JUDICIAL INFORMATION SYSTEM COMMITTEE

JUDICIAL INFORMATION SYSTEM ASSESSMENT

March 6, 2015

Judicial Information System Account Summary

Problem Statement:

Current Judicial Information System (JIS) Account revenue and fund balance will not meet the anticipated expenditure needs. Without additional resources the JIS account will experience a large deficit during the 2017-2019 biennium.

No other fund source is available and financing options are very limited.

Judicial Information System Account JIS Assessment

RCW 2.68.030 (partial)

…for the purposes of providing judicial information system access to noncourt users and providing an adequate level of automated services to the judiciary. The account shall be used for the acquisition of equipment, software, supplies, services, and ***other costs incidental to*** the acquisition, development, ***operation, and administration of information services****,* telecommunications, systems, software, supplies, and equipment, including the payment of principal and interest on items paid in installments. (emphasis added)

RCW 2.68.040

(1) To support the judicial information system account provided for in RCW 2.68.020, the supreme court may provide by rule for an increase in fines, penalties, and assessments, and the increased amount shall be forwarded to the state treasurer for deposit in the account:

(a) Pursuant to the authority of *RCW 46.63.110(2), the sum of ten dollars to any penalty collected by a court pursuant to supreme court infraction rules for courts of limited jurisdiction; (emphasis added)

(b) Pursuant to RCW 3.62.060, a mandatory appearance cost in the initial sum of ten dollars to be assessed on all defendants; and

(c) Pursuant to *RCW 46.63.110(5), a ten-dollar assessment for each account for which a person requests a time payment schedule.

(2) Notwithstanding a provision of law or rule to the contrary, the assessments provided for in this section may not be waived or suspended and shall be immediately due and payable upon forfeiture, conviction, deferral of prosecution, or request for time payment, as each shall occur.

(3) The supreme court is requested to adjust these assessments for inflation.

(emphasis added)

Judicial Information System Account Base Infraction

RCW 46.63.110 (partial)

Monetary penalties.

(1) A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed two hundred and fifty dollars for each offense unless authorized by this chapter or title.

(2) The monetary penalty for a violation of (a) RCW 46.55.105(2) is two hundred fifty dollars for each offense; (b) RCW 46.61.210 (1) is five hundred dollars for each offense. No penalty assessed under this subsection (2) may be reduced.

(3) The supreme court shall prescribe by rule a schedule of monetary penalties for designated traffic infractions. This rule shall also specify the conditions under which local courts may exercise discretion in assessing fines and penalties for traffic infractions. ***The legislature respectfully requests the supreme court to adjust this schedule every two years for inflation.*** (emphasis added)

Washington State Traffic Infraction Penalty Increases

Year	Description	Base Penalty	JIS Assess.	SGF Assess. 1	SGF Assess. 2	Legislative Assess.	Trauma Care	Auto Theft	TBI	Total
1984	Court Improvement Act - Consolidation of all misc. assessments and distributions, creating PSEA Account. PSEA 1 = 60% of Base.	$20	---	$12	---	---	---			**$32**
1985	Court Rule Adjustment* - Response to Court Improvement Act.	$25	---	$15	---	---	---			**$40**
1986	PSEA 2 - New assessment 50% of PSEA 1.	$25	---	$15	$8	---	---			**$48**
1994	JIS** - JIS assessment as part of Base Penalty created in statute.	$35	($10.00)	$21	$11	---	---			**$67**
1997	Trauma Care - $5 fee assessed on every infraction. Not part of the penalty or subject to assessments.	$35	($10.00)	$21	$11	---	$5			**$72**
2001	Legislative Assessment - $10 additional assessment on every traffic infraction.	$35	($10.00)	$21	$11	$10	$5			**$82**
2002	JIS Increase** - Supreme Court makes inflationary adjustment, increasing the JIS assessment to $12 by court rule.	$37	($12.00)	$22	$11	$10	$5			**$85**
2003	PSEA 1 - Legislature increases assessment to 70% of base penalty. Legislative Assessment - Legislature Increases assessment to $20.	$37	($12.00)	$26	$13	$20	$5			**$101**
2007	JIS Increase** - Supreme Court makes inflationary adjustment, increasing JIS assessment to $17 by court rule.	$42	($17.00)	$30	$15	$20	$5	$10	$2	**$124**

JIS assessment change effective May 1, 2007

* RCW 46.63.110 (3) The supreme court is requested to establish traffic infraction penalties by rule and adjust for inflation every two years.

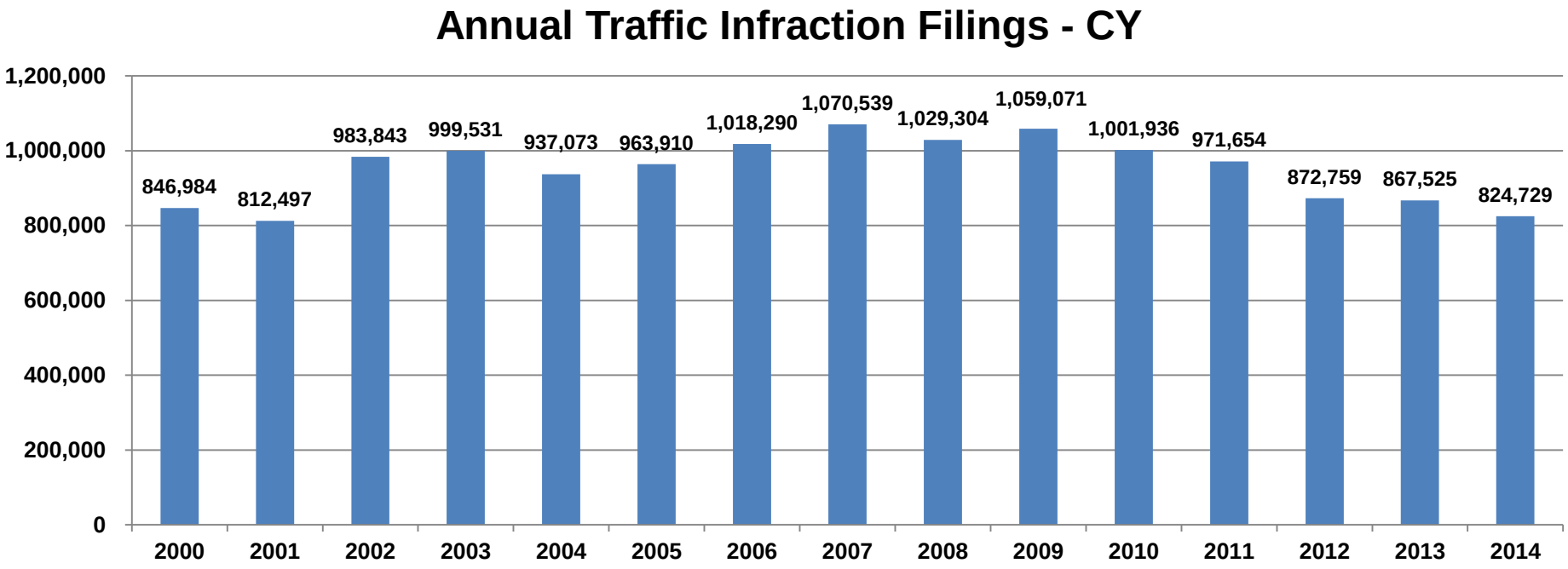
** RCW 2.68.040 (3) The supreme court is requested to make inflationary adjustments to the JIS portion of traffic infraction penalties.

PSEA abolished effective July 1, 2007. Monies deposited into the state general fund.

History of Judicial Information System Account Fund Sweeps 2007-2015

Biennium	Fund Balance Shift	Amount
2007-2009	Transfer to SGF	$1,500,000
2009-2011	ESHB 1244 to SGF	$5,000,000
2009-2011	ESHB 1244 to SGF	$5,000,000
2009-2011	SB 6444 2010 supplemental to SGF	$1,500,000
2011-2013	HB 1087 Fund Switch (SGF to JIS)	$6,011,000
2013-2015	3ESSB 5034 Fund Switch (SGF to JIS)	$3,000,000
	Total Fund Balance Shift	**$22,011,000**

Traffic Infraction Filings 2009-2014



Estimated New Costs 2013-2023

Project	2013-2015	2015-2017	2017-2019	2019-2021	2021-2023	Total
SC-CMS	$18,105,000	$12,598,000	$11,222,000	$4,247,000	$3,817,000	**$49,989,000**
CLJ-CMS	$0	$7,166,000	$16,811,000	$16,783,000	$7,625,000	**$48,385,000**
ECMS	$1,426,000	$400,000	$400,000	$400,000	$400,000	**$3,026,000**
Security	$750,000	$0	$0	$0	$0	**$750,000**
Maintenance	$1,159,000	$1,159,000	$1,159,000	$1,159,000	$1,159,000	**$5,795,000**
Legislative Salary Adj.	$950,000	$950,000	$950,000	$950,000	$950,000	**$4,750,000**
BOXI Upgrade	$773,000	$0	$0	$0	$0	**$773,000**
Total	**$23,163,000**	**$22,273,000**	**$30,542,000**	**$23,539,000**	**$13,951,000**	**$113,468,000**

Resources vs. Expenditures 2015-2023

	2015-2017	2017-2019	2019-2021	2021-2023
Resources	$53,221,884	$41,100,000	$41,100,000	$39,000,000
Less Expenditures				
Carryforward Level	$27,599,000	$28,758,000	$28,758,000	$28,758,000
SC-CMS	$12,598,000	$11,222,128	$4,247,322	$3,816,322
CLJ-CMS	$7,166,000	$16,811,250	$16,783,250	$8,925,250
Other	$6,610,750	$2,490,044	$2,796,252	$2,610,000
Sub-Total	**$53,973,750**	**$59,281,422**	**$52,584,824**	**$44,109,572**
Biennial Shortfall	**($751,866)**	**($18,181,422)**	**($11,484,824)**	**($5,109,572)**
Cumulative Shortfall	**($751,866)**	**($18,933,288)**	**($30,418,112)**	**($35,527,684)**
New Revenue	$8,500,000	$11,300,000	$11,300,000	$11,300,000
Revised Balance	$7,748,134	$866,712	$681,888	$6,872,316

Fiscal Growth Factor Applied to JIS Assessment 1994-2019

Fiscal Year	Growth Factor	Assessment	Potential Assessment	Net Change in Assessment	FGF Status
FY 1994	7.18%	$10.00	$10.00	$0.00	Final
FY 1995	6.21%	$10.00	$10.62	$0.62	Final
FY 1996	5.13%	$10.00	$11.17	$1.17	Final
FY 1997	4.45%	$10.00	$11.66	$1.66	Final
FY 1998	4.05%	$10.00	$12.14	$2.14	Final
FY 1999	4.18%	$10.00	$12.64	$2.64	Final
FY 2000	3.32%	$10.00	$13.06	$3.06	Final
FY 2001	2.87%	$10.00	$13.44	$3.44	Final
FY 2002	2.79%	$12.00	$13.81	$1.81	Final
FY 2003	3.29%	$12.00	$14.27	$2.27	Final
FY 2004	3.20%	$12.00	$14.72	$2.72	Final
FY 2005	3.03%	$12.00	$15.17	$3.17	Final
FY 2006	2.82%	$12.00	$15.60	$3.60	Final
FY 2007	3.38%	$17.00	$16.12	($0.88)	Final
FY 2008	5.53%	$17.00	$17.02	$0.02	Final
FY 2009	5.57%	$17.00	$17.96	$0.96	Final
FY 2010	5.20%	$17.00	$18.90	$1.90	Final
FY 2011	4.16%	$17.00	$19.68	$2.68	Final
FY 2012	4.34%	$17.00	$20.54	$3.54	Final
FY 2013	4.40%	$17.00	$21.44	$4.44	Final
FY 2014	4.65%	$17.00	$22.44	$5.44	Final
FY 2015	4.48%	$23.00	$23.44	$0.44	Final
FY 2016	4.33%	$23.00	$24.46	$1.46	Final
FY 2017	4.32%	$23.00	$25.52	$2.52	Unofficial
FY 2018	4.16%	$23.00	$26.58	$3.58	Unofficial
FY 2019	3.99%	$23.00	$27.64	$4.64	Unofficial

Fiscal Growth Factor Applied to Base Penalty 1994-2019

Fiscal Year	Growth Factor	Base Penalty	Potential Base Penalty	Net Change in Base Penalty	FGF Status
FY 1994	7.18%	$35.00	$35.00	$0.00	Final
FY 1995	6.21%	$35.00	$37.17	$2.17	Final
FY 1996	5.13%	$35.00	$39.08	$4.08	Final
FY 1997	4.45%	$35.00	$40.82	$5.82	Final
FY 1998	4.05%	$35.00	$42.47	$7.47	Final
FY 1999	4.18%	$35.00	$44.25	$9.25	Final
FY 2000	3.32%	$35.00	$45.72	$10.72	Final
FY 2001	2.87%	$35.00	$47.03	$12.03	Final
FY 2002	2.79%	$37.00	$48.34	$11.34	Final
FY 2003	3.29%	$37.00	$49.93	$12.93	Final
FY 2004	3.20%	$37.00	$51.53	$14.53	Final
FY 2005	3.03%	$37.00	$53.09	$16.09	Final
FY 2006	2.82%	$37.00	$54.59	$17.59	Final
FY 2007	3.38%	$42.00	$56.43	$14.43	Final
FY 2008	5.53%	$42.00	$59.55	$17.55	Final
FY 2009	5.57%	$42.00	$62.87	$20.87	Final
FY 2010	5.20%	$42.00	$66.14	$24.14	Final
FY 2011	4.16%	$42.00	$68.89	$26.89	Final
FY 2012	4.34%	$42.00	$71.88	$29.88	Final
FY 2013	4.40%	$42.00	$75.04	$33.04	Final
FY 2014	4.65%	$42.00	$78.53	$36.53	Final
FY 2015	4.48%	$48.00	$82.05	$34.05	Final
FY 2016	4.33%	$48.00	$85.61	$37.61	Final
FY 2017	4.32%	$48.00	$89.30	$41.30	Unofficial
FY 2018	4.16%	$48.00	$93.02	$45.02	Unofficial
FY 2019	3.99%	$48.00	$96.73	$48.73	Unofficial

Estimated Change in Biennial Revenue

Biennium	Local General Fund	State General Fund	JIS Account
2015-2017	$3,840,000	$4,631,000	$8,471,000
2017-2019	$5,120,000	$6,174,000	$11,300,000
2019-2021	$5,120,000	$6,174,000	$11,300,000
2021-2023	$5,120,000	$6,174,000	$11,300,000

Recommendation

- Increase the JIS Assessment from $17 to $23, reevaluate assessment in fiscal year 2024.
- Increase the base penalty from $42 to $48.