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COURTS

**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

February 12, 2016

**AOC SEATAC OFFICE
SEATAC, WASHINGTON**

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2015-2016

<i>DATE</i>	<i>TIME</i>	<i>MEETING LOCATION</i>
<i>Tentative: Friday, July 10, 2015</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Aug. 14, 2015</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Thursday, Sept. 3, 2015</i>	10:30 a.m. – 1:30 p.m.	AOC Puget Sound Conference Room, Olympia
<i>Friday, Oct. 9, 2015</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Nov. 13, 2015</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Dec. 11, 2015</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Jan. 8, 2016</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, Feb. 12, 2016</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, March 11, 2016</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, April 8, 2016</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center
<i>Friday, May 13, 2016 & Saturday, May 14, 2016</i>	May 13: 12:00-5:00 p.m. May 14: 9:00-1:00 p.m.	Best Western Dayton, WA
<i>Sunday, June 5, 2016</i>	9:00 a.m. – 12:00 p.m.	Cambell's Resort, Chelan, in conjunction with Spring Program

AOC Staff: Sharon Harvey

(AOC Conference Room Reserved)

Updated: October 27, 2015



WASHINGTON
COURTS

DMCJA BOARD MEETING
FRIDAY, FEBRUARY 12, 2016
12:30 PM – 3:30 PM
AOC SEATAC OFFICE
SEATAC, WA

PRESIDENT JUDGE DAVID STEINER

AGENDA

TAB

Call to Order

General Business

1

- A. Minutes – January 8, 2016 (pp 1-6)
- B. Treasurer’s Report – *Judge Burrowes*
- C. Special Fund Report – *Judge Ahlf* (pp 7-8)
- D. Standing Committee Reports
 - 1. Legislative Committee – *Judge Meyer*
- E. Trial Court Advocacy Board (TCAB) Update
- F. JIS Report – *Ms. Vicky Cullinane*

Liaison Reports

- A. District and Municipal Court Management Association (**DMCMA**) – *Ms. Linda Baker*
- B. Misdemeanant Corrections Association (**MCA**) – *Ms. Deena Kaelin*
- C. Superior Court Judges’ Association (**SCJA**) – *Judge Michael Downes*
- D. Washington State Bar Association (**WSBA**) – *Sean Davis, Esq.*
- E. Washington State Association for Justice (**WSAJ**) – *Lloyd James Willaford, Esq.*
- F. Administrative Office of the Courts (**AOC**) – *Mr. Dirk Marler*
- G. Board for Judicial Administration (**BJA**) – *Judges Garrow, Jasprica, Lambo, and Ringus*

Action

2

- A. Civil Rule for Courts of Limited Jurisdiction 55, Entry of Default Judgment (pp 9-34)

Discussion

3

- A. Washington State Center for Court Research (WSCCR) Presentation regarding services available to Courts of Limited Jurisdiction (pp 35-36)
- B. Funding Request: Presiding Judges and Administrator Education Committee Education Program – *Ms. Margaret Yetter* (pp 37 - 38)
- C. Support Request: Mandatory Continuing Education for Court Administrators – *Ms. Margaret Yetter and Ms. Lynne Campeau*
- D. Special Legislative Update: Office of the Superior Court Judges Association (pp 39-54)

<p>Information</p> <ul style="list-style-type: none">A. Judge Aimee Maurer, Spokane District Court, has been appointed as the DMCJA Liaison to the Access to Justice Board.B. Statewide Relicensing Program – House Bill (HB) 2659 and its companion bill, Senate Bill (SB) 6360, were introduced to the Legislature.	
<p>Other Business</p> <p>The next DMCJA Board Meeting is Friday, March 11, 2016, at the AOC SeaTac Office.</p>	
<p>Adjourn</p>	



DMCJA Board of Governors Meeting
Friday, January 8, 2016, 12:30 p.m. – 3:30 p.m.
AOC SeaTac Office
SeaTac, WA

MEETING MINUTES

Members Present:

Chair, Judge David Steiner
Judge Scott Ahlf
Judge Joseph Burrowes
Judge Karen Donohue
Judge Douglas Fair
Judge Michelle Gehlsen
Judge Michael Lambo (non-voting)
Judge G. Scott Marinella
Judge Samuel Meyer
Judge Kevin Ringus (non-voting)
Judge Rebecca Robertson
Judge Douglas Robinson
Judge Charles Short
Judge David Svaren
Judge Tracy Staab

Guests:

Ms. Linda Baker, DMCMA
Sean Davis, Esquire, WSBA
Judge Michael Downes, SCJA
Ms. Deena Kaelin, MCA
Judge Kimberly Walden, DMCJA
Judge Elizabeth Bejarano

AOC Staff:

Ms. J. Benway, AOC (via phone)
Ms. Vicky Cullinane, Business Liaison
Ms. Sharon R. Harvey, Primary DMCJA Staff
Mr. Dirk Marler, Jud. Serv. Div. Director

Members Absent:

Judge Janet Garrow (non-voting)
Judge Judy Jasprica (non-voting)

Judge David Steiner, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum present and called the DMCJA Board of Governors (Board) meeting to order at 12:30 PM. Judge Steiner asked attendees to introduce themselves.

DISCUSSION

Judge Steiner informed that the statewide relicensing topic, which was scheduled later on the agenda, would be the first agenda item discussed in order to accommodate attendees.

Statewide Relicensing Program Report by Judge Elizabeth Bejarano and Proposed Legislation

The Board revisited the Statewide Relicensing Program topic, which had been discussed at previous Board meetings. In November 2015, the Board voted to support the concept of a statewide relicensing program that would allow persons with legal financial obligations in multiple jurisdictions to pay one fee to a state administrator that would then pay a portion of the debt owed to the various jurisdictions. In response to the support of the relicensing project, the Northwest Justice Project convened a group of stakeholders to discuss the course of action needed to create a statewide relicensing program. The stakeholders met from October 2015 to December 2015 and in December 2015 determined that in order to create such a program, legislation must be enacted. The stakeholders group drafted legislation and presented it before the DMCJA Board for review and approval. It was noted that the AOC worked with representatives from the Attorney General's Office and Columbia Legal Services to amend the original version of the proposed bill to address concerns regarding administering the Program. Instead of a large stakeholder group developing the program, the amended version would have AOC work directly with DMCJA and DMCMA to develop the plan. The larger stakeholder group would be assembled to provide input on the plan before finalization.

M/S/P to make this an action item.

GENERAL BUSINESS

A. Minutes

The Board motioned, seconded, and passed a vote (M/S/P) to approve the Minutes for December 11, 2015, which includes Judge Svaren's amendments to the Judicial Information System Committee (JISC) Report.

B. Treasurer's Report

M/S/P to approve the Treasurer's Report.

C. Special Fund Report

M/S/P to approve the Special Fund Report.

D. Standing Committee Reports

1. *Legislative Committee*

Judge Meyer, DMCJA Legislative Committee Chair, reported on the status of the DMCJA proposed legislation. He informed that both the Discover Pass bill, Senate Bill (SB) 6297, and House Bill 2371, *requiring a court that consults the judicial information system in order to render a decision to file a copy of the information used in the court file upon request of a party*, have bill sponsors. The DMCJA Lobbyist continues to seek sponsors for the surrender of persons under a surety bond bill. Judge Meyer reported on the status of the Office of Superior Court Judges' Association bill, SB 6317. The DMCJA is neutral regarding the bill but is opposed to diverting Administrative Office of the Courts (AOC) funds for the Office of the Superior Court Judges' Association. Senator Mike Padden, Spokane, indicated that no new money will be provided to create the Superior Court agency.

Judge Meyer further informed that Judge Glenn Phillips, Kent Municipal Court, met with the legislative Driving Under the Influence (DUI) Workgroup to address courts of limited jurisdiction (CLJ) concerns regarding proposed DUI bills. Judge Kevin Ringus, Fife Municipal Court, will testify on an alcohol monitoring related bill on January 12, 2016. Judge Meyer also mentioned that a hearing will be held on a bill that would require CLJs to fingerprint defendants. The CLJs oppose this bill. Judge Meyer informed the Board that Judge Brett Buckley's wife passed away and requested that the Board send flowers to Judge Buckley. The Board voted to send flowers.

2. *Nominating Committee Update regarding Board Member from a Minority Group (DMCJA Bylaws, Art. VII, Sec. 1)*

This issue relates to Article VII of the DMCJA Bylaws, which requires that the Board consist of at least one member from a minority group. The 2015-2016 Board does not have a member from a minority group. For this reason, Judge Steiner appointed Judge Linda Coburn, Edmonds Municipal Court, as an additional member to comply with the DMCJA Bylaws. The Board is requested to ratify Judge Steiner's appointment, pursuant to Art. VII Section 2 of the DMCJA Bylaws.

M/S/P to make this an action item.

3. *Rules Committee Minutes for October 28, 2015*

The Board was directed to review the DMCJA Rules Committee Minutes for October 28, 2015.

E. Trial Court Advocacy Board (TCAB)

Judge Steiner reported that the TCAB met and approved its meeting Minutes, discussed General Rule 31.1, Access to Administrative Records, made amendments to the court security rule, and removed the Gaelic words from its logo. The TCAB continues to focus on issues related to adequate court funding and court interpreter

matters. Judge Steiner also distributed an amended Trial Court Security Rule that was sent to the Washington Supreme Court for approval.

F. Judicial Information System (JIS) Report

Ms. Cullinane, AOC business liaison, reported on several topics related to the JIS. She informed that the Courts of Limited Jurisdiction Case Management System (CLJ-CMS) Project is going well. The CLJ-CMS Court User Work Group (CUWG) will vote on the final business requirements in January 2016. Those requirements will be in the request for proposal (RFP). Ms. Cullinane further reported that communication on project activities during the procurement phase will have to be more limited so as not to run afoul of procurement rules.

Ms. Cullinane reported that the Information Technology Governance (ITG) Request 41 project team discovered an issue with deferred prosecution cases. Deferred prosecution cases need to be kept in perpetuity, as a person can only be granted one in a lifetime. There are some deferred prosecution cases that have either no deferred prosecution code or an incorrect code. Those cases would be destroyed unless the correct code is entered. AOC will be sending courts reports showing these cases, so that courts can correct their records. The second part of the problem is deferred prosecution cases that were not successfully completed, but were not found guilty. In that scenario, JIS does not have a way to mark those cases to be kept in perpetuity. The Project Steering Committee will meet soon to decide how to develop a way to mark the latter types of cases, as well as how much time to allow courts to correct the cases with missing or incorrect deferred prosecution codes. One way to fix the problem may be to add another type of "retain case" flag to the screen allowing judges to retain a particular case despite the destruction rules. Judge Ahlf mentioned that his court has a policy regarding retaining individual cases that he will provide to Judge Steiner.

Ms. Cullinane further reported that she has recently become aware of problems with the Judicial Access Browser System (JABS) relating to judges' calendars not loading properly in some circumstances. She only recently became aware of the problem because earlier complaints were made on the judges' listserv, and she does not have access to that listserv. Ms. Cullinane requested that if judges have problems with JABS that they put in a ticket with AOC's help desk. The sooner we know about the problems, the sooner we can fix them. Lastly, Ms. Cullinane reported back on the question of limited jurisdiction judges gaining access to documents in the superior courts' Odyssey portal. She explained that each county clerk controls access to the documents. She explained that there would be further discussion on the superior court case management system project regarding access for limited jurisdiction judges, and she and Dirk Marler would do everything they could to advocate for CLJ judges' access.

LIAISON REPORTS

A. District and Municipal Court Management Association (DMCMA)

Ms. Linda Baker, DMCMA President, requested that the DMCJA financially support mandatory continuing education for court administrators. Ms. Baker informed that many court administrators do not receive training, which impacts the courts. Judge Steiner requested that a DMCMA representative discuss all funding requests related to education at the next DMCJA Board meeting on February 12, 2016.

B. Washington State Bar Association (WSBA)

Sean Davis, Esquire, WSBA Board Governor, reported that the WSBA Board adopted a schedule for comments regarding the Escalating Cost of Civil Litigation (ECCL) Task Force Recommendations. The WSBA has also addressed 2015 legislation that would raise the district court jurisdiction amount to one hundred thousand dollars (\$100,000).

C. Board for Judicial Administration (BJA)

Judge Ringus reported that the Court Management Council awarded Court Administrator awards to Ms. Renee Townsley, Court of Appeals Division III, and Mr. Ron Miles, Spokane County Superior Court Administrator. Dr. Carl McCurley presented the work of the Washington State Center for Court Research (WSCCR). The next

BJA meeting is scheduled for February 18, 2016. Judge Steiner informed that Dr. McCurley has been asked to attend the next DMCJA meeting to explain the services WSSCR may offer the courts of limited jurisdiction.

D. Administrative Office of the Courts (AOC)

Mr. Dirk Marler, AOC Judicial Services Division Director, reported that AOC Senate bill (SB) 5177, Improving timeliness of competency evaluation and restoration services required AOC to put together a task force for recommendations regarding video testimony in competency proceedings and to develop new statewide forms. Mr. Marler informed that Ms. Merrie Gough, AOC Legal Analyst, and Judge Finkle have worked with the Pattern Forms Committee to create twenty-one new forms under SB 5177 provisions. The forms work group consisted of judges, administrators, and clerks. Mr. Marler appreciates the excellent work by Judge Finkle, his work group, and AOC staff. The AOC now maintains over 700 Pattern forms, and that list grows every year. Pattern Forms are available at courts.wa.gov under the Forms section.

E. Superior Court Judges' Association (SCJA)

Judge Downes reported that the SCJA addressed the retention schedule policy and the WSBA EECL Task Force Recommendations at the last SCJA meeting. The SCJA is also working with TCAB on issues.

F. Washington State Association for Justice (WSAJ)

Lloyd Willaford, Esq. reported that the WSAJ has discussed the increase in cases because of the district court civil jurisdiction amount. Mr. Willaford also inquired about the number of annual and monthly civil filings since the district court jurisdiction limit increased.

ACTION

1. Statewide Relicensing Program Report by Judge Elizabeth Bejarano and Proposed Legislation

M/S/P to support the proposed statewide relicensing bill that includes Administrative Office of the Courts amendments regarding administering the Program and DMCJA Executive Legislative Committee amendments to the findings in Section 1 of the bill.

2. Bylaw Committee Report for DMCJA Legislative Committee

M/S/P to approve the DMCJA Bylaws Committee Report regarding an addition to the DMCJA Bylaws to include the duties of the DMCJA Legislative Committee.

3. Nominating Committee Update regarding Board Member from a Minority Group (DMCJA Bylaws, Art. VII, Sec.1)

M/S/P to ratify Judge Steiner's appointment of Judge Linda Coburn, Edmonds Municipal Court, to become a member of the Board.

4. General Rule (GR) 31.1 and DMCJA Retention Schedule Decision

M/S/P to adopt the Washington State District and Municipal Court Judges' Association Administrative Public Records Requests Policy and Procedures that was proposed by the AOC.

5. Association Bookkeeper –Should the DMCJA hire a bookkeeper to conduct all financial transactions and maintain all DMCJA financial records?

M/S/P to hire a bookkeeper and request that the DMCJA Accountant, Dino Traverso LLC, handle Special Fund and Treasurer duties and make any budgetary adjustments.

6. YMCA Youth & Government Request for Financial Support

M/S/P to contribute sixteen hundred dollars (\$1600) to the YMCA Youth & Government Program.

7. Commissioner Position Vacancy

M/S/P to ratify Judge Steiner's appointment of Commission Rick Leo, Snohomish District Court, to fill the Board Commissioner position.

DISCUSSION (cont'd)

A. General Rule (GR) 31.1 and DMCJA Retention Schedule Decision

This issue relates to the Board's decision to adopt a policy regarding GR 31.1, *Access to Administrative Records*. The AOC prepared the Washington State District and Municipal Court Judges' Association Administrative Public Records Requests Policy and Procedures for the Board to consider adopting. This Policy would allow the AOC Public Records Officer (PRO) to respond to public requests for all DMCJA records other than financial records.

Judge Steiner informed that, as DMCJA President, he adopted the proposed Policy on an interim basis until the Board could have a formal vote.

M/S/P to move to an action item

B. Association Bookkeeper – Should the DMCJA hire a bookkeeper to conduct all DMCJA financial transactions and maintain all DMCJA financial records?

This topic relates to the DMCJA hiring a bookkeeper to handle its financial records. The bookkeeper is bonded, and therefore, the Treasurer is no longer required to be bonded. The bookkeeper will handle both Special Fund and Treasurer records. The DMCJA Treasurer and Special Fund Custodian would provide monthly reports to the Board, however, the bookkeeper will handle monies related to the Association. The cost would be approximately twenty-five hundred dollars (\$2500) per year. M/S/P to make an action item.

C. YMCA Youth & Government Request for Financial Support

This relates to an annual request by the YMCA Youth and Government for the DMCJA to donate sixteen hundred dollars (\$1600) to support Mock Trial Competition and other youth related programs. M/S/P to make an action item.

D. Civil Rule for Courts of Limited Jurisdiction (CrRLJ) 55, Default and Judgment

The Board discussed the Northwest Justice Project's proposed amendments to CrRLJ 55. Judge Steiner informed that the DMCJA Rules Committee recommends opposing this amendment. This item will be an action item at the next Board meeting.

E. Statewide Relicensing Program Report by Judge Elizabeth Bejarano and Proposed Legislation

This was the first item for discussion at the meeting. Please see Minutes on page 1.

F. DMCJA President appoints Commissioner Rick Leo and seeks Board ratification

The Board was requested to ratify the President's appointment of Commissioner Rick Leo to fill Position 7 on the Board. Commissioner Leo will replace Commissioner Susan Noonan as a Board member. M/S/P to make an action item.

INFORMATION

Judge Steiner informed the Board that Judge Donohue has been appointed as the DMCJA Representative on the Financial Ability to Pay Appellate Costs Workgroup. He also informed that the Draeger Alcotest 9510 case may be found on the DMCJA website.

OTHER BUSINESS

A. Board members were informed that the next Board meeting is Friday, February 12, 2016.

- B. Judge Steiner inquired whether Board members have received many GR 31.1 requests. Board members informed that their courts had not received many requests as of January 8, 2016.

ADJOURNED at approximately 2:15 PM

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WA STATE DIST & MUNICIPAL COURT JUDGES' 10444
 JUDGE SCOTT AHLF
 PO BOX 1967
 LACEY, WA 98509

Please direct all inquiries to (509) 382-4771
 306 E. Main Street, Dayton, WA 99328

Business Money Market Summary - # [REDACTED]

Annual Percentage Yield Earned for this Statement Period	0.100%
Interest Rate	0.100%
Year-to-Date Interest Paid	\$3.53

Beginning Balance	\$41,368.59
Interest Earned This Period	+3.53
Deposits and Credits	+325.00
Checks Paid	-0.00
ATM, Electronic and Debit Card Withdrawals	-0.00
Other Transactions	-0.00
Ending Balance	\$41,697.12

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

Interest Earned This Period

Date	Description	Amount
01-31	Credit Interest	3.53
Total Interest Earned This Period		3.53

Deposits and Credits

Date	Description	Amount
01-05	Deposit	325.00
Total Deposits and Credits		325.00

Statement of Account

PAGE 1 OF 1

Statement Ending Date January 31, 2016

Last Statement Date January 1, 2016

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TO: Judge David Steiner, President, DMCJA Board
FROM: Judge Frank Dacca, Chair, DMCJA Rules Committee
SUBJECT: Proposed Amendment to CRLJ 55
DATE: December 28, 2015

At its December meeting, the DMCJA Rules Committee reviewed amendments to CRLJ 55 regarding the entry of default judgments as proposed by the Northwest Justice Project. The Rules Committee determined that it was opposed to the amendments in their current form. The Committee's primary concern is new section (c), which places the burden on Judges to ensure that detailed evidentiary requirements are met. This not only creates a potentially onerous workload for the Court and the parties, but more importantly invades the province of the Judiciary to determine how to evaluate evidence. Also of concern is a new provision [subsection (c)(6)(C)] which would prevent default judgment if new additional notice requirements are not strictly complied with by the moving party. Should these amendments be adopted, it would fundamentally alter how default and service is considered under Washington law and would further impact other applicable statutes and court rules. Because of the broad policy and procedural issues raised by these proposed amendments, it would seem better addressed through legislative means than through a Court rule.

Thank you for consideration of these comments. If you have any questions, please contact me at 253-798-7712 or fdacca@co.pierce.wa.us.

Attachments: Proposed Amendment to CRLJ 55

CC: DMCJA Rules Committee
J Benway, AOC Staff

The Supreme Court
State of Washington

CHARLES W. JOHNSON
JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
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MEMORANDUM

TO: Judge Harold Clarke III, President-Judge
Superior Court Judges' Association
Judge David Steiner, President-Judge
District and Municipal Court Judges' Association
Judge Laura Middaugh, Chair
Washington State Pattern Forms Committee
Mr. Bill Hyslop, President
Washington State Bar Association
Ms. Kim Morrison, President
Washington Association of County Clerks
Ms. Linda Baker, President
District and Municipal Court Management Association
Mr. Frank Maiocco, President
Association of Washington Superior Court Administrators

FROM: Justice Charles W. Johnson, Chair
Supreme Court Rules Committee 

DATE: November 19, 2015

RE: Northwest Justice Project's Suggested Amendments to Entry of
Default Judgments CR 55 and CRLJ 55

I am attaching proposed amended court rules recently submitted to the Rules Committee by the Northwest Justice Project. The suggested amendments would implement four changes. They would require: (1) creditors to submit affidavits containing detailed proof in support of the default judgment applications, (2) affidavits from the original creditors and intervening debt buyers showing the history debt ownership attached to key documents in actions started by third-party

debt buyers, (3) creditor's counsel must submit an affirmation that the statute of limitations has not expired, and (4) the plaintiff must provide the court with an additional notice of the lawsuit and the court must mail the notice to the defendant at the address where process was served. No default judgement will be entered if the notice is returned as undeliverable.

The suggested amendments to CR 55 and CRLJ 55 also include suggested forms to implement the changes. Two of the suggested forms include Spanish translation within the body of the form.

Before the Rules Committee has an initial discussion on whether to publish this proposed new rule for comment, it is seeking comments from interested stakeholders. This item will be on the agenda for our next Rules Committee meeting scheduled for March 14, 2016.

If you have comments on these suggested amendments, please submit them to me by February 17, 2016 so they can be considered at the March meeting.

Attachments

cc: Ms. Paula Littlewood, WSBA
Ms. Janet Skreen, AOC
Ms. Sharon Harvey, AOC
Ms. Merrie Gough, AOC

1
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3 **Rule 55. DEFAULT AND JUDGMENT**

4 (a) Entry of Default.

5 (1) Motion. When a party against whom a judgment for affirmative relief is sought
6 has failed to appear, plead, or otherwise defend as provided by these rules and that
7 fact is made to appear by motion and affidavit, a motion for default may be made.

8 (2) Pleading After Default. Any party may respond to any pleading or otherwise
9 defend at any time before a motion for default and supporting affidavit is filed, whether
10 the party previously has appeared or not. If the party has appeared before the motion
11 is filed, he may respond to the pleading or otherwise defend at any time before the
12 hearing on the motion. If the party has not appeared before the motion is filed he may
13 not respond to the pleading nor otherwise defend without leave of court. Any
14 appearances for any purpose in the action shall be for all purposes under this rule 55.
15

16 (3) Notice. Any party who has appeared in the action for any purpose shall be served
17 with a written notice of motion for default and the supporting affidavit at least 5 days
18 before the hearing on the motion. Any party who has not appeared before the motion
19 for default and supporting affidavit are filed is not entitled to a notice of the motion,
20 except as provided in rule 55(f)(g)(2)(A).

21 (4) Venue. A motion for default shall include a statement of the basis for venue in
22 the action. A default shall not be entered if it clearly appears to the court from the
23 papers on file that the action was brought in an improper county.
24

1 (b) Entry of Default Judgment. As limited in rule 60(c), judgment after default may
2 be entered as follows if proof of service is on file as required by subsection (b)(4):

3 (1) When Amount Certain. When the claim against a party, whose default has been
4 entered under section (a), is for a sum certain or for a sum which can by computation
5 be made certain, the court upon motion and affidavit of the amount due shall enter
6 judgment for that amount and costs against the party in default, if he is not an infant or
7 incompetent person. No judgment by default shall be entered against an infant or
8 incompetent person unless represented by a general guardian or guardian ad litem.
9 Findings of fact and conclusions of law are not necessary under this subsection even
10 though reasonable attorney fees are requested and allowed.

11 (2) When Amount Uncertain. If, in order to enable the court to enter judgment or to
12 carry it into effect, it is necessary to take an account or to determine the amount of
13 damages or to establish the truth of any averment by evidence or to make an
14 investigation of any other matter, the court may conduct such hearings as are deemed
15 necessary or, when required by statute, shall have such matters resolved by a jury.
16 Findings of fact and conclusions of law are required under this subsection.

17 (3) When Service by Publication or Mail. In an action where the service of the
18 summons was by publication, or by mail under rule 4(d) (4), the plaintiff, upon the
19 expiration of the time for answering, may, upon proof of service, apply for judgment.
20 The court must thereupon require proof of the demand mentioned in the complaint,
21 and must require the plaintiff or his agent to be examined on oath respecting any
22 payments that have been made to the plaintiff, or to anyone for his use on account of
23
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1 such demand, and may render judgment for the amount which he is entitled to recover,
2 or for such other relief as he may be entitled to.

3 (4) Costs and Proof of Service. Costs shall not be awarded and default judgment
4 shall not be rendered unless proof of service is on file with the court.

5 (c) The court shall require at least the following to be on file with the motion for
6 default judgment:

7 (1) On assigned causes of action, a copy of the assignment instrument;

8 (2) On causes of action based on a negotiable instrument, the original negotiable
9 instrument or satisfactory explanation as to why the original cannot be produced;

10 (3) On causes of action based on a retail sales contract, retail installment contract,
11 chattel mortgage, or conditional sales contract, the original contract (or a copy if the
12 original has been filed with a government agency). Where applicable, a copy of a motor
13 vehicle title or bill of sale shall be filed;

14 (4) On causes of action for rent based on an oral agreement, a statement of
15 account similar to that required in actions on open account. If any claim is made for
16 damages or repairs to premises, such claim shall be itemized separately;

17 (5) On causes of action based on a written lease, a copy of the lease and a
18 statement of account as stated in section (4) above;

19 (6) On causes of action arising from a consumer credit transaction all of the
20 following shall be entered—

21 (A) An affidavit in the form required by Rule 56(e),
22
23
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1 (B) The affidavit required by this section shall be filed separately from any other
2 pleading or paper and supported by exhibits, including a copy of the credit agreement
3 as defined in this section, the bill of sale or written assignment of the account where
4 applicable, and account-level records of the original creditor that set forth the name of
5 the defendant; the last four digits of the account number; the date and amount of the
6 charge-off balance; the date and amount of the last payment, if any; the amounts of
7 any post charge-off interest and post-charge-off fees and charges, less any post-
8 charge-off credits or payments made by or on behalf the defendant; and the balance
9 due at the time of sale, and

10 (C) At the time of filing with the clerk the proof of service of the summons and
11 complaint in an action arising from a consumer credit transaction, the plaintiff shall
12 submit to the clerk a stamped unsealed envelope addressed to the defendant together
13 with an Additional Notice of Consumer Credit Action and Answer (Consumer Credit
14 Action).

15 (i) The face of the envelope shall be addressed to the defendant at the address at
16 which process was served, and shall contain the defendant's name, address (including
17 apartment number) and zip code. The face of the envelope also shall contain, in the
18 form of a return address, the appropriate address of the clerk's office to which the
19 defendant should be directed.

20 (ii) The clerk promptly shall mail to the defendant the envelope containing the
21 additional notice and answer set forth in paragraph (C). No default judgment based on
22 defendant's failure to answer shall be entered unless there has been compliance with
23

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1 this subdivision and at least 20 days have elapsed from the date of mailing by the clerk.

2 No default judgment based on defendant's failure to answer shall be entered if the

3 additional notice is returned to the court as undeliverable.

4 (iii) Receipt of the additional notice by the defendant does not confer jurisdiction
5 on the court in the absence of proper service of process.

6 (7) On causes of action based on all other contracts, oral testimony or affidavits
7 sufficient to prove terms, together with filing of a copy of the contract, if written; and
8 filing or proving the items of account and any credits.

9 (8) No judgment for accrued interest shall be allowed unless there is on file proof
10 of the factors necessary for computation of interest, including applicable dates, rate of
11 interest, amounts subject to interest and a computation of the total interest claimed
12 due.

13 (9) Any request for attorney fees shall be supported by an affidavit or certificate
14 supporting any contractual or statutory basis for attorney fees, and the basis upon
15 which attorney fees are calculated. If attorney fees are based on statute, the request
16 for attorney fees shall cite the specific statutory authority.

17 (10) Where plaintiff is represented by counsel, the plaintiff's attorney must sign
18 and submit the AFFIRMATION OF NON-EXPIRATION OF STATUTE OF LIMITATIONS in
19 all applications for a default judgment.

20 (11)The clerk of the court shall refuse to accept for filing a default judgment
21 application that does not comply with the requirements of this section.
22
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24

1 (12) A default judgment that is entered based on a default judgment application
2 that does not comply with the requirements of rule 55(c) shall be set aside under rule
3 60(b)(5).

4 ~~(d)~~ ~~(e)~~ Setting Aside Default.

5 (1) Generally. For good cause shown and upon such terms as the court deems just,
6 the court may set aside an entry of default and, if a judgment by default has been
7 entered, may likewise set it aside in accordance with rule 60(b).

8 (2) When Venue Is Improper. A default judgment entered in a county of improper
9 venue is valid but will on motion be vacated for irregularity pursuant to rule 60(b)(1). A
10 party who procures the entry of the judgment, shall in the vacation proceedings, be
11 required to pay to the party seeking vacation the costs and reasonable attorney fees
12 incurred by the party in seeking vacation if the party procuring the judgment could have
13 determined the county of proper venue with reasonable diligence. This subsection does
14 not apply if either (a) the parties stipulate in writing to venue after commencement of
15 the action, or (b) the defendant has appeared, has been given written notice of the
16 motion for an order of default, and does not object to venue before the entry of the
17 default order.

18
19 ~~(e)~~ ~~(d)~~ Plaintiffs, Counterclaimants, Cross Claimants. The provisions of this rule apply
20 whether the party entitled to the judgment by default is a plaintiff, a third party
21 plaintiff, or a party who has pleaded a cross claim or counterclaim. In all cases a
22 judgment by default is subject to the limitations of rule 54(c).

23 ~~(f)~~ ~~(e)~~ Judgment Against State. (Reserved.)
24

1 (g)(f) How Made After Elapse of Year.

2 (1) Notice. When more than 1 year has elapsed after service of summons with no
3 appearance being made, the court shall not sign an order of default or enter a
4 judgment until a notice of the time and place of the application for the order or
5 judgment is served on the party in default, not less than 10 days prior to the entry.

6 Proof by affidavit of the service of the notice shall be filed before entry of the judgment.

7 (2) Service. Service of notice of the time and place on the application for the order of
8 default or default judgment shall be made as follows:

9 (A) by service upon the attorney of record;

10 (B) if there is no attorney of record, then by service upon the defendant by certified
11 mail with return receipt of said service to be attached to the affidavit in support of the
12 application; or

13 (C) by a personal service upon the defendant in the same manner provided for
14 service of process.

15 (D) If service of notice cannot be made under subsections (A) and (C), the notice
16 may be given by publication in a newspaper of general circulation in the county in
17 which the action is pending for one publication, and by mailing a copy to the last known
18 address of each defendant. Both the publication and mailing shall be done 10 days prior
19 to the hearing.
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SUGGESTED FORMS

Superior Court of Washington
County of _____

v. _____

Plaintiff

Defendant.

No.

DECLARATION OF NON-EXPIRATION
OF STATUTE OF LIMITATIONS
(All Actions)

The undersigned declares or states as follows:

1. I am the counsel for _____ [Plaintiff] in this action.
2. The cause(s) of action asserted herein accrued on _____ [date of default] in the state of _____ . The statute(s) of limitations for the cause(s) of action asserted herein is/are _____ years. Based on my reasonable inquiry, I believe the applicable statute(s) of limitations for the cause(s) of action asserted herein have not expired.

I certify the above to be true and correct under penalty of perjury under Washington law.

Executed this _____ [Date] in _____ at [City] _____ [State].

[Name]

**Superior Court of Washington
County of**

Plaintiff

v.

Defendant.

No.

Notice of Consumer Credit Action
Adviso de demanda del credito
consumidor

ATTENTION: A lawsuit has been filed against you claiming that you owe money for an unpaid consumer debt. You should go to the court clerk's office at the address listed on the face of the envelope as soon as possible to respond to the lawsuit by filing an "answer." You may wish to contact an attorney. If you do not respond to the lawsuit, the court may enter a money judgment against you. Once entered, a judgment is good and can be used against you for up to twenty years, and your personal property and money, including a portion of your paycheck and/or bank account, may be taken from you. Also, a judgment will affect your credit score and can affect your ability to rent a home, find a job, or take out a loan. You cannot be arrested or sent to jail for owing a debt. It is important that you go to the court clerk's office listed above as soon as possible. You should bring this notice and any legal papers you may have received. Additional information can be found on the court system's website at: www.courts.wa.gov/. Low-income people may call the **CLEAR Hotline** for free legal advice and information at 1-888-201-1014 (M-F 9:10 a.m. to 12:25 p.m.).

ATENCIÓN: Se ha presentado una demanda en su contra reclamando que usted debe dinero por una deuda de consumidor. Usted debe dirigirse a las ventanillas del secretario del tribunal, localizada en la dirección enumerada en el frente del sobre que recibió, tan pronto como le sea posible, para responder a la demanda presentando una "contestación." Quizás usted quiera comunicarse con un abogado. Si usted no presenta una contestación, el tribunal puede emitir un fallo monetario en contra suya. Una vez emitido, ese fallo es válido y puede ser utilizado contra usted por hasta un período de veinte años, y contra su propiedad personal y su dinero, incluyendo una porción de su salario y/o su cuenta bancaria, los cuales pueden ser embargados. Además, un fallo monetario afecta su crédito y puede afectar su capacidad de alquilar una casa, encontrar trabajo o solicitar un préstamo para comprar un automóvil. Usted no puede ser arrestado ni apresado por deber dinero. Es importante que se dirija a las ventanillas del secretario judicial antes mencionado tan pronto como pueda. Usted debe presentar esta notificación y los documentos legales que haya recibido. Puede obtener información adicional en el sitio web del sistema: www.courts.wa.gov/. Personas de bajos ingresos pueden llamar a CLEAR para consejo y asistencia legal gratis al 1-888-201-1014 (lunes a viernes desde las 9:10 a.m. hasta las 12:25 p.m.).

[Insert additional county-required Title VI threshold languages]

Superior Court of Washington
County of

Plaintiff

v.

Defendant.

No.

Answer
Contestación
(Consumer Credit Action)

ANSWER: (Check all that apply)

CONTESTACIÓN: (Marque todo lo que corresponda)

1. General Denial: I deny the allegations in the Complaint.
Negación general: Niego todas las alegaciones incluidas en la demanda.

SERVICE
ENTREGA

2. I did not receive a copy of the Summons and Complaint.
No recibí una copia de la notificación y demanda.

3. I received the Summons and Complaint, but service was not correct as required by law.
Recibí la notificación y demanda, pero la entrega no fue correcta como es requerida por ley.

DEFENSES
DEFENSAS

4. It is not my debt.
No es mi deuda.

5. I have paid all or part of the alleged debt.
Pague toda o parte de la deuda en cuestión.

6. I dispute the amount of the debt.
Disputo la cantidad de la deuda.

7. I had no business dealings with Plaintiff (Plaintiff lacks standing) and/or Plaintiff is not the legal owner of my debt.
No tuve tratos de negocio con el demandante (el demandante no tiene legitimación) y/o el demandante no es el dueño legal de mi deuda.

- 1 8. Plaintiff is not a licensed debt collector in Washington under RCW 19.16.
2 *El demandante no tiene una licencia de cobrador de deudas en Washington bajo*
3 *RCW 19.16.*
- 4 9. Statute of limitations (the time has passed to sue on this debt).
5 *Estatuto de limitaciones (el tiempo ha pasado para demandar en esta deuda)*
- 6 10. The debt has been discharged in bankruptcy.
7 *La deuda ha sido descargada en bancarrota.*
- 8 11. The collateral (property) was not sold at a commercially reasonable price.
9 *La garantía (propiedad) no fue vendida en un precio comercial razonable.*
- 10 12. Failure to provide proper notice before selling collateral (property).
11 *Fallo de dar notificación adecuada antes de vender la garantía (propiedad).*
- 12 13. Unjust enrichment (the amount demanded is excessive compared with the original debt).
13 *Enriquecimiento ilícito (la cantidad demanda es excesiva comparada con la deuda*
14 *original).*
- 15 14. Unconscionability (the contract is unfair).
16 *Unconscionable (el contrato es injusto).*
- 17 16. Defendant is in the military.
18 *El demandado esta en las fuerzas armadas.*

19 OTHER
20 *OTRO*

21 15. Other Reasons.
22 *Otras razones*

23 _____
24 Signature of Defendant
Firma del demandado

Printed name:
Nombre en letra de molde

Date:
Fecha

1 **Civil Rules for Courts of Limited Jurisdiction**

2 **RULE 55. DEFAULT**

3
4 (a) Entry of Default.

5 (1) Motion. When a party against whom a judgment for affirmative relief is sought
6 has failed to appear, plead, or otherwise defend as provided by these rules and that
7 fact is made to appear by motion and affidavit, a motion for default may be made.

8 (2) Pleading After Default. Any party may respond to any pleading or otherwise
9 defend at any time before a motion for default and supporting affidavit is filed, whether
10 the party previously has appeared or not. If the party has appeared before the motion
11 is filed, he may respond to the pleading or otherwise defend at any time before the
12 hearing on the motion. If the party has not appeared before the motion is filed he may
13 not respond to the pleading nor otherwise defend without leave of court. Any
14 appearances for any purpose in the action shall be for all purposes under this rule 55.
15

16 (3) Notice. Any party who has appeared in the action for any purpose, shall be
17 served with a written notice of motion for default and the supporting affidavit at least 5
18 days before the hearing on the motion. Any party who has not appeared before the
19 motion for default and supporting affidavit are filed is not entitled to a notice of the
20 motion, except as provided in subsection (g)(f)(2)(i).

21 (4) Venue. A motion for default shall include a statement of the basis for venue in
22 the action. A default shall not be entered if it clearly appears to the court from the
23 papers on file that the action was brought in an improper district.
24

1 (b) Entry of Default Judgment. As limited in rule 54(c), judgments after default may
2 be entered as follows, if proof of service is on file as required by subsection (b)(4):

3 (1) When Amount Certain. When the claim against a party, whose default has been
4 entered under section (a), is for a sum certain or for a sum which can by computation
5 be made certain, the court upon motion and affidavit of the amount due shall enter
6 judgment for that amount and costs against the party in default, if he is not an infant or
7 incompetent person. No judgment by default shall be entered against an infant or
8 incompetent person unless represented by a general guardian or guardian ad litem.
9 Findings of fact and conclusions of law are not necessary under this subsection unless
10 even though reasonable attorney fees are requested and allowed.

11 (2) When Amount Uncertain. If, in order to enable the court to enter judgment or to
12 carry it into effect, it is necessary to take an account or to determine the amount of
13 damages or to establish the truth of any averment by evidence or to make an
14 investigation of any other matter, the court may conduct such hearings as are deemed
15 necessary or, when required by statute, shall have such matters resolved by a jury.
16 Findings of fact and conclusions of law are required under this subsection.

17 (3) When Service by Publication or Mail. In an action where the service of the
18 summons was by publication, or by mail under rule 4(d)(4), the plaintiff, upon the
19 expiration of the time for answering, may, upon proof of service, apply for judgment.
20 The court must thereupon require proof of the demand mentioned in the complaint,
21 and must require the plaintiff or his agent to be examined on oath respecting any
22 payments that have been made to the plaintiff, or to anyone for his use on account of
23
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1 such demand, and may render judgment for the amount which he is entitled to recover,
2 or for such other relief as he may be entitled to.

3 (4) Costs and Proof of Service. Costs shall not be awarded and default judgment
4 shall not be rendered unless proof of service is on file with the court.

5 (c) The court must require at least the following to be on file with the motion for
6 default judgment:

7 (1) On assigned causes of action, a copy of the assignment instrument;

8 (2) On causes of action based on a negotiable instrument, the original negotiable
9 instrument or satisfactory explanation as to why the original cannot be produced;

10 (3) On causes of action based on a retail sales contract, retail installment contract,
11 chattel mortgage, or conditional sales contract, the original contract (or a copy if the
12 original has been filed with a government agency). Where applicable, a copy of a motor
13 vehicle title or bill of sale must be filed;

14 (4) On causes of action for rent based on an oral agreement, a statement of
15 account similar to that required in actions on open account. If any claim is made for
16 damages or repairs to premises, such claim must be itemized separately;

17 (5) On causes of action based on a written lease, a copy of the lease and a
18 statement of account as stated in section (4) above;

19 (6) On causes of action arising from a consumer credit transaction all of the
20 following shall be entered—

21 (A) An affidavit in the form required by Rule 56(e,))
22
23
24

1 (B) The affidavit required by this section must be filed separately from any motion
2 or memorandum and supported by exhibits, including a copy of the credit agreement as
3 defined in this section, the bill of sale or written assignment of the account where
4 applicable, and account-level records of the original that set forth the name of the
5 defendant; the last four digits of the account number; the date and amount of the
6 charge-off balance; the date and amount of the last payment, if any; the amounts of
7 any post charge-off interest and post-charge-off fees and charges, less any post-
8 charge-off credits or payments made by or on behalf the defendant; and the balance
9 due at the time of sale, and

10 (C) At the time of filing with the clerk the proof of service of the summons and
11 complaint in an action arising from a consumer credit transaction, the plaintiff must
12 submit to the clerk a stamped unsealed envelope addressed to the defendant together
13 with an Additional Notice of Consumer Credit Action and Answer (Consumer Credit
14 Action).

15 (i) The face of the envelope shall be addressed to the defendant at the address at
16 which process was served, and shall contain the defendant's name, address (including
17 apartment number) and zip code. The face of the envelope also shall contain, in the
18 form of a return address, the appropriate address of the clerk's office to which the
19 defendant should be directed.

20 (ii) The clerk promptly must mail to the defendant the envelope containing the
21 additional notice and answer set forth in paragraph (C). No default judgment based on
22 defendant's failure to answer shall be entered unless there has been compliance with
23

1 this subdivision and at least 20 days have elapsed from the date of mailing by the clerk.
2 No default judgment based on defendant's failure to answer shall be entered if the
3 additional notice is returned to the court as undeliverable.

4 (iii) Receipt of the additional notice by the defendant does not confer jurisdiction
5 on the court in the absence of proper service of process.

6 (7) On causes of action based on all other contracts, oral testimony or affidavits
7 sufficient to prove terms, together with filing of a copy of the contract, if written; and
8 filing or proving the items of account and any credits.

9 (8) No judgment for accrued interest shall be allowed unless there is on file proof
10 of the factors necessary for computation of interest, including applicable dates, rate of
11 interest, amounts subject to interest and a computation of the total interest claimed
12 due.

13 (9) Any request for attorney fees shall be supported by an affidavit or certificate
14 supporting any contractual or statutory basis for attorney fees, and the basis upon
15 which attorney fees are calculated. If attorney fees are based on statute, the request
16 for attorney fees must cite the specific statutory authority.

17 (10) Where plaintiff is represented by counsel, the plaintiff's attorney must sign
18 and submit the AFFIRMATION OF NON-EXPIRATION OF STATUTE OF LIMITATIONS in
19 all applications for a default judgment.

20 (11) The clerk of the court shall refuse to accept for filing a default judgment
21 application that does not comply with the requirements of this section.
22
23
24

1 (12) A default judgment that is entered based on a default judgment application
2 that does not comply with the requirements rule CRLJ 55(c) shall be set aside under
3 rule 60(b)(5).

4 ~~(d)~~ ~~(e)~~ Setting Aside Default.

5 (1) Generally. For good cause shown and upon such terms as the court deems just,
6 the court may set aside an entry of default and, if a judgment by default has been
7 entered, may likewise set it aside in accordance with rule 60(b).

8 (2) When Venue Is Improper. A default judgment entered in a district of improper
9 venue is valid but will on motion be vacated for irregularity pursuant to rule 60(b)(1). A
10 party who procures the entry of the judgment shall, in the vacation proceedings, be
11 required to pay to the party seeking vacation the costs and reasonable attorney fees
12 incurred by the party in seeking vacation if the party procuring the judgment could have
13 determined the district of proper venue with reasonable diligence. This subsection does
14 not apply if either (i) the parties stipulate in writing to venue after commencement of
15 the action, or (ii) the defendant has appeared, has been given written notice of the
16 motion for an order of default, and does not object to venue before the entry of the
17 default order.

18
19 ~~(e)~~ ~~(d)~~ Plaintiffs, Counterclaimants, Cross Claimants. The provisions of this rule apply
20 whether the party entitled to the judgment by default is a plaintiff, a third party
21 plaintiff, or a party who has pleaded a cross claim or counterclaim. In all cases a
22 judgment by default is subject to the limitations of rule 54(c).

23 ~~(f)~~ ~~(e)~~ Judgment Against State. (Reserved.)
24

1 ~~(g)~~(f) How Made After Elapse of Year.

2 (1) Notice. When more than 1 year has elapsed after service of summons with no
3 appearance being made, the court shall not sign an order of default or enter a
4 judgment until a notice of the time and place of the application for the order or
5 judgment is served on the party in default, not less than
6 10 days prior to the entry. Proof by affidavit of the service of the notice shall be filed
7 before entry of the judgment.

8 (2) Service. Service of notice of the time and place on the application for the order of
9 default or default judgment shall be made as follows:

10 ~~(A)~~(i) by service upon the attorney of record;

11 ~~(B)~~(ii) if there is no attorney of record, then by service upon the defendant by
12 certified mail with return receipt of said service to be attached to the affidavit in support
13 of the application; or

14 ~~(C)~~(iii) by a personal service upon the defendant in the same manner provided for
15 service of process.

16 ~~(D)~~(iv) If service of notice cannot be made under sections (i) and (iii), the notice
17 may be given by publication in a newspaper of general circulation in the county in
18 which the action is pending for one publication, and by mailing a copy to the last known
19 address of each defendant. Both the publication and mailing shall be done 10 days prior
20 to the hearing.
21
22
23
24

1 **SUGGESTED FORMS**

2 District Court of Washington
3 County of _____

4 _____
5 Plaintiff
6 _____
7 Defendant.

No.

DECLARATION OF NON-EXPIRATION
OF STATUTE OF LIMITATIONS
(All Actions)

8 The undersigned declares or states as follows:

9 1. I am the counsel for _____ [Plaintiff] in this action.

10 2. The cause(s) of action asserted herein accrued on _____ [date of default] in the state of
_____. The statute(s) of limitations for the cause(s) of action asserted herein is/are
11 _____ years. Based on my reasonable inquiry, I believe the applicable statute(s) of limitations for the
cause(s) of action asserted herein have not expired.

12 I certify the above to be true and correct under penalty of perjury under Washington law.

13 Executed this _____ [Date] in _____ at [City] _____ [State].

14 _____
15 [Name]

District Court of Washington
County of

Plaintiff

v.

Defendant.

No.

Notice of Consumer Credit Action

ATTENTION: A lawsuit has been filed against you claiming that you owe money for an unpaid consumer debt. You should go to the court's office at the address listed on the face of the envelope as soon as possible to respond to the lawsuit by filing an "answer." You may wish to contact an attorney. If you do not respond to the lawsuit, the court may enter a money judgment against you. Once entered, a judgment is good and can be used against you for up to twenty years, and your personal property and money, including a portion of your paycheck and/or bank account, may be taken from you. Also, a judgment will affect your credit score and can affect your ability to rent a home, find a job, or take out a loan. You cannot be arrested or sent to jail for owing a debt. It is important that you go to the court clerk's office listed above as soon as possible. You should bring this notice and any legal papers you may have received. Additional information can be found on the court system's website at: www.courts.wa.gov/. Low-income people may call the CLEAR Hotline for free legal advice and information at 1-888-201-1014 (M-F 9:15 a.m. to 12:15 p.m.).

ATENCIÓN: Se ha presentado una demanda en su contra reclamando que usted debe dinero por una deuda de consumidor. Usted debe dirigirse a las ventanillas del tribunal, localizada en la dirección enumerada en el frente del sobre que recibió, tan pronto como le sea posible, para responder a la demanda presentando una "contestación." Quizás usted quiera comunicarse con un abogado. Si usted no presenta una contestación, el tribunal puede emitir un fallo monetario en contra suya. Una vez emitido, ese fallo es válido y puede ser utilizado contra usted por hasta un período de veinte años, y contra su propiedad personal y su dinero, incluyendo una porción de su salario y/o su cuenta bancaria, los cuales pueden ser embargados. Además, un fallo monetario afecta su crédito y puede afectar su capacidad de alquilar una casa, encontrar trabajo o solicitar un préstamo para comprar un automóvil. Usted no puede ser arrestado ni apresado por deber dinero. Es importante que se dirija a las ventanillas del secretario judicial antes mencionado tan pronto como pueda. Usted debe presentar esta notificación y los documentos legales que haya recibido. Puede obtener información adicional en el sitio web del sistema: www.courts.wa.gov/. Personas de bajos ingresos pueden llamar a CLEAR para consejo y asistencia legal gratis al 1-888-201-1014 (lunes a viernes desde las 9:10 a.m. hasta las 12:25 p.m.).

Superior Court of Washington
County of

Plaintiff

v.

Defendant.

No.

Answer
(Contestación)
(Consumer Credit Action)

ANSWER: (Check all that apply)

CONTESTACIÓN: (Marque todo lo que corresponda)

1. General Denial: I deny the allegations in the Complaint.
Negación general: Niego todas las alegaciones incluidas en la demanda.

SERVICE
ENTREGA

2. I did not receive a copy of the Summons and Complaint.
No recibí una copia de la notificación y demanda.

3. I received the Summons and Complaint, but service was not correct as required by law.
Recibí la notificación y demanda, pero la entrega no fue correcta como es requerida por ley.

DEFENSES
DEFENSAS

4. It is not my debt.
No es mi deuda.

5. I have paid all or part of the alleged debt.
Pague toda o parte de la deuda en cuestión.

6. I dispute the amount of the debt.
Disputo la cantidad de la deuda.

7. I had no business dealings with Plaintiff (Plaintiff lacks standing) and/or Plaintiff is not the legal owner of my debt.
No tuve tratos de negocio con el demandante (el demandante no tiene legitimación) y/o el demandante no es el dueño legal de mi deuda.

8. Plaintiff is not a licensed debt collector in Washington under RCW 19.16.

1 El demandante no tiene una licencia de cobrador de deudas en Washington bajo
2 RCW 19.16.

3 9. Statute of limitations (the time has passed to sue on this debt).
4 Estatuto de limitaciones (el tiempo ha pasado para demandar en esta deuda)

5 10. The debt has been discharged in bankruptcy.
6 La deuda ha sido descargada en bancarrota.

7 11. The collateral (property) was not sold at a commercially reasonable price.
8 La garantía (propiedad) no fue vendida en un precio comercial razonable.

9 12. Failure to provide proper notice before selling collateral (property).
10 Fallo de dar notificación adecuada antes de vender la garantía (propiedad).

11 13. Unjust enrichment (the amount demanded is excessive compared with the original debt).
12 Enriquecimiento ilícito (la cantidad demanda es excesiva comparada con la deuda
13 original).

14 14. Unconscionability (the contract is unfair).
15 Unconscionable (el contrato es injusto).

16 16. Defendant is in the military.
17 El demandado esta en las fuerzas armadas.

18 OTHER

19 OTRO

20 15. Other Reasons.
21 Otras razones

22 _____
23 Signature of Defendant
24 Firma del demandado

Printed name:
Nombre en letra de molde

Date:
Fecha



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Washington State Center For Court Research

The **Washington State Center for Court Research** (WSCCR) is the research arm of the Administrative Office of the Courts. It was established in 2004 by order of the Washington State Supreme Court. The order was revised in 2015 making changes to the advisory board and establishing a strategic oversight committee.

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ModelsforChange

Systems Reform in Juvenile Justice

[Truancy in Washington State: Filing Trends, Juvenile Court Responses, and the Educational Outcomes of Petitioned Truant Youth \(2015\)](#)

The report was authored by Dr. Elizabeth Coker of the University of Washington, Tacoma, and Dr. Carl McCurley of WSCCR, with funding from the John D. and Catherine T. MacArthur Foundation.

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DISTRICT AND MUNICIPAL COURT MANAGEMENT ASSOCIATION

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prevoir@ci.lynnwood.wa.us

VICE PRESIDENT Cynthia Marr
Pierce County District Court
930 Tacoma Ave S Mr. 239
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Fax (253) 798-3329
cmarr@co.pierce.wa.us

SECRETARY Stacy Colberg
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TREASURER Bonnie Woodrow
Renton Municipal Court
1055 S Grady Way
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PAST PRESIDENT Suzanne Elsner
Marysville Municipal Court
1015 State Ave
Marysville, WA 98270
(360) 363-8054
Fax (360) 657-2960
selsner@marysvillewa.gov

January 21, 2016

Judge David Steiner, President
District and Municipal Judges Association
King County District Court
1309 114th Ave SE, Ste 100
Bellevue, WA 98004

Dear Judge Steiner:

The Presiding Judges and Administrator Education Committee has asked us to help fund a 2016 Presiding Judge and Administrator education program for FY17. See attached document.

The District and Municipal Court Managers Association does not have funds available to contribute. We are asking if your organization would consider contributing for both organizations.

Thank you for your consideration of this matter.

Respectfully,

Linda Baker, President
District and Municipal Managers Association



Presiding Judge & Administrator Education Committee
Honorable David A. Svaren, Chair

*District and Municipal Court
Judges' Association*
Judge C. Kimi Kondo
Judge David A. Svaren
Judge Gregory Tripp
Judge Philip Van de Veer

*District and Municipal Court
Management Association*
Ms. Diana MacKenzie
Ms. Margaret Yetter

*Juvenile Court Administrators'
Association*
Ms. Paula Holter-Mehren

Superior Court Judges' Association
Judge Susan J. Craighead
Judge Maryann C. Moreno
Judge T.W. "Chip" Small

*Washington State Association of
Superior Court Administrators*
Ms. Fona Sugg

January 4, 2016

Ms. Linda Baker, President
District and Municipal Court Managers' Association
Poulsbo Municipal Court
200 NE Moe Street
Poulsbo, WA 98370

Dear Ms. Baker:

The Presiding Judges and Administrator Education Committee is planning to develop and present a presiding judge and administrator program November 6-8, 2016.

At this time Board for Judicial Administration Court Education Committee (CEC) funding is not available for this program. The CEC is planning on requesting funding for a 2016 program for FY 17, but in the event funds are not allocated, we are approaching the various associations requesting funding to help defray the educational costs. We also intend to request a registration fee from each attendee to help with the costs.

We would like to request that the District and Municipal Court Managers' Association allot funding in your 2016 budget cycle toward the \$30,000 needed for implementation of a Presiding Judge and Administrator education program. These funds would be used toward educational costs only (faculty costs, meeting room costs, materials, audio-visual needs). Participants will be charged a registration fee to cover two hosted meals and coffee breaks. If we can secure outside funding we can keep the registration fee as low as possible, and look into using funds towards housing, meals, and reimbursing the associations if possible.

I would be happy to meet with you and the Board to discuss this request.

Thank you for considering this request.

A handwritten signature in black ink, appearing to read "David Svaren".

Judge David Svaren, Chair
Presiding Judges' Education Committee

cc: Mr. Phil Zitzelman
Ms. Margaret Yetter

SENATE BILL 6317

State of Washington 64th Legislature 2016 Regular Session

By Senators Padden, Takko, Dammeier, Hargrove, and Hobbs

Read first time 01/14/16. Referred to Committee on Law & Justice.

1 AN ACT Relating to the establishment of an office of superior
2 courts; and adding a new chapter to Title 2 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that superior
5 courts are constitutionally established to serve Washington's
6 citizens by resolving legal disputes in domestic, civil, juvenile,
7 and criminal cases.

8 (2) The legislature further finds that the effective
9 administration of Washington's superior courts is an important
10 component of the state's responsibility to fairly resolve domestic,
11 civil, juvenile, and criminal justice cases.

12 (3) The legislature further finds that research is imperative to
13 guide trial court reform efforts that improve equal access for
14 Washington citizens, and that as Washington's population continues to
15 grow and become more diverse, equal access to justice is in jeopardy.

16 (4) The legislature further finds that the cost of litigation has
17 increased significantly, and superior courts require staff assistance
18 to provide statewide development of policies that maintain access to
19 justice for all citizens.

20 (5) It is the intent of the legislature to establish an office of
21 superior courts that will:

1 (a) Utilize contemporary research to advance trial court services
2 through policy, programs, services, and participation with justice
3 stakeholders;

4 (b) Pursue improvements to family and juvenile justice by
5 maximizing investment in juvenile court cases and promoting policies
6 that equalize access to proven methods of service across the state;

7 (c) Respond to legislative efforts to improve court operations
8 through program and budget development; and

9 (d) Utilize and develop research tools that promote programs
10 leading to best practices that improve public safety in the criminal
11 justice system.

12 NEW SECTION. **Sec. 2.** (1) An oversight committee of the office
13 of superior courts is created, consisting of the following five
14 members:

15 (a) The president of the association of the superior court judges
16 of the state of Washington;

17 (b) The incoming president of the association of the superior
18 court judges of the state of Washington;

19 (c) The immediate past president of the association of the
20 superior court judges of the state of Washington;

21 (d) The chair of the legislative committee of the association of
22 the superior court judges of the state of Washington; and

23 (e) One member of the board of the association of the superior
24 court judges of the state of Washington, appointed by the executive
25 committee of the association.

26 (2) The appointed member of the association board serves a one-
27 year term, and may not serve more than three consecutive terms.

28 (3) Members of the oversight committee receive no compensation
29 for their services as members of the oversight committee, but may be
30 reimbursed for travel and other expenses in accordance with rules
31 adopted by the office of financial management.

32 (4) The oversight committee oversees the activities of the office
33 of superior courts created by this chapter.

34 NEW SECTION. **Sec. 3.** (1) A state office of superior courts is
35 hereby created as an independent agency of the judicial branch.

36 (2) Activities of the office of superior courts are carried out
37 by a director appointed by, and serving at the pleasure of, the
38 oversight committee of the office of superior courts. The oversight

1 committee shall determine the qualifications and salary for the
2 director.

3 (3) The director shall:

4 (a) Respond to legislative requests to provide data to improve
5 court operations through policy, program, and budget development;

6 (b) Evaluate and promote programs that lead to best practices to
7 improve public safety in the criminal justice system;

8 (c) Pursue improvements to family and juvenile justice by
9 maximizing investment in juvenile court cases and promoting policies
10 that equalize access to proven methods of services across the state;

11 (d) Work collaboratively with the administrative office of the
12 courts and other key stakeholders on implementation of statewide
13 technology advancements allowing for data collection and outcome
14 measurement;

15 (e) Report quarterly to the oversight committee established by
16 section 2 of this act;

17 (f) Submit a biennial budget request;

18 (g) Conduct studies and complete activities related to the
19 efficient and effective operation of the superior courts, as directed
20 by the oversight committee;

21 (h) Employ staff, with the consent of the oversight committee, to
22 complete the activities of the office; and

23 (i) Enter into contracts as necessary to implement and complete
24 the operation, activities, and services of the office, where
25 consistent with this chapter.

26 NEW SECTION. **Sec. 4.** The office of superior courts shall work
27 collaboratively with the supreme court, administrative office of the
28 courts, and statewide county association to advance the efficient and
29 effective operation of the superior courts in all 39 counties of the
30 state.

31 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act
32 constitute a new chapter in Title 2 RCW.

--- END ---

Multiple Agency Fiscal Note Summary

Bill Number: 6317 SB	Title: Office of superior courts
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Estimated Cash Receipts

NONE

Estimated Expenditures

Agency Name	2015-17			2017-19			2019-21		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	2.0	522,247	522,247	4.0	972,094	972,094	4.0	972,094	972,094
Total	2.0	\$522,247	\$522,247	4.0	\$972,094	\$972,094	4.0	\$972,094	\$972,094

Estimated Capital Budget Impact

NONE

Prepared by: Gwen Stamey, OFM	Phone: (360) 902-9810	Date Published: Final 1/18/2016
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 42539

Judicial Impact Fiscal Note

Bill Number: 6317 SB	Title: Office of superior courts	Agency: 055-Admin Office of the Courts
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Account	FY 2016	FY 2017	2015-17	2017-19	2019-21
Counties					
Cities					
Total \$					

Estimated Expenditures from:

STATE	FY 2016	FY 2017	2015-17	2017-19	2019-21
State FTE Staff Years		4.0	2.0	4.0	4.0
Account					
General Fund-State 001-1		522,247	522,247	972,094	972,094
State Subtotal \$		522,247	522,247	972,094	972,094
COUNTY	FY 2016	FY 2017	2015-17	2017-19	2019-21
County FTE Staff Years					
Account					
Local - Counties					
Counties Subtotal \$					
CITY	FY 2016	FY 2017	2015-17	2017-19	2019-21
City FTE Staff Years					
Account					
Local - Cities					
Cities Subtotal \$					
Local Subtotal \$					
Total Estimated Expenditures \$		522,247	522,247	972,094	972,094

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.

Legislative Contact: Julie Murray	Phone: 786-7711	Date: 01/15/2016
Agency Preparation: Sam Knutson	Phone: 3607045528	Date: 01/18/2016
Agency Approval: Ramsey Radwan	Phone: 360-357-2406	Date: 01/18/2016
OFM Review: Gwen Stamey	Phone: (360) 902-9810	Date: 01/18/2016

Request # 6317 SB-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

II. B - Cash Receipts Impact

II. C - Expenditures

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

<i>State</i>	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years		4.0	2.0	4.0	4.0
Salaries and Wages		310,190	310,190	620,380	620,380
Employee Benefits		80,107	80,107	160,214	160,214
Professional Service Contracts		75,000	75,000	150,000	150,000
Goods and Other Services		37,852	37,852	21,704	21,704
Travel		9,098	9,098	18,196	18,196
Capital Outlays		10,000	10,000	1,600	1,600
Inter Agency/Fund Transfers					
Grants, Benefits & Client Services					
Debt Service					
Interagency Reimbursements					
Intra-Agency Reimbursements					
Total \$		522,247	522,247	972,094	972,094

III. B - Expenditure By Object or Purpose (County)

<i>County</i>	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

III. C - Expenditure By Object or Purpose (City)

<i>City</i>	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE Staff Years					
Salaries and Benefits					
Capital					
Other					
Total \$					

III. D - FTE Detail

Job Classification	Salary	FY 2016	FY 2017	2015-17	2017-19	2019-21
Admin Assistant 5	55,729		1.0	0.5	1.0	1.0
Director	120,000		1.0	0.5	1.0	1.0
Financial Services Coordinator	55,729		1.0	0.5	1.0	1.0
Senior Policy Analyst	78,732		1.0	0.5	1.0	1.0
Total FTE's	310,190		4.0	2.0	4.0	4.0

Part IV: Capital Budget Impact

Part II: Narrative Explanation

This bill would create the Office of Superior Courts (OSC) as an independent agency of the judicial branch of state government.

Part II.A – Brief Description of what the Measure does that has fiscal impact on the Courts

If enacted the bill would:

Section 1(5) – Establish the Office of Superior Courts.

Section 2 – Create an oversight committee of the Office of Superior Courts, consisting of five members:

- the president of the Association of Superior Court Judges
- the incoming president of the Association of Superior Court Judges
- the immediate past president of the Association of Superior Court Judges
- the chair of the legislative committee of the Association of the Superior Court Judges
- one member of the board of the Association of Superior Court Judges, appointed by the executive committee of the Association

Section 2(3) – Provide that the OSC oversight committee chair and members would not receive compensation for their services as members of the committee, but may be reimbursed for travel and other expenses consistent with statewide rules established by the Office of Financial Management (OFM).

Section 3(2) – Allow the OSC Committee to appoint a director. The director would serve at the pleasure of the OSC oversight committee and would receive a salary established by the OSC oversight committee.

Section 3 – Allow the OSC director to employ staff and enter into contracts to implement and operate the services and activities of the Office of Superior Court Judges per Section 3(a), (b), (c), (d), (e), (f), (g), (h), and (i)

There is no effective date for this bill, so it is assumed to be effective July 1, 2016.

II.B - Cash Receipt Impact

None.

II.C – Expenditures

Section 2(3)

The OSC oversight committee chair and members would receive no compensation for their services as members of the committee, but may be reimbursed for travel and other expenses consistent with statewide rules established by the Office of Financial Management (OFM).

Fiscal Assumptions:

It is assumed (per Section 3(e)) that the OSC oversight committee would meet quarterly with the OSC director. For purposes of this analysis, it is assumed these meetings would take place in Seattle/SeaTac and would require per diem and overnight travel cost compensation for the five board members, the OSC director, and one OSC administrative support staff. Costs are detailed in Table I, below.

Table I – Estimated Travel Costs

Travel - Lodging Reimbursement

	Q1	Q2	Q3	Q4	Annual Total
Lodging Rate (King County)	202	157	157	202	718
Board Members (5)	1,010	785	785	1,010	3,590
OSCJ diector (1)	202	157	157	202	718
OSCJ staff (1)	202	157	157	202	718
	1,414	1,099	1,099	1,414	5,026

Travel - Per Diem Reimbursement

	Q1	Q2	Q3	Q4	Annual Total
Per Diem Rate (King County)	74	74	74	74	296
Board Members (5)	370	370	370	370	1,480
OSCJ director (1)	74	74	74	74	296
OSCJ staff (1)	74	74	74	74	296
	592	592	592	592	2,072

Meeting Room Rental Cost	500	500	500	500	2,000
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Total Travel Costs	2,506	2,191	2,191	2,506	9,098
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Source for rates: U.S. General Services Administration

Section 3(2)

The OSC would appoint a director. The director would serve at the pleasure of the OSC oversight committee and would receive a salary established by the OSC oversight committee.

Fiscal Assumptions:

For purposes of this analysis, it is assumed that the salary established for the appointed OSC director would be \$120,000 per year. Personnel benefits have been estimated based on current rates for state employees. In addition, standard costs have been estimated for office space, office supplies, phone installation and usage, and standard equipment (desk and office equipment, computer and related). Costs are detailed in Table II, below.

Table II – OSC Director / Related Costs

OSC Director	FY 2017	2015-17	2017-19	2019-21
Salary @ \$120,000	120,000	120,000	240,000	240,000
Health Care Premium	7,464	7,464	14,928	14,928
L&I Premium	504	504	1,008	1,008
Retirement	8,640	8,640	17,280	17,280
OASI/Medicare	9,180	9,180	18,360	18,360
Personnel Services	840	840	1,680	1,680
Total Salary/Benefits	146,628	146,628	293,256	293,256
Office Space	2,918	2,918	5,835	5,835
Office Supplies	800	800	1,600	1,600
Phone Installation/Usage	500	500	500	500
Standard Office Equip.	6,500	6,500		
Computer & Related	2,500	2,500	400	400
Total Standard Costs	13,218	13,218	8,335	8,335
Total FTE cost	159,846	159,846	301,591	301,591

Assumptions:

- Benefit rates based on FY 2015 per FTE rates
- Office Space assumes 10x15 office @ \$19.45/sq ft
- One-time phone installation (includes voicemail), usage cost thereafter
- Standard office equipment one-time purchase desk, chair, cabinet)
- Computer & related (one-time purchase desktop, printer; ongoing software lic. agreements)

Section 3

The OSC director would employ staff and enter into contracts to implement and operate the services and activities of the Office of Superior Courts per Section 3(a), (b), (c), (d), (e), (f), (g), (h), and (i)

Fiscal Assumptions:

Section 3 (a), (b), (c), (d), (e), (g), and (i) – It is assumed the OSC would require a senior level policy staff FTE to provide data analysis, program evaluation, and program coordination with the Supreme Court, the AOC, and the legislature. For purposes of this analysis, a Senior Court Program Analyst (range 64/L, or \$78,732/year) is assumed. Personnel benefits have been estimated based on current rates for state employees. In addition, standard costs have been estimated for office space, office supplies, phone installation and usage, and standard equipment (desk and office equipment, computer and related).

It is assumed that centralized information technology costs would be required to facilitate implementation and ongoing technology advancements to allow for efficient data collection and outcome measurement. This cost is estimated at \$25,000 per fiscal year. Further, it is assumed the OSC would contract with a private research organization on an annual basis to provide assistance in conducting research studies and providing data analysis. This cost is estimated at \$50,000 per fiscal year. Costs are detailed in Table III, below.

Table III – OSC Senior Policy/Program Analyst & Support Costs

Senior Policy Analyst	FY 2017	2015-17	2017-19	2019-21
Salary @ \$78,732 (64/L)	78,732	78,732	157,464	157,464
Health Care Premium	7,464	7,464	14,928	14,928
L&I Premium	504	504	1,008	1,008
Retirement	5,669	5,669	11,337	11,337
OAS/Medicare	6,023	6,023	12,046	12,046
Personnel Services	551	551	1,102	1,102
Total Salary/Benefits	98,943	98,943	197,886	197,886
Office Space	1,245	1,245	2,490	2,490
Office Supplies	800	800	1,600	1,600
Phone Installation/Usage	500	500	500	500
Standard Office Equip.	6,500	6,500		
Computer & Related	2,500	2,500	400	400
Total Standard Costs	11,545	11,545	4,990	4,990
Total FTE cost	110,488	110,488	202,876	202,876
Contracted IT Support	25,000	25,000	50,000	50,000
Contracted Research Support	50,000	50,000	100,000	100,000
Total Policy Analyst/Support Costs	295,976	295,976	555,751	555,751

Assumptions:

Benefit rates based on FY 2015 per FTE rates

Office Space assumes 8x8 cubicle @ \$19.45/sq ft

One-time phone installation (includes voicemail), usage cost thereafter

Standard office equipment one-time purchase desk, chair, cabinet)

Computer & related (one-time purchase desktop, printer; ongoing software lic. agreements)

Section 3(f) and (h) – It is assumed that the OSC director would require administrative staff to implement and complete the operation, activities, and services of the OSC, as well as submit the biennial budget. For purposes of this analysis, administrative support is assumed as an Administrative Assistant 5 (range 50/L, or \$55,729/year); and support for the budget submittal as well as all other fiscal/business support is assumed as a Financial Services Coordinator (range 50/L, or \$55,729/year). Personnel benefits for each position have been estimated based on current rates for state employees. In addition, standard costs have been estimated for office space, office supplies, phone installation and usage, and standard equipment (desk and office equipment, computer and related). Costs are detailed in Table IV, below.

Table IV – Administrative and Business Support Costs

Administrative Assistant 5	FY 2017	2015-17	2017-19	2019-21
Salary @ \$55,729 (50/L)	55,729	55,729	111,459	111,459
Health Care Premium	7,464	7,464	14,928	14,928
L&I Premium	504	504	1,008	1,008
Retirement	4,013	4,013	8,025	8,025
OASI/Medicare	4,263	4,263	8,527	8,527
Personnel Services	390	390	780	780
Total Salary/Benefits	72,363	72,363	144,727	144,727

Office Space	1,245	1,245	2,490	2,490
Office Supplies	800	800	1,600	1,600
Phone Installation/Usage	500	500	500	500
Standard Office Equip.	6,500	6,500		
Computer & Related	2,500	2,500	400	400
Total Standard Costs	11,545	11,545	4,990	4,990

Total FTE cost	83,908	83,908	149,716	149,716
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Assumptions:

Benefit rates based on FY 2015 per FTE rates

Office Space assumes 8x8 cubicle @ \$19.45/sq ft

One-time phone installation (includes voicemail), usage cost thereafter

Standard office equipment one-time purchase desk, chair, cabinet)

Computer & related (one-time purchase desktop, printer; ongoing software lic. agreements)

Financial Services Coordinator	FY 2017	2015-17	2017-19	2019-21
Salary @ \$55,729 (50/L)	55,729	55,729	111,459	111,459
Health Care Premium	7,464	7,464	14,928	14,928
L&I Premium	504	504	1,008	1,008
Retirement	4,013	4,013	8,025	8,025
OASI/Medicare	4,263	4,263	8,527	8,527
Personnel Services	390	390	780	780
Total Salary/Benefits	72,363	72,363	144,727	144,727

Office Space	1,245	1,245	2,490	2,490
Office Supplies	800	800	1,600	1,600
Phone Installation/Usage	500	500	500	500
Standard Office Equip.	6,500	6,500		
Computer & Related	2,500	2,500	400	400
Total Standard Costs	11,545	11,545	4,990	4,990

Total FTE cost	83,908	83,908	149,716	149,716
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Assumptions:

Benefit rates based on FY 2015 per FTE rates

Office Space assumes 8x8 cubicle @ \$19.45

One-time phone installation (includes voicemail), usage cost thereafter

Standard office equipment one-time purchase desk, chair, cabinet)

Computer & related (one-time purchase desktop, printer; ongoing software lic. agreements)

Note: Other Cost Considerations

Office of the Attorney General (OAG) – Additional costs may be required for establishing agency rules, amending/repealing existing rules, legal advice, attendance at board meetings, etc.

Revolving Fund / Central Services Agencies – Additional costs may be required for the services of State Archives, Department of Enterprise Services, Personnel Services, etc.

Travel - Additional travel costs to meet with stakeholders or other groups may be required. These costs could include lodging, per diem, and mileage reimbursement.

Equipment – Costs are included for standard issue computers and related equipment (such as printers). Specialized/discretionary equipment costs (such as laptops) are not included.

Part III: Expenditure Detail

III.A – Expenditures by Object or Purpose

Object or Purpose	FY 2016	FY 2017	2015-17	2017-19	2019-21
FTE – Staff Years		4.0	4.0	4.0	4.0
A – Salaries & Wages		310,191	310,191	620,382	620,382
B – Employee Benefits		80,107	80,107	160,213	160,213
C – Prof. Service Contracts		75,000	75,000	150,000	150,000
E – Goods and Services		37,852	37,852	21,704	21,704
G – Travel		9,098	9,098	18,196	18,196
J – Capital Outlays		10,000	10,000	1,600	1,600
P – Debt Service			-		
Total:		522,247	522,247	972,095	972,095

III.B – Detail:

Job Classification	Salary	FY 2016	FY 2017	2015-17	2017-19	2019-21
Director, OSC	120,000	1.0	1.0	1.0	1.0	1.0
Senior Policy Analyst	78,732	1.0	1.0	1.0	1.0	1.0
Admin Assistant 5	55,729	1.0	1.0	1.0	1.0	1.0
Financial Services Coord.	55,729	1.0	1.0	1.0	1.0	1.0
Total FTE's	310,191	4.0	4.0	4.0	4.0	4.0

Part IV: Capital Budget Impact

None.

Part V: New Rule Making Required

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 6317 SB	Title: Office of superior courts
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Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities:
- Counties:
- Special Districts:
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time:

Part III: Preparation and Approval

Fiscal Note Analyst: Alice Zillah	Phone: 360-725-5035	Date: 01/18/2016
Leg. Committee Contact: Julie Murray	Phone: 786-7711	Date: 01/15/2016
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 01/18/2016
OFM Review: Gwen Stamey	Phone: (360) 902-9810	Date: 01/18/2016

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

The legislation concerns the creation of the Office of Superior Courts.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

The legislation would have no expenditure impacts for cities and counties, beyond that described in the fiscal note of the Administrative Office of the Courts (AOC).

Court impacts, including judicial costs, clerk costs, and court fees, are described in fiscal notes prepared by AOC. Local government fiscal notes include city and county expenditures for law enforcement investigations and arrests, indigent defenders, county prosecutors and jail costs. Please see the AOC fiscal note for a discussion of impacts to city and county courts.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

The legislation would have no revenue impact for local government.

SOURCES:

Administrative Office of the Courts



WASHINGTON
COURTS

DMCJA BOARD MEETING
FRIDAY, FEBRUARY 12, 2016
12:30 PM – 3:30 PM
AOC SEATAC OFFICE
SEATAC, WA

PRESIDENT JUDGE DAVID STEINER

SUPPLEMENTAL AGENDA

TAB

Call to Order

General Business

- A. Minutes – January 8, 2016 (pp 1-6)
- B. Treasurer’s Report – *Judge Burrowes*
- C. Special Fund Report – *Judge Ahlf* (pp 7-8)
- D. Standing Committee Reports
 - 1. Legislative Committee – *Judge Meyer*
- E. Trial Court Advocacy Board (TCAB) Update
- F. JIS Report – *Ms. Vicky Cullinane*

1

X

Liaison Reports

- A. District and Municipal Court Management Association (**DMCMA**) – *Ms. Linda Baker*
- B. Misdemeanant Corrections Association (**MCA**) – *Ms. Deena Kaelin*
- C. Superior Court Judges’ Association (**SCJA**) – *Judge Michael Downes*
- D. Washington State Bar Association (**WSBA**) – *Sean Davis, Esq.*
- E. Washington State Association for Justice (**WSAJ**) – *Loyd James Willaford, Esq.*
- F. Administrative Office of the Courts (**AOC**) – *Mr. Dirk Marler*
- G. Board for Judicial Administration (**BJA**) – *Judges Garrow, Jasprica, Lambo, and Ringus*

Action

- A. Civil Rule for Courts of Limited Jurisdiction 55, Entry of Default Judgment (pp 9-34)

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Discussion

- A. Washington State Center for Court Research (WSCCR) Presentation regarding services available to Courts of Limited Jurisdiction (pp 35-36)
- B. Funding Request: Presiding Judges and Administrator Education Committee Education Program – *Ms. Margaret Yetter* (pp 37 - 38)
- C. Support Request: Mandatory Continuing Education for Court Administrators – *Ms. Margaret Yetter and Ms. Lynne Campeau*
- D. Special Legislative Update: Office of the Superior Court Judges Association (pp 39-54)

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<p>Information</p> <ul style="list-style-type: none">A. Judge Aimee Maurer, Spokane District Court, has been appointed as the DMCJA Liaison to the Access to Justice Board.B. Statewide Relicensing Program – House Bill (HB) 2659 and its companion bill, Senate Bill (SB) 6360, were introduced to the Legislature.	
<p>Other Business</p> <p>The next DMCJA Board Meeting is Friday, March 11, 2016, at the AOC SeaTac Office.</p>	
<p>Adjourn</p>	

District and Municipal Court Judges' Association

President

JUDGE DAVID STEINER
King County District Court
585 112th Ave SE
Bellevue, WA 98004
(206) 477-2102

President-Elect

JUDGE G. SCOTT MARINELLA
Columbia County District Court
535 Cameron St
Dayton, WA 99328-1279
(509) 382-4812

Vice-President

JUDGE SCOTT K. AHLF
Olympia Municipal Court
900 Plum St SE
PO Box 1967
Olympia, WA 98507-1967
(360) 753-8312

Secretary/Treasurer

JUDGE JOSEPH M. BURROWES
Benton County District Court
7122 W Okanogan Pl, Bldg A
Kennewick, WA 99336-2359
(509) 735-8476

Past President

JUDGE DAVID A. SVAREN
Skagit County District Court
600 S 3rd Street
PO Box 340
Mount Vernon, WA 98273-0340
(360) 336-9319

Board of Governors

JUDGE KAREN DONOHUE
Seattle Municipal Court
(206) 684-7903

JUDGE DOUGLAS J. FAIR
Snohomish County District Court
(425) 744-6804

JUDGE MICHELLE K. GEHLSSEN
Bothell Municipal Court
(425) 487-5587

JUDGE SAMUEL MEYER
Thurston County District Court
(360) 786-5562

COMMISSIONER SUSAN J. NOONAN
King County District Court
(206) 477-1720

JUDGE REBECCA C. ROBERTSON
Federal Way Municipal Court
(253) 835-3000

JUDGE DOUGLAS B. ROBINSON
Whitman County Dist. Court
(509) 397-5297

JUDGE CHARLES D. SHORT
Okanogan County District Court
(509) 422-7170

JUDGE TRACY A. STAAB
Spokane Municipal Court
(509) 625-4400

To: President Steiner; DMCJA Officers; DMCJA Board of Governors

From: Joseph M. Burrowes, DMCJA Treasure

Subject: Monthly Treasure's Report for January 2016

Dear President Steiner, Officers and Members of the DMCJA:

The following is a summary of the total DMCJA accounts, expenditures and deposits, as well as an update regarding the finances of our associations.

ACCOUNTS

US Bank Platinum Business Money Market Account

Fund Balance as of November 30, 2015:	\$100,619.19
Interest for November 2015	\$ 8.54

Bank of American Accounts:

Investment Account as of December 31, 2015:	\$23,547.16
Checking Account as of December 31, 2015:	\$112,961.93
Balance as of January 31, 2016	\$136,509.49

EXPENDITURES

Total 2015/2016 adopted budget:	\$253,400.00
Total expenditures to date, December 31, 2015:	\$ 70,909.24
Total remaining budget as of December 31, 2015:	\$182,490.76

DEPOSITS AND CREDITS

Total deposits 2015/2016 as of January 31, 2016:	\$82,879.50
Total Interest as of January 31, 2016:	\$.40

FEE'S

Total fee's as of January 31, 2016: (Credit card fee and interest)	\$39.59
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P.O. Box 16284
Wilmington, DE 19850

WASHINGTON STATE DISTRICT AND
COURT JUDGES ASSN
7122 W OKANOGAN PL BLDG A
KENNEWICK, WA 99336-2359

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Tampa, FL 33622-5118

Your Bus Platinum Privileges combined statement

for January 01, 2016 to January 31, 2016

Your deposit accounts	Account/plan number	Ending balance	Details on
Business Economy Checking	██████████	\$112,961.93	Page 3
Business Investment Account	██████████	\$23,547.56	Page 7
Total balance		\$136,509.49	

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IMPORTANT INFORMATION: BANK DEPOSIT ACCOUNTS

Updating your contact information - We encourage you to keep your contact information up-to-date. This includes address, email and phone number. If your information has changed, the easiest way to update it is by visiting the Help & Support tab of Online Banking. Or, you can call our Customer Service team.

Deposit agreement - When you opened your account, you received a deposit agreement and fee schedule and agreed that your account would be governed by the terms of these documents, as we may amend them from time to time. These documents are part of the contract for your deposit account and govern all transactions relating to your account, including all deposits and withdrawals. Copies of both the deposit agreement and fee schedule which contain the current version of the terms and conditions of your account relationship may be obtained at our banking centers.

Electronic transfers: In case of errors or questions about your electronic transfers - If you think your statement or receipt is wrong or you need more information about an electronic transfer (e.g., ATM transactions, direct deposits or withdrawals, point-of-sale transactions) on the statement or receipt, telephone or write us at the address and number listed on the front of this statement as soon as you can. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- Tell us your name and account number.
- Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- Tell us the dollar amount of the suspected error.

For consumer accounts used primarily for personal, family or household purposes, we will investigate your complaint and will correct any error promptly. If we take more than 10 business days (10 calendar days if you are a Massachusetts customer) (20 business days if you are a new customer, for electronic transfers occurring during the first 30 days after the first deposit is made to your account) to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it will take to complete our investigation.

For other accounts, we investigate, and if we find we have made an error, we credit your account at the conclusion of our investigation.

Reporting other problems - You must examine your statement carefully and promptly. You are in the best position to discover errors and unauthorized transactions on your account. If you fail to notify us in writing of suspected problems or an unauthorized transaction within the time period specified in the deposit agreement (which periods are no more than 60 days after we make the statement available to you and in some cases are 30 days or less), we are not liable to you for, and you agree to not make a claim against us for the problems or unauthorized transactions.

Direct deposits - If you have arranged to have direct deposits made to your account at least once every 60 days from the same person or company, you may call us at the telephone number listed on the front of this statement to find out if the deposit was made as scheduled. You may also review your activity online or visit a banking center for information.

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**Your Business Economy Checking
Bus Platinum Privileges**

WASHINGTON STATE DISTRICT AND COURT JUDGES ASSN

Account summary

Beginning balance on January 1, 2016	\$37,234.03	# of deposits/credits: 10
Deposits and other credits	82,879.50	# of withdrawals/debits: 20
Withdrawals and other debits	-7,151.60	# of deposited items: 65
Checks	-0.00	# of days in cycle: 31
Service fees	-0.00	Average ledger balance: \$72,725.68
Ending balance on January 31, 2016	\$112,961.93	

Your account has overdraft protection provided by deposit account number XXXXXXXXXX

Deposits and other credits

Date	Description	Amount
01/07/16	Counter Credit	2,624.00
01/08/16	Counter Credit	23,612.00
01/11/16	Counter Credit	4,150.00
01/14/16	Counter Credit	2,250.00
01/19/16	Counter Credit	3,149.00
01/20/16	Counter Credit	19,012.00
01/20/16	RETURNED BILL PAYMENT FROM Doug Fair ISSUE DATE 10	34.50
01/21/16	CREDIT ADJUSTMENT	375.00

continued on the next page

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Deposits and other credits - continued

Date	Description	Amount
01/25/16	Counter Credit	15,636.00
01/28/16	Counter Credit	12,037.00
Total deposits and other credits		\$82,879.50

Withdrawals and other debits

Date	Description	Amount
01/11/16	Customer Withdrawal Image	-20.00
01/13/16	Bank of America Business Card Bill Payment	-609.66
01/14/16	Adjustment/Correction Of Posted Item	-375.00
01/20/16	Melanie Stewart Bill Payment	-2,000.00
01/20/16	G. Scott Marinella Bill Payment	-412.60
01/20/16	Ingallina's Box Lunch Bill Payment	-384.56
01/20/16	Charles Short Bill Payment	-356.84
01/20/16	Dino Traverso PLLC Bill Payment	-350.00
01/20/16	Douglas Robinson Bill Payment	-336.20
01/20/16	David Steiner Bill Payment	-248.86
01/20/16	Administrative Off of the Courts Bill Payment	-140.00
01/20/16	David Svaren Bill Payment	-82.08
01/20/16	Scott Ahlf Bill Payment	-54.00
01/20/16	Samuel Meyer Bill Payment	-54.00
01/20/16	Michelle Gehlsen Bill Payment	-30.24
01/20/16	Michael Lambo Bill Payment	-25.92
01/20/16	Joseph Burrowes Bill Payment	-25.20
01/20/16	David Steiner Bill Payment	-24.84
01/20/16	Kevin Ringus Bill Payment	-21.60
01/21/16	Youth and Government Bill Payment	-1,600.00
Total withdrawals and other debits		-\$7,151.60

Daily ledger balances

Date	Balance (\$)	Date	Balance(\$)	Date	Balance (\$)
01/01	37,234.03	01/08	63,470.03	01/13	66,990.37
01/07	39,858.03	01/11	67,600.03	01/14	68,865.37

continued on the next page



Your checking account

WASHINGTON STATE DISTRICT AND | Account # [REDACTED] | January 1, 2016 to January 31, 2016

Daily ledger balances - continued

Date	Balance (\$)	Date	Balance(\$)	Date	Balance (\$)
01/19	72,014.37	01/21	85,288.93	01/28	112,961.93
01/20	86,513.93	01/25	100,924.93		

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Your Business Investment Account

Bus Platinum Privileges

WASHINGTON STATE DISTRICT AND COURT JUDGES ASSN-GRAYS HARBOR

Account summary

Beginning balance on January 1, 2016	\$23,547.16	# of deposits/credits: 1
Deposits and other credits	0.40	# of withdrawals/debits: 0
Withdrawals and other debits	-0.00	# of days in cycle: 31
Service fees	-0.00	Average ledger balance: \$23,547.17
Ending balance on January 31, 2016	\$23,547.56	Average collected balance: \$23,547.17

Annual Percentage Yield Earned this statement period: 0.02%.
Interest Paid Year To Date: \$0.40.

Deposits and other credits

Date	Description	Amount
01/29/16	Interest Earned	0.40
Total deposits and other credits		\$0.40

Daily ledger balances

Date	Balance (\$)	Date	Balance (\$)
01/01	23,547.16	01/29	23,547.56

 To help you BALANCE YOUR CHECKING ACCOUNT, visit bankofamerica.com/statementbalance or the Statements and Documents tab in Online Banking for a printable version of the How to Balance Your Account Worksheet.

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DMCJA 2015-2016 Budget

ITEM COMMITTEE	Beginning Balance	Total Costs	Ending Balance
1 Access to Justice Liaison	\$500.00	\$0.00	\$500.00
2 Audit	\$2,000.00	\$0.00	\$2,000.00
3 Bar Association Liaison	\$5,000.00	\$0.00	\$5,000.00
4 Board Meeting Expense	\$30,000.00	\$15,258.85	\$14,741.15
5 Bookkeeping Expense	\$3,000.00	\$1,850.00	\$1,150.00
6 Bylaws Committee	\$250.00	\$0.00	\$250.00
7 Conference Committee	\$3,500.00	\$0.00	\$3,500.00
Conference Incidental Fees For Members			
8 Spring Conference 2016	\$40,000.00	\$0.00	\$40,000.00
9 Diversity Committee	\$2,000.00	\$0.00	\$2,000.00
10 DMCJA/SCJA Sentencing Alternatives	\$2,500.00	\$2,519.20	-\$19.20
11 DMCMA Liaison	\$500.00	\$0.00	\$500.00
12 DOL Liaison Committee	\$500.00	\$8.89	\$491.11
13 Education Committee	\$9,000.00	\$4,354.84	\$4,645.16
14 Educational Grants	\$5,000.00	\$3,521.68	\$1,478.32
15 Education-PJ Conference	\$12,000.00	\$0.00	\$12,000.00
16 Education-Security	\$2,000.00	\$0.00	\$2,000.00
17 Judicial Assistance Committee*	\$14,000.00	\$6,169.06	\$7,830.94
18 Judicial Community Outreach	\$4,000.00	\$3,100.00	\$900.00
19 Legislative Committee	\$6,000.00	\$463.50	\$5,536.50
20 Legislative Pro-Tem	\$2,500.00	\$408.09	\$2,091.91
21 Lobbyist Contract	\$55,000.00	\$14,000.00	\$41,000.00
22 Lobbyist Expenses	\$1,000.00	\$68.00	\$932.00
23 Long-Range Planning Committee	\$1,500.00	\$0.00	\$1,500.00
24 MCA Liaison	\$1,500.00	\$360.25	\$1,139.75
25 National Leadership Grants	\$5,000.00	\$0.00	\$5,000.00
26 Nominating Committee	\$400.00	\$0.00	\$400.00
27 President Expense	\$7,500.00	\$2,511.18	\$4,988.82
28 Professional Services	\$15,000.00	\$11,088.60	\$3,911.40
29 Reserves Committee	\$250.00	\$0.00	\$250.00
30 Rules Committee	\$500.00	\$0.00	\$500.00
31 Salary and Benefits Committee	\$2,500.00	\$0.00	\$2,500.00
32 SCJA Board Liaison	\$1,000.00	\$76.00	\$924.00
33 Technology/CMS Committee	\$7,500.00	\$0.00	\$7,500.00
34 Therapeutic Courts	\$3,500.00	\$0.00	\$3,500.00
35 Treasurer Expense and Bonds	\$1,000.00	\$20.00	\$980.00
36 Trial Court Advocacy Board	\$5,000.00	\$5,131.10	-\$131.10
37 Uniform Infraction Committee	\$1,000.00	\$0.00	\$1,000.00
TOTAL	\$253,400.00	\$70,909.24	\$182,490.76
TOTAL DEPOSITS MADE	\$97,980.72		
CREDIT CARD (balance owing)	\$0.00		

*Includes \$7,000 from the SCJA