



**DISTRICT AND MUNICIPAL
COURT JUDGES' ASSOCIATION**

BOARD MEETING

August 13, 2021

**VIA ZOOM
VIDEO CONFERENCE**

DISTRICT AND MUNICIPAL COURT JUDGES' ASSOCIATION SCHEDULE OF BOARD MEETINGS

2021-2022

DATE	TIME	MEETING LOCATION
<i>Friday, July 9, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Aug 13, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Sept 10, 2021</i>	12:30 – 3:30 p.m.	ZOOM Video Conference
<i>Friday, Oct 8, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center or ZOOM Video Conference
<i>Friday, Nov 12, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center or ZOOM Video Conference
<i>Friday, Dec 10, 2021</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center or ZOOM Video Conference
<i>Friday, Jan 14, 2022</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center or ZOOM Video Conference
<i>Friday, Feb 11, 2022</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center or ZOOM Video Conference
<i>Friday, March 11, 2022</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center or ZOOM Video Conference
<i>Friday, April 8, 2022</i>	12:30 – 3:30 p.m.	AOC SeaTac Office Center or ZOOM Video Conference
<i>Friday, May 13-14, 2022</i> TENTATIVE	May 13: 12:00-5:00 p.m. May 14: 9:00-1:00 p.m.	DMCJA Board Retreat Location: TBD
<i>June 2022 – TBD</i>	9:00 a.m. – 12:00 p.m.	DMCJA Spring Program, Location: TBD

AOC Staff: Stephanie Oyler

Updated: July 9, 2021



DMCJA BOARD MEETING
FRIDAY, AUGUST 13, 2021
12:30 PM – 3:30 PM
ZOOM VIDEO CONFERENCE

PRESIDENT CHARLES SHORT

AGENDA		PAGE
Call to Order		
1. Welcome and Minutes – Judge Charles D. Short A. Minutes for July 9, 2021 Meeting		1
2. Reports A. Diversity Committee Report – Judge Karl Williams B. Legislative Committee Report – Judge Kevin G. Ringus & Commissioner Paul Wohl C. Rules Committee Report – Judge Jeffrey D. Goodwin D. Special Funds Report – Judge Jeffrey R. Smith E. Treasurer’s Report– Judge Karl Williams F. Liaisons’ Reports 1. Administrative Office of the Courts (AOC) – Dawn Marie Rubio, State Court Administrator 2. Board for Judicial Administration (BJA) – Judge Mary Logan, Judge Dan Johnson, Judge Tam Bui, and Judge Rebecca Robertson 3. CLJ-CMS Project and Rules for E-Filing – Judge Kimberly Walden 4. District and Municipal Court Management Association (DMCMA) – Kris Thompson, President 5. Judicial Information System (“JIS”) Report – AOC Business Liaison Vicky Cullinane 6. Minority Bar Associations – Northwest Indian Bar Association, Anthony Jones 7. Misdemeanant Probation Association (MPA) – Regina Alexander, Representative 8. Racial Equity Consortium – Judge Anita Crawford-Willis and Judge Michelle K. Gehlsen 9. Superior Court Judges’ Association (SCJA) – Judge Jennifer Forbes, SCJA President-Elect 10. Washington State Association for Justice (WSAJ) – Mark O’Halloran, Esq. 11. Washington State Bar Association (WSBA) – Bryn Peterson, Esq.		8 9
3. Break - 10 minutes		
4. Action Items A. ITG 265 Board Endorsement Confirmation – AOC Business Liaison Vicky Cullinane		20
5. Discussion A. Letter from WAPA Regarding <i>Invalid Municipal Court Convictions</i> and AWC Response B. EHM & Jail Alternatives Survey – Judge Karl Williams C. Emergency Meeting Requirements – Proposal to change from ten-day notice to five-day notice D. Pattern Forms Subcommittee – Judge Michelle K. Gehlsen		27

6. Information	
A. Ethics Advisory Committee letter in response to DMCJA’s request to amend EAO 20-07	42
B. DMCJA-related AOC Organizational Structure	44
C. EXiT Steering Committee Email: <i>Statement on the Future of Probation and Parole in the U.S.</i>	47
D. Webinar August 25, 2021 12 p.m. to 1 p.m. – <i>Neuroscience and Art: Art, Social and Wellbeing</i>	48
E. Memo - AOC CFO Christopher Stanley re: Distribution of Funds, ESSB 5092, Section 115(5-6)	49
7. Adjourn	
Next Scheduled Meeting: Friday, September 10, 2021, 12:30 p.m. – 3:30 p.m., Via Zoom Video Conference	



DMCJA Board of Governors Meeting
Friday, July 9, 2021, 12:30 p.m. – 3:30 p.m.
Zoom Video Conference <https://wacourts.zoom.us/j/97570254401>

MEETING MINUTES

Members Present:

Chair, Judge Charles D. Short
Judge Thomas Cox
Judge Michael Frans
Judge Drew Ann Henke
Commissioner Rick Leo
Judge Catherine McDowall
Judge Lloyd Oaks
Judge Kevin Ringus
Judge Jeffrey Smith
Judge Laura Van Slyck
Judge Mindy Walker
Judge Karl Williams
Commissioner Paul Wohl

Members Absent:

Judge Anita Crawford-Willis
Judge Michelle K. Gehlsen

Guests:

Judge Tam Bui, BJA Representative
Judge Mary Logan, BJA Representative
Judge Rebecca Robertson, BJA Representative
Judge Jeffrey Goodwin
Judge Samuel Meyer
Judge Kyle Mott
Judge Kimberly Walden
Judge Jennifer Forbes, SCJA
Regina Alexander, MPA
Mark O'Halloran, WSAJ
Bryn Peterson, WSBA
Kris Thompson, DMCMA
Rhea Yo, LCYC
Gabriel Neuman, LCYC

AOC Staff:

Stephanie Oyler, Primary DMCJA Staff
J Benway, Legal Services Senior Analyst
Vicky Cullinane, Business Liaison
Tracy Dugas, Court Program Specialist
Christopher Stanley, CFO/MSD Director

CALL TO ORDER

Judge Charles D. Short, District and Municipal Court Judges' Association (DMCJA) President, noted a quorum was present and called the DMCJA Board of Governors (Board) meeting to order at 12:33 p.m.

Judge Short welcomed and introduced the new board members – Judge Michael Frans, Judge Catherine McDowall, Judge Lloyd Oaks and Judge Mindy Walker.

GUEST SPEAKERS

Legal Counsel for Youth and Children (LCYC) - Judge Short introduced Rhea Yo JD, Legal Supervisor and Gabriel Neuman, Legal Extern who gave a presentation: *Procedural Barriers Faced When Filing Name Change Petitions*.

The LCYC asks that courts ensure their clerks are trained on how to process name change petition recording fee waivers.

Cultural Spotlight - Judge Short noted that Rex Buck Jr, Wanapum Band Elder, was not able to join the meeting today and may present in the future.

LIAISON REPORTS

A. **Administrative Office of the Courts AOC**

Ms. Rubio was not present and did not report. Judge Short introduced new CFO/Management Services Division Director Christopher Stanley.

B. **Board for Judicial Administration (BJA)**

Judge Mary Logan reported that the BJA Budget and Finance Committee has not met recently.

Judge Tam Bui reported that the BJA Court Education Committee is responsible for developing educational standards for courts and the judicial college. One of the immediate requests, brought to the CEC by way of a recent presentation and recommendation from the SCJA Equity and Fairness Committee, is an amendment to GR 26 which governs continuing education. The amendment would include education in diversity, equity and inclusion.

The BJA sponsored a Judicial Leadership Summit on Interbranch and Legislative Relations on June 18, 2021 via Zoom, of which the focus was improving communications between branches and improving access to justice for people in need of the courts. There were discussions on interbranch relations, policy and funding, and future opportunities to collaborate. Participants committed to effectively engage legislative stakeholders throughout the year, and to early communication of policy and funding needs.

C. **District and Municipal Court Management Association (DMCMA)**

Kris Thompson reported that she has not yet held a meeting as president of the DMCMA. They have been assisting with the effort to support Judge Lev in Bellingham Municipal Court through the Courts Helping Courts program.

D. **Misdemeanant Probation Association (MPA)**

Regina Alexander reported that the first MPA meeting will be held July 19, 2021.

E. **Superior Court Judges' Association (SCJA)**

Judge Jennifer Forbes reported that she was not able to attend the recent retreat, but the SCJA is actively working on solutions to manage the impact of the Blake decision. They are currently gearing up for legislative session, researching funding opportunities including supplemental budget requests for Blake and potentially for the Uniform Guardianship Act. Judge Forbes reported that the SCJA is looking for opportunities to partner with DMCJA.

F. **Washington State Association for Justice (WSAJ)**

Mark O'Halloran, Esq. advised that the WSAJ is offering an open invitation to attend the WSAJ Judicial and Awards Reception on August 18, 2021 at the Columbia Tower Club in Seattle, honoring Judge of the Year Honorable LeRoy McCullough of King County Superior Court.

G. **Washington State Bar Association (WSBA)**

Bryn Peterson, Esq. had nothing to report and offered to answer any questions.

H. **Racial Justice Consortium**

Judge Anita Crawford-Willis and Judge Michelle K. Gehlsen were not present to report.

I. **CLJ-CMS Project**

Judge Kimberly Walden reported there is a pause on OFM implementation. Leadership has met with Justice Madsen and representatives from Tyler Technologies to discuss issues they are experiencing and concerns,

including courts that are not actively participating in the implementation. They hope to have implementation completed by this time next year, and continue to look at funding, policies, and rule-making solutions. They do not want to jeopardize the project by pushing forward through concerns, but they have received a lot of feedback and hope to be back on track soon.

DMCMA President Kris Thompson inquired if there would be a statewide rule regarding OFS in lieu of multiple local court rules. Judge Walden stated that a statewide rule for anything is very challenging but is not off the table, and they are looking at every option.

BREAK

Judge Short called for a short 10 minute break.

BREAK OUT SESSIONS

Judge Short played a short video from YouTube – *Linda Hill: Innovation is Not about Solo Genius*, after which the meeting participants were split into five informal breakout groups, where members were invited to discuss three prompts listed on the agenda, which were based on the video.

Upon returning to the main session, each group was offered an opportunity to share what they discussed. It was agreed that this may be a good topic for the upcoming Spring Conference.

GENERAL BUSINESS

A. Minutes

The board meeting minutes from May 7, 2021 were adopted by general consensus with no changes made.

B. Treasurer's Report for the period ending June 30, 2021

The Board moved, seconded, and passed a vote (M/S/P) to approve the Treasurer's Report.

C. Special Fund Report for the period ending June 30, 2021

The Board moved, seconded, and passed a vote (M/S/P) to approve the Special Fund Report.

D. Standing Committee Reports

1. Rules Committee

AOC Legal Services Senior Analyst J Benway reported that the minutes from the Rules Committee Meetings from March 24, 2021, April 28, 2021 and May 19, 2021 are included in the meeting packet.

2. Diversity Committee

Judge Karl Williams reported that a survey will be sent to the membership regarding funding for indigent defendants for alternative jail sentences (EHM, SCRAM, etc).

3. Legislative Committee

Judge Kevin G. Ringus and Commissioner Paul Wohl reported that the Legislative Committee has not met since the end of session but several workgroups are being developed. They are preparing to reach out to membership to survey legislative interests for the upcoming session. Judge Ringus reported that

AOC has hired new Office of Judicial & Legislative Relations Associate Director Brittany Gregory, and he will be meeting with her soon.

DISCUSSION

A. ITG 265 Board Endorsement Confirmation and request to consider DMCJA Board Subset Endorsing Group

AOC Business Liaison Vicky Cullinane briefly explained the history of ITG and the purpose of the group and how decisions are made. Judge Short inquired if there was a time deadline for a decision from DMCJA and recalled that a year ago DMCJA had already approved something for Kitsap (the initial endorsement). Vicky Cullinane indicated a vote by the Board in August would not cause delay. She reported that the CLJ-CMS connection has to be priority, with these requests taken secondary, as approved. M/S/P to move to Action Item for the August 2021 meeting. Vicky Cullinane asked the board to consider creating a subset endorsing group with designated members to review these requests in the future.

B. Rules Committee Proposals

1. CrRLJ 3.3 – Time for Trial

Judge Jeffrey Goodwin & AOC Legal Services Senior Analyst J Benway presented a proposal from the DMCJA Rules Committee to adopt amendments to CrRLJ 3.3 – Time for Trial.

M/S/P to move to an action item on today's agenda.

2. CrRLJ 3.4 - Presence of the Defendant

Judge Jeffrey Goodwin & AOC Legal Services Senior Analyst J Benway presented a proposal from the DMCJA Rules Committee to adopt amendments to CrRLJ 3.4 - Presence of the Defendant

M/S/P to move to an action item on today's agenda.

3. CRLJ 17, CRLJ 56, CRLJ 60, ER 413

Judge Jeffrey Goodwin & AOC Legal Services Senior Analyst J Benway presented WSBA Court Rules and Procedures Committee proposals to Amend CRLJ 17, CRLJ 56, CRLJ 60, ER 413, of which comments/board approval was previously sent to WSSC on June 29, 2021

M/S/P to move to an action item on today's agenda.

Judge Forbes stated that the SCJA is also reviewing these rules and there is potential for collaboration.

C. Public Outreach Committee Proposal

Judge Kyle Mott presented the Public Outreach Committee's proposal to establish a DMCJA social media presence, including Facebook and Twitter accounts. The committee would rely on court administrators or a designee from each court to provide the content for the committee to disperse on social media. M/S/P to move to an action item on today's agenda.

D. Long Range Planning Committee Chair Position Discussion

A discussion ensued regarding the chair positions as discussed at a prior meeting. It was decided that the DMCJA Vice-President will remain Chair of the Long Range Planning Committee.

E. Discussion Regarding the Creation of DMCJA Workgroups

1. SB 5476 Blake

Judge Van Slyck mentioned that this bill has many aspects, including behavioral health, criminal, law enforcement, and grant funding. Judge Van Slyck will discuss this work group with AOC representatives at a meeting scheduled this week, and stated that current active committees may be able to take on this work.

2. HB 1320 Civil Protection Orders

Commissioner Wohl noted that current statute requires two different work groups to be set up and make recommendations to the legislature by December.

3. SB 5307 Uniform Pretrial Release and Detention Act (48 hour rule)

AOC Staff will check to see if there is an existing workgroup.

4. DMCJA Policy Analyst workgroup

Judge Short and Judge Gehlsen will be the leads for this workgroup.

5. Grant Writer workgroup

Judge Short will be the lead for this workgroup. He inquired if there was anyone with grant writing experience, stating he could use the help.

6. JABS workgroup

Judge Gehlsen will be the lead for this workgroup.

7. Bench Book workgroup

AOC Legal Services Senior Analyst J Benway stated that Legal Services is planning on updating the bench books now that they have received new funds from the legislature, and that new staff at AOC will be responsible for this. J will let the DMCJA know if there are ways they can help with the process.

F. Lobbyist Work Group Contract Discussion

Judge Samuel G. Meyer shared that a potential lobbyist has been chosen by the workgroup – Melissa Johnson from Bogard & Johnson. The draft contract is in the materials packet for review. A brief discussion ensued regarding Melissa's experience.

M/S/P to move to an action item on today's agenda.

G. Fall Conference Business Meeting Date/Location Discussion

Judge Short presented options for the Fall Conference board meeting, which is currently scheduled for Sunday, September 12, 2021, and he proposed moving it to Friday, September 10, 2021 and holding the meeting via Zoom video conference.

Judge Short's proposal to hold the fall business meeting on Friday, September 10, 2021 via Zoom was approved by consensus.

H. President's Reimbursements for Approval

Judge Short advised that Immediate Past President Michelle K. Gehlsen had two expenses during her term that were over \$100 and require board approval, a purse gifted to the outgoing lobbyist and flowers and candy that were sent to the Bellingham Municipal Court.

M/S/P to move to an action item on today's agenda.

I. DMCJA Board Meeting Schedule/Materials to Membership Discussion

Judge Short inquired if the board had any opinions on whether the materials packet should be sent to the entire DMCJA membership prior to meetings, or if some other manner of notifying the membership of the meeting schedule/agenda items would be appropriate to institute.

It was decided that a meeting reminder and link to the meeting materials would be sent to the full membership prior to each meeting.

ACTION ITEMS

1. DMCJA Rules Committee Proposal to adopt amendments to CrRLJ 3.3 – Time for Trial

M/S/P to approve the DMCJA Rules Committee proposal to adopt amendments to CrRLJ 3.3.

2. DMCJA Rules Committee Proposal to adopt amendments to CrRLJ 3.4 – Presence of the Defendant

M/S/P to approve the DMCJA Rules Committee proposal to adopt amendments to CrRLJ 3.4.

3. WSBA Court Rules and Procedures Committee proposals to Amend CRLJ 17, CRLJ 56, CRLJ 60, ER 413

M/S/P to approve the WSBA Court Rules and Procedures Committee proposals to Amend CRLJ 17, CRLJ 56, CRLJ 60, ER 413.

4. Public Outreach Committee Proposal

M/S/P to permit the Public Outreach Committee to create a DMCJA social media presence.

5. Lobbyist Contract

M/S/P to approve the lobbyist contract on behalf of DMCJA with Melissa Johnson, effective immediately.

6. President's Reimbursements

M/S/P to approve reimbursements to Judge Gehlsen as presented.

INFORMATION

Judge Short brought the following informational items to the Board's attention.

A. 2021-2022 Board, BJA Reps, Chairs Roster

Judge Short asked the board, BJA reps, and chairs review the document for accuracy of name spelling and contact information.

B. New DMCJA Appointments to External Committees

Judge Lisa Leone was appointed to the JIS CLJ “CLUG” User Group. Judge John Hart and Judge Scott Ahlf were appointed to the JISC.

C. Judge Michael Roewe Obituary

D. AOC Workgroup on Therapeutic Funding

E. Washington State Association of Counties Letter to AOC regarding Distribution of Blake Proviso Funds, AOC Response Letter and Disbursement Plan Info Sheet

OTHER BUSINESS

The next DMCJA Board Meeting is scheduled for Friday, August 13, 2021 from 12:30 p.m. to 3:30 p.m., held via Zoom video conference.

The meeting was adjourned at 3:23 p.m.



Statement of Account

PAGE 1 OF 1

Statement End Date July 31, 2021
 Statement Begin Date July 1, 2021
 Account Number [REDACTED]

To report a lost or stolen card,
 call 800-324-9375.

For 24-hour telephone banking,
 call 877-431-1876.

WA STATE DIST & MUNICIPAL COURT JUDGES' 10265
 JUDGE MICHELLE K GEHLEN
 10116 NE 183RD ST
 BOTHELL, WA 98011-3416

For questions or assistance with your account(s),
 please call 800-324-9375, stop by your local branch,
 or send a written request to our Client Care Center
 at 9929 Evergreen Way, Everett WA 98204.

Business Premium Money Market Summary - # [REDACTED]

Annual Percentage Yield Earned for this Statement Period 0.200%
 Interest Rate Effective 07/01/2021 0.200%
 Interest Earned/Accrued this Cycle \$6.61
 Number of Days in this Cycle 31
 Date Interest Posted 07-31-2021
 Year-to-Date Interest Paid \$51.95

Beginning Balance \$38,934.60
 Interest Earned This Period +6.61
 Deposits and Credits +0.00
 Checks Paid -0.00
 ATM, Electronic and Debit Card Withdrawals -0.00
 Other Transactions -0.00
Ending Balance \$38,941.21

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

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Interest Earned This Period

Date	Description	Amount
07-31	Credit Interest	6.61
Total Interest Earned This Period		6.61

Visa may provide updated debit card information, including your expiration date and card number, with merchants that have an agreement for reoccurring payments. You may opt out of this service by calling 1-800-324-9375.

Christina E Huwe
Pierce County Bookkeeping
1504 58th Way SE
Auburn, WA 98092
Phone (360) 710-5937
E-Mail: piercecountybookkeeping@outlook.com

SUMMARY OF REPORTS

**WASHINGTON STATE
DISTRICT AND MUNICIPAL COURT JUDGES'
ASSOCIATION**

For the Period Ending July 31st, 2021

Please find attached the following reports for you to review:

- Statement of Financial Position
- Monthly Statement of Activities.
- Bank Reconciliation Reports
- Transaction Detail Report (year-to-date)
- Special Fund Bank Statement
- Current Budget Balance
- Prior Budget Balance

Please contact me if you have any questions regarding the attached.

PLEASE BE SURE TO KEEP FOR YOUR RECORDS

Washington State District And Municipal Court Judges Assoc.
Statement of Financial Position
As of July 31, 2021

	Jul 31, 21
ASSETS	
Current Assets	
Checking/Savings	
Bank of America - Checking	25,651
Bank of America - Savings	264,030
Washington Federal (Spec Fund)	38,941
Total Checking/Savings	328,622
Total Current Assets	328,622
Fixed Assets	
Accumulated Depreciation	(703)
Computer Equipment	579
Total Fixed Assets	(124)
TOTAL ASSETS	328,497
LIABILITIES & EQUITY	
Equity	328,497
TOTAL LIABILITIES & EQUITY	328,497

Washington State District And Municipal Court Judges Assoc.
Statement of Activities
For the One Month Ending July 31, 2021

	TOTAL
Ordinary Income/Expense	
Income	
Interest Income	9
Total Income	9
Gross Profit	9
Expense	
Prior Year Budget Expense	1,645
Bookkeeping Expense	318
Judicial College Social Support	2,000
Lobbyist Contract	6,000
Total Expense	9,963
Net Ordinary Income	(9,954)
Net Income	(9,954)

**Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail
Bank of America - Checking, Period Ending 07/31/2021**

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						35,053.29
Cleared Transactions						
Checks and Payments - 9 items						
Check	06/25/2021		King County District ...	X	-489.80	-489.80
Transfer	07/06/2021			X	-949.70	-1,439.50
Transfer	07/07/2021			X	-490.65	-1,930.15
Check	07/07/2021		Michelle Gehlsen	X	-422.66	-2,352.81
Check	07/13/2021		MD Engraving	X	-417.05	-2,769.86
Check	07/20/2021		Pierce County Book...	X	-318.00	-3,087.86
Check	07/20/2021		King County District ...	X	-244.90	-3,332.76
Check	07/20/2021		Timothy Jenkins	X	-69.90	-3,402.66
Check	07/21/2021		Bogard & Johnson, ...	X	-6,000.00	-9,402.66
Total Checks and Payments					-9,402.66	-9,402.66
Total Cleared Transactions					-9,402.66	-9,402.66
Cleared Balance					-9,402.66	25,650.63
Register Balance as of 07/31/2021					-9,402.66	25,650.63
New Transactions						
Checks and Payments - 1 item						
Check	08/01/2021		Bogard & Johnson, ...		-6,000.00	-6,000.00
Total Checks and Payments					-6,000.00	-6,000.00
Total New Transactions					-6,000.00	-6,000.00
Ending Balance					-15,402.66	19,650.63

**Washington State District And Municipal Court Judges Assoc.
Reconciliation Detail**

Bank of America - Savings, Period Ending 07/31/2021

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						264,027.73
Cleared Transactions						
Deposits and Credits - 1 item						
Deposit	07/31/2021			X	2.24	2.24
Total Deposits and Credits					2.24	2.24
Total Cleared Transactions					2.24	2.24
Cleared Balance					2.24	264,029.97
Register Balance as of 07/31/2021					2.24	264,029.97
Ending Balance					2.24	264,029.97

Washington State District And Municipal Court Judges Assoc.
Transaction Detail by Account
July 2021

Type	Date	N	Name	Memo	Amount	Balance
Bank of America - Checking						
Transfer	07/06/2021			Funds Transfer	(949.70)	(949.70)
Transfer	07/07/2021			Funds Transfer	(490.65)	(1,440.35)
Check	07/07/2021		Michelle Gehlsen		(422.66)	(1,863.01)
Check	07/13/2021		MD Engraving		(417.05)	(2,280.06)
Check	07/20/2021		Pierce County Bookkeeping		(318.00)	(2,598.06)
Check	07/20/2021		Timothy Jenkins		(69.90)	(2,667.96)
Check	07/20/2021		King County District Court		(244.90)	(2,912.86)
Check	07/21/2021		Bogard & Johnson, LLC		(6,000.00)	(8,912.86)
Total Bank of America - Checking					(8,912.86)	(8,912.86)
Bank of America - Savings						
Deposit	07/31/2021			Interest	2.24	2.24
Total Bank of America - Savings					2.24	2.24
Washington Federal (Spec Fund)						
Deposit	07/31/2021			Interest	6.61	6.61
Total Washington Federal (Spec Fund)					6.61	6.61
Prepaid Expenses						
General...	07/01/2021	C		DMCJA Support f...	(2,000.00)	(2,000.00)
Total Prepaid Expenses					(2,000.00)	(2,000.00)
Credit Cards						
Bank of America C. C.						
Transfer	07/06/2021			Funds Transfer	949.70	949.70
Credit ...	07/07/2021		Homewetbar Gifts		(490.65)	459.05
Transfer	07/07/2021			Funds Transfer	490.65	949.70
Total Bank of America C. C.					949.70	949.70
Total Credit Cards					949.70	949.70
Interest Income						
Deposit	07/31/2021			Interest	(2.24)	(2.24)
Deposit	07/31/2021			Interest	(6.61)	(8.85)
Total Interest Income					(8.85)	(8.85)
Prior Year Budget Expense						
Credit ...	07/07/2021		Homewetbar Gifts	President Expense	490.65	490.65
Check	07/07/2021		Michelle Gehlsen	President Line Ite...	319.70	810.35
Check	07/07/2021		Michelle Gehlsen	President Line Ite...	102.96	913.31
Check	07/13/2021		MD Engraving	President Line Ite...	417.05	1,330.36
Check	07/20/2021		Timothy Jenkins	Jasp line item	69.90	1,400.26
Check	07/20/2021		King County District Court	Pro Tempore 6/28/...	244.90	1,645.16
Total Prior Year Budget Expense					1,645.16	1,645.16
Bookkeeping Expense						
Check	07/20/2021		Pierce County Bookkeeping	June Services	318.00	318.00
Total Bookkeeping Expense					318.00	318.00
Judicial College Social Support						
General...	07/01/2021	C		DMCJA Support f...	2,000.00	2,000.00
Total Judicial College Social Support					2,000.00	2,000.00
Lobbyist Contract						
Check	07/21/2021		Bogard & Johnson, LLC		6,000.00	6,000.00
Total Lobbyist Contract					6,000.00	6,000.00
TOTAL					0.00	0.00

Other current information not included in reports

DMCJA 2021-2022 Adopted Budget

Item/Committee	ALLOCATED	SPENT	REMAINING
Access to Justice Liaison	\$ 100.00		100.00
Audit (every 3 years)			
Bar Association Liaison	\$ 100.00		100.00
Board Meeting Expense	\$ 15,000.00		15,000.00
Bookkeeping Expense	\$ 3,500.00	318.00	3,182.00
Bylaws Committee	\$ 250.00		250.00
Conference Calls	\$ 200.00		200.00
Conference Planning Committee	\$ 4,000.00		4,000.00
(reconsider in Spring based on finances)	\$ -		
Contract Grant Writer	\$ 50,000.00		50,000.00
Contract Policy Analyst	\$ 50,000.00		50,000.00
Council on Independent Courts (CIC)	\$ 500.00		500.00
Diversity Committee	\$ 500.00		500.00
"Trial Court Sentencing and Supervision	\$ -		
DMCMA Liaison	\$ 100.00		100.00
DMCMA Mandatory Education	\$ 20,000.00		20,000.00
DOL Liaison Committee	\$ 100.00		100.00
Education Committee	\$ 5,000.00		5,000.00
Education - Security	\$ 2,500.00		2,500.00
Educational Grants	\$ 5,000.00		5,000.00
Judicial Assistance Service Program (JASP) Committee*	\$ 16,000.00		16,000.00
Insurance (every 3 years)			
Judicial College Social Support	\$ 2,000.00	2,000.00	0.00
Judicial Community Outreach	\$ 1,600.00		1,600.00
Legislative Committee	\$ 1,500.00		1,500.00
Legislative Pro-Tem	\$ 2,500.00		2,500.00
Lobbyist Contract	\$ 105,000.00	6,000.00	99,000.00
Long-Range Planning Committee	\$ 750.00		750.00
MPA Liaison	\$ 250.00		250.00
yrs (next 12/2021)	\$ 500.00		500.00
Mary Fairhurst National Leadership Grants	\$ 5,000.00		5,000.00
Nominating Committee	\$ 100.00		100.00
President Expense	\$ 2,000.00		2,000.00
Pro Tempore (committee chair approval)	\$ 10,000.00		10,000.00
Professional Services (Dino Traverso, CPA)	\$ 1,500.00		1,500.00
Public Outreach (ad hoc workgroup)	\$ 150.00		150.00
Rules Committee	\$ 500.00		500.00
SCJA Board Liaison	\$ 250.00		250.00
Therapeutic Courts	\$ 2,500.00		2,500.00
Treasurer Expense and Bonds	\$ ¹⁶ 100.00		100.00

Trial Court Advocacy Board - DORMANT	\$	-		
Uniform Infraction Citation Committee	\$	1,000.00		1,000.00
Totals		\$310,050.00	\$8,318.00	\$301,732.00
Special Fund	\$	-		
*Includes \$8,000 from the SCJA				
	updated 07/31/2021			

DMCJA 2020-2021 Adopted Budget

Item/Committee	ALLOCATED	SPENT	REMAINING
Access to Justice Liaison	100.00		100.00
Audit (every 3 years)	10,000.00	8,000.00	2,000.00
Bar Association Liaison	1,500.00		1,500.00
Board Meeting Expense	30,000.00	1,547.00	28,453.00
Bookkeeping Expense	3,500.00	3,716.00	-216.00
Bylaws Committee	250.00		250.00
Conference Calls	750.00	160.00	590.00
Conference Planning Committee	4,000.00	200.00	3,800.00
Conference <u>Incidental</u> Fees For Members for	40,000.00		40,000.00
Council on Independent Courts (CIC)	1,000.00		1,000.00
Diversity Committee	2,000.00		2,000.00
DMCJA/SCJA Sentencing Alternatives aka	\$ -		
DMCMA Liaison	500.00		500.00
DMCMA Mandatory Education	20,000.00		20,000.00
DOL Liaison Committee	200.00		200.00
Education Committee	14,500.00		14,500.00
Education - Security	2,500.00		2,500.00
Educational Grants	5,000.00		5,000.00
Judicial Assistance Service Program (JASP) Committee*	16,000.00	6,313.00	9,687.00
Insurance	3,715.00	3,715.00	0.00
Judicial College Social Support	2,000.00	5.00	1,995.00
Judicial Community Outreach	4,000.00		4,000.00
Legislative Committee	4,000.00	735.00	3,265.00
Legislative Pro-Tem	2,500.00	3,639.00	-1,139.00
Lobbyist Contract	80,000.00	80,000.00	0.00
Lobbyist Expenses	1,500.00		1,500.00
Long-Range Planning Committee	750.00		750.00
MPA Liaison	1,000.00	1,000.00	0.00
Municipal/District Court Swearing In - Every 4	\$ -		
National Leadership Grants	5,000.00		5,000.00
Nominating Committee	400.00		400.00
President Expense	5,000.00	3,424.00	1,576.00
Pro Tempore (committee chair approval)	10,000.00	2,599.00	7,401.00
Professional Services	5,000.00	1,100.00	3,900.00
Public Outreach (ad hoc workgroup)	2,500.00		2,500.00
Rules Committee	500.00		500.00
SCJA Board Liaison	1,000.00		1,000.00
Therapeutic Courts**	2,500.00		2,500.00
Treasurer Expense and Bonds	250.00	10.00	240.00
Trial Court Advocacy Board	\$ 18 -		

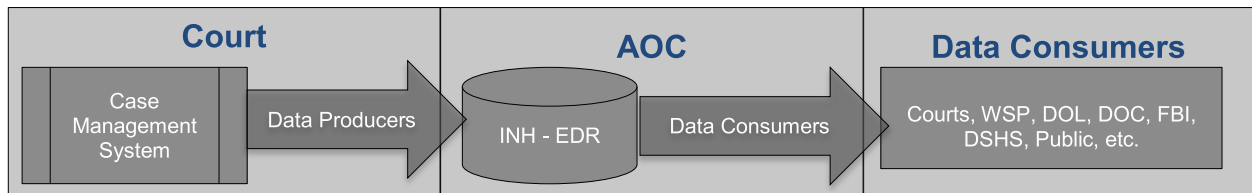
Uniform Infraction Citation Committee	1,000.00		1,000.00
Totals	284,415.00	116,163.00	168,252.00

Special Fund	\$ -	5,029.00	
*Includes \$8,000 from the SCJA			\$121,192.00
DMCJA\Board\Budget\2010-Present\2020-2021 Adopted	updated 07/31/2021		

Solution Analysis

IT Governance Request #265

Kitsap District Court Data Transfer (EDR On-boarding)



WASHINGTON
COURTS ADMINISTRATIVE OFFICE OF THE COURTS

Authored By: David Yenne
Address: Office of Architecture & Strategy
1206 Quince Street SE
Olympia, WA 98504
Date: 02/04/2021

Analysis	<p>Background:</p> <p>Kitsap County District Court (KPDC) is seeking to have their data uploaded into the Enterprise Data Repository (EDR) for statewide Case Management data sharing.</p> <p>KPDC is purchasing a new Case Management System (CMS) with enhanced functionality (Journal Technology Incorporated (JTI) eCourt product). When the implementation is complete, KPDC will no longer use Judicial Information System (JIS) or the six other programs that make up the Administrative Office of the Courts (AOC) existing CMS. District Court Information System (DISCIS) and Odyssey systems will not have data from the new KPDC CMS.</p> <p>Responsibilities of the Local Court</p> <p>Washington State courts that implement their own local CMS will be responsible for the following:</p> <p>The INH - EDR is a set of resources and processes at AOC to receive data from Washington courts and share data with courts statewide, as well as judicial partners like Washington State Patrol (WSP), Department of Corrections (DOC), Department of Licensing (DOL), Federal Bureau of Investigation (FBI), and others. Public access to the data will also be provided as required. The data in the INH - EDR is intended to represent the most complete set of statewide shared data from Washington courts, no matter whether a court uses an AOC provided CMS or have implemented their own local CMS. The core of INH - EDR is a data repository to store statewide court data. The means of sending data into, or retrieving data from, the INH - EDR is through a standard set of web services that are common for all the courts.</p> <p>Under its authority, the Judicial Information Systems Committee (JISC) has established minimum standards for statewide data that courts with independent automated court record systems must share with the JIS. <u>Local courts must satisfy these minimum standards through an electronic data exchange between the local system and the JIS or by duplicate data entry at the local court level.</u></p> <p>Integrations with the EDR</p> <p>The primary means of sending data to, or retrieving data from, the EDR is through a set of web services. It is the responsibility of the court implementing its own CMS to do the work necessary to send the required statewide data from its local system to the EDR. AOC has adapted the JIS applications to read data from the EDR so that data can be shared statewide.</p> <p>Technical Requirements</p> <p>A local court planning to implement its own CMS must plan for the local resources with high technical expertise in order to send the required statewide data from its case management system to the EDR. Those resources must be capable of both developing the web services and providing ongoing support for them.</p> <p>Data Extraction: Extracting data from a court's independent CMS and sending the data to the EDR requires advanced technical skills at the local court. The method to extract data from the CMS will be dependent on the architecture of the court's local CMS, unique business decisions made by that court about its data, and the policies of that court's vendor(s). Once extracted, the data will need to be sent to the EDR through web services. The court should also be aware that due to differences between CMS's, or differences between implementations of the same CMS in different locations, the data integration may require significant logic to transform the data from the court's independent CMS to a form that can be received by the EDR.</p>
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Testing: The court integrating to the EDR is responsible for testing their integration to the EDR, with the help of AOC. The testing is to ensure the local court data, as integrated into the EDR, represents the same information as the data presented in the local CMS. The primary method for this testing will involve sending data to the EDR via the court's integration, and then comparing that data in the EDR to the original data and similar data from other case management systems in the EDR.

As part of AOC's Readiness Assessment of the court's data integration:

- AOC provides an EDR Quality Assurance/Integration region where courts can conduct integration testing.
- AOC and the court review integrated data with all JIS applications and data exchanges to ensure the data continues to represent the correct business intent.

** For detailed information regarding the AOC EDR Onboarding process and responsibilities, please review the EDR On-boarding Overview document using the following link:

[AOC EDR Integration Guidelines](#) (Hyperlink)

INH – EDR Portal

<https://edr-int.courts.wa.gov/>

A successful solution will meet the following:

1. Requirements as identified in the EDR On-Boarding Overview Document
 - a. **Business Data Mappings**

The design of the INH - EDR is based on the JIS Data Standards for Alternative Electronic Court Records Systems, commonly referred to as the JIS Data Standards. A court integrating to the INH - EDR begins its business integration with the INH - EDR by mapping data elements from its CMS to data elements in the JIS Data Standards.
 - b. **Technical Integration with AOC INH – EDR**

The method to extract data from the court's CMS will be dependent on the architecture of the CMS and the vendor's policies. Once extracted, the data will need to be sent to the INH - EDR through RESTful web services.
 - c. **Testing**

The court integrating to the INH - EDR is responsible for testing their integration to the INH - EDR, with the support of AOC. The testing is to ensure the data, as integrated into the INH - EDR, represents the same business intent as the data presented in the court's CMS. Once the court has completed testing, AOC will conduct full integration testing for all JIS applications and data exchanges before the data integration is considered to be complete.

Resources Needed	AOC Resource Estimates:		
	<i>These resource estimates are based on information available at this time but subject to change due to knowledge gained from other court on-boarding efforts by the AOC.</i>		
	Resource Type	Estimated Kitsap County District Courts EDR Onboarding Total Hours	Comments
	AOC EDR Program Manager	500	Managing On-boarding communication and coordination of the integration activities between the court and AOC
AOC EDR Business Team	2500	Working with the court for CMS Source codes to JIS Standards code mapping. Documentation, writing requirements, Data analysis and troubleshooting issues with integration	
AOC EDR Technical Team	2500	On-boarding Impact Analysis to AOC EDR Processes Including: <ul style="list-style-type: none"> • Network connectivity – IP Whitelisting • API Keys – generation • EDR Web service onboarding • Integration support for court • Q & A • Issue Resolution • Reference data uploads/EDR Portal maintenance • Payload data load/wipe-out/reload 	

			<ul style="list-style-type: none"> • DX related support
	AOC Tester	500	Data Exchanges, legacy and Java apps regression testing for integration compliance
	AOC EDR Operations Team	2500	Development Support <ul style="list-style-type: none"> • Data Exchanges • Change Requests • Data Warehouse Impacts
	Legacy Applications (JIS Off-Boarding – EDR On-Boarding)	740	JABS - 400 hours ACORDS - 150 hours for development COA -Transfer - 40 hours ETP - no impact JIS Link – 50 hours (20 hours for mapping tables, 30 for validation and testing) Support - 100 hours (Data Purge, Security, Misc.).
	Estimated Total Hours:	9,240	\$776,160
<p>*ISD staff costs average \$84 per hour. Contractor staff generally costs \$120 -\$150 per hour.</p>			

265 - Kitsap District Court Case Management System (CMS) to Enterprise Data Repository (EDR) Data Exchange

[\[History\]](#)

Request Status Summary

Request Status Awaiting Endorsement Confirmation
Status Comment 05/10/2021 Analysis completed.

Request Detail

Requestor Name: Casebolt, Clint	Original Title: Request Type:	Kitsap District Court CMS New System
Origination Date: 11/15/2018	Which Systems are affected?	Judicial Information System (JIS) Data Warehouse Judicial Receipting System (JRS) Judicial Access Browser System (JABS) Possible Case History (PCH) Case and Criminal History (CACH) Other
Requestor Email: ccasebol@co.kitsap.wa.us		
Requestor Phone: 360-337-4959		
Recommended Endorser: District and Municipal Court Judges' Association	Business Area: Communities Impacted:	Court Case Management County Clerks Superior Court Administrators CLJ Judges CLJ Managers State Agencies Public and Other Users
	Impact if not Resolved:	High

What is the Business Problem or Opportunity

Kitsap County District Court (KCDC) is seeking to have their data uploaded into the Enterprised Data Repository (EDR) through the Expedited Data Exchange (EDE) program.

KCDC is purchasing a new Case Management System (CMS) with enhanced functionality (JTI's eCourt product). When the implementaion is complete, KCDC will no longer use JIS or the six other programs that make up our existing CMS. DISCIS and Odyssey systems will not have data from the new KCDC Case Management System.

Expected Benefit:

A new Case Management System will streamline our work processes and eliminate redundancies. It will reduce our error rate caused by working across multiple systems in our current CMS. It will transition KCDC to a paperless system and allow greater access to the court.

Endorsement Detail

Endorsing Committee District and Municipal Court Judges' Association	Endorsing Action:	Endorsed
Endorser Name: Vicky Cullinane, on behalf of the DMCJA Endorsing Group		
Origination Date: 12/17/18		
Endorser Email: vicky.cullinane@courts.wa.gov		

Endorser Phone:
(360) 704-4068

AOC Analysis Detail

Analysis Date: 05/10/2021

Request Rationale

Aligns with JIS Business Priorities, IT Strategies & Plans:

Aligns with applicable policies and with ISD Standards:

Breadth of Solution Benefit: Narrow

Cost Estimates

Cost to Implement? AOC cost \$776,160

Projected Maintenance cost? TBD

Feasibility Study needed? No

Court Level User Group

Courts of Limited Jurisdiction

Approving Authority Administrator

Request Summary:

Kitsap District Court (KPDC) is purchasing a new Case Management System (CMS) with enhanced functionality (Journal Technology Incorporated (JTI) eCourt product). When the implementation is complete, KPDC will no longer use Judicial Information System (JIS) or the six other programs that make up the Administrative Office of the Courts (AOC) existing CMS. District Court Information System (DISCIS) and Odyssey systems will not have data from the new KPDC CMS.

Business Impacts:

See analysis.

Summary of Proposed Solution

The primary means of sending data to, or retrieving data from, the Enterprise Data Repository (EDR) is through a set of web services. It is the responsibility of the court implementing its own case management system to do the work necessary to send the required statewide data from its local system to the EDR.

Proposed Solution

See analysis.

Additional Systems Affected

- Judicial Information System (JIS)
- Data Warehouse
- Judicial Receipting System (JRS)
- Judicial Access Browser System (JABS)
- Possible Case History (PCH)
- Case and Criminal History (CACH)
- Other

Communities Impacted

- County Clerks
- Superior Court Administrators
- CLJ Judges
- CLJ Managers
- State Agencies
- Public and Other Users

AOC Analysis Attachments

[265 - Analysis Kitsap District Court CMS to EDR.pdf](#)



The Washington Association Of Prosecuting Attorneys

July 16, 2021

Honorable Charles D. Short
DMCJA President
Okanogan District Court
PO Box 980
Okanogan, WA 98840

Mr. Peter King
Association of Washington Cities
1076 Franklin Street SE
Olympia, WA 98501-1346

Mr. Dirk Marler
Director Court Services Division
Administrative Office of the Courts
PO Box 41170
Olympia, WA 98504-1170

Ms. Aimy Enriquez
WSAMA
2601 4th Ave. Suite 800
Seattle, WA 98121

By e-mail only

Re: Invalid Municipal Court Convictions

Dear Judge Short, Mr. Marler, Mr. King, and Ms. Enriquez:

The *Blake* response law, ESB 5476 (Laws of 2021, ch. 311), reduced the crime of simple possession of a controlled substance from a felony to a misdemeanor. This raised the question of whether prosecution of this new misdemeanor would be the responsibility of cities or counties. On studying this question, it became apparent that some municipal courts were adjudicating criminal matters that were not properly before them. It also appears that some city prosecutors were exceeding their authority by charging violations of state statutes that had not been incorporated into the municipal court code.

The Washington Association of Prosecuting Attorneys (“WAPA”) is currently attempting to identify which municipal criminal judgments may be invalid. Invalid municipal court convictions impact sentences in felony cases, mandatory minimums in all cases, and the charging of recidivist crimes. The task is complicated by the lack of a central on-line library of all of the municipal codes. The attached memorandum explains the problem in detail.

WAPA has prepared a checklist to be completed for each city. This checklist will assist a city in determining whether it has exceeded its jurisdiction or authority in criminal matters.

WAPA is hoping to assemble checklists for each city into one long document that will allow a municipal or county prosecutor to go directly to the city in question so that the prosecutor can easily determine whether the municipal court prosecution is valid or invalid. Completed checklists may be returned to WAPA at wapa_notifications@waprosecutors.org.

Letter to Judge Short, Mr. Marler, Mr. King, and Ms. Enriquez
July 15, 2021
Page 2

WAPA has assembled some city specific information in a draft spreadsheet. The spreadsheet and other relevant documents may be accessed at:

Dropbox link:

<https://www.dropbox.com/sh/exthkmeus5vgft0/AAB83x4OFmkjOKtoIXvhYpNXa?dl=0>

OneDrive link: [Municipal Code Project](#)

Please do not hesitate to contact me if you have any questions. The best phone number to reach me at is 360-908-1530.

Sincerely,



Pamela B. Loginsky
Staff Attorney

MEMORANDUM

To: Criminal Justice Partners

From: Pam Loginsky, Staff Attorney

Date: July 15, 2021

Re: Municipal Jurisdiction in Criminal Matters

INTRODUCTION

The *Blake* response law, ESB 5476 (Laws of 2021, ch. 311), reduced the crime of simple possession of a controlled substance from a felony to a misdemeanor. This raised the question of whether prosecution of this new misdemeanor would be the responsibility of cities or counties. On studying this question, it became apparent that some municipal courts were adjudicating criminal matters that were not properly before them. It also appears that some city prosecutors were exceeding their authority by charging violations of state statutes that had not been incorporated into the municipal court code.

An effort to identify which municipal criminal judgments may be invalid is underway. The task is complicated by the lack of a central on-line library of all of the municipal codes. The problem is one that requires prompt action by all criminal justice partners.

MUNICIPAL CRIMINAL JURISDICTION

A. Municipal Court Subject Matter Jurisdiction

A municipal court's subject matter jurisdiction is established by statute.¹ There are three types of municipal courts currently operating.² Their subject matter jurisdiction is defined separately for each of the courts. *See* RCW 3.46.015 and former RCW 3.46.030 (municipal departments in existence prior to July 1, 2008);³ RCW 3.50.020 (municipal courts);⁴ RCW 35.20.030 (for cities with over 400,000 people).⁵

As a general rule, a municipal court lacks subject matter jurisdiction over a crime adopted under state law that has not been expressly adopted by city code or incorporated in city code by reference to state statute.⁶ *Cf. City of Auburn v. Gauntt*, 174 Wn.2d 321, 274 P.3d 1033 (2012) (a municipal prosecutor lacks the authority to file charges under a state criminal statute that has not been incorporated by reference into the municipal code). The exception to this general rule applies solely to the Seattle Municipal Court which is organized pursuant to Chapter 35.20 RCW. The Seattle Municipal Court has jurisdiction over violations of state statutes. *See City of Seattle v. Briggs*, 109 Wn. App. 484, 38 P.3d 349 (2001).

A conviction for a violation of a state statute by a municipal court that lacks subject matter jurisdiction is “void,” rather than “voidable.” A void conviction, even one that has not been vacated, cannot be used to calculate an offender score, to determine a mandatory minimum sentence, to prevent washout of another conviction, as an element of a crime, or as a predicate offense for a recidivist statute.

B. Municipal Prosecutor’s Authority

A city lacks the authority to prosecute a defendant for crimes as defined by state statute where the city has not adopted comparable ordinances or incorporated the statute by reference. *City of Auburn v. Gauntt*, 174 Wn.2d 321, 274 P.3d 1033 (2012). This rule extends to prosecutors in Seattle Municipal Court. *See Gauntt*, 174 Wn.2d at 326 n.3. A conviction obtained by a city under a statute for a crime defined by a state law that the city has not adopted by reference is invalid on its face.

A conviction that is invalid on its face is subject to a collateral attack at any time. *See RCW 10.73.090*. A conviction obtained by a municipality that lacked the authority to file the charges, even one that has not been vacated via a collateral attack, cannot be used to calculate an offender score, to determine a mandatory minimum sentence, to prevent washout of another conviction, as an element of a crime, or as a predicate for a recidivist offense. *See generally State v. Ammons*, 105 Wn.2d 175, 187-88, 713 P.2d 719 (1986) (a conviction which is invalid on its face may not be used as an essential element of a crime or considered in determining the proper sentence under the Sentencing Reform Act.).

MUNICIPAL CRIMINAL CODES

Every city has its own code. Many municipalities contract with just a handful of commercial publishers. This results in some consistency in where ordinances related to crimes and traffic offenses may be found in each code. Determining whether invalid convictions have been entered in a specific city requires a review of the city’s code.⁷

Cities may define all crimes locally, provided their codification does not conflict with a statute enacted by the legislature.⁸

Cities may also adopt state statutes by reference into their code.⁹ Adoption of state criminal laws may be done in one or more ordinances.¹⁰

Cities may also have a combination of locally defined crimes and state offenses that have been adopted by reference.¹¹

Some cities that have adopted state laws by reference include “temporal restrictions.”¹² All ordinances, those that include a temporal restriction and those that do not, may include subsequent amendments to the referenced state or they may not. The answer to this question may be found in the language of the ordinance that adopts the state laws by reference itself,¹³ in a separate

ordinance,¹⁴ or in state law.¹⁵

A municipality that has a gap between its code and the offenses that have or are being prosecuted by city prosecutors must immediately cease the practice. Pending cases will need to be dismissed without prejudice and sent to the county prosecuting attorney for possible charging under state laws in district court in the name of the State of Washington.¹⁶

A city's legislative authority may close any gap between its code and its historic or preferred practices. Any new or amended ordinances will, however, only have prospective impact. Any new referrals that fall within the gap and that occur prior to the effective date of any new or amended ordinances will need to be referred to the county prosecuting attorney for possible charging under state laws in district court in the name of the State of Washington.

A municipality may elect to not close any gaps in its code. In such circumstances, conduct that constitutes a crime under state law for which the city does not have a similar ordinance will need to be referred to the county prosecuting attorney for possible charging under state laws in district court in the name of the State of Washington.

COSTS OF PROSECUTION

Cities are responsible for all of the costs associated with the prosecution of misdemeanors and gross misdemeanors that occur within their geographic borders. *See Gauntt*, 174 Wn.2d at 331-32; RCW 39.34.180.¹⁷ A city can discharge this responsibility by having its own codes and courts or by contracting with another local government and paying a reasonable fee. *Gauntt*, 174 Wn.2d at 331 n. 5. Any city that fails to adopt comparable city code provisions for crimes and to instead refer such matters to counties will be required to reimburse the county. *Taylor*, 5 Wn. App. 2d 534-35, citing *Whatcom County v. City of Bellingham*, 128 Wn.2d 537, 549, 909 P.2d 1303 (1996).

Endnotes

1. *See* Const. art. IV, § 12 (“The legislature shall prescribe by law the jurisdiction and powers of any of the inferior courts which may be established in pursuance of this Constitution.”)

2. A municipality decides, via an city or county ordinance, which type of court it will operate. *See, e.g.*, Cheney Municipal Code § 2.51.010 (“The Cheney Municipal Court is organized and constituted as the municipal court of Cheney, pursuant to RCW chapter 3.50 and as amended by the Court Improvement Act of 1984, chapter 258, Laws of 1984.”); Island County Ordinance § 1.12.080 (creating municipal departments in the district court for the cities of Coupeville, Oak Harbor, and Langley); Seattle Municipal Code § 3.33.010 (“This chapter sets forth the structure and authority of Seattle Municipal Court and consolidates authorization previously given in Ordinances 101811, 108666 and 110900, which authority is hereby further ratified and confirmed. Consistent with RCW Chapter 35.20 and other applicable law”); (Seattle Municipal Code § 3.33.040 (“The Municipal Court shall consist of seven judicial departments, as follows: 1. Departments 1, 3 established pursuant to RCW 35.20.100; . . .”)

3. RCW 3.46.015 states:

A municipality operating a municipal department under this chapter prior to July 1, 2008, may continue to operate as if chapter 227, Laws of 2008 was not adopted. Such municipal departments shall remain subject to the provisions of this chapter as this chapter was written prior to the adoption of chapter 227, Laws of 2008.

Former RCW 3.46.030 provided:

A municipal department shall have exclusive jurisdiction of matters arising from ordinances of the city, and no jurisdiction of other matters except as conferred by statute. A municipal department participating in the program established by the office of the administrator for the courts pursuant to [Laws of 2000, ch. 111, § 1] of this act shall have jurisdiction to take recognizance, approve bail, and arraign defendants held within its jurisdiction on warrants issued by any court of limited jurisdiction participating in the program.

4. RCW 3.50.020, which applies to all non-municipal department municipal courts other than those formed pursuant to RCW 35.20.030 provides:

The municipal court shall have exclusive original jurisdiction over traffic infractions arising under city ordinances and exclusive original criminal jurisdiction of all violations of city ordinances duly adopted by the city and shall have original jurisdiction of all other actions brought to enforce or recover license penalties or forfeitures declared or given by such ordinances or by state statutes. A hosting jurisdiction shall have exclusive original criminal and other jurisdiction as described in this section for all matters filed by a contracting city. The municipal court shall also have the jurisdiction as conferred by statute. The municipal court is empowered to forfeit cash bail or bail bonds and issue execution thereon; and in general to hear and determine all causes, civil or criminal, including traffic infractions, arising under such ordinances and to pronounce judgment in accordance therewith. A municipal court participating in the program established by the administrative office of the courts pursuant to RCW 2.56.160 shall have jurisdiction to take recognizance,

approve bail, and arraign defendants held within its jurisdiction on warrants issued by any court of limited jurisdiction participating in the program.

5. A city with a population of over 400,000 may, but is not required to organize its court under Chapter 35.20 RCW. *See* RCW 3.30.020. RCW 35.20.030, which currently only applies to Seattle Municipal Court, states that:

The municipal court shall have jurisdiction to try violations of all city ordinances and all other actions brought to enforce or recover license penalties or forfeitures declared or given by any such ordinances. It is empowered to forfeit cash bail or bail bonds and issue execution thereon, to hear and determine all causes, civil or criminal, arising under such ordinances, and to pronounce judgment in accordance therewith: PROVIDED, That for a violation of the criminal provisions of an ordinance no greater punishment shall be imposed than a fine of five thousand dollars or imprisonment in the city jail for up to three hundred sixty-four days, or both such fine and imprisonment, but the punishment for any criminal ordinance shall be the same as the punishment provided in state law for the same crime. All civil and criminal proceedings in municipal court, and judgments rendered therein, shall be subject to review in the superior court by writ of review or on appeal: PROVIDED, That an appeal from the court's determination or order in a traffic infraction proceeding may be taken only in accordance with RCW 46.63.090(5). Costs in civil and criminal cases may be taxed as provided in district courts. A municipal court participating in the program established by the administrative office of the courts pursuant to RCW 2.56.160 shall have jurisdiction to take recognizance, approve bail, and arraign defendants held within its jurisdiction on warrants issued by any court of limited jurisdiction participating in the program.

6. RCW 35.21.180 authorizes ordinances passed by cities or towns to adopt Washington state statutes and codes by reference.

7. A checklist or guided questionnaire accompanies this mem. The form is intended to identify the relevant code provisions and to assemble information that other courts and prosecutors will need in order to evaluate whether a specific municipal court conviction is valid. The completed checklists will be assembled into a single document that will be made available to prosecutors, courts, and others upon request.

8. *See* Const. art. XI, § 11 (“Any county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.”).

9. *See, e.g.*, Chapter 46.90 RCW (Model Traffic Ordinance); RCW 35.21.180 (“ordinances may by reference adopt Washington state statutes and codes”); RCW 35A.12.140 (“Ordinances may by reference adopt Washington state statutes and state, county, or city codes, regulations, or ordinances or any standard code of technical regulations, or portions thereof.”).

10. Most cities will have one provision adopting the Washington Model Traffic Ordinance in its traffic chapter and at least one provision adopting other state criminal laws by reference. Some cities have multiple ordinances adopting by reference many provisions of state law. *See, e.g.*, Oakville Municipal Code §§ 9.02.900 (adopting specific provisions from chapter 9.01 RCW), and 9.06.900 (adopting specific provisions from chapter 9A.28 RCW); 9.10.900 (adopting specific provisions from chapters 9.08, 16.08, 16.52 and 16.68 RCW). Some cities adopt separate sections of state law in individual ordinances. *See, e.g.*, Tacoma

Municipal Code §§ 8.37.020 (adopting RCW 9A.56.020), 8.37.030A (adopting RCW 9A.52.100), and 8.78.010 (adopting RCW 9A.36.050).

11. *See, e.g.*, Oakville Municipal Code § 10.04.010(A) (“The Washington Model Traffic Ordinance and all amendments thereto, Chapter 46.90 RCW, as amended, hereinafter referred to as the “MTO,” except as provided by subsection A of Section 10.04.030 and RCW 46.52.088, 46.41.202, 46.61.215, 46.61.261, 46.61.264, 46.61.266, 46.61.269, 46.61.520, 46.61.540, 46.61.606, 46.61.608, 46.61.614 and 46.64.017, are adopted by reference as and for the traffic ordinance of the city as if set forth in full in this chapter, with the exception of the penalty provisions thereof which are superseded by the penalty provisions of Section 1.20.020 of this code. The following sections of the MTO are not adopted by reference and are expressly deleted: RCW 46.90.500, 46.90.505, 46.90.510, 46.90.515, 46.90.520, 46.90.525, 46.90.530, 46.90.535, 46.90.540.”).

12. *See, e.g.*, Brier Municipal Code § 9.04.011 (“There is adopted by reference all provisions of any enactment of the State Legislature up to and through the year 1994, not previously adopted by reference, and establishing a misdemeanor or gross misdemeanor for criminal behavior, otherwise enforceable by the state within the city, to become a misdemeanor or gross misdemeanor of the city, and to the extent otherwise enforceable by the state, shall likewise be enforceable by the city, through the municipal court, its police department, its prosecuting authority, all in the same manner and fashion as such enactment may be enforced or prosecuted in the name of the state. (Ord. 243.A § 1, 1994: Ord. 243 § 1, 1991).”)

13. *See, e.g.*, Tacoma Municipal Ordinance 8.67.010 (“The following statutes, including all future amendments, additions, or deletions, are adopted by reference...”); Bellevue Municipal Code § 10.02.010:

A. With the exception of the RCW section set forth in subsection C of this section, and notwithstanding the RCW sections that are specifically adopted by reference in this title, all RCW sections that constitute misdemeanors and gross misdemeanors and the RCW sections necessary for the investigation, arrest, prosecution, sentencing, confinement, and enforcement of misdemeanors and gross misdemeanors are hereby adopted by reference as currently enacted or as hereafter amended or recodified from time to time, and shall be given the same force and effect as if set forth herein in full.

B. All class C felony crimes set forth in the RCW are hereby adopted by reference for the purposes of charging a gross misdemeanor for a violation of any of the crimes set forth in Chapter 9A.28 RCW. The adoption of class C felonies shall be subject to the provisions of subsection A of this section and of Chapter 10.00 BCC.

C. The following RCW section is not adopted by the city of Bellevue:

RCW 9A.16.110 Defending against violent crime – Reimbursement. (Ord. 5622 § 2, 2005.)

14. *See, e.g.*, Oakville Municipal Code § 9.02.100 (“Statutes of the state of Washington specified within this ordinance and as specified in ordinances, as now or hereafter adopted and codified in Title 9 of the Oakville Municipal Code, are adopted by reference as and for a portion of the penal code of the city, as if set forth in full, including the criminal/offense classification and penalty provisions applicable thereto unless a different classification and/or penalty is specifically provided for the particular sections of state statutes adopted by reference. This adoption shall include the statutes as now existing or hereafter amended.”).

15. RCW 46.90.010 provides that:

In consultation with the chief of the Washington state patrol and the traffic safety commission, the director shall adopt in accordance with chapter 34.05 RCW a model traffic ordinance for use by any city, town, or county. The addition of any new section to, or amendment or repeal of any section in, the model traffic ordinance is deemed to amend any city, town, or county, ordinance which has adopted by reference the model traffic ordinance or any part thereof, and it shall not be necessary for the legislative authority of any city, town, or county to take any action with respect to such addition, amendment, or repeal notwithstanding the provisions of RCW 35.21.180, 35A.12.140, 35A.13.180, and 36.32.120(7).

16. State criminal laws apply throughout the state, including within cities. *State v. Taylor*, 5 Wn. App. 2d 530, 427 P.3d 656 (within city limits, even when a city has a similar ordinance). District courts have jurisdiction over crimes charged under state law even if a municipal court has jurisdiction over a similar ordinance. *Id.*

17. RCW 39.34.180 was amended by Laws of 2021, ch. 41. Although the effective date of the amendment is July 25, 2021, the amended version is quoted here as the changes do not impact a cities responsibility to pay for all prosecutions or the procedure for reaching an agreement between cities and counties.

Criminal justice responsibilities—Interlocal agreements—Termination.

(1) Each county, city, and town is responsible for the prosecution, adjudication, sentencing, and incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions, and referred from their respective law enforcement agencies, whether filed under state law or city ordinance, and must carry out these responsibilities through the use of their own courts, staff, and facilities, or by entering into contracts or interlocal agreements under this chapter to provide these services. Nothing in this section is intended to alter the statutory responsibilities of each county for the prosecution, adjudication, sentencing, and incarceration for not more than one year of felony offenders, nor shall this section apply to any offense initially filed by the prosecuting attorney as a felony offense or an attempt to commit a felony offense. The court of any county, city, or town that wishes to offer probation supervision services may enter into interlocal agreements under subsection (6) of this section to provide those services.

(2) The following principles must be followed in negotiating interlocal agreements or contracts: Cities and counties must consider (a) anticipated costs of services; and (b) anticipated and potential revenues to fund the services, including fines and fees, criminal justice funding, and state-authorized sales tax funding levied for criminal justice purposes.

(3) If an agreement as to the levels of compensation within an interlocal agreement or contract for gross misdemeanor and misdemeanor services cannot be reached between a city and county, then either party may invoke binding arbitration on the compensation issued by notice to the other party. In the case of establishing initial compensation, the notice shall request arbitration within thirty days. In the case of nonrenewal of an existing contract or interlocal agreement, the notice must be given one hundred twenty days prior to the expiration of the existing contract or agreement and the existing contract or agreement remains in effect until a new agreement is reached or until an arbitration award on the matter

of fees is made. The city and county each select one arbitrator, and the initial two arbitrators pick a third arbitrator. This subsection does not apply to the extent that the interlocal agreement is for probation supervision services.

(4) A city or county that wishes to terminate an agreement for the provision of court services must provide written notice of the intent to terminate the agreement in accordance with RCW 3.50.810 and 35.20.010. This subsection does not apply to the extent that the interlocal agreement is for probation supervision services.

(5) For cities or towns that have not adopted, in whole or in part, criminal code or ordinance provisions related to misdemeanor and gross misdemeanor crimes as defined by state law, this section shall have no application until July 1, 1998.

(6) Municipal courts or district courts may enter into interlocal agreements for pretrial and/or post judgment probation supervision services pursuant to ARLJ 11. Such agreements shall not affect the jurisdiction of the court that imposes probation supervision, need not require the referral of all supervised cases by a jurisdiction, and may limit the referral for probation supervision services to a single case. An agreement for probation supervision services is not valid unless approved by the presiding judge of each participating court. The interlocal agreement may not require approval of the local executive and legislative bodies unless the interlocal agreement requires the expenditure of additional funds by the jurisdiction. If the jurisdiction providing probation supervision services is found liable for inadequate supervision, as provided in RCW 4.24.760(1), or is impacted by increased costs pursuant to the interlocal agreement, the presiding judge of the jurisdiction imposing probation supervision shall consult with the executive authority of the jurisdiction imposing probation supervision and determine whether to terminate the interlocal agreement for probation supervision services. All proceedings to grant, modify, or revoke probation must be held in the court that imposes probation supervision. Jail costs and the cost of other sanctions remain with the jurisdiction that imposes probation supervision.

The administrative office of the courts, in cooperation with the district and municipal court judges association and the Washington association of prosecuting attorneys, shall develop a model interlocal agreement.

RCW 39.34.180 (Effective July 25, 2021) Laws of 2021, ch. 41 (SHB 1294).

MUNICIPAL CODE PROJECT CHECK LIST

City: _____ County: _____

Name of person completing form: _____

URL for the on line version, if any, of the City's Code _____

1. Are all misdemeanors and gross misdemeanors committed within the city prosecuted by the county prosecutor's office under the RCW in the name of the State of Washington pursuant to an RCW 39.34.180 interlocal agreement?
 Yes. If yes, you may stop here.
 No. If no, please proceed to question 2.
2. Has the city adopted by reference the Washington Model Traffic Code, Chapter 46.90 RCW and/or Chapter 308-330 WAC ?¹
 Yes. If yes, please proceed to question 3.
 No. If no, please proceed to question 4.
3. What is the citation for the municipal code provision that adopts the Washington Model Traffic Code? _____

Please quote the provision here and then proceed to question 4:

¹Pursuant to RCW 46.90.010,

"The addition of any new section to, or amendment or repeal of any section in, the model traffic ordinance is deemed to amend any city, town, or county, ordinance which has adopted by reference the model traffic ordinance or any part thereof, and it shall not be necessary for the legislative authority of any city, town, or county to take any action with respect to such addition, amendment, or repeal notwithstanding the provisions of RCW 35.21.180, 35A.12.140, 35A.13.180, and 36.32.120(7)."

4. Are there any locally defined traffic misdemeanor or gross misdemeanors in the code?
- No.
 - Yes. If yes, please attach the portion of the code that lists the city specific traffic crimes to this checklist.
5. Has the city adopted by reference non-traffic misdemeanor and gross misdemeanors contained in the RCW?
- No. If no, proceed to question 6.
 - Yes. If yes, please complete the following subparts before proceeding to question 6:
 - a. How does the code adopt state statutes by reference? Please check all of the applicable option(s) and provide the information, if any, requested by the checked option(s).
 - The code adopts by reference all state misdemeanors and gross misdemeanors in one or two sections. Please identify the sections and quote them here:

 - The code adopts by reference entire chapters of the RCW or portions of chapters of the RCW in multiple sections. Please identify the sections and which chapters or portions of chapters the section adopt, *i.e.* Brigadoon Municipal Code § 9.36.010 – Portions of Chapter 9A.36 RCW.

 - The code adopts by reference individual sections of the RCW in individual sections. An index of the city's non-traffic offenses is attached to this document.

b. Do the code provision(s) that adopt non-traffic state misdemeanor or gross misdemeanor laws by reference include a temporal qualifier?

No.

Yes. If yes, what date is specified: _____

c. Does the code affirmatively adopt additions or amendments to the RCW that were adopted by reference?

No.

Yes. Please check all that apply:

In each section that adopts all or portions of the RCW by reference.

In a separate section of the code. Please identify the code provision and insert the language of the provision here before proceeding to question 6:

6. Does the city code contain non-traffic misdemeanor or gross misdemeanor offenses that are either not included in state law or are defined differently than state law?

No.

Yes. If yes, please attach a list of those crimes and the complete text of the predicates for recidivist offenses. A “recidivist offense” offense is a felony offense “where a prior conviction of the same offense or other specified offense is an element of the crime including, but not limited to: (a) Assault in the fourth degree where domestic violence is pleaded and proven, RCW 9A.36.041(3); (b) Cyberstalking, RCW 9.61.260(3)(a); (c) Harassment, RCW 9A.46.020(2)(b)(i); (d) Indecent exposure, RCW 9A.88.010(2)(c); (e) Stalking, RCW 9A.46.110(5)(b) (i) and (iii); (f) Telephone harassment, RCW 9.61.230(2)(a); and (g) Violation of a no-contact or protection order, RCW 26.50.110(5).” RCW 9.94A.030(41).

7. Are there any misdemeanors or gross misdemeanors in the RCW that do not have a comparable local counterpart *and* are not included in the municipal code due to a temporal restriction or the scope of the RCWs that were adopted by reference.

- No.
- Yes. If yes, please identify the most common RCW misdemeanor or gross misdemeanors that are omitted from the municipal code.

8. How are misdemeanors and gross misdemeanors that do not appear in the municipal code being adjudicated?

- In the district court in an action filed by the State of Washington.
- In the municipal court in an action filed by the City of _____.
- Violations of these laws do not appear to be prosecuted in either the municipal or the district court.

From: Peter B. King [<mailto:peterk@awcnet.org>]

Sent: Friday, July 30, 2021 4:38 PM

To: Pam Loginsky <pamloginsky@waprosecutors.org>

Cc: Russell Brown <rbrown@waprosecutors.org>; Jonathan Meyer (Lewis County) <jonathan.meyer@lewiscountywa.gov>; Dolly Hunt <dhunt@pendoreille.org>; Marler, Dirk <Dirk.Marler@courts.wa.gov>; admin@wsama.org; Charles Short <cshort@co.okanogan.wa.us>; Sharon Swanson <sharons@awcnet.org>; Sheila Gall <sheilag@awcnet.org>; Candice Bock <CandiceB@awcnet.org>

Subject: Suspicious URL: RE: Municipal Courts and Invalid Convictions

Dear Ms. Loginsky:

Thank you for your letter of July 16 regarding questions related to municipal court jurisdiction, city ordinances, and state statutes that have come up as county prosecutors have been researching resentencing convictions under Washington's Controlled Substances law in response to *State v. Blake*.

We plan to coordinate with WSAMA in outreach to city attorneys to help determine the scope of any issues that that you raised in your letter that may have impacted city ordinances and municipal court jurisdiction after the 2012 decision *Auburn v Gauntt*. This outreach will include an article in AWC's *Legislative Bulletin* next week and a discussion on August 11 during a regularly-scheduled monthly call AWC is hosting with city attorneys and others regarding implementation of SB 5476 and *Blake* in cities. Until we determine the scope of this issue and number of cities that may need to review their ordinances, we will not be recommending they return completed surveys to WAPA for the creation of a database of city criminal ordinances. We will encourage them to use the information as a checklist resource.

Thank you for the work and resources you are providing to local governments as they navigate the complicated response to the court's invalidation of decades of convictions for controlled substances.

If you have questions, please feel free to contact Sheila Gall, Sharon Swanson or me.

Peter

Peter B. King

Chief Executive Officer
Association of Washington Cities
1076 Franklin St SE Olympia, WA 98501-1346
360.753.4137 (office)
800.562.8981 (toll free)
peterk@awcnet.org

Check out AWC's [upcoming events!](#)

Disclaimer: Documents and correspondence are available under RCW 42.56. This e-mail may be disclosable to a third-party requestor.



July 12, 2021

Honorable Michelle K. Gehlsen, Immediate Past President of the DMCJA
King County East Division
Redmond Facility
8601 160th Ave NE
Redmond, WA 98052-35848

Dear Judge Gehlsen:

Thank you for your March 24, 2021 letter regarding Ethics Advisory Opinion (EAO) 20-07 in which the District and Municipal Court Judges' Association Board of Governors (DMCJA BOG) requested the Ethics Advisory Committee (EAC) to review the DMCJA's response to the opinion and their request to amend the opinion.

EAC members met specifically to discuss DMCJA's concerns and the request for an amended opinion. Committee members discussed the concerns and members who were part of the Committee at the time the opinion was issued recollected that the issues raised in the letter had been discussed by the Committee prior to issuing the opinion.

The inclusion of the bright line rule, in addition to the recitation of other applicable factors, was thoroughly discussed prior to issuing EAO 20-07 and discussed again during the recent meeting. The Committee determined that in the question presented for consideration, the appearance of impartiality when a defense attorney who practices in superior court presides over the district court's criminal dockets was so significant that it merited advice against it.

The Committee acknowledges that all judges, including judges pro tempore, take oaths to adhere to the Washington State Constitution and the United States Constitution, both of which provide safeguards to follow the law in their duties. However, the Code of Judicial Conduct requires that judges shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary and shall avoid the appearance of impropriety (CJC 1.2). Thus, it is simply not enough to end the inquiry of the appearance of impartiality when oaths are taken, and to do so would eliminate the meaning and application of the Code of Judicial Conduct. Also, when deciding the question posed in EAO 20-07, Committee members understood that the opinion could have far-reaching consequences and discussed those potential consequences at length, as indicated among the footnotes in EAO 20-07.

The Committee answers all questions submitted in compliance with GR 10(b). Some questions include very specific facts and circumstances about a judicial officer's conduct, and some questions are stated more broadly and involve operational matters. The Committee answers the question it receives in the manner in which they are posed, and generally does not edit the question nor require the person submitting the question to substantively edit their question to allow for a more nuanced answer to fit all possible scenarios. This is why the Committee strives to not only provide an answer to the individual question posed but to also include broader guidance, such as factors to help with future decision making.

The Committee's function is to provide advice to judicial officers that, when complied with, is evidence of good faith by the Commission on Judicial Conduct and the Supreme Court should a complaint be made and adjudicated. The Committee's advice does not establish grounds for an ethics violation. Constitutionally, only the Commission on Judicial Conduct is able to receive and investigate complaints, and make the determination of whether there is an ethical violation. Therefore, while the Committee may advise that the facts presented in EAO 20-07 presents an appearance of impartiality issue, the Commission on Judicial Conduct is the only body that can determine that doing so would be in violation of the Code of Judicial Conduct.

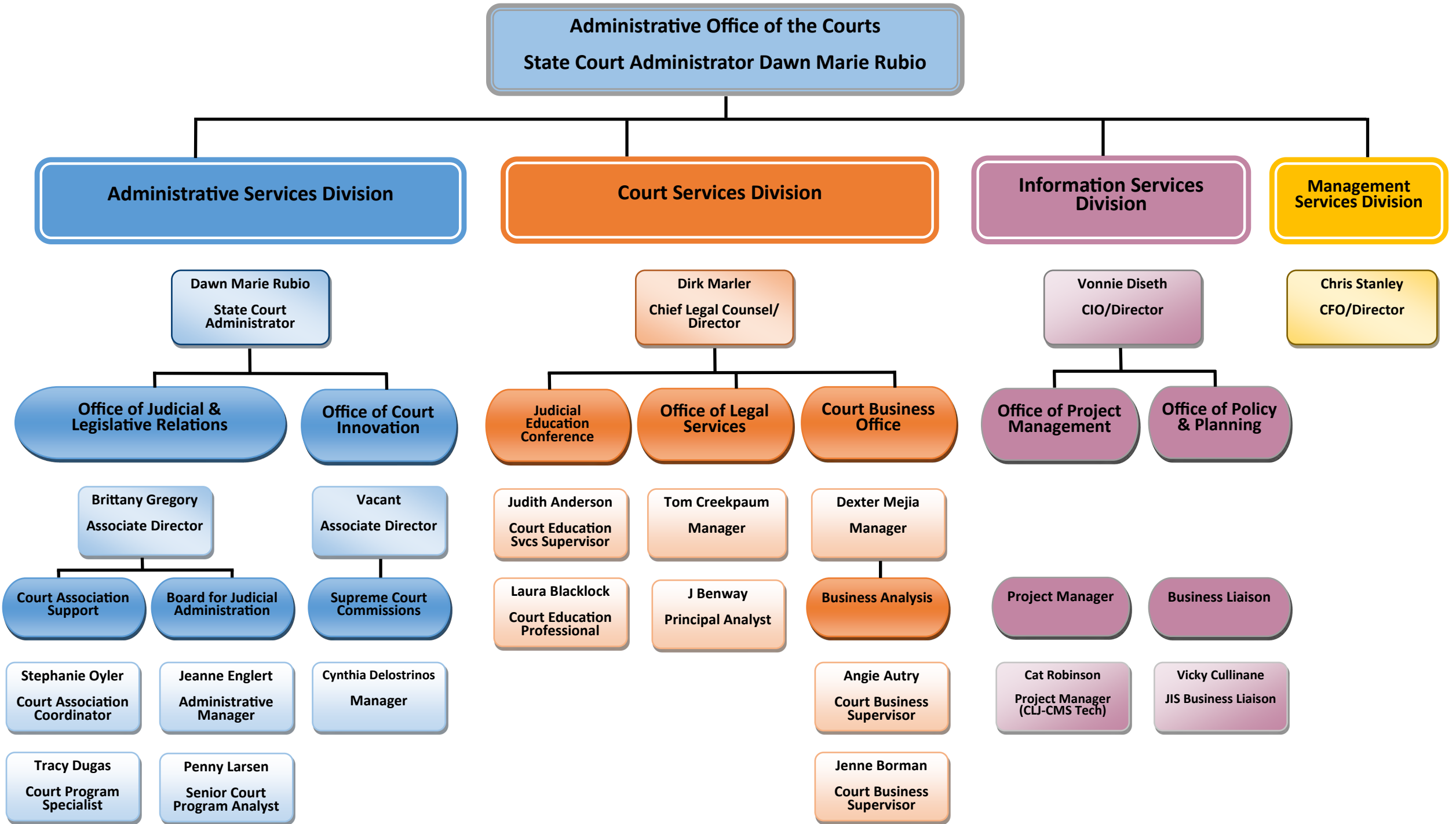
In conclusion, while the Committee appreciates the opportunity to re-visit the advice given in EAO 20-07, it is declining to amend EAO 20-07 at this time.

Sincerely,

/s/ Linda CJ Lee

Judge Linda CJ Lee
Chair, Washington State Ethics Advisory Committee

CC: Judge Charles D. Short, current DMCJA President
Shannon Hinchcliffe, AOC
Tom Creekpaum, AOC
Stephanie Oyler, AOC



Topic	Who to Contact	Email	Phone Number
Bench Books	J Benway	jennifer.benway@courts.wa.gov	360-357-2126
Board of Judicial Administration (BJA)	Jeanne Englert	jeanne.englert@courts.wa.gov	360-705-5207
BJA—Legislative	Brittany Gregory	brittany.gregory@courts.wa.gov	360-357-2113
BJA—Policy & Planning	Penny Larsen	penny.larsen@courts.wa.gov	360-704-4012
BJA—Court Education Committee	Judith Anderson	judith.anderson@courts.wa.gov	360-705-5231
BJA—Budget & Funding	Christopher Stanley	christopher.stanley@courts.wa.gov	360-704-4020
CLJ—Legal Questions	J Benway	jennifer.benway@courts.wa.gov	360-357-2126
CLJ—Technology	Vicky Cullinane	vicky.cullinane@courts.wa.gov	360-704-4068
CLJ—Business	Angie Autry	angie.autry@courts.wa.gov	360-704-4064
CLJ-CMS Program Management	Dexter Mejia	dexter.mejia@courts.wa.gov	360-705-5332
CLJ-CMS Project Manager	Cat Robinson	cat.robinson@courts.wa.gov	360-705-5245
Continuing Judicial Education Credits	Judith Anderson	judith.anderson@courts.wa.gov	360-705-5231
Court Security/Incident Reports	Christopher Stanley	christopher.stanley@courts.wa.gov	360-704-4020
DMCJA Board	Stephanie Oyler	stephanie.oyler@courts.wa.gov	360-890-0901
DMCJA Education	Laura Blacklock	laura.blacklock@courts.wa.gov	360-704-4138
DMCJA Rules Committee	J Benway	jennifer.benway@courts.wa.gov	360-357-2126
DMCMA (Court Administrators)	Angie Autry	angie.autry@courts.wa.gov	360-704-4064
EDR	Jenne Borman	jenne.borman@courts.wa.gov	360-705-5219
E-Filing Questions (GR 30)	J Benway	jennifer.benway@courts.wa.gov	360-357-2126

Topic	Who to Contact	Email	Phone Number
Ethics Advisory Committee	Tom Creekpaum	tom.creekpaum@courts.wa.gov	360-357-2157
Green Book	J Benway	jennifer.benway@courts.wa.gov	360-357-2126
JISC	Vicky Cullinane	vicky.cullinane@courts.wa.gov	360-704-4068
Judicial Assistance Services Program	Judith Anderson	judith.anderson@courts.wa.gov	360-705-5231
Judicial Conference (annual)	Judith Anderson	judith.anderson@courts.wa.gov	360-705-5231
Legislative	Brittany Gregory	brittany.gregory@courts.wa.gov	360-357-2113
Listservs	Tracy Dugas	tracy.dugas@courts.wa.gov	360-705-5349
Minority & Justice	Cynthia Delostrinos	cynthia.delostrinos@courts.wa.gov	360-705-5327
Records Retention Management	Stephanie Oyler	stephanie.oyler@courts.wa.gov	360-890-0901
Reimbursements (Pro Tem, etc.)	Tracy Dugas	tracy.dugas@courts.wa.gov	360-705-5349
Spring Program	Laura Blacklock	laura.blacklock@courts.wa.gov	360-704-4138

From: Dahlia Luz Chacon [<mailto:dlc2178@columbia.edu>]
Sent: Friday, July 16, 2021 8:40 AM
To: Charles D Short <cshort@co.okeanogan.wa.us>; jsmith@spokanecounty.org; mgehlsen@kingcounty.gov
Subject: Invitation to Sign On to EXiT's Statement

Dear Hon. Michelle Gehlsen, Hon. Charles Short, and Hon. Jeffrey Smith,

I hope this email finds you well.

I am reaching out on behalf of Barbara Broderick, Kendra Bradner, and the EXiT Steering Committee to ask that you join us as a signatory to our [Statement on the Future of Probation and Parole in the U.S.](#) This *Statement* was drafted by [EXiT: Executives Transforming Probation and Parole](#), a network convened by the Justice Lab at Columbia University.

Founded by current and former probation and parole chiefs, EXiT's mission is to transform the systems of probation and parole to be smaller, less punitive, and more hopeful, equitable, and restorative, and the [Statement](#) lays out these goals as well as specific policy aims that we believe can help bring that transformation.

EXiT recognizes that these policies do not operate in a vacuum, and full transformation will require action and partnership across many areas of the legal system - to that end, we are now seeking additional signatories to the Statement to demonstrate that there is broad consensus about the need for reform.

Judges wield significant influence over probation and parole sentences, conditions, and revocation processes. Therefore, we are explicitly asking current and former judges to sign on to the *Statement* to call for the transformation of sentencing, reduce lengthy probation terms and divert from probation and parole when sentencing can be achieved when community supervision is not necessary, and limit reincarceration for non-criminal rule violations. **I hope you'll join us in the call for change, by adding your name at this link:** <https://forms.gle/9isURr2yFodNH4zaA> by **Monday, August 2, 2021.**

Additionally, **would you be willing to share this invitation with judges in your Washington State District & Municipal Court Judges Association network who may be interested in signing on?** We also invite you to sign on as an "Organization" if you and your team align with the values and mission of our Statement. Thank you in advance for your consideration.

Please don't hesitate to reach out if you have any questions. You can also learn more about EXiT, [here](#). Again, I hope you'll join us as a signatory.

Warm regards,
Dahlia Chacon

Dahlia L. Chacon (she/her/hers)
Columbia Justice Lab Research Assistant
d.chacon@columbia.edu | 845.664.4298

LIVE WEBINAR



Neuroscience and Art: Art, Social Justice and Wellbeing

"Change" - Artwork by Dr. Krystal Roig-Palmer

**August 25, 2021
12:00 noon—1:00 p.m.**

Description: Explore the benefits of creative activities in a stressful life. Creativity reduces stress and enhances decision-making ability. Art increases neuroplasticity which also aides in decision-making, relieves decision fatigue and reduces burnout. Art is an outlet of expression to accommodate the role of the judge when the role and responsibility keeps you silent.

Join two judicial officers who have found a voice, a way to alleviate stress in their lives, and found that balance.

Faculty:

*Judge Anthony Gipe, Kent Municipal Court
Judge Mary Logan, Spokane Municipal Court*

CJE Credits:

1 general credit

Register:


Please register in advance for the August 25th webinar by clicking below. After registering, you will receive a confirmation email containing information about joining the webinar.

[Register](#)



August 5, 2021

TO: Eric Johnson, Executive Director, Washington State Association of Counties
Kim Allen, President, Washington State Association of County Clerks
Russell Brown, Executive Director, Washington Association of Prosecuting Attorneys
Darla McKay, President, Washington State Association of County Auditors
Presiding Judges of Superior Courts
Presiding Judges of District and Municipal Courts

FROM: Christopher Stanley, Chief Financial & Management Officer 

RE: Distribution of Funds, ESSB 5092, Section 115(5-6)

I appreciate the sustained communication our offices have shared since the end of the Legislative Session regarding the distribution of the funds provided by the Legislature to offset extraordinary costs related to the Supreme Court's decision in *State of Washington v. Blake*.

Over the past three months, we have met with stakeholders to discuss various approaches to distributing the funds provided by the Legislature. Our goal has always been to create an equitable and efficient way to distribute these limited funds. There appears to be a broad consensus that these funds will likely not be sufficient to cover the total costs of implementing the *Blake* decision, which means that any distribution formula would not be a limiting formula, but merely a way to allocate these initial funds.

Our proposal concerning funds in Section 115(5) regarding extraordinary costs related to resentencing and vacating convictions would be to allocate funds to counties based on a county's current Department of Corrections *Blake* in-custody and supervision population. While there was some push-back to this approach and suggestions to use a more comprehensive data set, a more extensive data set does not guarantee a more accurate data set. The current data is available now, without need for review or examination for accuracy, and we are prepared to allocate funds to counties by the end of the month based on these figures. A table of allocations for these funds is attached. It should be stressed that these allocations are not limiting figures, and again – there is broad consensus that the funds in Section 115(5) will likely be insufficient to cover the total costs of implementation.

Regarding the funds in Section 115(6) appropriated to assist counties with refunds of legal financial obligations (LFOs), our initial proposal was to use a 10-year "lookback" to allocate these initial funds. Like the DOC data, this data is both reliable and immediately available. We examined the approach of using a more extended period, but the data sources appear to become more challenging to obtain the further back we go in years. As with the funds in Section 115(5), we are

prepared to allocate funds to counties by the end of the month based on these figures. A table of allocations for these funds is attached. Again, it should be stressed here as well that these allocations are *not limiting figures* but merely a starting point for distributing these limited funds.

Ultimately, the cash distribution methodology for both of these funding provisos is simple: Reimbursement of actual expenditures. The allocation formulae referenced above simply help allocate funds in a manner that ensures *all* counties will have the *opportunity* to receive reimbursement for their expenditures. These allocated funds will likely be insufficient to cover the entire cost obligation, and we hope the Legislature will provide more funding in the 2022 Supplemental Budget to fully cover extraordinary costs of vacating and resentencing convictions related to *Blake* as well as cover the costs of refunding *Blake* LFOs.

We have received several letters asking AOC to request additional funds from the Legislature to cover *Blake*-related costs. AOC doesn't believe that it is our role to request these funds, but we are happy to include external requests from members of the justice community and the judicial branch in our presentations to the Board of Judicial Administration and the Supreme Court when those governing bodies are deciding which requests to forward to the Legislature in the 2022 Legislative Session.

I recognize that this information may not be what you wanted to hear; you may still want us to consider alternative allocation methodologies. However, in the interest of moving forward immediately, we are prepared to begin issuing contracts to all 39 counties to set the allocations in place by the end of the month and begin issuing reimbursements soon thereafter. Ultimately, the goal is to begin the work of vacating, resentencing, and refunding individuals impacted by *Blake* and to do that quickly and efficiently in the interest of justice. There's not enough funding to do it all right now, but there's enough to get started, and I hope we can all work together to secure the remaining necessary funds from the Legislature.

As we go forward, I'm open to continuing the conversations around the data to strengthen the case to the Legislature that additional funding will be needed to complete this critical work. If you have further questions or concerns or wish to discuss this further, please reach out to me at Christopher.Stanley@courts.wa.gov.

cc: Senator Christine Rolfes and Ways & Means Committee Leadership
Representative Timm Ormsby and Appropriations Committee Leadership
Scott Merriman, Office of Financial Management
Larry Jefferson, Office of Public Defense
Trisha Newport, Department of Corrections
Judge David Estudillo, President, Superior Court Judges' Association
Judge Charles Short, President, District and Municipal Court Judges' Association
Sharon Swanson, Association of Washington Cities
Association of Washington Superior Court Administrators
District and Municipal Court Administrators

Blake Court Expenses Allocation Matrix

Data Source: *Individuals with a Possession Conviction in DOC Jurisdiction as of 5/31/2021*

Total
44,500,000

County	In-Facility and Supervised DOC Population	Pct	Allocation
Adams	32	0.2%	75,000
Asotin	94	0.5%	221,000
Benton	774	4.1%	1,823,800
Chelan	443	2.3%	1,043,400
Clallam	261	1.4%	615,200
Clark	1,380	7.3%	3,252,400
Columbia	18	0.1%	42,000
Cowlitz	852	4.5%	2,007,900
Douglas	133	0.7%	313,100
Ferry	16	0.1%	37,000
Franklin	311	1.6%	732,300
Garfield	14	0.1%	32,000
Grant	316	1.7%	744,300
Grays Harbor	495	2.6%	1,166,500
Island	103	0.5%	242,100
Jefferson	68	0.4%	160,000
King	2,143	11.3%	5,051,200
Kitsap	626	3.3%	1,475,600
Kittitas	140	0.7%	329,100
Klickitat	85	0.5%	200,000
Lewis	535	2.8%	1,260,500
Lincoln	28	0.1%	65,000
Mason	298	1.6%	702,300
Okanogan	193	1.0%	454,200
Pacific	162	0.9%	381,100
Pend Oreille	21	0.1%	49,000
Pierce	3,013	16.0%	7,102,100
San Juan	6	0.0%	14,000
Skagit	394	2.1%	928,400
Skamania	41	0.2%	96,000
Snohomish	1,325	7.0%	3,123,400
Spokane	1,714	9.1%	4,039,800
Stevens	191	1.0%	450,200
Thurston	1,173	6.2%	2,766,700
Wahkiakum	4	0.0%	9,000
Walla Walla	159	0.8%	374,100
Whatcom	422	2.2%	994,400
Whitman	37	0.2%	87,000
Yakima	865	4.6%	2,038,900
Total	18,885		44,500,000

Blake LFO Pool Distribution

10-Year LFO AR Paid, RCW 69.50.4013

Blake LFO Pool Appropriation	23,500,000
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Court Name	Court Level	Average 10-Year AR Paid	Pct Total	Distribute Blake LFO Pool
ADAMS COUNTY SUPERIOR COURT	Superior	73,005	0.08%	17,874
ASOTIN COUNTY SUPERIOR COURT	Superior	173,623	0.18%	42,508
BENTON COUNTY SUPERIOR COURT	Superior	1,458,351	1.52%	357,047
CHELAN COUNTY SUPERIOR COURT	Superior	481,153	0.50%	117,800
CLALLAM COUNTY SUPERIOR COURT	Superior	183,053	0.19%	44,817
CLARK COUNTY SUPERIOR COURT	Superior	1,657,312	1.73%	405,759
COLUMBIA COUNTY SUPERIOR COURT	Superior	24,096	0.03%	5,899
COWLITZ COUNTY SUPERIOR COURT	Superior	367,294	0.38%	89,924
DOUGLAS COUNTY SUPERIOR COURT	Superior	227,709	0.24%	55,750
FERRY COUNTY SUPERIOR COURT	Superior	28,672	0.03%	7,020
FRANKLIN COUNTY SUPERIOR COURT	Superior	362,774	0.38%	88,818
GARFIELD COUNTY SUPERIOR COURT	Superior	22,788	0.02%	5,579
GRANT COUNTY SUPERIOR COURT	Superior	301,822	0.31%	73,895
GRAYS HARBOR COUNTY SUPERIOR COURT	Superior	133,221	0.14%	32,617
ISLAND COUNTY SUPERIOR COURT	Superior	178,394	0.19%	43,676
JEFFERSON COUNTY SUPERIOR COURT	Superior	103,118	0.11%	25,246
KING COUNTY SUPERIOR COURT	Superior	1,720,256	1.79%	421,170
KITSAP COUNTY SUPERIOR COURT	Superior	807,593	0.84%	197,723
KITTITAS COUNTY SUPERIOR COURT	Superior	229,911	0.24%	56,289
KLICKITAT COUNTY SUPERIOR COURT	Superior	84,635	0.09%	20,721
LEWIS COUNTY CLERK SUPERIOR	Superior	320,517	0.33%	78,472
LINCOLN COUNTY SUPERIOR COURT	Superior	40,056	0.04%	9,807
MASON COUNTY SUPERIOR COURT	Superior	145,504	0.15%	35,624
OKANOGAN COUNTY SUPERIOR COURT	Superior	172,912	0.18%	42,334
PACIFIC COUNTY SUPERIOR COURT	Superior	94,219	0.10%	23,068
PEND OREILLE CO SUPERIOR COURT	Superior	44,000	0.05%	10,772
PIERCE COUNTY SUPERIOR COURT	Superior	1,958,901	2.04%	479,597
SAN JUAN COUNTY SUPERIOR COURT	Superior	52,166	0.05%	12,772
SKAGIT COUNTY SUPERIOR COURT	Superior	426,009	0.44%	104,300
SKAMANIA COUNTY SUPERIOR COURT	Superior	80,962	0.08%	19,822
SNOHOMISH COUNTY SUPERIOR COURT	Superior	995,867	1.04%	243,818
SPOKANE COUNTY SUPERIOR COURT	Superior	1,067,711	1.11%	261,407
STEVENS COUNTY SUPERIOR COURT	Superior	145,438	0.15%	35,608
THURSTON COUNTY SUPERIOR COURT	Superior	711,741	0.74%	174,255
WAHKIAKUM COUNTY SUPERIOR COURT	Superior	35,770	0.04%	8,758

Blake LFO Pool Distribution

10-Year LFO AR Paid, RCW 69.50.4013

Blake LFO Pool Appropriation	23,500,000
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Court Name	Court Level	Average 10-Year AR Paid	Pct Total	Distribute Blake LFO Pool
WALLA WALLA CO SUPERIOR COURT	Superior	244,655	0.25%	59,899
WHATCOM COUNTY SUPERIOR COURT	Superior	579,087	0.60%	141,778
WHITMAN COUNTY SUPERIOR COURT	Superior	147,170	0.15%	36,032
YAKIMA COUNTY SUPERIOR COURT	Superior	324,091	0.34%	79,347
ABERDEEN MUNICIPAL COURT	Municipal	348,241	0.36%	85,260
AIRWAY HEIGHTS MUNICIPAL	Municipal	72,129	0.08%	17,659
ANACORTES MUNICIPAL COURT	Municipal	202,469	0.21%	49,570
ASOTIN MUNICIPAL COURT	Municipal	2,156	0.00%	528
BAINBRIDGE ISLAND MUNICIPAL CRT	Municipal	122,064	0.13%	29,885
BATTLE GROUND MUNICIPAL COURT	Municipal	385,429	0.40%	94,364
BELLINGHAM MUNICIPAL COURT	Municipal	1,004,821	1.05%	246,010
BLACK DIAMOND MUNICIPAL COURT	Municipal	77,026	0.08%	18,858
BLAINE MUNICIPAL COURT	Municipal	149,265	0.16%	36,545
BONNEY LAKE MUNICIPAL COURT	Municipal	504,946	0.53%	123,626
BOTHELL MUNICIPAL COURT	Municipal	373,684	0.39%	91,489
BREMERTON MUNICIPAL COURT	Municipal	644,337	0.67%	157,753
BREWSTER MUNICIPAL COURT	Municipal	17,704	0.02%	4,334
BUCKLEY MUNICIPAL COURT	Municipal	156,043	0.16%	38,204
BURLINGTON MUNICIPAL COURT	Municipal	153,131	0.16%	37,491
CAMAS/WASHOUGAL MUNICIPAL COURT	Municipal	308,894	0.32%	75,626
CENTRALIA MUNICIPAL COURT	Municipal	355,654	0.37%	87,074
CHEHALIS MUNICIPAL COURT	Municipal	205,677	0.21%	50,356
CHENEY MUNICIPAL COURT	Municipal	174,683	0.18%	42,767
CLE ELUM MUNICIPAL COURT	Municipal	58,142	0.06%	14,235
COLFAX MUNICIPAL COURT	Municipal	34,369	0.04%	8,415
COLLEGE PLACE MUNICIPAL COURT	Municipal	29,193	0.03%	7,147
COLTON MUNICIPAL COURT	Municipal	2,201	0.00%	539
CONNELL MUNICIPAL COURT	Municipal	16,075	0.02%	3,936
COSMOPOLIS MUNICIPAL COURT	Municipal	28,054	0.03%	6,868
DEER PARK MUNICIPAL COURT	Municipal	7,525	0.01%	1,842
DES MOINES MUNICIPAL COURT	Municipal	283,896	0.30%	69,506
E WENATCHEE MUNI CT(509)884-0680	Municipal	379,951	0.40%	93,023
EATONVILLE MUNICIPAL COURT	Municipal	12,990	0.01%	3,180
EDMONDS MUNICIPAL COURT	Municipal	470,732	0.49%	115,249
ELECTRIC CITY MUNICIPAL COURT	Municipal	628	0.00%	154

Blake LFO Pool Distribution

10-Year LFO AR Paid, RCW 69.50.4013

Blake LFO Pool Appropriation	23,500,000
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Court Name	Court Level	Average 10-Year AR Paid	Pct Total	Distribute Blake LFO Pool
ELMA MUNICIPAL COURT	Municipal	62,848	0.07%	15,387
ENUMCLAW MUNICIPAL COURT	Municipal	230,913	0.24%	56,534
EVERETT MUNICIPAL COURT	Municipal	1,218,608	1.27%	298,351
EVERSON-NOOKSACK MUNICIPAL COURT	Municipal	81,010	0.08%	19,834
FEDERAL WAY MUNICIPAL COURT	Municipal	825,923	0.86%	202,210
FERNDALE MUNICIPAL COURT	Municipal	255,568	0.27%	62,570
FIFE MUNICIPAL COURT	Municipal	791,389	0.82%	193,755
FIRCREST MUNICIPAL COURT	Municipal	126,271	0.13%	30,915
GIG HARBOR MUNICIPAL COURT	Municipal	180,243	0.19%	44,129
GRAND COULEE MUNICIPAL COURT	Municipal	3,563	0.00%	872
GRANGER MUNICIPAL COURT	Municipal	25,036	0.03%	6,130
HOQUIAM MUNICIPAL COURT	Municipal	133,902	0.14%	32,783
ISSAQUAH MUNICIPAL COURT	Municipal	479,136	0.50%	117,307
KENT MUNICIPAL COURT	Municipal	1,604,870	1.67%	392,919
KIRKLAND MUNICIPAL COURT	Municipal	1,428,037	1.49%	349,626
KITTITAS MUNICIPAL COURT	Municipal	4,753	0.00%	1,164
LACEY VIOLATIONS BUREAU	Municipal	70,675	0.07%	17,303
LAKE FOREST PARK MUNICIPAL COURT	Municipal	267,014	0.28%	65,373
LAKESIDE MUNICIPAL COURT	Municipal	1,015,640	1.06%	248,659
LONG BEACH MUNICIPAL COURT	Municipal	10,821	0.01%	2,649
LYNDEN MUNICIPAL COURT	Municipal	227,237	0.24%	55,634
LYNNWOOD MUNICIPAL COURT	Municipal	1,613,172	1.68%	394,952
MARYSVILLE MUNICIPAL COURT	Municipal	1,202,880	1.25%	294,501
MCCLEARY MUNICIPAL COURT	Municipal	7,380	0.01%	1,807
MEDICAL LAKE MUNICIPAL COURT	Municipal	8,821	0.01%	2,160
MERCER ISLAND MUNICIPAL COURT	Municipal	218,807	0.23%	53,570
MILTON MUNICIPAL COURT	Municipal	195,775	0.20%	47,932
MONROE MUNICIPAL COURT	Municipal	396,068	0.41%	96,969
MONTESANO MUNICIPAL COURT	Municipal	53,596	0.06%	13,122
MOUNT VERNON MUNICIPAL COURT	Municipal	250,719	0.26%	61,383
MOXEE CITY MUNICIPAL COURT	Municipal	7,079	0.01%	1,733
NAPAVINE MUNICIPAL COURT	Municipal	30,174	0.03%	7,387
NORTH BONNEVILLE MUNICIPAL COURT	Municipal	5,936	0.01%	1,453
OAKVILLE MUNICIPAL COURT	Municipal	5,833	0.01%	1,428
OCEAN SHORES MUNICIPAL COURT	Municipal	71,799	0.07%	17,579

Blake LFO Pool Distribution

10-Year LFO AR Paid, RCW 69.50.4013

Blake LFO Pool Appropriation	23,500,000
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Court Name	Court Level	Average 10-Year AR Paid	Pct Total	Distribute Blake LFO Pool
OLYMPIA MUNICIPAL COURT	Municipal	485,252	0.51%	118,804
OMAK MUNICIPAL COURT	Municipal	13,339	0.01%	3,266
ORTING MUNICIPAL COURT	Municipal	94,018	0.10%	23,018
PACIFIC MUNICIPAL COURT	Municipal	212,592	0.22%	52,049
PASCO MUNICIPAL COURT	Municipal	928,232	0.97%	227,258
PORT ORCHARD MUNICIPAL COURT	Municipal	327,388	0.34%	80,154
POULSBO MUNICIPAL COURT	Municipal	187,590	0.20%	45,928
PUYALLUP MUNICIPAL COURT	Municipal	1,238,139	1.29%	303,133
RAINIER MUNICIPAL COURT	Municipal	5,784	0.01%	1,416
RAYMOND MUNICIPAL COURT	Municipal	47,734	0.05%	11,687
RENTON MUNICIPAL COURT	Municipal	804,133	0.84%	196,875
ROSLYN MUNICIPAL COURT	Municipal	14,459	0.02%	3,540
ROY MUNICIPAL COURT	Municipal	30,019	0.03%	7,350
RUSTON MUNICIPAL COURT	Municipal	83,351	0.09%	20,407
SEATAC MUNICIPAL COURT	Municipal	307,610	0.32%	75,312
SEATTLE MUNICIPAL COURT	Municipal	5,381	0.01%	1,317
SEDRO-WOOLLEY MUNICIPAL COURT	Municipal	99,677	0.10%	24,404
SELAH MUNICIPAL COURT	Municipal	72,352	0.08%	17,714
SHELTON MUNICIPAL COURT	Municipal	158,157	0.16%	38,722
SOUTH BEND MUNICIPAL COURT	Municipal	54,401	0.06%	13,319
SPOKANE MUNICIPAL COURT	Municipal	755,140	0.79%	184,881
STEILACOOM MUNICIPAL COURT	Municipal	47,485	0.05%	11,626
STEVENSON MUNICIPAL COURT	Municipal	16,192	0.02%	3,964
SUMAS MUNICIPAL COURT	Municipal	56,995	0.06%	13,954
SUMNER MUNICIPAL COURT	Municipal	180,667	0.19%	44,233
SUNNYSIDE MUNICIPAL COURT	Municipal	411,709	0.43%	100,798
TACOMA MUNICIPAL COURT	Municipal	1,680,401	1.75%	411,412
TENINO MUNICIPAL COURT	Municipal	32,190	0.03%	7,881
TOPPENISH MUNICIPAL COURT	Municipal	100,938	0.11%	24,713
TUKWILA MUNICIPAL COURT	Municipal	243,236	0.25%	59,551
TUMWATER MUNICIPAL COURT	Municipal	80,155	0.08%	19,624
TUMWATER VIOLATIONS BUREAU	Municipal	38,948	0.04%	9,536
TWISP MUNICIPAL COURT	Municipal	1,465	0.00%	359
UNION GAP MUNICIPAL COURT	Municipal	209,371	0.22%	51,260
UNIONTOWN MUNICIPAL COURT	Municipal	917	0.00%	225

Blake LFO Pool Distribution

10-Year LFO AR Paid, RCW 69.50.4013

Blake LFO Pool Appropriation	23,500,000
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Court Name	Court Level	Average 10-Year AR Paid	Pct Total	Distribute Blake LFO Pool
VADER MUNICIPAL COURT	Municipal	7,310	0.01%	1,790
WAPATO MUNICIPAL COURT	Municipal	78,955	0.08%	19,331
WENATCHEE VIOLATIONS BUREAU	Municipal	47,708	0.05%	11,680
WESTPORT MUNICIPAL COURT	Municipal	35,829	0.04%	8,772
WILKESON MUNICIPAL COURT	Municipal	13,771	0.01%	3,371
WINLOCK MUNICIPAL COURT	Municipal	28,243	0.03%	6,915
WINTHROP MUNICIPAL COURT	Municipal	1,379	0.00%	338
YAKIMA CO DIST CT - GRM -	Municipal	7,962	0.01%	1,949
YAKIMA MUNICIPAL COURT	Municipal	1,560,235	1.63%	381,992
YELM MUNICIPAL COURT	Municipal	92,806	0.10%	22,722
ZILLAH MUNICIPAL COURT	Municipal	27,348	0.03%	6,696
#1 GRAYS HARBOR DISTRICT COURT	District	492,857	0.51%	120,666
#2 GRAYS HARBOR DISTRICT COURT	District	382,864	0.40%	93,736
ASOTIN DISTRICT COURT	District	228,600	0.24%	55,968
BENTON COUNTY DISTRICT COURT	District	5,153,391	5.37%	1,261,702
BRIDGEPORT DISTRICT COURT	District	134,042	0.14%	32,817
CHELAN COUNTY DISTRICT COURT	District	1,390,211	1.45%	340,365
CLALLAM COUNTY DISTRICT COURT #1	District	957,003	1.00%	234,303
CLALLAM DISTRICT COURT #2	District	203,741	0.21%	49,882
CLARK COUNTY DISTRICT COURT	District	3,807,963	3.97%	932,302
COLUMBIA COUNTY DISTRICT COURT	District	63,487	0.07%	15,544
COWLITZ COUNTY DISTRICT COURT	District	1,418,147	1.48%	347,204
DOUGLAS DISTRICT COURT	District	567,563	0.59%	138,956
E. KLICKITAT DISTRICT	District	197,656	0.21%	48,392
FERRY COUNTY DISTRICT COURT	District	72,133	0.08%	17,660
FRANKLIN DISTRICT COURT	District	815,172	0.85%	199,578
GARFIELD COUNTY DISTRICT COURT	District	74,272	0.08%	18,184
GRANT COUNTY DISTRICT COURT	District	1,713,935	1.79%	419,622
ISLAND COUNTY DISTRICT COURT	District	695,638	0.72%	170,313
JEFFERSON DISTRICT COURT	District	360,576	0.38%	88,280
KITSAP DISTRICT COURT	District	2,008,010	2.09%	491,620
LEWIS COUNTY DISTRICT COURT LAW AND JUSTICE CENTER	District	1,196,641	1.25%	292,973
LINCOLN COUNTY DISTRICT COURT	District	289,228	0.30%	70,812
LOWER KITTITAS DISTRICT COURT	District	1,205,037	1.26%	295,029
MASON COUNTY DISTRICT COURT	District	854,857	0.89%	209,294

Blake LFO Pool Distribution

10-Year LFO AR Paid, RCW 69.50.4013

Blake LFO Pool Appropriation	23,500,000
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Court Name	Court Level	Average 10-Year AR Paid	Pct Total	Distribute Blake LFO Pool
NORTH PACIFIC DISTRICT COURT PACIFIC COUNTY COURTHOUSE	District	148,705	0.15%	36,407
OKANOGAN COUNTY DISTRICT COURT	District	695,304	0.72%	170,231
OTHELLO DISTRICT COURT	District	291,158	0.30%	71,284
PEND OREILLE DISTRICT COURT	District	217,529	0.23%	53,258
PIERCE COUNTY DISTRICT COURT	District	3,924,250	4.09%	960,772
RITZVILLE DISTRICT COURT	District	272,468	0.28%	66,708
SAN JUAN DISTRICT COURT	District	197,016	0.21%	48,235
SKAGIT COUNTY DISTRICT COURT	District	1,279,316	1.33%	313,214
SKAMANIA COUNTY DISTRICT COURT	District	218,172	0.23%	53,415
SNO CO DIST CT CASCADE DIV	District	1,046,020	1.09%	256,097
SNO CO DIST CT EVERETT DIV	District	1,470,000	1.53%	359,899
SNO CO DIST CT EVERGREEN DIV	District	1,255,465	1.31%	307,375
SNO CO DIST CT SOUTH DIV	District	2,092,879	2.18%	512,399
SOUTH PACIFIC DISTRICT COURT	District	233,059	0.24%	57,060
SPOKANE COUNTY DISTRICT COURT	District	3,419,739	3.56%	837,253
STEVENS COUNTY DISTRICT COURT	District	329,304	0.34%	80,623
THURSTON COUNTY DISTRICT COURT	District	2,069,723	2.16%	506,729
UPPER KITTITAS DISTRICT COURT	District	515,068	0.54%	126,104
W. KLICKITAT DISTRICT	District	120,021	0.13%	29,385
WAHKIAKUM DISTRICT COURT	District	104,461	0.11%	25,575
WALLA WALLA DISTRICT COURT	District	489,382	0.51%	119,815
WHATCOM COUNTY DISTRICT COURT	District	1,877,628	1.96%	459,699
WHITMAN COUNTY DISTRICT COURT	District	797,928	0.83%	195,356
YAKIMA CO DIST CT - YDC -	District	1,811,412	1.89%	443,487
	Total	95,985,151	100.00%	23,500,000