,980,000	6.58%
Total ML and PL Request % by Fund	\$10,122,000	\$0	\$0	\$10,122,000	6.58%
	14.06%	0.00%	0.00%	13.38%	
Total Biennium	\$82,138,000	\$3,648,000	\$0	\$85,786,000	13.38%

Maintenance Level

- 1. Contract Attorney Retention - Appellate** - Funding is requested for a compensation increase to retain qualified contract appellate attorneys.
- 2. Contract Attorney Retention - Parents Representation Program** - Funding is requested for a compensation increase to retain qualified contract Parents Representation Program attorneys.
- 3. Pass-Through Funding for Washington Defender Association** - Funding is requested to restore cuts made during the recession and to meet increased operating costs.
- 4. Parents Representation Program Caseload Increase** - Funding is requested to accommodate the projected increased caseloads and maintain the program.
- 5. Rate Adjustments** - Funding is requested to meet increased obligations for central services.

Policy Level

- 6. Parents Representation Program Statewide Expansion** - Funding is requested to expand the Parents Representation Program statewide.

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Public Defense

Decision Package Title Contract Attorney Retention – Appellate

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

A compensation increase is requested to retain qualified contract appellate attorneys to ensure constitutional and statutory rights to counsel for indigent persons on appeal. The total funding request is not yet known pending an evaluation of data from a salary survey of similarly qualified attorneys engaged in appellate practice on behalf of county prosecutors and the state Attorney General.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 660,000	\$660,000	\$ 1,320,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Need:

OPD contracts with 44 private attorneys statewide to provide indigent appellate representation for persons who have a constitutional or statutory right to counsel on appeal. Attorney compensation has been under market level for many years, and the contractors have experienced cost increases for malpractice insurance, technology, office space, support staff, health insurance, and other basic business and law office requirements. Recently, OPD rates have fallen even farther behind those paid to opposing counsel, and OPD and the appellate firms are experiencing more difficulty retaining and recruiting qualified attorneys.

The Solution:

A professional level of compensation for experienced attorneys who specialize in appellate practice will help OPD retain and recruit qualified contract appellate attorneys. To identify the

amount adequate for contract attorney compensation, OPD is in the process of a salary survey of attorneys who engage in appellate practice for county prosecutors and the state Attorney General.

Comparison to Existing Funding and Performance:

Current compensation for an OPD appellate contract ranges from \$58.33 to \$71.67 per hour (paid on an annualized basis), depending on qualifications, experience and regional cost models. The requested compensation increase is to be determined based on data gathered in the pending salary survey. (An estimated increase to \$67.00 to \$80.00 per hour is shown as a place holder in the fiscal detail.) A professional level of compensation will ensure continued high quality appellate representation by attorneys contracting with OPD to provide indigent appellate services.

Narrative Justification and Impact Statement

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

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.*

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 social worker and investigator resources, professional oversight, reasonable caseloads, and adequate compensation.

Measure Detail

Impact on clients and service

Funding this request helps ensure that every indigent client who has a right to counsel on appeal is appointed a well-qualified attorney who will provide effective assistance of counsel. Well-qualified appellate counsel who consistently present high quality briefs and oral arguments assist the appellate courts in developing strong, well-reasoned case law.

Impact on other state services

N/A

Relationship to Capital Budget

N/A

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

N/A

Alternatives explored

The indigent appellate services provided by OPD contract attorneys are constitutionally or statutorily required; the service cannot be eliminated or reduced. Minimum professional qualifications and maximum per-attorney caseloads are established by Standards for Indigent Defense; OPD cannot contract with unqualified or "low bid" attorneys. The alternative to

contracting for these mandatory services would be to hire new state employees (attorneys and support staff) and lease significantly more state office space.

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

Funding for appellate contract attorney quality retention would be an ongoing cost.

Effects of non-funding

Failing to provide a professional level of compensation to retain qualified contract appellate attorneys will result in the loss of existing contractors and will adversely impact the state's ability to recruit replacements who meet the minimum required professional qualifications.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 660,000	\$660,000	\$ 1,320,000
Total Objects	\$ 660,000	\$660,000	\$ 1,320,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Public Defense

Decision Package Title Contract Attorney Retention
Parents Representation Program

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

A compensation increase is requested to retain qualified Parents Representation Program contract attorneys and social workers to ensure constitutional and statutory rights to counsel for indigent parents involved in dependency and termination cases. The precise funding request is not yet known pending an evaluation of data from a salary survey of similarly qualified attorneys engaged in dependency practice on behalf of the state Attorney General.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
011-1 General Fund State	\$ 1,817,000	\$1,817,000	\$ 3,634,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Need:

OPD contracts with individual attorneys and social workers, and firms and county agencies to provide public defense in 31 counties for indigent parents who have a right to counsel in dependency and termination cases. Currently, OPD contracts with 84 FTE attorneys and 21 FTE social workers. Starting with the program's expansion on July 1, 2014 OPD's contracts will increase to 108 FTE attorneys and 27 FTE social workers.

Contract rates have not been adjusted for maintenance or other purposes since 2007. At that time, they were set at levels that were minimally adequate, but that no longer cover mandatory business costs.

Since 2012, a significant number of 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.

Consistent with Supreme Court and Washington State Bar Association Standards for Indigent Defense, Parents Representation Program attorneys are mandated to maintain office and telephone answering services or staff. They also must purchase supplies, purchase health insurance and other benefits for themselves and their staff, and pay for malpractice insurance, Bar dues, taxes, and other professional costs.

The Bureau of Labor Statistics reports that since the last Parents Representation Program cost of living increase in 2007, inflation has increased by about 13 percent.

The Solution:

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 representation quality level for parents, which has been demonstrated to improve family reunification rates and accelerate all types of permanency outcomes. The requested compensation increase is to be determined based on data gathered in the pending salary survey, which will obtain compensation data regarding assistant attorneys general and county prosecutors. A professional level of compensation will ensure continued high quality parents representation by attorneys and social workers contracting with OPD.

Comparison to Existing Funding and Performance: Current attorney annual rates equal about \$56.00 per hour to \$68.00 per hour depending on qualifications, experience and regional cost variations. It is estimated that an appropriate level of contract attorney compensation would be about \$65.00 to \$78.00 per hour.

Contract social workers currently are paid about \$31.00 per hour. It is estimated that social worker compensation would increase to about \$34.60 per hour.

Comparison to Existing Funding and Performance:

Without the requested funding and statewide expansion of the Parents Representation Program, the state would spend less on representing indigent parents but, based on Program evaluations that show improved family reunification and earlier permanency, the state likely would spend significantly more on foster care and adoption subsidies. Without funding to expand the state 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

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

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.*

Funding this request will ensure that OPD can retain and recruit well-qualified Parents Representation Program attorneys to serve indigent parents who have a constitutional or statutory right to counsel. Failure to fund this request could result in a lack of qualified attorneys willing to accept OPD contracts. The remaining contract attorneys could experience excessive caseloads, potentially in violation of program standards as well as the caseload limits adopted in the Supreme Court Standards for Indigent Defense.

Measure Detail

Impact on clients and service

Funding this request will ensure that every indigent parent who has a right to counsel in OPD-served counties is appointed a well-qualified attorney who will provide effective assistance of counsel.

Impact on other state services

N/A

Relationship to Capital Budget

N/A

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

N/A

Alternatives explored

The right to counsel provided to indigent parents by OPD contract attorneys is constitutionally or statutorily required. Minimum professional qualifications and maximum per-attorney caseloads are established by the Supreme Court Standards for Indigent Defense; OPD cannot contract with unqualified or "low bid" attorneys. The alternative to contracting for these mandatory services would be to hire new state employees (attorneys and support staff) and lease significantly more state office space around the state.

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

Funding for Parents Representation Program attorney quality retention would be an ongoing cost.

Effects of non-funding

Without the maintenance increase, OPD expects to continue to lose qualified contract attorneys who are unable at current compensation rates to meet the Parents Representation Program's

performance standards and the Supreme Court Standards for Indigent Defense.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 1,817,000	\$1,817,000	\$ 3,634,000
Total Objects	\$ 1,817,000	\$1,817,000	\$ 3,634,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Public Defense

Decision Package Title Pass-Through Funding for Washington Defender Association

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

OPD passes through appropriated state funds to Washington Defender Association (WDA). WDA needs an annual policy increase of \$94,000 to restore cuts made during the recession and meet increased operating costs.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
011-1 General Fund State	\$ 94,000	\$ 94,000	\$ 188,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Need:

Washington Defender Association (WDA) is a nonprofit agency serving more than 1,200 attorneys who provide public defense services. Many of these public defense attorneys are sole practitioners or practice in small private firms under contract with a city or county and they have limited access to public defense-oriented resources in their local communities. WDA provides relevant continuing legal education around the state as well as access to highly experienced felony and misdemeanor resource attorneys who are on-call to consult on individual cases. For many years, WDA has received state funding for these basic services that promote the effective assistance of public defense counsel, which is constitutionally mandated. Between 2008 and 2013 state funding fell by 12 percent for these basic WDA services. Although it was able to mitigate the cuts in some areas, significant staff and CLE program reductions were necessary.

Since 2008, the basic cost of doing business also has risen, including yearly increases in office rent and health care benefits for staff, and higher costs for CLE logistics.

WDA has requested the increase estimated in the fiscal detail; currently, OPD is exploring specifics with WDA regarding the appropriate level of increase.

The Solution:

The requested increase would allow WDA to restore many of the reductions made in recent years as well as respond to increased operating costs.

Narrative Justification and Impact Statement

Measure Detail

Impact on clients and service

Impact on other state services

The requested funding will help WDA provide public defense attorneys around the state with access to critical training and other resources necessary to do their jobs effectively, which will help ensure a constitutional level of service for indigent clients.

Relationship to Capital Budget

N/A

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

N/A

Alternatives explored

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

Pass-through funding for Washington Defender Association expansion would be an ongoing cost.

Effects of non-funding

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 94,000	\$ 94,000	\$ 188,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 94,000	\$ 94,000	\$ 188,000



June 30, 2014

TO: Supreme Court Budget Committee
FROM: Joanne Moore, Director, OPD
RE: Placeholder for Parents Representation Program Caseload Increase

Due to the uncertainties of 2015-2017 dependency and termination caseloads for the Parents Representation Program, OPD wishes to inform the Supreme Court Budget Committee that there are potential upcoming caseload increases. OPD will monitor the case filing situation over the next few months. However, it appears likely that additional funding will be necessary in order to accommodate increased caseloads and maintain the program.

In FY 2014 and FY 2015, both the Attorney General's Office (AGO) and OPD received supplemental budget appropriations to pay for a spike in termination cases. The backlog was due to the AGO's inability to file termination cases timely due to excessive attorney position vacancies. The AGO predicted that some 400 additional termination cases would be filed during the second half of FY 2014 and during FY 2015. OPD Parents Representation Program (PRP) attorneys will represent indigent parents in these cases.

The anticipated filings have materialized more slowly than expected, however, and it appears that a significant percentage of the existing backlog of termination cases will be filed later in FY 2015, which will mean that some of the additional PRP termination cases will continue on during FY 2016. If so, OPD will need continuing funding to pay for the ongoing additional termination cases in FY 2016.

In addition, during the past year and one-half, dependency and termination case filings have both increased significantly, as reported in the Caseloads in the Courts. While in 2011 the total case filings were about 6,431, in 2013 they were reported as 6,923 and so far in 2014, they have been filed at a rate of 3,148 for a five-month period, which will equal 7,869 for the year if the filing rate continues. Handling these case volumes will require increased funding for additional attorneys. The hallmark of the PRP is the 80 open case attorney caseload, which has been adopted by the Supreme Court in the Standards for Indigent Defense.

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Public Defense

Decision Package Title Rate Adjustments

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for payment of invoices received that exceed central services allocations.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund-State	\$ 0	\$ 0	\$ 0
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Office of Public Defense requests funding for payment of invoices that exceed central services allocations.

Narrative Justification and Impact Statement

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

Not Applicable

Alternatives explored

Not Applicable

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

The costs are ongoing.

Effects of non-funding

The Office of Public Defense will not pay the invoices over the allocation.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Public Defense

Decision Package Title Parents Representation Program
Statewide Expansion

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funds are requested to expand the Parents Representation Program, which provides adequate legal representation for indigent parents involved in dependency and termination cases, to all juvenile courts statewide. The OPD Advisory Committee at its June meeting strongly encouraged OPD to pursue a final expansion to the eight counties not currently served by the Program.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
011-1 General Fund State	\$ 2,490,000	\$2,490,000	\$ 4,980,000
Staffing	FY 2016	FY 2017	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 compared to the funds provided by counties for legal representation of the indigent parents involved.

In 2000, the Legislature appropriated funds to OPD to create an enhanced parent representation pilot program in the Benton-Franklin and Pierce County juvenile courts. Due to its success, the pilot program was continued until 2005. During the pilot, four independent evaluations verified the program's success in improving parents' representation. In addition, the evaluations showed that the outcomes for children and their families greatly improved, as parents were better able to address their parenting deficiencies.

This innovative program has been praised in national publications, including the Juvenile and Family Court Journal, the American Bar Association's Children and the Law newsletter Courtworks, and the National Council on Juvenile and Family Court Judges website, which publishes their evaluation of the program as a Technical Assistance Brief model for other states. The program's outstanding results shown by evaluation as promoting earlier permanency for children was published in 2011 in the Children and Youth Services Review in 2012. Washington is a founding member of the American Bar Association's new parents' representation section.

The Need:

Funds are requested to implement the Parents Representation Program (PRP) in the eight counties currently lacking the Program. The Program would be expanded to counties in which indigent parents in dependency and termination cases are in emergent need of adequate attorney representation. 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. These cases not infrequently result in the permanent severance of their relationship to each other for all purposes.

Indigent parents in the 15 percent of the state without the Program are represented by county-funded attorneys, who practice under widely disparate contract terms and conditions, depending on the county. 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.

The Solution:

Indigent parents in dependency and termination cases are guaranteed the right to counsel, and the U.S. Supreme Court has declared that the quality of legal representation provided by government must be of adequate quality. 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 authorized the expansion of the Parents Representation Program in stages, several counties at a time. The program is now implemented in 85 percent of the state. Several independent evaluations of the Parents Representation Program have shown that parents who are afforded the Program 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. This request would expand the Program to the remainder of the counties and would provide indigent parents in Adams, Douglas, Island, Lewis, Lincoln, Okanogan, and Walla Walla counties, and the currently unserved half of indigent parents in Pierce County with access to representation by PRP attorneys, just like similarly situated indigent parents in the other 31 counties.

Comparison to Existing Funding and Performance:

Without the requested funding and statewide expansion of the Parents Representation Program, the state would spend less on representing indigent parents but, based on Program evaluations that show improved family reunification and earlier permanency, the state likely would spend significantly more on foster care and adoption subsidies. Without funding to expand the state 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

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

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 authorized the expansion of the PRP in stages, several counties at a time. The program is now implemented in 85 percent of the state. This request seeks funding for 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 other 31 counties receive PRP services.

OPD's enabling statute, RCW 2.70, establishes that the agency shall "administer all state-funded services ... (for) representation of indigent parents qualified for appointed counsel in dependency and termination cases, as provided in RCW 13.34.090 and 13.34.092

Expanding the Parents Representation Program will ensure program oversight and quality controls to provide a consistent level of service to parents involved in dependency/termination cases statewide.

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.*

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 social worker and investigator resources, professional oversight, reasonable caseloads, and adequate compensation.

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.*

This request includes 1 FTE for a Parents Representation Program Managing Attorney at OPD.

Measure Detail

Impact on clients and service

Implementation of this program to all Washington counties will help meet the state's legal mandates, both constitutional and statutory, to ensure that effective counsel is appointed for indigent parents in dependency and termination cases. Program attorneys will have reasonable caseloads, enabling them to meet regularly and communicate with clients, ensure that parents have access to services designed to correct parental deficiencies, prevent court delays due to scheduling conflicts, and conduct high-quality case preparation, including access to experts and evaluators, timely discovery and case investigation, and participation in settlement negotiations when appropriate. The courts will be able to more effectively hold parents accountable for participating actively in services and the cases because their attorneys ensure that they have timely and clear opportunities to do so. Program attorneys will hold all parties accountable for providing services that have been ordered by the court for parents.

Impact on other state services

Independent evaluations of the Parents Representation Program show that court efficiency is increased as 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.

Judicial officers in PRP counties rate program services favorably. In a 2007 survey judicial officers in the PR P counties rated the Program's quality of representation at 4.2 on a 5 point scale.

A number of evaluations have found the Program increases family reunification rates. As a result, for each year the Program operates in a county, the cumulative alternate care savings increase. As the PRP has expanded into additional counties over the years, foster care and caseload reductions generated by the Program continue to be substantial.

On a case-by-case basis, social workers and services providers will consistently be made more accountable because individual PRP attorneys work with them to ensure that they provide services that have been ordered by the court and, if necessary, enforce services orders in court. This improves Washington's ability to fulfill mandatory federal review requirements.

Relationship to Capital Budget

N/A

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

N/A

Alternatives explored

The right to counsel for indigent parents is constitutionally or statutorily required. The alternative to providing these mandatory services by expanding the Parents Representation Program to the remaining eight counties is to maintain the status quo and allow for inconsistent (and in many cases inadequate) quality of representation from one county to the next.

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

Funding for Parents Representation Program expansion would be an ongoing cost.

Effects of non-funding

Without funding to expand the Parents Representation Program, 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

The budget request seeks funding for about 1,408 parents' representations in the targeted counties. About 18 contract attorneys will be compensated at a rate of \$107,100- \$122,400 depending on experience level and the local cost of doing business, for full-time caseloads of 80 open cases. Compensation includes the attorney's salary, office rent, secretarial staff, Professional dues and licensing, and overhead. 4.12 social workers at \$55,000 annually are also included, as well as expert costs at \$2,500 per attorney annually. OPD would add another program manager at \$110,000 for salary and benefits.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 110,000	\$ 110,000	\$ 220,000
Non-Staff Costs	\$ 238,000	\$ 238,000	\$ 476,000
Total Objects	\$ 2,490,000	\$ 2,490,000	\$4,980,000

2015-2017 Office of Civil Legal Aid Biennial Budget Request

	GF	JST	JIS	Total	% Inc
2015-2017 Carry Forward Level	\$23,643,000	\$1,453,000	\$0	\$25,096,000	
Maintenance Level Changes					
1. Maintain Existing Client Service Capacity	\$757,000	\$0	\$0	\$757,000	
2. Maintain Children's Legal Representation Capacity	\$3,153,000	\$0	\$0	\$3,153,000	
Total Maintenance Level	\$3,910,000	\$0	\$0	\$3,910,000	15.58%
Policy Level Changes					
3. Civil Legal Aid Delivery Capacity Enhancement	\$2,958,000	\$0	\$0	\$2,958,000	
4. Private/Local Authority	\$300,000	\$0	\$0	\$300,000	
Total Policy Level	\$3,258,000	\$0	\$0	\$3,258,000	12.98%
Total ML and PL Request	\$7,168,000	\$0	\$0	\$7,168,000	12.98%
% by Fund	30.32%	0.00%	0.00%	28.56%	
Total 2013-2015 Biennium	\$30,811,000	\$1,453,000	\$0	\$32,264,000	28.56%

Maintenance Level

1. Maintain Existing Client Service Capacity - Funding is requested to mitigate against legally obligated increases in personnel expenses experienced by its client service provider, Northwest Justice Project.

2. Maintain Children's Legal Representation Capacity - Funding is requested to continue implementation of 2ESSB 6126 (ch. 108, Laws of 2014).

Policy Level

3. Civil Legal Aid Delivery Capacity Enhancement - Funding is requested to upgrade client service capacity at statewide Northwest Justice Project.

4. Private/Local Authority - Request Expenditure Authority for Private/Local grants.

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Civil Legal Aid

Decision Package Title Maintain Existing Client Service Capacity

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

OCLA seeks funding to mitigate against legally obligated increases in personnel expenses experienced by its client service provider, Northwest Justice Project.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 250,000	\$ 507,000	\$ 757,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Protect legislatively authorized baseline client service capacity in face of known and measurable personnel cost increases.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

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 the constitutional promise of administering real justice in all cases openly and without unnecessary delay. Civil legal aid offers a legal voice for 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. *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.*

Persons with disabilities limiting their ability to effectively participate in judicial proceedings are disproportionately poor. 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 and who are also disproportionately poor. Legal aid helps them assert their language access rights and to effectively participate in proceedings in which they are involved.

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.*

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. Legal aid offers a full spectrum of assistance to enable low-income people effectively participate in their legal cases. In those 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. Protecting current levels of client service capacity will ensure that there is some minimal presence to address the needs of low income people on a statewide basis. Without such investment, the system will lose another 5 FTE over the course of the biennium.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance effective court management.*

N/A

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.

Measure Detail

Impact on clients and service

The Office of Civil Legal Aid (OCLA) is an independent judicial branch agency which administers and oversees the state's investment in civil legal aid services. OCLA is governed by RCW 2.53.020 and .030. The Legislature has directed that OCLA contract with a "qualified legal aid program" for the provision of civil legal aid services to eligible clients. RCW 2.53.030(2). OCLA contracts with the Northwest Justice Project to provide state-authorized and supported civil legal aid services.

NJP maintains a statewide client intake, access and referral system (CLEAR); regional and satellite offices in 17 locations throughout the state; a system to help underwrite state-eligible client services provided through 17 local volunteer attorney programs and 4 providers of specialized and targeted legal aid services; and training and professional development support for state-funded legal aid program staff and volunteers.

Over the past four years, NJP has lost 20.5 FTE client service positions. Its current footprint is now 85.8 basic field client service attorneys. A chart outlining basic field client service staffing changes since 2009 is attached.

The requested funding is necessary to protect the existing footprint against further erosion. OCLA seeks an amount that is equal to the state's percentage of total program personnel cost increases commensurate with the state's contribution to NJP's overall program operations (52%). These are costs that must be incurred by NJP. They do not reflect any COLA or other baseline salary scale adjustment; merely experiential progression on NJP's Board-adopted (2008) salary scale.

Impact on other state services

Further reduction in client service capacity means fewer clients are served. It may also mean closure of one-attorney offices in one or more locations. Reduced client service capacity can and does have an indirect impact on demands for state and local services for victims of domestic violence, homeless persons, persons in need of medical or mental health services, etc.

Relationship to Capital Budget

N/A

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

N/A

Alternatives explored

Not applicable

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

Funding will be requested in future biennia.

Effects of non-funding

NJP will lose an additional 5 FTE during the course of the FY 2015-17 biennium. Depending upon where such cuts are taken, it could further substantially reduce client service available through the statewide legal aid information, assistance and referral line (CLEAR) and/or further reduction of client service capacity in one of its 17 field or satellite locations and/or closure of one or more one-attorney offices.

Expenditure calculations and assumptions and FTE assumptions

Costs are determined on the basis of existing staffing levels by position and experience, actual costs associated with experiential progression on NJP's Board-approved salary scale and anticipated changes in related personnel expenses.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 250,000	\$ 507,000	\$ 757,000
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Civil Legal Aid

Decision Package Title Maintain Children’s Legal Representation Capacity

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Budget is required to implement ch. 108, Laws of 2014, providing for state payment for attorney representation of children in dependency cases starting six months after termination of the legal rights of all parents.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 1,576,000	\$1,577,000	\$ 3,153,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	1	1	1

Package Description

Funding is requested to continue implementation of 2ESSB 6126 (ch. 108, Laws of 2014) which provides for the appointment of attorneys to represent children in dependency cases six months following termination of the legal rights of all parents. Section 2(6) of the bill provides that the state will pay for legal representation that meets practice, caseload and training standards established in 2010 by a legislatively created Children's Representation Work Group. Section 3 of the legislation designates the Office of Civil Legal Aid as the agency to administer the system for ensuring accountability of legal representation to the referenced standards and to pay for legal representation in qualifying cases. OCLA initiated this program effective July 1, 2014. Funding is requested to continue this program consistent with anticipated numbers of

qualifying cases.

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.

The Legislature determined that providing attorneys for children following the termination of the parent and child relationship is fundamental to protecting the child's legal rights and to accelerate permanency. Ch. 108, Laws of 2014, Sec. 1(1).

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.*

Consistent with legislative findings and objectives, the provision of standards-based legal representation for children in qualifying cases will ensure that these most vulnerable parties will have an effective legal voice in matters that will profoundly affect the rest of their lives.

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.*

Funding is requested in order to ensure the provision of effective, standards-based legal representation consistent with the legislative directive in ch. 109, Laws of 2014 that courts appoint attorneys to represent children who remain legally free six months following entry of orders terminating all parental rights.

Measure Detail

Impact on clients and service

Consistent with stated legislative intent, OCLA funds and oversees attorneys appointed in cases where children no longer have a parent to advocate on their behalf and there is no other party to assert or defend their stated legal interests in the dependency proceeding post- termination of parental rights. Through a web-based Case Activity Reporting and Oversight System, OCLA will monitor the activities and effectiveness of state-funded attorneys appointed to represent children under section 2(6) of ch. 109, Laws of 2014. OCLA will also monitor outcomes achieved in relation to specific child welfare indicators and court process timelines to determine the impact and effectiveness of attorney representation for these children.

Impact on other state services

It is anticipated that the provision of legal representation for children will enhance permanency

for these children in ways that are consistent with appropriate child welfare indicators, thereby reducing costs associated with ongoing foster care and extended judicial proceedings.

Relationship to Capital Budget

N/A

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

N/A

Alternatives explored

This is to continue a program established pursuant to legislative directive. There are no alternatives.

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

All costs are ongoing.

Effects of non-funding

Non-funding will result in either (a) non-compliance with the requirement in section 2(6) of ch. 108, Laws of 2014 that attorneys be appointed for children in qualifying cases or (b) the imposition of a legislative mandate directing counties to make such appointments without sufficient funding to pay for it in violation of RCW 43.135.060.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 113,000	\$ 114,000	\$ 227,000
Non-Staff Costs	\$ 1,463,000	\$ 1,463,000	\$ 2,926,000
Total Objects	\$ 1,576,000	\$ 1,577,000	\$ 3,153,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Civil Legal Aid

Decision Package Title Civil Legal Aid Delivery Capacity Enhancement

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Upgrade client service capacity at statewide Northwest Justice Project to minimum sustainable levels consistent with increased client demand levels, enhance support for state-funded volunteer and specialty legal aid providers and address critical agency administrative needs.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 1,479,000	\$ 1,479,000	\$ 2,958,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	.5	.5	.5

Package Description

OCLA seeks \$2,880,000 to enhance basic client service capacity across the state-funded legal aid delivery system to ensure that those facing the most profound civil legal problems have equitable access to the type and level of high quality civil legal assistance they need to address such problems regardless of where they live. OCLA also seeks \$78,000 in funding to add .5 FTE to agency staff to reflect increased needs for professional administrative support.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

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 the constitutional promise of administering real justice in all cases openly and without unnecessary delay. Civil legal aid offers a legal voice for 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. *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.*

Persons with disabilities limiting their ability to effectively participate in judicial proceedings are disproportionately poor. 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 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. *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.*

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. Legal aid offers a full spectrum of assistance to enable low-income people effectively participate in their legal cases. In those 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.

Measure Detail

Impact on clients and service

Since 2009, budget and staffing cuts at Northwest Justice Project (NJP) have resulted in deep reductions in client service, both at the field office level and at the statewide CLEAR intake, advice and referral center. Since 2009, NJP has experienced deep and continuing funding reductions, has been unable to secure necessary maintenance level adjustments to its state appropriation and has incurred increased costs of operation. As a consequence, NJP lost 20% of its basic field client service staff between 2009 and 2013 (from 106 FTE attorneys to 86) and its client service numbers dropped from 14,700 to about 9,200. The vast majority of this case reduction came from NJP's CLEAR system. This reflects (a) the consequence of lost staffing and (b) the fact that CLEAR staff had to spend a substantially greater amount of time per case as they narrowed priorities to the most compelling, complex and time consuming legal matters.

The proposed budget request will allow NJP to add 10-12 FTE attorneys (DOE) to address critical client service capacity and geographic proportionality issues. It will also provide funding to enable other state-funded pro bono and specialty legal aid providers to increase client services in those areas of greatest need (to be better understood following publication of the Civil Legal Needs Study Update). The package will also seek funding for an additional .5 FTE professional administrative support staff person to assist OCLA manage the agency's ever growing array of legal, programmatic and administrative tasks and responsibilities.

As a whole the package is designed to (a) preserve and upgrade staffed legal aid capacity in the most rural and remote parts of the state as well as areas where there is a disproportionate lack of staffed legal aid presence, (b) enhance the ability of pro bono programs to recruit, train and effectively support a larger number private volunteer attorneys, (c) protect the core functions of providers that provide services to clients requiring specialized focus and expertise, (d) otherwise ensure the continuing relevancy of our state civil legal aid system to those who need it most and (e) ensure that OCLA has sufficient professional administrative capacity to effectively discharge its oversight and related functions.

Impact on other state services

In addition to meeting the critical justice needs of eligible clients, timely and effective civil legal aid -whether provided by a staffed legal aid attorney or a cooperating volunteer -- solves problems that, if left unaddressed, often result in greater demand for state services or the expenditure of other scarce governmental resources. 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 results in less demand for scarce state-funded services and, in the case of those who were homeless at the time, saves local government about \$50,000 per person per year.

Relationship to Capital Budget

N/A

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

N/A

Alternatives explored

Basic and consistent underwriting support for the state-funded civil legal aid system comes from three sources -- OCLA, the federal Legal Services Corporation and IOLTA and other funds administered by the Legal Foundation of Washington. OCLA targets state funding to NJP and key pro bono and specialty legal aid providers, consistent with client need and the respective capacity of these programs to deliver effective assistance to eligible clients on matters that fall within authorized areas of legal assistance and in every part of the state. Federal funding remains well below the 2009 level. The ATJ Board's Equal Justice Coalition continues to work with the ABA and its national partners to encourage Congress to increase funding for the Legal Services Corporation.

In the current biennium, OCLA's appropriation was cut by \$980,000 from the FY 2013 carryforward level. Cumulative state cuts experienced since FY 2009 exceed \$2.73 million. This does not include more than \$2.4 million in requested but unfunded maintenance level adjustments in the FY 2009-11, FY 2011-13 and FY 2013-15 biennia. Thus, the purchasing power of the state appropriation for civil legal aid in the current biennium is down over \$5 million from the FY 2009-11 biennium.

IOLTA funding remains hostage to historically low interest rates. The Legal Foundation of Washington reports that 2013 revenues were at an all-time low and that no increase is anticipated in the short term. Private resource development continues, but is not a substitute for the state's responsibility to adequately fund the legal aid system.

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

These will be ongoing costs that will affect future carryforward levels of agency funding.

Effects of non-funding

In both absolute and relative terms, NJP's client service delivery footprint is not sustainable. One attorney offices continue to be nursed in Walla Walla, Aberdeen and Port Angeles. Across the balance of the state, legal aid attorney-to-eligible client ratios test the limits of institutional relevancy. In King County, the Northwest Justice Project has one basic field legal aid attorney for more than 25,000 eligible clients. In Spokane and NE WA, the current number is about 1:24,000. In Pierce County, the current number is 1:19,000. In Benton-Franklin Counties, it is 1:23,000. Non-funding will lead to further erosion and the likely closure of rural offices.

Despite leveraging more than 65,000 hours of volunteer attorney time on state-eligible cases, pro bono programs continue to operate on a shoestring and remain limited in their ability to effectively recruit, train and support the untapped pool of potential volunteer attorneys who, in turn, have the potential to serve many more clients on important matters without charge. Non-funding will limit these opportunities and further compromise efforts to develop and proliferate best practices in pro bono delivery and reduce unnecessary duplication of functions amongst the programs.

Non-funding will also result in continued erosion in the capacity of key specialized legal aid providers (TeamChild, Seattle Community Law Center, Unemployment Law Project, and Solid Ground) to deliver highly specialized civil legal aid services to some of the most vulnerable and isolated residents of our state. This will place ever greater burdens on NJP to replicate this capacity at a time when it has neither the resources nor expertise to do so.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 39,000	\$ 39,000	\$ 78,000
Non-Staff Costs	\$ 1,440,000	\$ 1,440,000	\$ 2,880,000
Total Objects	\$ 1,479,000	\$ 1,479,000	\$ 2,958,000

Washington State Judicial Branch
2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Office of Civil Legal Aid

Decision Package Title Private/Local Authority

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

OCLA requests the Expenditure Authority for funding received from Private/Local Grants designated for specific purposes by the terms of the grants.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 150,000	\$ 150,000	\$ 300,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Narrative Justification and Impact Statement

Measure Detail

Impact on clients and services

Funding this request will provide additional resources for the agency's mission.

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

Similar requests may be made in future biennia.

Effects of non-funding

This is a revenue request for the grantors' relying on Office of Legal Aid resources to distribute the funding to sub-grantees.

Expenditure calculations and assumptions and FTE assumptions

The request is based on past and anticipated future projects funding.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 150,000	\$ 150,000	\$ 300,000
Total Objects	\$ 150,000	\$ 150,000	\$ 300,000

2015-2017 Administrative Office of the Courts Biennial Budget Request

	GF	JST	JIS	Total	% Inc
2015-2017 Carry Forward Level	\$108,810,000	\$6,691,000	\$53,517,000	\$169,018,000	
Maintenance Level					
1. JIS Software and Hardware Maintenance Costs	\$0	\$0	\$1,159,000	\$1,159,000	
2. BOXI Upgrade	\$0	\$0	\$773,000	\$773,000	
3. Mason County Superior Court Judge	\$216,000	\$0	\$0	\$216,000	
4. Technology Savings	\$278,000	\$0	\$0	\$278,000	
5. Rate Adjustment Office of the Attorney General	\$0	\$0	\$0	\$0	
6. Rate Adjustment Employment Security	\$0	\$0	\$0	\$0	
	\$0	\$0	\$0	\$0	
Total Maintenance Level	\$494,000	\$0	\$1,932,000	\$2,426,000	1.44%
Requests-State General Fund					
Policy Level					
7. Trial Court Funding for Language Access	\$6,609,000	\$0	\$0	\$6,609,000	
8. Employee Salary Adjustment	\$0	\$0	\$0	\$0	
9. Telephonic Interpreting	\$1,324,000	\$0	\$0	\$1,324,000	
10. CASA Restoration and State CASA Funding	\$1,392,000	\$0	\$0	\$1,392,000	
11. FJCIP Expansion	\$558,000	\$0	\$0	\$558,000	
12. Juvenile Court and Juvenile Detention Alternatives Initiative (JDAI) Staff	\$394,000	\$0	\$0	\$394,000	
13. Misdemeanant Corrections	\$1,100,000	\$0	\$0	\$1,100,000	
Total SGF Policy Level Requests	\$11,377,000	\$0	\$0	\$11,377,000	6.73%
Policy Level - JIS					
14. JIS SC-CMS	\$0	\$0	\$12,598,000	\$12,598,000	
15. JIS CLJ-CMS	\$0	\$0	\$4,429,000	\$4,429,000	
16. JIS COTS Prep CLJ	\$0	\$0	\$1,297,000	\$1,297,000	
17. JIS Information Networking Hub CLJ	\$0	\$0	\$1,440,000	\$1,440,000	
18. JIS External Equipment Replacement	\$0	\$0	\$1,849,000	\$1,849,000	
19. JIS Internal Equipment Replacement	\$0	\$0	\$516,000	\$516,000	
	\$0	\$0	\$0	\$0	
Total Internal Policy Requests-JIS	\$0	\$0	\$22,129,000	\$22,129,000	13.09%
Total Policy Level Request	\$11,377,000	\$0	\$22,129,000	\$33,506,000	19.82%
Total ML and PL Request	\$11,871,000	\$0	\$24,061,000	\$35,932,000	21.26%
% by Fund	10.91%	0.00%	44.96%	21.26%	
Total Biennium	\$120,681,000	\$6,691,000	\$77,578,000	\$204,950,000	21.26%

Maintenance Level - Internal Requests

1. **JIS Software and Hardware Maintenance** - Funding is requested for maintenance of software used to support the Judicial Information System.
2. **BOXI Upgrade** - Funding is requested for support of Business Objects, a business intelligence tool used by all courts and by numerous AOC staff.
3. **Mason County Superior Court Judge** - Funding is requested to meet the AOC obligation for the newest judge to be approved by the Legislature.
4. **Technology Savings** - Funding is requested to replace the technology savings reduction in the 2014 Supplemental Budget.
5. **Rate Adjustments AGO** - Funding is requested to meet increased obligations for the Office of the Attorney General.
6. **Rate Adjustments ESD** - Funding is requested to meet increased obligations for Employment Security.

Policy Level - State General Fund

7. **Trial Court Funding for Language Access** - Funding is requested for further improvement of quality and availability of interpreting services for civil and criminal proceedings in the courts.

2015-2017 Administrative Office of the Courts Biennial Budget Request

- 8. Employee Salary survey Adjustment** - Funding is requested to bring selected salaries to an appropriate level as determined by a salary survey.
- 9. Telephonic Interpreting** - Funding is requested to offset 50% of the costs for telephonic interpretation for interactions outside courtroom proceedings (for example, filing paperwork, paying fines, requesting information).
- 10. CASA Restoration & State CASA Funding** - Funding is requested to increase the number of Court Appointed Special Advocate volunteers and provide additional support to Washington State CASA, a nonprofit organization.
- 11. FJCIP Expansion** - Funding is requested for expansion of the Family and Juvenile Court Improvement Program as proposed by a member of the legislature. The proposal would increase the number of participating courts from 13 to 17-21, depending upon workload factors.
- 12. Juvenile Court and Juvenile Detention Alternatives Initiative (JDAI) Staff** - Funding is requested to provide coordination and quality assurance for probation and detention programs.
- 13. Misdemeanant Corrections** - Funding is requested for a system of assessment and case management for offenders supervised under orders of courts of limited jurisdiction. The proposed system targets progressive corrections strategies to frequent misdemeanor level offenders, with a goal to provide meaningful intervention and interrupt criminal progression to more serious behavior.

Policy level - JIS

- 14. JIS SC-CMS** - Funding is requested to continue with implementation of the new Case Management System for the superior courts (completion of Phases 2, 3, 4 and 5).
- 15. JIS CLJ-CMS** - Funding is requested for the beginning phases of a new case management system for courts of limited jurisdiction.
- 16. JIS COTS Prep CLJ** - Funding is requested to prepare systems for the launch of the case management system for courts of limited jurisdiction.
- 17. JIS Information Networking Hub CLJ** - Funding is requested for the development and implementation of the information networking hub to meet the data-sharing needs of the courts of limited jurisdiction.
- 18. JIS External Equipment Replacement** - Funding is requested for the replacement of aged computer equipment at the courts to ensure access to JIS.
- 19. JIS Internal Equipment Replacement** - Funding is requested to replace end-of-life equipment that will improve system performance.

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Mason County Superior Court Judge

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for a new superior court judge in Mason County as approved by the legislature.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 108,000	\$ 108,000	\$ 216,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	1	1	1

Package Description

The Washington State Legislature recognized the need for an additional judge in the Mason County Superior Court and approved the position in the 2014 legislative session. However, funding was not provided at that time. This request is for funding for salaries and benefits to support the approved third superior court judge position for Mason County.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objective identified below.

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.*

The legislature has determined that an additional judge is needed in Mason County; therefore, funding is requested for the support of that position. The Administrative Office of the Courts pays 50% of the salary and 100% of the benefits for all superior court judges in the State of Washington.

Measure Detail

Impact on clients and service

None

Impact on other state services

None

Relationship to Capital Budget

None

Alternatives explored

Not Applicable

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

The position is permanent and funding will be ongoing.

Effects of non-funding

The Administrative Office of the Courts would not have sufficient funding for the salary and benefits to support a third judge for Mason County Superior Court.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 108,000	\$ 108,000	\$ 216,000
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 108,000	\$ 108,000	\$ 216,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Rate Adjustment – Office of the Attorney General

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for the increased cost of services provided by the Office of the Attorney General (AGO).

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund-State	\$ 0	\$ 0	\$ 0
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The level of service provided by the AGO has increased in recent years, exceeding the biennial appropriation. As a result, the Supreme Court submits a supplemental budget request for additional funds each year. The amount of this request more closely reflects the anticipated cost of services.

Narrative Justification and Impact Statement

Measure Detail

Impact on clients and services

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

Not Applicable

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

The costs are ongoing.

Effects of non-funding

The AOC will not pay invoices from the Office of the Attorney General.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Rate Adjustment – Employment Security

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested for payment of invoices received from the Employment Security Department.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund-State	\$ 0	\$ 0	\$ 0
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Pursuant to RCW 50.44.020, the Administrative Office of the Courts requests funding for payment of unemployment compensation invoices from the Department of Employment Security. The amount due to Employment Security is an average of \$10,000 per month. The amount of the request more closely reflects the anticipated cost of services.

Narrative Justification and Impact Statement

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

Not Applicable

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

These costs are ongoing.

Effects of non-funding

The AOC will not pay invoices from Employment Security.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Employee Salary Adjustment

Budget Period 2015-2017 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 2016	FY 2017	Total
01-1 General Fund State 543-1 Judicial Information Systems Account	\$ TBD	\$ TBD	\$ TBD
Staffing	FY 2016	FY 2017	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 will be carried out 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

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

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.*

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

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ TBD	\$ TBD	\$ TBD
Non-Staff Costs	\$ 0	\$ 0	\$ 0
Total Objects	\$ 0	\$ 0	\$ 0

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency	Administrative Office of the Courts
Decision Package Title	JIS Software and Hardware Maintenance Costs
Budget Period	2015-2017 Biennial Budget
Budget Level	Maintenance Level

Agency Recommendation Summary Text

Funding is requested for ongoing costs of software and hardware maintenance for the Judicial Information System (JIS). Costs have increased substantially and the Administrative Office of the Courts (AOC) has not received full funding for software support.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
543-1 Judicial Information Systems Account	\$ 487,000	\$ 672,000	\$ 1,159,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Over the last two biennia, additional products have been added to the JIS software portfolio. These products must be supported through annual maintenance.

1. Computer Associates Clarity is a project management tool for JIS projects. New maintenance cost is \$61,000 per fiscal year.
2. DataStudio PureQuery is a high-performance data access platform that makes it easier to monitor, develop, optimize, secure, and manage data access to JIS data. New maintenance cost is \$11,000 per fiscal year.

3. Data Studio Developer provides a complete development and testing environment for building database objects, queries, database logic, and pureQuery applications. New maintenance cost is \$27,000 per fiscal year.
4. Rational Functional Tester Plus is a functional and regression testing solution bundle to test a variety of software applications including Java Web, .NET, and thick client technology-based applications. Total maintenance cost for Rational Suite is \$131,389 per fiscal year.

Hardware equipment purchased in prior years with multiple years of annual maintenance built into the purchase, now requires additional support.

A 5% to 15% increase per year in maintenance costs for both software and hardware maintenance is anticipated.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objective 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.

The mission of the Administrative Office of the Courts is to support the courts in the fair and effective administration of justice. This is done in part by providing centralized administration, fiscal services, and support for technology for Washington State courts and judicial branch agencies. Managing technology to ensure that information systems are current and data is both secure and available is a key component in the administration of justice.

Measure Detail

Impact on clients and service

The AOC cannot provide effective support for the judicial branch without modern infrastructure.

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

Not Applicable

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

The costs are ongoing as the demand for more software increases.

Effects of non-funding

Without maintenance, AOC will be required to remove some of the software currently used in the Judicial Branch.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 487,000	\$ 672,000	\$ 1,159,000
Total Objects	\$ 487,000	\$ 672,000	\$ 1,159,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Business Objects (BOXI) v4 Upgrade

Budget Period 2015-2017 Biennial Budget

Budget Level Maintenance Level

Agency Recommendation Summary Text

Funding is requested to ensure continued support for Business Objects, a valuable business intelligence tool. This query tool is used to access data in the Enterprise Data Warehouse, the central judicial data repository, for reporting purposes and for the fulfillment of data dissemination requests. This tool is used by courts as well as by the Administrative Office of the Courts (AOC).

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 723,000	\$ 50,000	\$ 773,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Funding is requested to ensure continued support for Business Objects, a valuable query tool used to access data in the Enterprise Data Warehouse (the central judicial data repository). This tool is used by courts as well as by the Administrative Office of the Courts (AOC) for reporting purposes and to fulfill data dissemination requests.

In order to maintain and support the use of the court's query tool, implementation of an upgrade to Business Object version 4 is necessary. Support for the existing version 3.1 will end in December 2015.

This request covers both the increased software fee and the cost of a vendor to support installation of the upgrade with implementation and training.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

All court levels need support for the technology which allows them to respond to decision makers quickly and effectively. Providing valuable tools that are state-of-the-art will maintain business continuity.

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.*

Business Objects, the business intelligence tool, makes more of the courts' data accessible for extraction, filtering, and reporting. Providing the ability for customers to view Judicial Information System (JIS) information through a user-friendly interface enhances the ability to evaluate, manage, and respond in a timely manner.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance effective court management.*

Properly functioning technology solutions allow 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.*

Implementing new and current versions of software eases the need for increasing resources for support of older versions. Managing technology solutions that are outdated and no longer follow industry drivers is not efficient. Keeping both the hardware and software infrastructure in a deprecated status in order to support the software introduces risk.

Measure Detail

Impact on clients and service

Improved features will be available for court customers to enhance their reporting capabilities and information delivery. Robust administrator-level functionality improves the security framework and audit traceability.

Impact on other state services

Judicial partners will benefit from more timely and accurate delivery of judicial information.

Relationship to Capital Budget

None

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

None

Alternatives explored

No other alternatives were reviewed. The negative impact to customers to learn a new tool poses too great a risk.

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

The license model for future Business Object platforms has been modified to a per seat basis by SAP. Once implemented, yearly maintenance will continue as an ongoing cost.

Effects of non-funding

The software will be unsupported and eventually will be difficult to administer with no resources available to troubleshoot in case of a critical stoppage. If courts are unable to effectively access their data for decision support, this could negatively impact court operations.

Expenditure calculations and assumptions and FTE assumptions

The costs for Business Objects Enterprise is \$414,000 with an additional \$45,000 required for Network/Server capacity and performance. \$264,000 is requested for implementation, consulting and training. Ongoing maintenance is \$50,000 per year for a total request of \$773,000.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 723,000	\$ 50,000	\$ 773,000
Total Objects	\$ 723,000	\$ 50,000	\$ 773,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Superior Court Case Management System

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to continue implementation of the new commercial off-the-shelf (COTS) case management system for the superior courts. This funding will be used to complete Phase 2 (Solution Design & Development), Phase 3 (Pilot Court Deployment), Phase 4 (Early Adopter Deployment), and to begin Phase 5 (Statewide Rollout) of the project.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
543-1 Judicial Information Systems Account	\$ 6,080,000	\$ 6,518,000	\$ 12,598,000
Staffing	FY 2014	FY 2015	Total
FTEs (number of staff requested)	24	25	24.5

Package Description

This request is supported by the Judicial Information System Committee (JISC), Superior Court Judges Association (SCJA), Association of Washington Superior Court Administrators (AWSCA), Washington State Association of County Clerks (WSACC), and the Administrative Office of the Courts.

Under the direction of the JISC, the Superior Court Case Management System (SC-CMS) project has procured a COTS solution and is currently implementing the selected solution to support the business functions of state superior courts and county clerks in 37 of the 39 superior courts in the state. This request is a continuation of decision packages approved in 2011-2013 and 2013-2015.

Specifically, the SC-CMS will support calendaring and caseflow management functions, along with tracking of participant/party information, case records and relevant disposition services functions in support of judicial decision-making, scheduling, and case management.

Current Project Status

The contract with selected vendor, Tyler Technologies, Inc., was executed on July 25, 2013, with official project kick off on September 12, 2013. SC-CMS is working with staff from the superior courts, the county clerks' offices, Tyler, and AOC toward Pilot Go-Live, with Thurston and Lewis counties scheduled as the first to participate in the spring of 2015.

Proposed Solution

Development work continues to integrate INH (Information Networking Hub) and COTS Preparation projects with legacy systems. Business Process review continues with the pilot courts and county clerks' offices to ensure greater understanding of process impacts.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

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. *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.*

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.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance 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.

Measure Detail

Impact on clients and services

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

Costs noted in this request will continue into future biennia. Both one-time and ongoing costs are identified in the cost study on which this decision package request is based. Please see

the supporting information included with this request.

Effects of non-funding

- Delay or elimination in productivity gains made by replacing legacy software.
- Loss of operations with the risk of a 37-year-old mainframe system collapsing.
- Additional functionality, such as new or modified case types, would not be incorporated into the legacy system.
- Sentence and disposition information would remain at the case level.
- Human resource scheduling would remain a manual effort.
- 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

The cost calculations and assumptions began with the model of the recommended alternative provided in the feasibility study consultant MTG. Working with Tyler, the identified approach to meet the needs for a successful statewide rollout has been evaluated and include; minor corrections in the project FTE resources needed; cost adjustments to reflect accelerated implementation as a result of the withdrawal of King County and capitalizing on the schedule opportunity; and ongoing maintenance level costs.

Object Detail	FY 2014	FY 2015	Total
Staff Costs	\$ 2,428,000	\$ 2,538,000	\$ 4,966,000
Non-Staff Costs	\$ 3,652,000	\$ 3,980,000	\$ 7,632,000
Total Objects	\$ 6,080,000	\$ 6,518,000	\$ 12,598,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Courts of Limited Jurisdiction
Case Management System

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested for development and implementation of the new case management system for courts of limited jurisdiction (CLJ). This project will replace the outdated AOC system (DISCIS) currently in use by the courts.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
543-1 JIS Account	\$ 1,289,000	\$ 3,140,000	\$4,429,000
Staffing	FY 2014	FY 2015	Total
FTEs (number of staff requested)	11	11	11

Package Description

The project is expected to be similar in size and scope to the superior court case management system (SC-CMS) project. During the 2015-2017 biennium, the project is expected to accomplish the following:

- End of requirements gathering
- Procurement (draft RFP through vendor kick-off)
- Vendor selection
- Fit analysis
- Configuration
- Training
- Beginning of Implementation phase

The attached staffing spreadsheet has been drafted by the project manager, requesting 19 FTEs at a salary cost of \$5M. As with SC-CMS, these positions are above and beyond the Administrative Office of the Courts' Information Services and Judicial Services Divisions' non-dedicated staff who will be working on the project.

Also including in the estimate is \$600,000 for vendor costs and \$100,000 for computer equipment including servers. This estimate is based largely on information gathered from the start-up of the SC-CMS project. Other costs are still to be determined with input from the SC-CMS team.

Commercial off the shelf (COTS) Prep refers to the costs needed to update existing Judicial Information System (JIS) services and processes to accommodate the new CLJ-CMS. COTS Prep costs will be requested in a separate decision package.

Narrative Justification and Impact Statement

This package contributes 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.

The current CLJ Management Information System (DISCIS) was implemented in the 1980s and is obsolete. While it does what it was designed to do and was considered state-of-the-art technology at the time, court business and technology needs have evolved. The goal of the CLJ-CMS is to provide a number of desired functions to address the business needs of the courts by providing improved capabilities through 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. *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.*

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.

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 calendaring and case management system in courts of limited jurisdiction 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, 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

Not applicable

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

Costs identified 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

Cost calculations and assumptions are based on working assumptions from the SC-CMS project which is about three (3) years ahead of the CLJ-CMS project. Project management has developed a staffing plan with the contract costs based on AOC's experience with the SC-CMS vendor (Tyler Technologies, Inc.). There is no commitment that Tyler will be the chosen vendor for the CLJ-CMS procurement.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 1,214,000	\$ 1,240,000	\$2,454,000
Non-Staff Costs	\$ 75,000	\$ 1,900,000	\$1,975,000
Total Objects	\$ 1,289,000	\$ 3,140,000	\$4,429,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency	Administrative Office of the Courts
Decision Package Title	COTS Prep-Courts of Limited Jurisdiction (CLJ)
Budget Period	2015-2017 Biennial Budget
Budget Level	Policy Level

Agency Recommendation Summary Text

Funding is requested to prepare relevant systems for launch of the case management system for courts of limited jurisdiction (CLJ-CMS). This request is similar to the request for funding to prepare for the superior court case management system (SC-CMS) when the funding for that project was initially requested.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
543-1 Judicial Information Systems Account	\$ 563,000	\$ 734,000	\$ 1,297,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Modernization of the case management system for courts of limited jurisdiction will entail significant changes to existing applications, services, interfaces, and data bases. The following systems, activities, and agencies will likely be impacted by the new CLJ-CMS.

- Tracking of vehicle related violations
- Integration with Odyssey, the SC-CMS program (if CLJ is on different platform)
- Network support and capacity
- Infrastructure updates
- Electronic Ticket Processing access to DISCIS screens
- eTicketing
- Juvenile and Corrections System (JCS)

- Public web access
- JIS Link
- Department of Licensing - FTA, person record updates
- JABS - Displays CLJ case data
- Washington State Patrol disposition
- SCDX/INH
- Department of Fish and Wildlife
- Office of the Secretary of State
- State Auditor's Office
- Department of Corrections – Legal Financial Obligations billing data
- Washington State Bar Association
- Department of Health - Probate and state filing
- Data sent to other various data collection agencies

Funding will cover costs for preparation of infrastructure and applications prior to installation of a commercial, off-the-shelf (COTS) system. Included will be impact analysis, development of solution alternatives and recommendations, and testing of significant changes. It is likely that existing systems and applications need to be modified (for example, through mandated IT Governance request) to meet the customer needs while the project is in progress. Any approved changes will be communicated in a timely manner to the project manager for impact analysis before implementing such changes in production.

Narrative Justification and Impact Statement

This package contribute to the Judicial Branch Principle Policy Objectives identified below.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance effective court management.*

Using current technology to ensure that systems used by Washington State courts are efficient and the data is secure and available is key to effective court management.

Measure Detail

Impact on clients and service

CLJ-CMS will increase access to court information, reduce delays, and enhance efficiency in the courts.

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

Present systems are outdated and costly to maintain.

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

Costs will continue in ensuing biennia.

Effects of non-funding

- Delay or elimination in productivity gains made by replacing legacy software.
- Additional functionality, such as new or modified case types, would not be incorporated into the legacy system.
- Sentence and disposition information would remain at the case level.
- Human resource scheduling would remain a manual effort.
- 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

Costs shown are based on amounts determined through development of the SC-CMS project. It is expected that contract programmers will be brought in to study, update and retrofit systems and services as necessary.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 563,000	\$ 734,000	\$1,297,000
Total Objects	\$ 563,000	\$ 734,000	\$1,297,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Information Networking Hub Statewide Data For Courts of Limited Jurisdiction

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested for the expansion, development and implementation of the information networking hub (INH) to support the proposed case management system for the courts of limited jurisdiction (CLJ-CMS). INH provide a comprehensive set of data exchanges that are bi-directional and in real time to meet the data sharing needs of the courts.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
543-1 Judicial Information Systems Account	\$ 720,000	\$ 720,000	\$ 1,440,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The first phase of the Information Networking Hub provided bi-directional data sharing between the legacy Judicial Information System (JIS) and the new Superior Court Case management System (Odyssey) so that non-converted courts would continue to receive statewide information. This strategy was employed to reduce risk to the Odyssey implementation.

The INH now needs to migrate current bi-directional data sharing to a unified statewide data repository that can be used for all courts and case management systems. This new method will support the existing JIS, Odyssey, and local case management systems operated by other counties and cities (Pierce County LINX, Seattle Municipal, Spokane Municipal, King County, etc.). Once in place, the new statewide repository will be used in the courts and by the public,

and will be the new information source for the JIS Link (a paid subscription service).

Funding is requested to address changes to the information networking hub (INH) necessary as a result of the CLJ case management system. The INH is currently being built to support the superior courts' case management system. Impacts from the additional CLJ system will include the need to build more data exchange services and possibly to retrofit some of the current services being provided.

Other new case-related services will be needed. These services, which differ from those required by the superior courts, are related to CLJ warrants, sentencing, proceedings, accounting, infractions, and parking. New services for CLJ case filing and those supporting CLJ case functionality and CLJ related accounting will be needed. Between 20 and 30 new services will be needed to handle CLJ cases and accounting, and an additional 20+ of the existing services involving person and case will require modification.

AOC can re-use most of the existing person services and even some of the case services as is, however, there may be the need to rework a number of services to handle variances between Odyssey and other systems.

The INH will unify the current data architecture, allowing for the exchange of data across disparate court information systems, while providing a single central data repository for storing statewide shared justice data. INH will provide a comprehensive set of bi-directional real time data exchanges for the CLJs.

The number was increased to fund both the work we need to do on the INH services and middleware and to develop a solution to remove the temporary data replication fix we are putting in place to handle the gap between Odyssey and SCOMIS/JIS. Some funding is for new service development, existing services modifications, middleware and EDR updates, and integration work. Other funding was added to remove the data replication, which has been strongly recommended by Tyler, the vendor contracted for the SC-CMS project.

In the case of CLJs the vendor selection will influence the need for the scale of INH work. Said another way, if the current superior court COTS provider is not selected there will be additional work for ISO above and beyond what would need to be done if the current vendor is selected.

INH is being built for the SC-CMS. INH will also need to provide a comprehensive set of data exchanges that are bi-directional and real time to meet the data sharing needs of the CLJ courts. These data exchanges will improve standardization of business and technology processes and data quality through the use of the National Information Exchange Model (NIEM) standards. By providing access to real time justice information across the state, judicial decision-making will be improved.

Narrative Justification and Impact Statement

Measure Detail

Impact on clients and service

The INH will provide the justice community a statewide repository of shared justice information and business services that will provide access to higher quality data in a timelier manner that will result in better decision making capability and resource efficiencies by court staff and judges across the state.

Impact on other state services

None

Relationship to Capital Budget

None

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

RCWs that have specific language requiring use of JIS will require modification, or as an alternative, the new data repository will be defined as being 'JIS'.

Alternatives explored

Direct point to point data exchanges between systems were considered and the INH was determined to be significantly less costly to implement and maintain.

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

Maintenance costs will be ongoing.

Effects of non-funding

Delay or elimination in productivity gains, data quality improvements and cost savings made by implementing INH business services and statewide repository.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 720,000	\$ 720,000	\$ 1,440,000
Total Objects	\$ 720,000	\$ 720,000	\$ 1,440,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title External Equipment Replacement

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to replace aged computer equipment at the Washington courts, as well as to provide information technology for judicial officers and court and clerks' office staff, thus ensuring equitable access to the Judicial Information System (JIS).

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
543-1 Judicial Information Systems Account	\$ 920,000	\$ 929,000	\$ 1,849,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

Funds are sought to replace aged computer equipment in Washington courts presently using the JIS 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

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

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.

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.*

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 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 the 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

Not Applicable

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

Effects of non-funding

Expenditure calculations and assumptions and FTE assumptions

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

Fiscal Year 2016			
Number	Description	Unit Price	Total
720	Computers	\$1250	\$900,000
15	Laptops	\$1325	\$ 19,875
Total (rounded)			\$920,000

Fiscal Year 2017			
Number	Description	Unit Price	Total
495	Computers	\$1,250	\$618,750
40	Laptops	\$1,325	\$ 53,000
60	Cash Drawers	\$ 475	\$ 28,500
200	Receipt Printers	\$ 675	\$135,000
80	Slip Printers	\$1,175	\$ 94,000
Total (rounded)			\$929,000

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 920,000	\$ 929,000	\$ 1,849,000
Total Objects	\$ 920,000	\$ 929,000	\$ 1,849,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Internal Equipment Replacement

Budget Period 2015-2017 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 2016	FY 2017	Total
543-1 Judicial Information Systems Account	\$ 516,000	\$ 0	\$ 516,000
Staffing	FY 2016	FY 2017	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 20 years the JIS has grown from 2,500 users to over 16,000 users, an increase of over 540%. The volume of data stored in the JIS databases has generally increased 9% per year, and more recently 15% per year including eTicketing data. These increases in both user and data volumes require expansion of current software and hardware, and necessitates the need to employ newer, more technologically advanced hardware and software.

Server Consolidation and Virtualization: Consolidating the servers will allow us to reduce the physical number of servers we maintain, requiring less cooling, power, and space. With virtualized servers, standard servers are built and easily duplicated which will speed server deployment. Virtualization improves the Disaster Recovery process as the hardware dependencies of the servers are eliminated. By taking advantage of server virtualization, we will

be able to improve the efficiency of servers. Cost of this equipment and software licenses is \$200,000.

Switch Replacement: The Network Switches installed at the AOC, Supreme Court, and Court of Appeals have reached end of life and need replacement. These switches provide connectivity from the users' Personal Computer to the Network and are physically required in each location. Cost of this equipment and support licenses is \$260,000.

Wireless Access Point Replacements: The Wireless Access Points installed at the AOC, Supreme Courts, and Court of Appeals have reached end of life and are no longer supported by the vendor. We are unable to apply updates to the controllers as they do not support the access points. These access points are physically required at each location. Cost of this equipment and support licenses is \$56,000.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

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 key to effective court management.

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.

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 20 years, the JIS has grown from 2,500 to over 16,000 users, or 540%. 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

Not Applicable

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

Costs are ongoing and funding will be requested in future biennia.

Effects of non-funding

Aged equipment is no longer supported by the vendors and outages cannot be repaired.

Expenditure calculations and assumptions and FTE assumptions

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 516,000	\$ 0	\$ 516,000
Total Objects	\$ 516,000	\$ 0	\$ 516,000

Washington State Judicial Branch 2015-2017 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 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to extend a grant program to improve the quality and availability of interpreting services and to reduce interpreter costs at the local level. 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 over three biennia.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 3,305,000	\$ 3,304,000	\$ 6,609,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	.5	.5	.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 the number of foreign-born, limited English proficient (LEP) persons age 5 and older in Washington increased by 50.1% between 2000 and 2010 from 279,497 to 419,576. In addition to that population, the number of persons with hearing loss needing court interpreting services has grown, as evidenced by the increasing expense local jurisdictions have faced for sign language interpreting costs. 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.

Legal Obligations

RCW Chapters 2.42 and 2.43 prescribe the requirements for providing court interpreter services in Washington. RCW 2.42.120 requires courts 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 courts to pay all interpreting costs in criminal cases, mental health commitment proceedings, and all other legal proceedings initiated by government agencies. It further requires courts 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.

The inability of many local courts to fully fund interpreter services creates a non-compliance atmosphere across the state that may result in the withdrawal of federal funds by the U.S. Department of Justice.

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 seven years of implementation, state funds transformed 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 develop and implement Language Access Plans (LAPs) as a condition of receiving funding, as well as offset 50% of interpreter expenses for those courts with LAPs. Due to the extraordinary fiscal environment in 2009, the LAP funding was eliminated, and the reimbursement funds dropped to \$1,221,004 biannually. This represented a decrease of 36% in language access funding for participating local trial courts that met the reimbursement requirements and the funding was only sufficient for fifty-two superior, district and municipal courts representing ten counties. While the program has continued in light of those cuts, the funding only lasts approximately seven months per fiscal year. Funding is clearly insufficient to expand into additional trial courts necessary to maintain compliance with federal statutes and regulations as well as meet current local funding requirements under the current allocation scheme.

Narrative Justification and Impact Statement

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.

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. *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.*

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.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance 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.

Measure Detail

Impact on clients and service

With the availability of 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 if the market cost for those services are extraordinary due to language resource scarcity or 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

Changes are required to RCW 2.43.040 (2), (3) and (5).

Alternatives explored

There are no local funding alternatives that would not require state support 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 for which hearing types they will provide interpreters at court expense. Therefore, some courts continue to charge litigants for interpreter expenses in non-indigent civil matters as is allowed by RCW 2.43 language, which jeopardizes the state's federal funding compliance for court programs.

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

Interpreter Cost Data:

While the AOC has court interpreter data from a variety of courts, it does not have full data on actual court interpreter expenditures for all Superior, District and Municipal trial courts. To estimate costs, it is necessary to categorize court jurisdictions as urban county, rural county and rural county with a city, because typically courts must pay higher costs for interpreter services when interpreters do not live nearby. Most credentialed (certified or registered) court interpreters live in cities.

To calculate a measure of projected expenditures, the estimate includes a ratio of proceedings covered by current statute to those civil proceedings that would be added. According to 2011 case load data, approximately one-third more superior court proceedings would be added due to the removal of the indigency criteria. By applying that ratio to the total reported spending from case load data on criminal interpretation (\$4,905,417), it is possible to derive an estimate for spending on civil proceedings and to come up with a statewide estimate total for interpreter services ($\$4,905,417 \times 133\% = \$6,524,276$).

The state expenditure cost for one-half of the criminal and civil interpreter costs is \$3,262,138 per year.

As the survey figures represent 2010 cost and 2011 case load data, the most conservative approach to estimating the biennial expenditure for FY 2015-17 is to use the annual figure using superior court-based case load data. This amounts to at least \$6.524 million per biennium. The figure can be further refined in order to be more accurate due to the increase in interpreter rates and caseloads across the state since the 2011 survey.

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 (annual salary and benefits \$46,529) 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 local court jurisdictions requires additional staff.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 46,000	\$ 46,000	\$ 92,000
Non-Staff Costs	\$ 3,259,000	\$ 3,258,000	\$ 6,517,000
Total Objects	\$ 3,305,000	\$ 3,304,000	\$ 6,609,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Telephonic Interpreting for Language Access To Court Services

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to provide funding to offset costs associated with on-demand telephonic interpretation to ensure that limited English proficiency is not a barrier to full participation in court services. 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.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 662,000	\$ 662,000	\$ 1,324,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	.5	.5	.5

Package Description

Introduction

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 the number of foreign-born, limited English proficient (LEP) persons age 5 and older in Washington increased by 50.1% between 2000 and 2010 from 279,497 to 419,576. 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.

Legal Obligations

RCW Chapter 2.43.10 identifies the legislative intent for ensuring language access:

"It is hereby declared to be the policy of this state to secure the rights, constitutional or otherwise, of persons who, because of a non-English speaking cultural background, are unable to readily understand or communicate in the English language, and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them."

In 2007, the Legislature enacted specific standards instructing each trial court to develop language assistance plans which address the provision of language access both inside and outside of the courtroom. Such plans shall include "a process for providing timely communication with non-English speakers by all court employees who have regular contact with the public and meaningful access to court services, including access to services provided by the clerk's office." RCW 2.43.090 (1)(d).

Meaningful access to all court programs and activities, both inside and outside the courtroom, is also required by the U.S. Department of Justice for indirect and direct recipients of federal funding. Non-compliance with federal standards may result in the withdrawal of federal funding. As stated by Thomas E. Perez, Assistant Attorney General, in an August 26, 2010 letter addressed to all chief justices and state court administrators:

"Some states provide language assistance only for courtroom proceedings, but the meaningful access requirement extends to court functions that are conducted outside the courtroom as well... Access to these points of public contact is essential to the fair administration of justice, especially for unrepresented LEP persons. DOJ expects courts to provide meaningful access for LEP persons to such court operated or managed points of public contact in the judicial process, whether the contact at issue occurs inside or outside the courtroom."

Current Situation

Currently, courts regularly provide interpreting during legal proceedings, and in some instances the interpreters are available to interpret for litigants outside of the courtroom when interacting with staff. In rare situations, courts may have bilingual staff able to provide direct services in a language other than English. In most situations, however, customers call or come to court on an unscheduled basis, and the court has no advance warning when interpreting is needed for LEP persons. In these cases, courts frequently ask the LEP persons to return with friends or family members to act as interpreters. Since these family members are untrained and untested, it is questionable how accurately they understand and interpret the information, and whether their personal biases infuse the communication. Similarly, given the sensitive nature of why many people access the courts, persons (e.g. domestic violence victims) may face scrutiny or shame in asking acquaintances to serve as their interpreters.

Description of Program

This request is to obtain state funding to offset 50% of the local cost for contracted telephonic interpreting services for non-courtroom interactions. The State of Washington administers contracts with national telephonic interpreting companies, and all trial courts are eligible to obtain services at these rates. Participant courts will enter into contracts with the Administrative Office of the Courts for reimbursement of telephonic interpreting costs for court interactions outside of courtroom proceedings. Courts will submit appropriate invoices to the AOC Court Interpreter Program detailing their telephonic interpreting usage,

and qualifying expenses will be reimbursed at 50%. Data will be submitted electronically, so that the AOC can track statewide trends for telephonic interpreting based on court location and language.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

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 LEP individuals without quality 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. *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.*

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. Further, LEP individuals who are required to bring their own family or friends to interpret risk preserving accuracy in communication, or may be hindered due to the sensitive nature of the matters leading them to court.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance 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.

Measure Detail

Impact on clients and service

With the availability of State funding, many courts will continue to rely on LEP persons bringing their own family and friends to interpret.

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

With limited budgets, courts must currently prioritize the use of limited interpreting funds. Priorities lie with in-person courtroom interpretation.

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 resources will remain focused on courtroom proceedings. The absence of structure for ensuring interpretation in non-courtroom services will run afoul of both state and federal requirements.

Expenditure calculations and assumptions and FTE assumptions

The average per minute cost with these companies is \$.90, and may vary based on the language. In the majority of requested languages, the companies will connect the requester with an interpreter upon demand.

Currently there are approximately 15,200 cases in Washington courts which have an interpreter assigned to them. It is estimated that each litigant for each case will have an average of nine encounters at non-courtroom related operations, such as calling the court with questions, setting up payment plans, completing forms or other paperwork, meeting with facilitators, etc. These conversations typically last 5 minutes, but when are interpreted, take at least twice the amount of time. The anticipated full annual cost for telephonic interpreting is \$1,231,200:

15,200 cases x 9 encounters x 10 minutes x \$.90/minute = \$1,231,200

With a 50% State reimbursement component, this would also constitute the full amount needed for the biennium. The request also includes .5 FTE for AOC for administrative work in contracts and fiscal.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 46,000	\$ 46,000	\$ 92,000
Non-Staff Costs	\$ 616,000	\$ 616,000	\$ 1,232,000
Total Objects	\$ 662,000	\$ 662,000	\$ 1,324,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title CASA Restoration and State CASA Funding

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested to increase state funding of local Court Appointed Special Advocate (CASA) programs and to secure funding for Washington State CASA for the promotion, support, and development of CASA programs in Washington State.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 696,000	\$ 696,000	\$ 1,392,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

(1) Court Appointed Special Advocates are volunteers who advocate for abused and neglected children in dependency court as volunteer guardians ad litem. State funds are requested to increase the number of volunteers available to local CASA programs in Washington State. (\$621,000 per FY)

(2) The request includes state funds to pass through the AOC to support activities provided to CASA programs by State CASA, a non-profit organization. This funding will target training, networking, and technical assistance to assist local CASA programs develop capacity to advocate for abused and neglected children. Funding would support training activities and on-site technical assistance to CASA programs throughout Washington State. (\$75,000 per FY)

Background and Need:

State and federal laws mandate the appointment of a guardian ad litem (GAL) for all abused and neglected children in dependency cases. In 35 counties and three tribal courts, CASA volunteers serve as volunteer guardians ad litem to represent the best interest of these children. Combined, these programs supervise over 2,000 CASA volunteers annually who provide advocacy to over 6,000 children (over half of all children in dependency). CASA programs in Washington are a blend of court-based, nonprofit and tribal court programs, which are funded by a combination of county, state and private sources.

Statewide, only about half of the 10,000 children in the dependency system at any given time have a CASA volunteer to represent their best interests. Local CASA programs are stretched beyond capacity in their efforts to comply with the law. Currently, in densely populated areas (King, Snohomish, Pierce, Kitsap, Clark, Spokane, Yakima, Benton/Franklin), only about half the children in dependency are represented with a CASA volunteer. The other half typically are represented by a staff GAL with a case load exceeding 75 children. In rural areas, programs struggle with inadequate, unstable funding and do not have sufficient staff capacity to recruit and retain volunteers while maintaining a GAL case load as well.

Local program increase:

Additional CASA volunteers are needed due to increased dependency filings in our state (4,864 in 2013), the continuation of a trend that began in 2010. The National CASA best practice standard is 1 volunteer supervisor to 30 volunteers who can supervise up to 90 children. Because of increased dependency filings, and to ensure that no child was without a voice in court, many CASA programs resort to assigning staff directly to these cases. This leads to a decreasing ability for those programs to recruit and retain volunteers. Funding is needed to increase local program capacity to recruit, train and retain additional CASA volunteers to provide these children the high quality advocacy efforts they deserve to ensure safe and permanent homes.

There are volunteers in every community waiting to represent children in dependency. Programs lack staff and resources to recruit, train and supervise volunteers. The request for state funding will build the capacity of CASA programs to increase the number of children represented and ensure high quality volunteer representation.

Washington State's Justice in Jeopardy Report and the Court Improvement Plan both address representation of children by a guardian ad litem (GAL). GAL representation of children is a high priority for increased state funding because it is mandated by statute. In addition, to ensure access to justice, representation of children's best interests has become increasingly important since many jurisdictions have implemented increased funding for parent representation.

Training, networking, and technical assistance increase:

Washington State CASA is a non-profit organization that coordinates two annual CASA program manager's seminars. Traditionally, these have been held in the spring and fall. State CASA also maintains working knowledge of CASA program practice around the state. State CASA is responsible for establishing and providing resources to programs such as a manager's listserv, compliance with National CASA best practice standards, maintaining state compliance of the CASA core training curriculum, functioning as a help desk for programmatic issues and serving as a general communications hub amongst CASA programs statewide.

Washington State CASA works with local programs to provide on-site technical assistance, including strategic planning, volunteer recruitment and retention support, and training of local staff on the use of the National CASA volunteer core training curriculum.

As a 501(c)(3) charitable organization, State CASA is able to pursue a wide variety of funding streams to support local program capacity and sustainable efforts and to reduce the program's sole reliance on state and county government sources. State CASA currently administers a federal IV-E training reimbursement contract, project specific grants from a variety of sources to increase volunteer recruitment, retention and training, and actively encourages individual contributions from donors to support state and local advocacy efforts for children.

Washington State CASA hosts an annual conference for CASA volunteers, staff, lawyers and more who will have the opportunity to engage with each other and learn from experts in the child welfare field to better inform their child advocacy practice. Unlike other conferences, this conference is designed for CASA volunteers and attracts speakers from around the state to present on ways CASA advocates can ensure better outcomes for the children.

Narrative Justification and Impact Statement

This package contributes 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.

Currently, only half of the dependent children statewide are represented by a CASA volunteer. Some courts are not currently able to comply with the statutory mandate to appoint a GAL, due to the limited capacity of CASA programs to recruit, train, supervise and support CASA volunteers as a result of funding cuts in both state and county funding.

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.*

Children of color are disproportionately represented in the dependency system. One opportunity associated with additional CASA funding is the ability to focus recruiting a more diverse pool of volunteers that is consistent with the diversity of children in each jurisdiction. Programs are interested in recruiting volunteers who, for example, speak Spanish, are knowledgeable in specific cultural customs and norms and who represent the many diverse communities of Washington.

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.*

The dependency system is focused on the determining what is in the best interests of the child. As an officer of the court, CASA volunteers act as fact-finders for the judges, providing them with information that they may never get otherwise, advocating for the child's best interest along the way. CASA volunteers gather information from court documents, social workers' files, and educational, medical and therapy records. They also speak with the child, family members, school officials, health providers, and other professionals involved in the child's life. CASA

volunteers use this information, as well as firsthand observations, to advocate for the child in court, at school, and in other aspects of their lives. The CASA's role is to consider what is in the child's best interest and to make sure that each child's individual needs are met and convey that message to the court.

CASA volunteers are specially trained and appointed by a judge to serve as a volunteer guardian ad litem (GAL) for an abused or neglected child. They are committed to determining and speaking for that child's best interests throughout the process. The volunteer is an official part of the judicial proceeding, working alongside attorneys and social workers as an appointed officer of the court. CASA volunteers ensure that the decisions being made on behalf of children they advocate for are timely, appropriate, in compliance with federal and state laws and in the best interests of the child. CASA volunteers investigate a child's history, facilitate communication between concerned adults, advocate for services and appropriate placement, and ultimately make recommendations to the judge - in that child's best interest.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance effective court management.*

Judges rely on trained CASA volunteers who bring an independent voice into the courtroom. They are the judge's 'eyes and ears' and are crucial in helping the court to make sound decisions about a child's future.

State CASA contributes to effective court management by supporting programs, their staff and volunteers throughout Washington. State CASA leverages opportunities and secures resources on a regional and statewide level so that local programs can maximize their direct support to abused and neglected children through training of staff and volunteers, opportunities to share best practices in child advocacy and by providing technical assistance such as compliance with National CASA best practice standards and CASA program specific data collection and analyses in conjunction with statewide child advocacy partners, local court administration and public and private investors in the child welfare 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.*

The mission of this proposal is focused on the delivery of high quality and effective child advocacy through the use of trained and adequately supported community volunteers. In order to successfully accomplish this goal and to therefore affect positive outcomes for children, additional resources are needed to recruit, train and supervise additional volunteers.

Measure Detail

Impact on clients and services

Increasing the number of advocates will produce improved outcomes for abused and neglected children in dependency court cases.

Impact on other state services

Increased CASA funding will positively affect the quality of child representation statewide. Several studies, including a national report by the U.S. Department of Justice, validate

outcomes with CASA volunteers in comparison to the general foster care population which have residual benefits to the state.

A child with a CASA volunteer is:

- More likely to achieve permanence
- Half as likely to re-enter 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
- More likely to do better in school (pass all courses, less likely to have poor conduct in school, and less likely to be expelled)
- More likely to have a positive attitude towards the future, an ability to work with others and to resolve conflicts
- Likely to score better on nine protective factors

Relationship to Capital Budget

None

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

None

Alternatives explored

CASA programs have been assigning children directly to staff as a measure of last resort. This is an un-sustainable model, for as more children are assigned to staff directly, overall program capacity to recruit, train and supervise volunteers is diminished, thus resulting in lower quality advocacy for all children assigned to the program.

State CASA is engaged in a continual process of development and renewal. Several statewide partners have provided input on alternative suggestions and solutions to provide support for local CASA programs achieving their goals of serving CASA volunteers.

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

The proposed budget level will continue for future biennia. Programs will continue to assess future needs based on future dependency filings and the needs of local courts.

Effects of non-funding

CASA programs struggle to provide volunteers to all cases to which the program is assigned. Current active CASA volunteers will not have the level of support and supervision needed to ensure retention. Staff with high case loads of volunteers, who often carry dependency cases themselves, will continue to have excessive workloads and be unable to engage in adequate recruitment and support activities. In addition, high caseloads contribute to high staff turnover, which impacts the stability and quality of the program. Insufficient funding puts dependent children at risk and presents liability issues for the State's dependency system.

The effects of non-funding would continue the slow and steady degradation of State CASA's network and inefficient redundancy throughout the network. CASA programs have come to expect training and technical assistance provided by State CASA and use the training provided

by State CASA as a means of augmenting local efforts in volunteer recruitment, training and retention.

Expenditure calculations and assumptions and FTE assumptions

This statewide funding proposal for local CASA program staff the National CASA best practices standards and would restore funding that was appropriated during the 2007-2009 biennium funding.

State CASA currently employs one full-time executive director dedicated to carrying out the mission of the organization and overseen by the Washington State CASA Board of Directors.

Training expenses include lodging, meals, program travel, and State CASA staff preparation / coordination time and speaker reimbursement. On-site Technical Assistance includes staff time and travel expenses.

Funding sought under this proposal will be spent in the following categories:

Two-day Spring Program Managers Training.....	\$15,000
Fall Program Manager's Training.....	\$7,000
Annual Conference.....	\$45,000
Onsite Technical Assistance.....	\$8,000
Total Request:	\$75,000

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 696,000	\$ 696,000	\$1,392,000
Total Objects	\$ 696,000	\$ 696,000	\$1,392,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Family and Juvenile Court Improvement Plan Expansion

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested for expansion of the Family and Juvenile Court Improvement Program (FJCIP). This program, developed as a strategic approach to improving court operations consistent with Unified Family Court principles, is supported by a legislator who has requested an expansion plan for the FJCIP. The budget package includes funds to expand FJCIP into additional superior courts to promote best practices in family and juvenile court operations as requested by the legislator.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 186,000	\$ 372,000	\$ 558,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	0	0	0

Package Description

The Family and Juvenile Court Improvement Plan, RCW 2.56.030, coordinates courts' efforts on Superior/Family and Juvenile cases, to strategically implement principles of Unified Family Court (UFC) which were adopted as best practices by the Board for Judicial Administration in 2005. FJCIP funding and framework for superior courts exist in thirteen counties to implement enhancements to their family and juvenile court operations that are consistent with UFC principles, including longer judicial rotations. The FJCIP allows flexible implementation centered on core elements including stable leadership, education, and case management support. The statewide plan promotes a system of local improvements, but is limited to courts who were selected for FJCIP funding. The demonstrated successes in FJCIP courts is a result of appointing judicial leaders to create actionable plans to enhance court operations. The coordinators work

closely with the assigned chief judge to implement local court improvements associated with UFC best practices.

FJCIP is a product of a partnership between the judicial and legislative branches of government. The courts developed FJCIP as a strategic approach to improving court operations consistent with the legislature who provided funding. The budget package includes funds to expand FJCIP into additional superior courts to promote best practices in family and juvenile court operations as requested by the legislature.

FJCIP courts have initiated and sustained court operational improvements as a result of FJCIP which have demonstrated favorable outcomes. The program sustained a reduction in funding (19.3% or \$309,000 in 2009). As a result, funding for ancillary support such as education was eliminated, and all funding was dedicated to maintaining adequate staffing levels for FJCIP courts. That funding prioritization worked, and the programs continued to operate without significant interruption.

The legislature has requested an FJCIP expansion strategy to encourage local improvement consistent with UFC principles in additional jurisdictions. The existing pilots have demonstrated positive outcomes associated with cases managed by FJCIP (see attached report from Dependency Time Standard Report). FJCIP provides funding for system improvement in selected courts because state FJCIP funding pays for staff to coordinate and implement the identified improvement projects. FJCIP is not a program where best practices or strategies can be adopted in courts that do not have coordinator support. Therefore, expansion of FJCIP relies on additional state resources.

The conservative expansion plan is to fund up to four FTEs in the 2015-2017 budget. The division of the FTEs can either be assigned to between four courts and eight courts depending on if the workload justifies a full FTE or .5 FTE. The AOC team has used research, in particular the Annual Dependency Time Standard Report, to identify counties that have lower compliance with mandatory dependency deadlines, to prioritize funding for county expansion of FJCIP.

Narrative Justification and Impact Statement

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

Additional FJCIP contracts will need to be executed to accommodate the additional courts selected to receive state funding.

Alternatives explored

Not applicable

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

Costs will be ongoing.

Effects of non-funding

If this budget package is not funded, and assuming the program does not receive reductions, the thirteen FJCIP courts will continue to sustain improvements to court processes in the capacity they do now. There are basic court management or coordination efforts that can impact the quality of case processing that are consistent with UFC principles. These modifications have happened to a large extent by using court leadership and innovation that does not require additional funding. These enhancements will be maintained at their current level as long as salaries are adequate to keep staff with experience and expertise.

FJCIP provides a framework for the chief judge to exercise court leadership and direct modifications to court operations to improve services and support to the court, staff, and the public.

If existing FJCIP courts are under-funded and expansion of FJCIP is not realized, the result will be a continued political effort to propose legislation or to modify the constitution that would adjust the structure of superior court, or courts of general jurisdiction. Efforts are currently underway to make family and juvenile court a specific court type, administered and funded separate from superior court operations. This alternative has significant policy and funding implications for the state and local governments. The justification for this type of radical change is to improve case processing of family and juvenile cases, consistent with Unified Family Court principles which are also the foundation of FJCIP court plans. A better investment strategy for the state to accomplish improvement goals to family and juvenile court operations is to expand FJCIP funding rather than create a completely independent and more costly separation of case types that would require an entirely separate administration.

Effects of not funding FJCIP expansion is a more expensive alternative.

Expenditure calculations and assumptions and FTE assumptions

The funding requested will expand FJCIP by four coordinators, which adds between between four and eight courts in 2015-2017. The AOC determines the appropriate level of case coordinator the court is eligible for (half or full) depending on the number of judges and case filings.

The amount requested is based on an equivalent state salary and benefit package for a range 62 (monthly top step in range \$93,059).

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 0	\$ 0	\$ 0
Non-Staff Costs	\$ 186,000	\$ 372,000	\$ 558,000
Total Objects	\$ 186,000	\$ 372,000	\$ 558,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Juvenile Court and Juvenile Detention Alternatives Initiative (JDAI) Staff

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested for intervention programs and detention alternative initiative services to maximize juvenile court services and operations. Probation and detention programs require policy level coordination and quality assurance. The requested positions are 1 FTE for a data analyst and quality assurance specialist and 1 FTE for JDAI statewide coordinator.

The request is made on behalf of the Washington Association of Juvenile Court Administrators, the Juvenile Detention Alternatives Initiative Statewide Steering Committee, and the Washington State Center for Court Research.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 202,000	\$ 192,000	\$ 394,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	2	2	2

Package Description

NEED

Data and Research Specialist (1 FTE)
 Since 2000, Washington State juvenile courts have entered data on risk and needs of juvenile offenders into an assessment database. All youth who receive intervention services through juvenile court undergo a risk and needs assessment (Washington State Juvenile Court Risk

Assessment). The Risk Assessment software collects and populates the database through an external vendor. The entire assessment process to manage juvenile offenders includes static risk assessment, dynamic needs assessment, case management strategies, case plans, assignment to evidence based interventions, and measurement of recidivism and other outcomes. While a sophisticated data collection process exists for probation, similar data collections systems and infrastructure for detention centers does not exist.

The Washington State Center for Court Research lacks sustainability to support the juvenile courts to extract relevant data and conduct analysis to influence public policy, funding, and court oversight of programs, the assessment, and staff. Detailed juvenile court probation program data generated in Washington is nationally recognized but absent adequate research support, the data sources continue to grow without a proportional growth in the courts' ability to make informed choices about reforms aimed at targeting services to court involved youth and their families. Systematic data related to detention and alternative programs does not exist. The lack of assigned research and data analysis to support juvenile court probation and detention services limits effectiveness.

The legislature requires annual reporting of data by each juvenile court for probation services (CJAA report/Block Grant Report as defined in RCW 13.40). Absent support from the Washington State Center for Court Research, detailed outcome reporting is not available. The AOC also has a statutory obligation, as defined in RCW 2.56.030, to collect and compile statistical data and make reports of court business.

Juvenile Detention Alternatives Initiative (JDAI) (1 FTE)

JDAI reflects a series of statewide reform principles that guide use of secure juvenile detention which include detention risk assessment and alternatives to juvenile detention. The mission of JDAI is to eliminate inappropriate or unnecessary use of secure confinement for juveniles and redirect resources to fund alternatives to secure confinement without risking safety of families or the public. The objective of the statewide steering committee is to promote implementation of eight JDAI principles to improve detention screening, usage, alternatives to detention, and measure impacts on youth of minority populations. Washington juvenile courts do not have a standard data collection system for detention. The ten individual courts that are identified as "JDAI pilots" have created internal systems to screen offenders and collect detention data.

These pilot courts are supported by the statewide coordinator. The interest in JDAI is growing, but as the coordinator position is currently designed, JDAI is unable to expand. Because of this limitation, courts who are not identified as JDAI courts do not have screening tools or detention data. There is no statewide effort to collectively show detention use and alternatives in juvenile court. Aside from advocating for data system upgrades, policy level analysis that promote implementation of JDAI principles would be the responsibility of the JDAI coordinator and research staff team.

SOLUTION

Statewide support and promotion of probation and detention reform efforts require dedicated staff attention with an equal focus on data and policy. Lesser levels of program support will result in no advancement of best practices for detention reform and an actual decrease in probation research support (time limited funding source). Absent dedicated research and policy staff for probation and detention, the performance of juvenile court operations will continue to be undocumented and disjointed.

COMPARISON

Data and Research (1 FTE)

The Research Associate will maintain critical evaluation and reporting requirements mandated but not funded by the Legislature related to juvenile offender management systems (detention, assessment, and services). Currently, a .5 research associate is being funded from resources from the Washington State Association of Juvenile Court Administrators (WAJCA) and the Executive Branch (JRA). This is a temporary accommodation to meet the statutory demands of the legislature. Funding the position via this agreement is absolutely not sustainable. Funding for this position is coming from funds that otherwise support direct evidenced-based services to system youth. Development of detention data on a statewide basis has not been done to date. Investment in data development and reporting will inform budgeting, create alternatives to secure detention, and reinvest in programs.

JDAI (1 FTE)

Advancing JDAI as a statewide initiative benefits all courts who use detention. If funded, the research and policy analyst would be responsible to promote best practices within the courts and developing strategies and systems to easier manage data that can be used to evaluate detention practices.

Narrative Justification and Impact Statement

This package contributes to the Judicial Branch Principle Policy Objectives as 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.

Juvenile probation and detention service, based on proven best practices, improves fair and efficient administration of justice. The most important element of probation services and detention (based on JDAI principles) is for youth in the juvenile justice system to be placed in programs and assigned to levels of confinement consistent with their risk level. These goals can only be accomplished with policy support and outcome measures. Courts do not want probation or detention systems to assign youth to programs if they pose a risk to the youth.

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.*

Probation programs and secure detention are used regularly, based on objective and subjective determination of risk. Probation assessment assigns youth to evidence based programs and JDAI strategies include assessment that objectively informs the court on the need for secure confinement. These assessments greatly influence the path of intervention for youth and need uniform application across juvenile courts. Assessment tools objectively evaluate the youth and provide additional detail for decision makers. While the Washington Risk Assessment unifies the standard for probation services, use of some or all JDAI principles and strategies will standardize detention screening practices across all juvenile courts.

Commitment to Effective Court Management. *Washington courts will employ and maintain systems and practices that enhance effective court management.*

The wellbeing of youth in the juvenile justice system can be defined by various practices for probation and detention managed by Washington's juvenile courts.

Data and Research Specialist

Correct application of risk assessment tools enhance effective court management by directing resources to populations that are most in need of supervision, services, and alternatives to formal confinement.

JDAI

Confinement will be necessary to provide protection to victims, youth, families, and the public in general. However, the juvenile justice system has developed and validated tools to inform courts on appropriate application of confinement, a system that has been heavily relied upon. Formal confinement is the most expensive option available to a court. Stakeholders from counties and state are equally interested in attending to the wellbeing of youth in our system while at the same time have proven strategies to provide alternatives to secure confinement. If implemented, detention reform consistent with JDAI will promote strategies to improve court management of juvenile offenders.

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.*

Local court operations will be better managed if probation and detention system enhancements are staffed and supported at the statewide level. The requested positions are critical if improvements, consistent with probation quality assurance and JDAI principles, are to be applied statewide. Currently there is no complete picture of juvenile detention usage across the State. The mandates of the current JDAI sites is burdensome and not reasonable for some courts to adopt. Once the policy and research analyst position is funded, critical infrastructure to support JDAI can be built, data systems altered, assessment tools consolidated. Once these accomplishments are done, all courts in Washington State can make adjustments to align their practices with JDAI principles without falling prey to the roadblocks that currently exist.

Measure Detail

Impact on clients and service

Trial courts serve the public, and juvenile court services include probation and detention programs. The youth and families are directed to juvenile court because of law violating behavior. Various interventions and restrictions are applied to youth in an attempt to reduce anti-social behavior and promote pro-social behavior. The outcome of these various strategies and programs is measured, data analyzed, and then used to sustain programs and interventions that show an impact at stopping re-offending behavior. The requested positions are critical to continual measurement of effectiveness and continual improvement, which is the hallmark of the juvenile court continuum of intervention.

The JDAI statewide steering committee promotes principles and strategies in courts that are not currently identified as JDAI sites, while creating mechanisms to ease the process so all courts make efforts to adopt JDAI strategies. The JDAI principles outline detention practices that courts support, but workload associated with adopting JDAI practices has caused reforms to be unattainable to many courts. The steering committee will rely on the research and policy analyst position to address these potential barriers on behalf of juvenile courts.

Clients of JDAI also include juvenile courts, administrators and detention managers. The work of the steering committee will impact the interest that juvenile courts, the detention centers, and the county executive branch have to implement detention enhancements consistent with JDAI.

Lastly, direct clients of JDAI are the youth and children served across the state by juvenile court services. The wellbeing of youth in the juvenile justice system are directly impacted by judicial decisions made about confinement. The more alternatives that are created and sanctioned as part of JDAI, the more appropriate orders can be made while minimizing disruption to a family or school, which might in fact be protective factors for a youth.

Impact on other state services

N/A

Relationship to Capital Budget

N/A

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

N/A

Alternatives explored

The current agreement to fund .5 FTE for probation research specialist is temporary and not sustainable. Funding for the position otherwise would be spent to provide services to youth and families.

The JDAI statewide steering committee was populated and organized in mid-2013. Prior to this request for 2.0 FTE, there had not been an organized effort to collect and analyze statewide data for the purposes of detention reform.

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

The funding request is for 2 FTE that will have ongoing responsibilities to the AOC, statewide steering committee, and local courts. The need for staff funding is ongoing.

Effects of non-funding

If the positions are not filled, the juvenile court systems of probation and detention will have reduced effectiveness. To date, the probation system has yielded local and state savings. The JDAI principles are spreading throughout the state, but lack cohesion and data collection. The ability to promote best practices for probation and detention requires data, quality assurance, and outcome measurement. Juvenile courts' ability to provide targeted and effective interventions requires these positions. If they are not funded, juvenile courts risk not complying with data and reporting standards mandated by the state. Furthermore, JDAI courts will continue to operate in isolation, additional courts will not meet JDAI standards, and recruitment for a new statewide coordinator will not be fully funded. There will be no centralized data collection process or statewide understanding of detention needs. Under the current structure, some courts have advanced their practices but those improvements will not be duplicated across other juvenile courts if dedicated research and policy staff resources are not assigned.

Expenditure calculations and assumptions and FTE assumptions

The estimated cost of 1 FTE coordinator and policy analyst and 1 FTE at Center for Court Research is included as an estimate. The coordinator/policy analyst FTE is calculated as the equivalent of a range 62 employee at AOC (\$93,059 salary and benefits at the top step annually).

The estimate for the research specialist FTE is calculated as a range 65 (\$98,550 salary and benefits annually). In addition, \$5,000 per FTE has been added for equipment, furniture, etc.

The responsibilities of these positions are equal parts research and policy analysis. There are also front end responsibilities to work with the current AOC data applications to modify or use in order to implement a reliable system of detention data collection. Once the current system is altered to allow data entry, the research analyst will be able to communicate with local courts and other stakeholders (steering committee and legislature) about statewide impact of detention usage.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 192,000	\$ 192,000	\$ 384,000
Non-Staff Costs	\$ 10,000	\$ 0	\$ 10,000
Total Objects	\$ 202,000	\$ 192,000	\$ 394,000

Washington State Judicial Branch 2015-2017 BIENNIAL BUDGET REQUEST

Decision Package

Agency Administrative Office of the Courts

Decision Package Title Misdemeanant Corrections
Supervision Enhancement

Budget Period 2015-2017 Biennial Budget

Budget Level Policy Level

Agency Recommendation Summary Text

Funding is requested for a grant-managed process of assessment and case management for offenders ordered to supervision and conditions by a court of limited jurisdiction. The proposed system targets progressive corrections strategies to frequent misdemeanor level offenders, with a goal to provide meaningful intervention and interrupt criminal progression to more serious behavior.

Fiscal Detail

Operating Expenditures	FY 2016	FY 2017	Total
001-1 General Fund State	\$ 450,000	\$ 650,000	\$ 1,100,000
Staffing	FY 2016	FY 2017	Total
FTEs (number of staff requested)	1	1	1

Package Description

The Misdemeanant Corrections Association (MCA) is the Washington state association for misdemeanor probation officers. This funding request is made by the MCA, the District and Municipal Court Judges Association, and supported by the Adult Static Risk Assessment Oversight Committee.

In Washington's Courts of Limited Jurisdiction (CLJ), supervision of offenders can be executed in various ways. Some CLJ, or misdemeanor probation departments, perform pre-trial supervision in addition to post-conviction supervision. Existing probation services perform post-conviction supervision ordered by a CLJ. If no probation department exists, generally, the court

will conduct some form of bench probation - that could mean a court clerk reviewing the case for compliance or it could mean the judge reviewing each case.

This budget package proposes a progressive corrections based system which includes assessment, defined supervision practices, and outcome evaluation for re-offending rates. For a court to be eligible for state funding, the probation division must comply with assessment and case management standards. The proposed system of offender management is optional and outcomes will be measured by re-offending rates.

The Washington State Center for Court Research, in cooperation with Washington State University, is currently researching criminogenic characteristics of frequent CLJ offenders who primarily serve confinement in local jails. County, city and state funders have shared interest in addressing recidivism in a meaningful way with this population of offenders. If meaningful intervention was available, ordered, and supervised, the impact would be felt in two ways: (1) possible reduction in jail costs and population control (including out of county housing costs) and (2) measure overall impact on recidivism rates, including risk to community.

The strategy to measure recidivism in an operational environment, such as CLJ probation, is to consider arrest and violations which has direct relevance for DUI offenders undergoing monitoring. Also, there is current capacity to track prosecution and conviction for re-offending behavior (and severity). The recidivism evaluation should occur at 6-month intervals, beginning with each sentencing. Employment is another relevant outcome, or protective factor, which can be measured at the beginning, during, and at the conclusion of supervision.

The Adult Static Risk Assessment (ASRA) is an automated, validated, actuarially-based assessment that categorizes a defendant's risk to re-offend and risk of violence into the following categories: low, moderate, high property, high drug, and high violent. Case management principles support the use of evidence based interventions to target defendants and offenders who score in the moderate or high risk ranges. The low risk offenders should receive minimal intervention because increased exposure to higher risk populations (even at the court house) is likely to increase their own risky behavior. The use of confinement alternatives, programs, and targeted case management strategies should be available for those who score moderate or high on the ASRA. That categorization of risk will determine the use of enhanced CLJ probation services, which is the basis for the funding request.

State resources are needed to adequately provide staffing for enhanced case management practices of defendants ordered to supervision by a court of limited jurisdiction. There is a relationship between lowering re-offending behavior and effective case management strategies.

This funding proposal articulates a strategy to staff CLJ misdemeanor probation units (some including pre-trial services) to provide an improved level of intervention that includes application of the ASRA. Not only will this provide an immediate impact to jail populations, it will provide long term data and the ability to evaluate offender characteristics that fall between juvenile and felony criminal activity.

The state will see a rapid return on investment by expecting regular reports back on intervention effectiveness on recidivism and criminal filing trends. In theory, the felony filing rate will decrease if the mid-level offenders (generally referred for misdemeanors) experience meaningful intervention as part of their CLJ supervision.

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

ARLJ 11 requires that a risk assessment be conducted on every probationer to determine the level of supervision. If courts use the ASRA to determine risk to re-offend and risk for violence, the data can be shared between courts (via JABS) and the assessment is subject to modern validation studies. Use of ASRA is tied to disbursement of state funding to enhance CLJ probation models, which will be a deliverable listed in a contract between the state and city or county.

Alternatives explored

Not applicable

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

The package requests grant funding for an opt-in supervision system enhancement at the CLJ supervision level. Within 2 years of state supported supervision practices, the jurisdictions that opted in will be measured for re-offending behavior, and the outcome of that evaluation will demonstrate the effectiveness of applying a system of assessment and case management to the CLJ offender population.

Effects of non-funding

If state funding to enhance case management standards and practices for supervision ordered through a court of limited jurisdiction is not approved or funded, the level of meaningful intervention available to this population of offenders will remain inconsistent in our state, and where it doesn't exist at all, judges or clerks will conduct "bench probation/supervision". The current form of probation can be described as surveillance, and does very little or nothing to change criminogenic attributes.

Expenditure calculations and assumptions and FTE assumptions

The model of funding the system is grant based; Administrative Office of the Courts to local CLJ jurisdiction. State funding will be allotted by the Legislature to the AOC, who will accept applications from CLJ jurisdictions wishing to participate.

In the application process, CLJ jurisdictions will outline case management strategies and court operational enhancements that require funding to meet the standards for assessment and case management.

The ASRA is a defined process with minimal workload impacts. The sophisticated system of case management is based on standards approved by the MCA and vetted by the Washington State Center for Court Research, which requires staff resources. The local improvement plan will include state resources for staff to meet the demands of the outlined system of case management standards. The system improvement for qualified and selected courts will be measured at least every six months based on new referrals from law enforcement to a trial court. Within two years, with regular reporting, the state and local jurisdiction will clearly understand the extent of state and local cost savings. The grant program will operate within the budget allocated.

The amount of state resources allocated will limit the number of courts who can opt into the corrections supervision enhancement.

Object Detail	FY 2016	FY 2017	Total
Staff Costs	\$ 100,000	\$ 100,000	\$ 200,000
Non-Staff Costs	\$ 350,000	\$ 550,000	\$ 900,000
Total Objects	\$ 450,000	\$ 650,000	\$ 1,100,000