

Guest Editorial

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## Trial courts cuts must be stopped

Tari S. Eitzen

Each year, the Legislature faces difficult choices on how to fund state government.

The trial courts understand that and have been searching for efficiencies and ways to save dollars while maintaining our judicial system and providing access to the courts for everyone.

However, after years of cuts that are more severe for the judicial branch – a co-equal branch of government – than any executive branch agency has taken, we no longer have any place to cut except essential court services.

Washington has the sad distinction of being dead last – 50th out of 50 states – for money the state spends on our trial courts. Last place is one thing, but take a look at how much Washington spends on the entire judicial branch – seven-tenths of 1 percent of the state's operating budget.

Now, the Senate budget proposes cutting another \$7.9 million out of the budget for the judicial branch's administrative agency, the Administrative Office of the Courts. If this occurs, the result is a 31.2 percent overall cut to AOC this year alone. This reduction is on top of the 26 percent in reductions taken by the AOC since 2009. Administrative cuts cannot make up a reduction of this magnitude.

The House budget treats the judicial branch better, but still proposes a \$12 million cut in Becca/truancy funding. Becca is a law passed by the Washington Legislature in 1995 that is named for a 13-year-old runaway girl who was murdered in Spokane. The bill was passed to keep kids in school and help families with at-risk children. Nationally, 75 percent of state inmates and 59 percent of federal inmates are high school dropouts. As a Spokane County Juvenile Court official said: "If (Becca) funding is eliminated, the youth will still make their way to the court system – most likely as criminal offenders."

To the Legislature's credit, in 2005 the state began funding costs mandated by our state's constitution and statutes. Some funding was provided for court interpreters, mandatory guardians ad litem for children in dependency cases, parent dependency representation and criminal indigent defense, among other costs. The funding for these mandated court expenses, known as pass-throughs, is administered by AOC.

Now this funding, as well as funding for truancy and at-risk children, is in jeopardy. The cuts will have to come from someplace, and the only place left are the pass-throughs, or direct court services.

If the cuts are taken from the funding for supervisors for Court Appointed Special Advocates, children will be hurt. The advocates are volunteers who spend their time, and often their own money, to serve as statutorily required guardians ad litem to represent the best interests of children removed from their homes due to allegations of abuse or neglect. Sadly, the CASA programs will be in crisis; the counties simply cannot afford to take on this responsibility assumed by the state. Cases cannot move forward without guardians ad litem, and using CASA volunteers has saved millions by leveraging public funding for CASA supervisors.

Other endangered pass-throughs include court interpreters for those who cannot understand English and would not otherwise know what is happening in court; a contribution to the salaries of district and qualifying municipal court judges who preside over two million cases each year; and collection of legal financial obligations by the clerks, which adds money to the state and local government. Justice is in jeopardy. Most importantly, our kids are in jeopardy. The cuts will be devastating. Don't close the doors to the courthouse for those who need these services. Don't turn your back on our kids. We urge the Legislature to maintain funding for the trial courts.

*Tari S. Eitzen is a Spokane Superior Court judge, past president of the Washington State Superior Court Judges Association, and current member of the association's legislative committee.*

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